

State of Iowa

JOURNAL OF THE SENATE

**EIGHTY-FIFTH
GENERAL ASSEMBLY**

2013 REGULAR SESSION

Volume I

**PAM JOCHUM, President of the Senate
MICHAEL E. MARSHALL, Secretary of the Senate**

Published by the
STATE OF IOWA
Des Moines

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EIGHTY-FIFTH GENERAL ASSEMBLY
2013 Regular Session

OFFICERS OF THE SENATE

PAM JOCHUM, <i>President of the Senate</i>	Dubuque
STEVEN J. SODDERS, <i>President Pro Tempore</i>	State Center
MICHAEL E. GRONSTAL, <i>Majority Leader</i>	Council Bluffs
JOE BOLKCOM, <i>Majority Whip</i>	Iowa City
WILLIAM A DOTZLER, JR., <i>Assistant Majority Leader</i>	Waterloo
WALLY E. HORN., <i>Assistant Majority Leader</i>	Cedar Rapids
MATT McCOY, <i>Assistant Majority Leader</i>	Des Moines
AMANDA RAGAN, <i>Assistant Majority Leader</i>	Mason City
BILL DIX, <i>Minority Leader</i>	Shell Rock
RICK BERTRAND, <i>Minority Whip</i>	Sioux City
JONI K. ERNST, <i>Assistant Minority Leader</i>	Red Oak
RANDY FEENSTRA, <i>Assistant Minority Leader</i>	Hull
DAVID JOHNSON, <i>Assistant Minority Leader</i>	Ocheyedan
TIM L. KAPUCIAN, <i>Assistant Minority Leader</i>	Keystone
ROBY SMITH, <i>Assistant Minority Leader</i>	Davenport
MICHAEL E. MARSHALL, <i>Secretary of the Senate</i>	West Des Moines
KIRSTEN ANDERSON, <i>Minority Caucus Communications Director</i>	Des Moines
TOM ASHWORTH, <i>Minority Caucus Senior Research Analyst</i>	Carlisle
ERIC BAKKER, <i>Senior Administrative Asst. to Majority Leader II</i>	Cumming
KRIS BELL, <i>Senior Administrative Asst. to President</i>	West Des Moines
JENNIFER BEMINIO, <i>Administrative Services Officer</i>	Des Moines
MEGAN BENDIXEN, <i>Administrative Services Assistant</i>	Urbandale

K'ANN BRANDT, <i>Administrative Services Officer III</i>	Ankeny
JOSHUA BRONSINK, <i>Minority Caucus Research Analyst II</i>	Des Moines
LOIS J. BROWNELL, <i>Senior Finance Officer III</i>	Ankeny
JERRY CARLSON, <i>Sergeant-at-Arms</i>	Des Moines
LEILA CARLSON, <i>Postmistress</i>	Des Moines
ANGELA COX, <i>Administrative Services Officer I</i>	Des Moines
MOLLY CLAUSE, <i>Confidential Secretary to President</i>	Winterset
PAMELA DUGDALE, <i>Minority Caucus Senior Research Analyst</i>	West Des Moines
CATHERINE ENGEL, <i>Majority Caucus Research Analyst III</i>	West Des Moines
ED FALOR, <i>Senior Administrative Asst. to Minority Leader II</i>	
LINDA FLAHERTY, <i>Doorkeeper</i>	Des Moines
SUE FOECKE, <i>Majority Caucus Research Analyst III</i>	Des Moines
JAMES FRIEDRICH, <i>Minority Caucus Senior Research Analyst</i>	Ankeny
TRACIE GIBLER, <i>Administrative Asst. to Minority Leader II</i>	
BRIDGET GODES, <i>Majority Caucus Senior Research Analyst</i>	Des Moines
JANET HAWKINS, <i>Assistant Secretary of the Senate III</i>	Bondurant
GANNON HENDRICK, <i>Minority Caucus Research Analyst I</i>	Maxwell
JESSE HUGHES, <i>Administrative Services Officer</i>	Des Moines
ERIC JOHANSEN, <i>Minority Caucus Staff Director</i>	
DEBBIE KATTENHORN, Sr. <i>Administrative Asst. to Majority Leader II</i>	Norwalk
THERESA L. KEHOE, <i>Majority Caucus Senior Research Analyst</i>	Des Moines
WILLIAM KRIEG, <i>Doorkeeper</i>	Des Moines
ROBERT LANGBEHN, <i>Doorkeeper</i>	Des Moines
JO ANN LARSON, <i>Switchboard Operator</i>	Indianola
FRANK LOEFFEL, <i>Doorkeeper</i>	Des Moines

RUSTY MARTIN, <i>Majority Caucus Communications Director</i>	Des Moines
JACE MIKELS, <i>Majority Caucus Research Analyst III</i>	Waukee
JACK MILLER, <i>Doorkeeper</i>	Des Moines
JAY MOSHER, <i>Bill Clerk</i>	Milo
KATHY OLAH, <i>Administrative Services Officer III</i>	West Des Moines
RON PARKER, <i>Majority Caucus Senior Staff Director</i>	Des Moines
CHRISTINE PORTER, <i>Switchboard Operator</i>	Indianola
BRITNEY SAMUELSON, <i>Doorkeeper</i>	Monroe
DALE SCHROEDER, <i>Doorkeeper</i>	Des Moines
KERRY SCOTT, <i>Majority Caucus Research Analyst III</i>	
BETTY SHEA, <i>Administrative Services Officer I</i>	Altoona
ERICA SHORKEY, <i>Majority Caucus Research Analyst III</i>	Des Moines
JULIE T. SIMON, <i>Majority Caucus Senior Research Analyst</i>	Des Moines
KATHY STACHON, <i>Senate Lobbyist Clerk</i>	Des Moines
MAUREEN TAYLOR, <i>Administrative Services Officer I</i>	Des Moines
AARON TODD, <i>Majority Caucus Research Analyst I</i>	
RUSS TRIMBLE, <i>Minority Caucus Senior Research Analyst</i>	West Des Moines

JOINT EMPLOYEES OF THE SENATE AND HOUSE

MARK L. WILLEMSSEN, <i>Senior Facilities Manager</i>	Johnston
ZACHARY L. BUNKERS, <i>Conservation/Restoration Specialist II</i>	Des Moines
MARK S. LUNDBERG, <i>Conservation/Restoration Manager</i>	Des Moines
SHAWNA S. FERGUSON, <i>Legislative Security Coordinator</i>	Norwalk
KATHLEEN BACUS, <i>Security Officer I</i>	Knoxville
ROBERT CORNWELL, <i>Security Officer I</i>	Johnston
SAM GROVES, <i>Security Officer I</i>	Ankeny
BARB MALONE, <i>Security Officer I</i>	Pleasant Hill
GERALD McCURDY, <i>Security Officer I</i>	Des Moines
KERT SCHNELL, <i>Security Officer I</i>	Newton
CURTIS SCOTT, <i>Security Officer I</i>	Waukee
GORDON SKEFFINGTON, <i>Security Officer I</i>	Waukee
LEO R. SKEFFINGTON, <i>Security Officer I</i>	Adel
RICHARD TAYLOR, <i>Security Officer I</i>	Earlham
GABE WILSON, <i>Security Officer I</i>	Ames
SHIRLEY ROACH, <i>Senior Copy Center Operator</i>	Des Moines
HANNAH MAHAN, <i>Assistant Copy Center Operator</i>	Clive

ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Des Moines
KIM REYNOLDS, <i>Lieutenant Governor</i>	Osceola
MATT SCHULTZ, <i>Secretary of State</i>	Council Bluffs
DAVID A. VAUDT*, <i>Auditor of State</i>	West Des Moines
*Resigned May 3, 2013, Mary Mosiman appointed May 13, 2013	
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Urbandale
BILL NORTHEY, <i>Secretary of Agriculture</i>	Spirit Lake
TOM MILLER, <i>Attorney General</i>	Des Moines

JUSTICES OF THE IOWA SUPREME COURT

MARK S. CADY, <i>Chief Justice</i>	Fort Dodge
BRENT R. APPEL, <i>Justice</i>	Ackworth
DARYL L. HECHT, <i>Justice</i>	Sioux City
EDWARD M. MANSFIELD, <i>Justice</i>	Des Moines
THOMAS D. WATERMAN, <i>Justice</i>	Pleasant Valley
DAVID S. WIGGINS, <i>Justice</i>	West Des Moines
BRUCE B. ZAGER, <i>Justice</i>	Waterloo

JUDGES OF THE IOWA COURT OF APPEALS

LARRY J. EISENHAUER, <i>Chief Judge</i>	Ankeny
THOMAS N. BOWER, <i>Judge</i>	Cedar Falls
DAVID DANILSON, <i>Judge</i>	Boone
RICHARD H. DOYLE, <i>Judge</i>	Des Moines
MICHAEL R. MULLINS, <i>Judge</i>	Washington
GAYLE NELSON VOGEL, <i>Judge</i>	Spirit Lake
AMANDA POTTERFIELD, <i>Judge</i>	Tiffin
MARY TABOR, <i>Judge</i>	Des Moines
ANURADHA VAITHESWARAN, <i>Judge</i>	Des Moines

MEMBERS OF THE SENATE

EIGHTY-FIFTH GENERAL ASSEMBLY 2013 Regular Session

(Underlined county indicates the county of residence.)

BILL ANDERSON

Address Pierson
Age 35
Occupation Small Business Owner
Political Party Republican
Previous Legislative Service Senate: 2011–2012
Senatorial District 3–Plymouth, Woodbury

DARYL BEALL

Address Fort Dodge
Age 66
Occupation Former Journalist and Teacher
Political Party Democratic
Previous Legislative Service Senate: 2003–2012
Senatorial District 5–Calhoun, Humboldt, Pocahontas, Webster

JERRY BEHN

Address Boone
Age 59
Occupation Farmer/Agribusiness
Political Party Republican
Previous Legislative Service Senate: 1997–2012
Senatorial District 24–Boone, Greene, Hamilton, Story, Webster

RICK BERTRAND

Address Sioux City
Age 43
Political Party Republican
Previous Legislative Service Senate: 2011–2012
Senatorial District 7–Woodbury

DENNIS H. BLACK

Address Grinnell
Age 73
Occupation Retired Conservationist
Political Party Democratic
Previous Legislative Service House: 1983–1994; Senate: 1995–2012
Senatorial District 15–Jasper, Polk

NANCY J. BOETTGER

Address.....Harlan
Age.....70
OccupationRetired Farmer/Former Educator/Bed and Breakfast Owner/Operator
Political Party.....Republican
Previous Legislative ServiceSenate: 1995–2012
Senatorial District.....9–Crawford, Harrison, Ida, Monona,
Shelby, Woodbury

JOE BOLKCOM

Address.....Iowa City
Age.....56
OccupationOutreach Dir.–UI Ctr. for Global and Regional Envtl. Research
Political Party.....Democratic
Previous Legislative ServiceSenate: 1999–2012
Senatorial District43–Johnson

TOD BOWMAN

Address.....Maquoketa
Age.....47
Occupation.....Educator
Political Party.....Democratic
Previous Legislative Service.....Senate: 2011–2012
Senatorial District.....29—Dubuque, Jackson, Jones

CHRIS BRASE

Address	Muscatine
Age	50
Occupation	Firefighter/Paramedic
Political Party	Democratic
Previous Legislative Service	None
Senatorial District	46—Muscatine, Scott

MICHAEL BREITBACH

Address.....Strawberry Point
Age.....56
Occupation.....Business Owner
Political Party.....Republican
Previous Legislative Service.....None
Senatorial District.....28—Allamakee, Clayton, Fayette, Winneshiek

JAKE CHAPMAN

Address Adel
Age 28
Occupation Businessman/EMT
Political Party Republican
Previous Legislative Service None
Senatorial District 10—Adair, Cass, Dallas, Guthrie, Polk

MARK CHELGREN

Address Ottumwa
Age 44
Occupation Entrepreneur
Political Party Republican
Previous Legislative Service Senate: 2011–2012
Senatorial District 41—Davis, Jefferson, Van Buren, Wapello

THOMAS G. COURTNEY

Address Burlington
Age 65
Occupation Retired
Political Party Democratic
Previous Legislative Service Senate: 2003–2012
Senatorial District 44—Des Moines, Louisa, Muscatine

JEFF DANIELSON

Address Waterloo
Age 42
Occupation Career Firefighter, City of Cedar Falls
Political Party Democratic
Previous Legislative Service Senate: 2005–2012
Senatorial District 30—Black Hawk

DICK L. DEARDEN

Address Des Moines
Age 74
Occupation Retired Job Developer—5th Judicial District
Political Party Democratic
Previous Legislative Service Senate: 1995–2012
Senatorial District 16—Polk

BILL DIX

Address Shell Rock
 Age 50
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service House: 1997–2007; Senate: 2011–2012
 Senatorial District 25–Butler, Grundy Hardin, Story

WILLIAM A. DOTZLER, JR.

Address Waterloo
 Age 65
 Occupation Retired—John Deere
 Political Party Democratic
 Previous Legislative Service House: 1997–2002; Senate: 2003–2012
 Senatorial District 31–Black Hawk

ROBERT E. DVORSKY

Address Coralville
 Age 64
 Occupation Retired Executive Officer, 6th District DCS
 Political Party Democratic
 Previous Legislative Service House: 1987–1993; Senate: 1994*–2012
 Senatorial District 37–Cedar, Johnson, Muscatine

*Elected in special election held on February 22, 1994.

JONI K. ERNST

Address Red Oak
 Age 42
 Occupation Iowa Army National Guard/Former County Auditor
 Political Party Republican
 Previous Legislative Service Senate: 2011*–2012
 Senatorial District 12–Fremont, Mills, Montgomery, Page

*Elected in special election held on January 4, 2011.

RANDY FEENSTRA

Address Hull
 Age 44
 Occupation Finance and Insurance—Iowa State Bank
 Political Party Republican
 Previous Legislative Service Senate: 2009–2012
 Senatorial District 2–Cherokee, O'Brien, Plymouth, Sioux

SANDRA H. GREINER

Address Washington
Age 67
Occupation Farmer
Political Party Republican
Previous Legislative Service House: 1993–2000, 2003–2009;
Senate: 2001–2002, 2011–2012
Senatorial District 39–Johnson, Keokuk, Washington

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 63
Political Party Democratic
Previous Legislative Service House: 1983–1984; Senate: 1985–2012
Senatorial District 8–Pottawattamie

DENNIS GUTH

Address Klemme
Age 57
Occupation Farmer
Political Party Republican
Previous Legislative Service None
Senatorial District 4–Emmet, Hancock, Kossuth, Winnebago, Wright

RITA HART

Address Wheatland
Age 56
Occupation Farmer
Political Party Democratic
Previous Legislative Service None
Senatorial District 49–Clinton, Scott

JACK HATCH

Address Des Moines
Age 63
Occupation Real Estate Developer
Political Party Democratic
Previous Legislative Service House: 1985–1992, 2001–2002; Senate: 2003–2012
Senatorial District 17–Polk

ROBERT M. HOGG

Address Cedar Rapids
 Age 46
 Occupation Attorney
 Political Party Democratic
 Previous Legislative Service House: 2003–2006; Senate: 2007–2012
 Senatorial District 33–Linn

WALLY E. HORN

Address Cedar Rapids
 Age 79
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1973–1982; Senate: 1983–2012
 Senatorial District 35–Linn

HUBERT HOUSER

Address Carson
 Age 70
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service House: 1993–2001; Senate: 2002*–2012
 Senatorial District 11–Adams, Cass, Pottawattamie, Union

*Elected in special election held on June 12, 2001.

PAM JOCHUM

Address Dubuque
 Age 58
 Occupation Legislator
 Political Party Democratic
 Previous Legislative Service House: 1993–2008; Senate: 2009–2012
 Senatorial District 50–Dubuque

DAVID JOHNSON

Address Ocheyedan
 Age 62
 Occupation Retired, Newspaper Publisher/Dairy Farmer
 Political Party Republican
 Previous Legislative Service House: 1999–2002; Senate: 2003–2012
 Senatorial District 1–Clay, Dickinson, Lyon, Osceola, Palo Alto

TIM L. KAPUCIAN

Address Keystone
Age 56
Occupation Farmer
Political Party Republican
Previous Legislative Service Senate: 2009–2012
Senatorial District 38–Benton, Iowa, Poweshiek

LIZ MATHIS

Address Cedar Rapids
Age 55
Occupation Business Owner
Political Party Democratic
Previous Legislative Service Senate: 2012*
Senatorial District 34–Linn

*Elected in special election held on November 8, 2011.

MATT McCOY

Address Des Moines
Age 47
Occupation Owner of Resource Development Consultants (RDC)
Political Party Democratic
Previous Legislative Service House: 1993–1996; Senate: 1997–2012
Senatorial District 21–Polk, Warren

JANET PETERSEN

Address Des Moines
Age 42
Occupation Marketing Communications Consultant
Political Party Democratic
Previous Legislative Service House: 2001–2012
Senatorial District 18–Polk

HERMAN C. QUIRMBACH

Address Ames
Age 62
Occupation Associate Professor of Economics–Iowa State University
Political Party Democratic
Previous Legislative Service Senate: 2003–2012
Senatorial District 23–Story

AMANDA RAGAN

Address Mason City
 Age 58
 Occupation Exec Dir. of Comm. Kitchen N Iowa/Exec Dir. of Meals on Wheels
 Political Party Democratic
 Previous Legislative Service Senate: 2002*–2012
 Senatorial District 27–Butler, Cerro Gordo, Franklin
 *Elected in special election held on March 12, 2002.

KEN ROZENBOOM

Address Oskaloosa
 Age 61
 Occupation Farmer/Ag Business
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 40–Appanoose, Mahaska, Marion, Monroe, Wapello

CHARLES SCHNEIDER

Address West Des Moines
 Age 39
 Occupation Counsel, Principal Financial Group
 Political Party Republican
 Previous Legislative Service None*
 Senatorial District 22–Dallas, Polk
 *Elected in special election held on December 11, 2012.

BRIAN SCHOENJAHN

Address Arlington
 Age 63
 Occupation Legislator/EMT–Arlington Fire Department
 Political Party Democratic
 Previous Legislative Service Senate: 2005–2012
 Senatorial District 32–Black Hawk, Bremer, Buchanan, Fayette

MARK SEGEBART

Address Vail
 Age 62
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 6–Audubon, Buena Vista, Carroll, Crawford, Sac

JOE M. SENG

Address..... Davenport
Age..... 66
Occupation Veterinarian
Political Party Democratic
Previous Legislative Service House: 2001–2002; Senate: 2003–2012
Senatorial District 45–Scott

AMY SINCLAIR

Address..... Allerton
Age..... 37
Occupation Farmer
Political Party Republican
Previous Legislative Service None
Senatorial District 14–Clarke, Decatur, Jasper, Lucas
Marion, Wayne

ROBY SMITH

Address..... Davenport
Age..... 35
Occupation Small Business Owner
Political Party Republican
Previous Legislative Service Senate: 2011–2012
Senatorial District 47–Scott

STEVEN J. SODDERS

Address..... State Center
Age..... 43
Occupation Deputy Sheriff
Political Party Democratic
Previous Legislative Service Senate: 2009–2012
Senatorial District 36–Black Hawk, Marshall, Tama

KENT SORENSON

Address..... Milo
Age..... 40
Occupation Business Owner
Political Party Republican
Previous Legislative Service House: 2009–2010; Senate: 2011–2012
Senatorial District 13–Madison, Warren

RICH TAYLOR

Address Mt Pleasant
 Age 58
 Occupation HVAC Technician
 Political Party Democratic
 Previous Legislative Service None
 Senatorial District 42—Henry, Jefferson, Lee, Washington

JACK WHITVER

Address Ankeny
 Age 32
 Occupation Self-Employed/Business Owner
 Political Party Republican
 Previous Legislative Service Senate: 2011*–2012
 Senatorial District 19—Polk

*Elected in special election held on January 18, 2011.

MARY JO WILHELM

Address Cresco
 Age 58
 Occupation Appraiser
 Political Party Democratic
 Previous Legislative Service Senate: 2009–2012
 Senatorial District 26—Cerro Gordo, Chickasaw, Floyd, Howard,
 Mitchell, Winneshiek, Worth

BRAD ZAUN

Address Urbandale
 Age 51
 Occupation Director—Grapnel Tech Services/iapps24
 Political Party Republican
 Previous Legislative Service Senate: 2005–2012
 Senatorial District 20—Polk

DAN ZUMBACH

Address Ryan
 Age 52
 Occupation Farmer
 Political Party Republican
 Previous Legislative Service None
 Senatorial District 48—Buchanan, Delaware, Jones, Linn

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 14, 2013

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 2013 Regular Session of the Eighty-fifth General Assembly convened at 10:07 a.m., and the Senate was called to order by President Pro Tempore Danielson.

Prayer was offered by Sister Joanne Burrows, President of Clarke University and a member of the Sisters of Charity of the Blessed Virgin Mary, Dubuque, Iowa. She was the guest of Senator Jochum.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Beall.

A moment of silence was observed in honor of Senator Pat Ward.

APPOINTMENT OF SECRETARY OF THE SENATE

Senator Gronstal moved that Michael E. Marshall be appointed as Secretary of the Senate.

The motion prevailed by a voice vote, and Mr. Marshall appeared before the rostrum and was duly sworn to the oath of office.

COMMITTEE ON CREDENTIALS

Senator Gronstal moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Dvorsky, Chair; Horn, Ragan, Chelgren, and Smith.

The Senate stood at ease at 10:12 a.m.

The Senate resumed session at 10:14 a.m.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate for the Eighty-fifth General Assembly.

ROBERT E. DVORSKY, Chair
WALLY E. HORN
AMANDA RAGAN
MARK CHELGREN
ROBY SMITH

On motion of Senator Dvorsky, the report was adopted by a voice vote, and the duly elected senators appeared before the bar of the Senate, were duly sworn, and subscribed their names to the oath of office.

Senator Horn took the chair at 10:15 a.m.

STATE OF IOWA

Office of the **Secretary Of State** CERTIFICATION

To the Honorable, The Secretary of the Senate:

I, MATT SCHULTZ, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 6, 2012, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 2013:

DISTRICTS

Second.....	Randy Feenstra
Fourth.....	Dennis Guth
Sixth.....	Mark Segebart
Eighth.....	Michael E. Gronstal
Tenth.....	Jake Chapman
Twelfth.....	Joni K. Ernst
Fourteenth.....	Amy Sinclair

Sixteenth	Dick L. Dearden
Eighteenth	Janet Petersen
Twentieth	Brad Zaun
Twenty-fourth	Jerry Behn
Twenty-sixth	Mary Jo Wilhelm
Twenty-eighth	Michael Breitbach
Thirtieth	Jeff Danielson
Thirty-second	Brian Schoenjahn
Thirty-fourth	Liz Mathis
Thirty-sixth	Steve Sodders
Thirty-eighth	Tim Kapucian
Fortieth	Ken Rozenboom
Forty-second	Rich Taylor
Forty-fourth	Thomas G. Courtney
Forty-sixth	Chris Brase
Forty-eighth	Dan Zumbach
Forty-ninth	Rita Hart
Fiftieth	Pam Jochum

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 2, 2010, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 2011:

DISTRICTS

First	David Johnson
Third	Bill Anderson
Fifth	Daryl Beall
Seventh	Rick Bertrand
Ninth	Nancy Boettger
Eleventh	Hubert Houser
Thirteenth	Kent Sorenson
Fifteenth	Dennis H. Black
Seventeenth	Jack Hatch
Nineteenth	Jack Whitver
Twenty-first	Matt McCoy
Twenty-third	Herman C. Quirmbach
Twenty-fifth	Bill Dix
Twenty-seventh	Amanda Ragan
Twenty-ninth	Tod Bowman
Thirty-first	Bill Dotzler
Thirty-third	Robert Hogg
Thirty-fifth	Wally Horn
Thirty-seventh	Robert Dvorsky
Thirty-ninth	Sandra Greiner
Forty-first	Mark Chelgren

Forty-third.....Joe Bolcom
Forty-fifth.....Joe Seng
Forty-seventh.....Roby Smith

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the official seal of the Secretary of
State at the Statehouse, in Des Moines, this second
day of January, 2013.

MATT SCHULTZ
Secretary of State

I hereby acknowledge receipt of the original copy of this document on this second day of
January, 2013.

MICHAEL E. MARSHALL
Secretary of the Senate

Office of the
Secretary Of State
CERTIFICATION

To the Honorable, The Secretary of the Senate:

I, MATT SCHULTZ, Secretary of State of the State of Iowa, custodian of the files
and records pertaining to elections in the state, do hereby certify that the State
Canvassing Board has declared that at a Special Election held on December 11, 2012,
the following named person was duly elected to the office of State Senator for the term
of four years beginning on the seventh day of January, 2013:

DISTRICT

Twenty-second..... Charles Schneider

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my
hand and affixed the official seal of the Secretary of
State at the Statehouse, in Des Moines, this seventh
day of January, 2013.

MATT SCHULTZ
Secretary of State

I hereby acknowledge receipt of the original copy of this document on this seventh day of
January, 2013.

MICHAEL E. MARSHALL
Secretary of the Senate

On motion of Senator Horn, the reports were adopted by a voice vote, and the duly elected senators appeared before the bar of the Senate, were duly sworn, and subscribed their names to the oath of office.

President Pro Tempore Danielson took the chair at 10:17 a.m.

ELECTION OF PRESIDENT

Senator Gronstal placed in nomination the name of Senator Pam Jochum of Dubuque as a candidate for the office of President of the Senate for the Eighty-fifth General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Jochum was unanimously elected by a voice vote.

Senator Jochum was administered the oath of office by Chief Justice Mark S. Cady.

President Jochum took the chair at 10:29 a.m.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Gronstal placed in nomination the name of Senator Steven J. Soddors of Marshall County as a candidate for the office of President Pro Tempore for the Senate for the Eighty-fifth General Assembly.

There being no further nominations, the Chair put the question to the Senate, and Senator Soddors was unanimously elected by a voice vote.

The Chair announced that Senator Soddors had been elected President Pro Tempore of the Eighty-fifth General Assembly.

Senator Soddors appeared, took the oath of office, and was congratulated and presented to the Senate by President Jochum.

OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Jochum addressed the Senate with the following remarks:

Welcome to the 85th General Assembly of the Iowa Legislature.

I am honored to serve as the President of the Senate.

As the Senate's presiding officer, I will be inspired by my predecessors, including the irreplaceable Jack Kibbie of Emmetsburg, the godfather of Iowa's community colleges.

We've all traveled our own paths to this day. I want to especially welcome the 11 new members of the Senate and their families.

Congratulations on the commitment to public service that brought you here today.

My own journey to this podium is grounded in my experiences as a lifelong resident of Dubuque.

Both my parents grew up in Dubuque. After serving in the Navy, my dad started out working on the line at a family owned business, the Dubuque Packing Company. He eventually worked his way up to becoming a company vice president.

My mother managed our household and guided six children to successful adulthood. In her "spare" time, she volunteered to prepare and serve the breakfast and lunch program at the neighborhood grade school.

My parents brought their children up to be involved in our community, and to give something back in return for all that had been given to us.

There was one other group of people who influenced me. As you may know, the Dubuque area is home to five women religious orders.

The good sisters instilled a passion for justice in me. They taught with their words and actions that all persons are created equal.

And they taught us that to fail to speak up and do what's right is to fail to do your duty as a citizen.

Democracy, equality, justice were not just words we learned in school. The sisters taught us they were ideals that we should seek to advance in our personal and public lives.

Years later, as a young mother, I encountered discrimination that brought that passion for justice to life.

At the time, "Area Residential Care," a local group that helped adults with intellectual disabilities, hoped to build a group home in an upscale Dubuque neighborhood.

One particular individual was quite vocal in his opposition to the home. He told me that he didn't like the way "they" looked. He worried the presence of people like them would lower property values.

Despite the opposition, the city council granted the building permit.

There are now some two dozen similar group homes in Dubuque. Adults with intellectual disabilities and their families are more integrated into our community than ever before. And Dubuque is more beautiful and a better place to live because of it.

That was my first experience with the discrimination that my daughter, Sarah, faces simply for being who she is. It helped convince me to run for public office.

In 1992 I became the first woman to represent the City of Dubuque in the Iowa Legislature.

I arrived in Des Moines ready to pass legislation to improve the lives of Iowa

families and make our state more prosperous. I'm sure many of you walked in the Statehouse today with the same goals.

However, my ambitious plans collided with a harsh political reality.

As a Democratic member of the Iowa House, I would spend the next 14 years in the minority.

Pat Ward, our former colleague, knew how to accomplish things for Iowans even while in the minority. With patience, persistent good will, and hard work, Pat helped improve the lives of Iowans.

In the last few years, I was honored to work with her to give young people involved in the juvenile justice system a second chance.

Pat knew how to put good government ahead of good politics, and we all miss her.

Today, Iowa is one of only three states with a divided legislature. To be successful, we must all work together.

The troubling questions confronting us do not have a Democratic answer, or a Republican answer, or an urban answer, or a rural answer.

They can only have human answers for they are the questions that ask what kind of life we want to live together.

One of those troubling questions is how to ease the serious health care worries many Iowa families have.

Fortunately, on this important issue, legislators from both parties have already listened to Iowans and already worked successfully together.

Several non-partisan health care commissions made up of health care providers, insurers, business advocates, and consumers have pointed us in the right direction.

Former Democratic Governor Tom Vilsack and then-former Governor Terry Branstad co-chaired one of those commissions.

One result is that Iowa Republicans and Democrats worked together to expand Hawk-i, the Healthy and Well-Kids of Iowa insurance program.

That bipartisan effort is why Iowa's children are now among the healthiest in the nation.

And that's why Governor Branstad was absolutely right to set his sights on making Iowa the healthiest state in the nation.

Today, Iowa is well positioned to lead the nation in solving tough health care problems for families and businesses alike.

We can do it by showing the nation how to put lasting progress ahead of short-term partisanship.

This session, let's continue our bipartisan effort to improve mental health services across the state.

This session, let's keep investing in the services that allow our older citizens to stay in their own homes.

And here's the biggest opportunity for this session to make a positive difference for Iowans.

Right now, too many Iowa families risk the loss of their home and bankruptcy if a parent or spouse or child becomes ill.

Right now, our local hospitals and health care providers are burdened with roughly one billion dollars each year in uncompensated care.

Right now, that uncompensated care drives up insurance costs for every Iowa business and every family with health insurance.

We can fix this problem, and we can do it right now.

Last month, I listened Iowa's health care leaders from across the state.

The people who know Iowa health care issue best are speaking with one voice. They are urging us to expand Medicaid.

They point out that expanding Medicaid will make affordable health insurance available to all Iowans; expanding Medicaid will make Iowa's health care system financially secure; and expanding Medicaid slow rising health care costs for Iowa families and Iowa businesses.

By expanding Medicaid, we will bring health insurance to 80,000 currently uninsured Iowans and preserve health care for 70,000 Iowans currently on IowaCare.

Iowans look at the mess divided government in Washington D.C. has produced and they shake their heads.

Iowans expect better from their state legislature, and we have delivered in previous sessions.

Early in this session, let's show Iowans that rather than engaging in senseless partisanship, we will again listen to them and do what's right.

I strongly encourage you to talk with the hospitals, nursing homes, doctors and other health care providers in your districts.

I did, and I'm convinced that expanding affordable health insurance is one of the best things we can do for Iowa families and to help grow the Iowa economy.

When our children and grandchildren look back, I hope they will remember this session as a time when Iowa's common sense and Iowa's sense of community rose up to meet the challenge of our times.

At the close of the convention that drafted the United States Constitution, Ben Franklin asked this question: "Is it a rising or a setting sun?" Each generation since 1787 has answered that question. Once again, the answer rests with us.

Thank you.

REMARKS BY THE MINORITY LEADER

Senator Dix addressed the Senate as follows:

Thank you, Madame President.

I am proud and honored to stand here today and address my fellow legislators and Iowans. Like every other hard-working citizen, those of us in the Senate wear many different hats. Those of a spouse, a parent, a farmer, a small business owner, a legislator, and a taxpayer.

Regardless of the hat, we know the recent years have presented great challenges, that require difficult decisions to be made by families across Iowa. Belts have been tightened and budgets have been cut. Much like our family budgets, the state has been living within its means with solid success. We can and will continue to do this with sound fiscal leadership and smart planning.

Our state coffers are full, full with dollars that have come from family budgets. As legislators, we must realize and appreciate this is not our money. It's not the state's money. It's yours, and yours, and yours!

Every decision we make this year must be firmly rooted in our accountability to the hard working people of Iowa who pay their own bills and the bills of government. We owe them a budget that continues to spend less than we take in and protects our state in the event of a "rainy day", while allowing them to keep more of their own money.

As we work to enact meaningful legislation this year, it is important to keep in mind that we are all Iowans, working toward a better life in the state we love. Part of that better life is a lower tax burden. Not simply a shuffling of burden, but a real reduction of their tax burden that empowers Iowans to grow small businesses, educate

their children, and save for their future. We all trust and believe in the quality of the character of Iowans and know that empowering them is how we best serve them all.

Providing a top-tier education system is vital to our future growth and success as a state. As legislators we hear from Iowa's largest employers, our small business owners, the heads of our Universities, parents, from every sector of our state, they all want to make certain we do everything we can to improve Iowa's education system. To prepare Iowa students to not simply go to good schools, or the best in the Midwest, or even in our country. We need to have the best schools anywhere so Iowa graduates and Iowa employers can compete in the global marketplace.

This year, like ever year in the Iowa Legislature, we will see important legislation cross our desks, attend many meetings discussing a variety of issues, debate bills that are near and dear to our hearts as well as bills to which we have no personal connection. At the end of the day, we were all sent to Des Moines to get a job done, serve the people of Iowa who are affected by the consequences and pay the bills we incur.

We are all working to do what we think is right. We will work together to accomplish the task at-hand and help leave Iowa a better place than we found it. We owe that to future generations.

Let's make it happen!

Thank you.

REMARKS BY THE MAJORITY LEADER

Senator Gronstal addressed the Senate as follows:

Thank you, Madame President.

And congratulations on the confidence that your colleagues have placed in you.

I want to welcome senators, staff, pages, our families and guests, and the public to the start of the 2013 session of the Iowa Senate.

I especially want to welcome the senators who just took the oath of office for the first time.

Some of you went through a challenging campaign to get here.

Some of us went through a challenging campaign to return here.

Now's the time to set that aside.

Elections are about giving voters a choice by highlighting our differences.

Governing is about helping citizens solve problems by finding common ground.

And, when we are at our best, that's what we do here in the Iowa Senate.

In recent years, we've kept the focus on bread-and-butter issues that matter most to Iowans: jobs, education, and health care.

As the Senate Majority Leader, I will work to continue that focus. It's the best way to expand Iowa's middle class, and it's the best way to bring long-term prosperity to our state.

I will highlight just one policy proposal today.

My top priority for the 2013 session is addressing Iowa's skill shortage.

We've all read reports showing that Iowa businesses can't find the workers they need to expand.

Let's remember that Iowa actually DOES NOT have a shortage of workers; we have a shortage of SKILLED workers.

That's why this session we should do more to help Iowa workers upgrade their skills.

I recently met with educators, business leaders, and community college students in Sioux City, Mason City, Newton, Fort Dodge, and Council Bluffs.

At one of those meetings, an Iowan told me a story that I'd like to share with you. He said that just a couple of months ago, he was working for the minimum wage, struggling to support his family.

Then, he got one of the Kibbie Grants we created last year. That made it possible for him to enroll at his local community college for a month long class in commercial driving.

He completed the class, got his CDL, and he was quickly hired for a much better job as truck driver.

That was good news for his family, for the business that hired him and for the Iowa economy as a whole.

And it was all possible because Democrats and Republicans in the Iowa Legislature found common ground.

Last year, we took one step forward. This year, we should take several more.

Adult basic education is for adults that—for whatever reason—didn't get a high school diplomat. And Iowa is one of just three states that provide almost no support to adult basic education.

Let's listen to Iowans and expand our definition of adult education.

Let's increase our investment in improving the skills of workers at all levels; everything from non-degree programs like those that help you earn a Commercial Driver's License, to one-or two-year associate degrees, to four-year and post-graduate degrees.

Why shouldn't Iowa become the best state in the nation when it comes to workforce training?

I want to be able to tell businesses: "We can help train workers so they have whatever skills you need to succeed."

This can be the common ground that unites all four caucuses and the executive branch. Investing in workers is the best way to grow our economy and help Governor Branstad reach his goal, which we share, of increasing Iowa family income by 25 percent.

Thank you.

ADOPTION OF TEMPORARY RULES AND TEMPORARY COMPENSATION

Senator Gronstal moved that the rules of the Senate adopted by the Eighty-fourth General Assembly and provisions for compensation adopted by the Eighty-fourth General Assembly be adopted as the temporary rules and temporary compensation provisions for the 2013 Session of the Eighty-fifth General Assembly.

The motion prevailed by a voice vote.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Gronstal moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Bowman, Chair; Taylor and Rozenboom.

COMMITTEE TO NOTIFY THE HOUSE

Senator Gronstal moved that a committee of three be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Petersen, Chair; Dotzler and Guth.

ASSIGNMENT OF PRESS SEATS

Senator Gronstal moved that the Secretary of the Senate be authorized to assign seats for the use of representatives of the news media and that appropriate badges be provided for the use by those representatives.

The motion prevailed by a voice vote.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:54 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:04 a.m., President Jochum presiding.

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following individuals as permanent officers and employees of the Senate for the 2013 Session of the Eighty-fifth General Assembly:

Secretary of the SenateMichael E. Marshall

Administrative

Administrative Services Officer III K'Ann Brandt
Administrative Services Officer IMaureen Taylor
Administrative Services AssistantMegan Bendixen

Finance

Senior Finance Officer IIILois Brownell
Administrative Services Officer I Betty Shea

Indexing

Administrative Services Officer III Kathy Olah

Journal

Administrative Services Officer IAngela Cox
Administrative Services OfficerJennifer Beminio

Legal Counsel's Office

Assistant Secretary of the Senate III Janet Hawkins
Administrative Services OfficerJesse Hughes

President of the Senate's Office

Sr. Administrative Assistant to President II Kris Bell
Confidential Secretary to PresidentMolly Clause

Democratic Caucus

Sr. Administrative Assistant to Leader II..... Eric Bakker
Sr. Administrative Assistant to LeaderDebbie Kattenhorn
Sr. Caucus Staff Director Ron Parker
Sr. Legislative Research Analyst.....Theresa Kehoe

Sr. Legislative Research Analyst.....	Rusty Martin
Sr. Legislative Research Analyst.....	Bridget Godes
Sr. Legislative Research Analyst.....	Julie Simon
Legislative Research Analyst III.....	Sue Foecke
Legislative Research Analyst III.....	Catherine Engel
Legislative Research Analyst III.....	Jace Mikels
Legislative Research Analyst III.....	Erica Shorkey
Legislative Research Analyst II.....	Kerry Scott
Legislative Research Analyst I.....	Aaron Todd

Republican Caucus

Sr. Administrative Assistant to Leader II.....	Edward Failor
Administrative Assistant to Leader II.....	Tracie Gibler
Caucus Staff Director.....	Eric Johansen
Sr. Legislative Research Analyst.....	Pamela Dugdale
Sr. Legislative Research Analyst.....	Jim Friedrich
Sr. Legislative Research Analyst.....	Thomas Ashworth
Sr. Legislative Research Analyst.....	Russ Trimble
Legislative Research Analyst II.....	Kirsten Anderson
Legislative Research Analyst II.....	Josh Bronsink
Legislative Research Analyst I.....	Gannon Hendrick

Sergeant-at-Arms

Sergeant-at-Arms.....	Jerry Carlson
Doorkeeper.....	Robert Langbehn
Doorkeeper.....	Frank Loeffel
Doorkeeper.....	Dale Schroeder
Doorkeeper.....	Linda Flaherty
Doorkeeper.....	Jack Miller
Doorkeeper.....	Britney Samuelson

Services

Bill Clerk.....	Jay Mosher
Switchboard Operator.....	Jo Ann Larson
Switchboard Operator.....	Christine Porter
Postmistress.....	Leila Carlson

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and appointment of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Bowman reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Petersen reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

APPOINTMENT OF SENATE SECRETARIES

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following individuals as secretaries to senators for the 2013 Session of the Eighty-fifth General Assembly:

ALBERT, Hailey.....	JOHNSON, David
APLING, Chris	DOTZLER, William
BECKER, Diane	DIX, Bill
BOETTGER, Dave.....	BOETTGER, Nancy
BURNETT, Anne Marie.....	BLACK, Dennis
CHRISTENSON, Bob.....	SODDERS, Steve
CONRAD, Cara	DANIELSON, Jeff
COURTNEY, Nancy	COURTNEY, Thomas G.
DELUHERY, Mardi	WILHELM, Mary Jo
DORR, Chris.....	SORENSEN, Kent
DORSEY, Chris	SINCLAIR, Amy
DRAISEY, Lucas	GREINER, Sandra
FIALA, Nathan.....	MATHIS, Liz
FULLERTON, Martha.....	CHAPMAN, Jake
GARDNER, Judy.....	WHITVER, Jack
GEDDES, Susan.....	ROZENBOOM, Ken
GROVER, Jodi.....	SCHOENJAHN, Brian
GUTH, Margaret.....	GUTH, Dennis
HARDIN, Matt	DVORSKY, Robert
HART, Marae	HART, Rita
HAWS, Claire	PETERSEN, Janet
HENSLER, Steven	SMITH, Roby

HOEPPNER, Rebecca	QUIRMBACH, Herman
HUDSON, Shaun	BREITBACH, Michael
HUHN, Marce	BEHN, Jerry
KAJTAZOVIC, Hana	BOLKCOM, Joe
KESSLER, Alan	HATCH, Jack
KRAMER, Brian	SENG, Joe
KRIEGEL, Tammy	KAPUCIAN, Tim
KRIST, Chelsea	HOGG, Robert
LARSON, Ellen	ERNST, Joni
MARTIN, Orion Robert	JOCHUM, Pam
MOORE, Sarah	HOUSER, Hubert
PETERSON, Phyllis	HORN, Wally
PITTS, Adam	ANDERSON, Bill
SCHNEIDER, Lisa	SCHNEIDER, Charles
SCOTT, Travis	BRASE, Chris
SHANNON STUEVE, Erica	RAGAN, Amanda
SIELEMAN, Maxine	SEGEBART, Mark
SMITH, Blake	CHELGREN, Mark
STEVENS, Laura	BERTRAND, Rick
TAYLOR, Annette	TAYLOR, Rich
TENNER, Ann	FEENSTRA, Randy
TENNER, Katherine	ZUMBACH, Dan
VASEY, Dana	BEALL, Daryl
WALTON, Joanne	GRONSTAL, Michael E.
WENGERT, Joanne	DEARDEN, Dick
YOUNGER, Maggie	BOWMAN, Tod
ZAUN, Dede	ZAUN, Brad
ZENTI, Christian	McCOY, Matt

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and the appointment of the Senate secretaries.

The motion prevailed by a voice vote, and the foregoing Senate secretaries appeared before the bar of the Senate and were duly sworn.

APPOINTMENT OF PAGES

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as pages for the Senate for the 2013 Session of the Eighty-fifth General Assembly:

Michelle Aberle, Walker
Jen Brookhart, Winterset
Elizabeth Detrick, Des Moines
Ashley Green, Wapello
Jacob Ihnen, Sheldon
Brett Ofstein, Ankeny
Levi Price, Winterset
Laura Prindle, Ankeny
Dalton Schmit, Independence
Grant Smith, Carroll
Will Thomas, Van Meter
Celia Ver Ploeg, Des Moines
Tucker Watters, Des Moines
Hanna Zinn, Spencer

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and the appointment of the Senate pages.

The motion prevailed by a voice vote, and the foregoing Senate pages appeared before the bar of the Senate and were duly sworn to their oaths of office.

COMMITTEE ON MILEAGE

Senator Gronstal moved that a committee of four be appointed as the committee on mileage.

The motion prevailed by a voice vote, and the Chair appointed as such committee Senators Sodders, Chair; Mathis, Boettger, and Breitbach.

MOTION ON CHAPLAINS

Senator Gronstal moved that Secretary of the Senate be authorized to coordinate the scheduling of chaplains for the Senate during the Eighty-fifth General Assembly, which motion prevailed by a voice vote.

SELECTION OF SEATS

The Chair announced the next order of business would be the selection of seats.

Senator Gronstal moved that the holdover and re-elected senators who participated in seat selection in 2012 be granted the privilege of selecting new seats in order of seniority from unassigned seats; that the re-elected senators first elected during the 2012 session be granted the privilege of selecting their seats from the unassigned seats according to their seniority; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats according to seniority; and that first, the Majority Floor Leader and the Minority Floor Leader be permitted to select their seats.

The motion prevailed by a voice vote.

Senator Gronstal asked and received unanimous consent for Senator elect Dix to select his seat.

The motion prevailed by a voice vote.

The Secretary of the Senate called the roll, and seat selections were made as follows:

<u>NAME</u>	<u>SEAT NO.</u>
Anderson of Woodbury	16
Beall of Webster	15
Behn of Boone	40
Bertrand of Woodbury	18
Black of Jasper.....	45
Boettger of Shelby.....	38
Bolkcom of Johnson	31
Bowman of Jackson	13
Brase of Muscatine	23
Breitbach of Clayton.....	12
Chapman of Dallas	30
Chelgren of Wapello.....	04
Courtney of Des Moines	07
Danielson of Black Hawk	01
Dearden of Polk.....	37
Dix of Butler.....	36
Dotzler of Black Hawk.....	05
Dvorsky of Johnson.....	49
Ernst of Montgomery.....	10
Feenstra of Sioux	46
Greiner of Washington	44
Gronstal of Pottawattamie.....	41
Guth of Hancock	22
Hart of Clinton.....	17

Hatch of Polk.....	35
Hogg of Linn.....	47
Horn of Linn.....	43
Houser of Pottawattamie	42
Jochum of Dubuque	27
Johnson of Osceola.....	14
Kapucian of Benton	48
Mathis of Linn.....	11
McCoy of Polk	39
Petersen of Polk	19
Quirmbach of Story.....	03
Ragan of Cerro Gordo	33
Rozenboom of Mahaska.....	24
Schneider of Dallas	32
Schoenjahn of Fayette	09
Segebart of Crawford.....	02
Seng of Scott.....	50
Sinclair of Wayne.....	26
Smith of Scott.....	28
Sodders of Marshall.....	29
Sorenson of Warren	20
Taylor of Henry	25
Whitver of Polk	08
Wilhelm of Howard.....	21
Zaun of Polk	06
Zumbach of Delaware.....	34

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:37 a.m. until 9:00 a.m., Tuesday, January 15, 2013.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Your committee on rules and administration submits the following names of officers and employees of the Senate for the Eighty-fifth General Assembly, 2013 Session, and their respective classifications, grades and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Secretary of the Senate	Mike Marshall	P-FT	44	7
Assistant Secretary of the Senate III	Janet Hawkins	P-FT	38	2
Sr. Administrative Assistant to Leader II	Eric Bakker	P-FT	41	7
Sr. Administrative Assistant to Leader II	Debbie Kattenhorn	P-FT	41	4
Administrative Secretary to Leader	Joanne Walton	S/O	21	2
Sr. Administrative Assistant to President II	Kris Bell	P-FT	41	5
Conf. Secretary to Pres.	Molly Clause	P/PT	27	1
Administrative Secretary to Leader	Orion Robert Martin	S/O	21	1
Sr. Caucus Staff Director	Ron Parker	P-FT	41	7
Sr. Legislative Research Analyst	Theresa Kehoe	P-FT	38	7
Sr. Legislative Research Analyst	Rusty Martin	P-FT	38	7
Sr. Legislative Research Analyst	Julie Simon	P-FT	38	6
Sr. Legislative Research Analyst	Bridget Godes	P-FT	38	6
Legislative Research Analyst III	Kerry Scott	P-FT	35	5
Legislative Research Analyst III	Erica Shorkey	P-FT	35	4
Legislative Research Analyst III	Sue Foecke	P-FT	35	3
Legislative Research Analyst III	Catherine Engel	P-FT	35	3
Legislative Research Analyst III	Jace Mikels	P-FT	35	2
Legislative Research Analyst I	Aaron Todd	P-FT	29	3
Sr. Administrative Assistant to Leader II	Ed Failor	P-FT	41	3
Administrative Assistant to Leader II	Tracie Gibler	P-FT	32	1

Administrative Secretary to Leader	Diane Becker	S/O	21	1
Caucus Staff Director	Eric Johansen	P-FT	38	1
Sr. Legislative Research Analyst	Pamela Dugdale	P-FT	38	7
Sr. Legislative Research Analyst	Jim Friedrich	P-FT	38	7
Sr. Legislative Research Analyst	Russ Trimble	P-FT	38	6
Sr. Legislative Research Analyst	Thomas Ashworth	P-FT	38	3
Legislative Research Analyst II	Kirsten Anderson	P-FT	32	3
Legislative Research Analyst II	Joshua Bronsink	P-FT	32	2
Legislative Research Analyst I	Gannon Hendrick	P-FT	29	1
Administrative Services Officer III	K'Ann Brandt	P-FT	32	7
Administrative Services Officer I	Maureen Taylor	P-FT	26	4
Administrative Services Officer I	Angela Cox	P-FT	26	3
Administrative Services Officer I	Betty Shea	P-FT	26	3
Administrative Services Officer	Jennifer Beminio	P-FT	23	3
Administrative Services Officer	Jesse Hughes	P-FT	23	3
Administrative Services Assistant	Megan Bendixen	P-FT	20	2
Sr. Finance Officer III	Lois Brownell	P-FT	38	6
Administrative Services Officer III	Kathy Olah	P-FT	32	7
Administrative Services Assistant	Kathy Stachon	S-O	20	4
Switchboard Operator	JoAnn Larson	S-O	14	4
Switchboard Operator	Christine Porter	S-O	14	2
Bill Clerk	Jay Mosher	S-O	14	7
Postmistress	Leila Carlson	S-O	12	3
Sergeant-at-Arms	Gerald Carlson	S-O	17	4
Doorkeeper	Robert Langbehn	S-O	11	7
Doorkeeper	Frank Loeffel	S-O	11	5
Doorkeeper	Dale Schroeder	S-O	11	1
Doorkeeper	Linda Flaherty	S-O	11	1
Doorkeeper	Jack Miller	S-O	11	1
Doorkeeper	Britney Samuelson	S-O	11	1
Legislative Secretary	Hailey Albert	S-O	18	1
Legislative Secretary	David Boettger	S-O	16	5
Legislative Secretary	Christopher Dorr	S-O	17	2
Legislative Secretary	Chris Dorsey	S-O	16	1

Legislative Secretary	Lucas Draisey	S-O	17	1
Legislative Secretary	Martha Fullerton	S-O	17	3
Legislative Secretary	Judy Gardner	S-O	16	4
Legislative Secretary	Susan Geddes	S-O	17	2
Legislative Secretary	Margaret Guth	S-O	16	1
Legislative Secretary	Marae Hart	S-O	16	1
Legislative Secretary	Steven Hensler	S-O	18	2
Legislative Secretary	Shaun Hudson	S-O	15	1
Legislative Secretary	Marce Huhn	S-O	15	5
Legislative Secretary	Tammy Kriegel	S-O	18	1
Legislative Secretary	Ellen Larson	S-O	18	4
Legislative Secretary	Sarah Moore	S-O	16	2
Legislative Secretary	Adam Pitts	S-O	16	1
Legislative Secretary	Lisa Schneider	S-O	16	1
Legislative Secretary	Travis Scott	S-O	16	1
Legislative Secretary	Maxine Sieleman	S-O	16	2
Legislative Secretary	Blake Smith	S-O	15	1
Legislative Secretary	Laura Stevens	S-O	17	1
Legislative Secretary	Annette Taylor	S-O	16	1
Legislative Secretary	Ann Tenner	S-O	18	1
Legislative Secretary	Katherine Tenner	S-O	16	2
Legislative Secretary	Dede Zaun	S-O	15	2
Legislative Committee Secretary	Chris Apling	S-O	18	1
Legislative Committee Secretary	Anne Marie Burnett	S-O	18	6
Legislative Committee Secretary	Bob Christensen	S-O	18	1
Legislative Committee Secretary	Cara Conrad	S-O	18	1
Legislative Committee Secretary	Nancy Courtney	S-O	18	2
Legislative Committee Secretary	Mardi Deluhery	S-O	18	3
Legislative Committee Secretary	Nathan Fiala	S-O	17	1
Legislative Committee Secretary	Jodi Grover	S-O	18	3
Legislative Committee Secretary	Matt Hardin	S-O	17	1
Legislative Committee Secretary	Claire Haws	S-O	18	2
Legislative Committee Secretary	Rebecca Hoepfner	S-O	17	2
Legislative Committee Secretary	Hana Kajtazovic	S-O	18	1
Legislative Committee Secretary	Alan Kessler	S-O	17	2
Legislative Committee Secretary	Brian Kramer	S-O	18	1
Legislative Committee Secretary	Chelsea Krist	S-O	18	1

Legislative Committee Secretary	Phyllis Peterson	S-O	18	3
Legislative Committee Secretary	Erica Shannon Stueve	S-O	18	2
Legislative Committee Secretary	Dana Vasey	S-O	18	1
Legislative Committee Secretary	Joanne Wengert	S-O	18	7
Legislative Committee Secretary	Maggie Younger	S-O	18	1
Legislative Committee Secretary	Christian Zenti	S-O	18	2
Page	Michelle Aberle	S/O	9	1
Page	Jennifer Brookhart	S/O	9	1
Page	Elizabeth Detrick	S/O	9	1
Page	Ashley Green	S/O	9	1
Page	Jacob Ihnen	S/O	9	1
Page	Brett Ofstein	S/O	9	1
Page	Levi Price	S/O	9	1
Page	Laura Prindle	S/O	9	1
Page	Dalton Schmit	S/O	9	1
Page	Grant Smith	S/O	9	1
Page	William Thomas	S/O	9	1
Page	Celia Ver Ploeg	S/O	9	1
Page	Tucker Watters	S/O	9	1
Page	Hanna Zinn	S/O	9	1

MICHAEL E. GRONSTAL, CHAIR

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Your committee on Rules and Administration submits the following increases, reclassifications and the effective dates of Senate employees for the Eighty-fifth General Assembly, 2013 Session:

Sr. Administrative Assistant to President II	Steve Conway	Resigned Effective 12/12
Confidential Secretary To President	Kay Kibbie	Resigned Effective 1/13
Sr. Administrative Assistant to President II	Kris Bell	Grade 38, Step 7 Promotion to Grade 41, Step 5 Effective 12/12
Confidential Secretary To President	Molly Clause	Grade 18, Step 1 Promotion Grade 27, Step 1 Effective 1/13

Sr. Administrative Assistant to Leader I	Stewart Iverson	New Hire Effective 9/12 Grade 38, Step 1 Resigned Effective 12/12
Administrative Assistant to Leader II	Donald McDowell	Resigned Effective 12/12
Sr. Administrative Assistant to Leader II	Ed Failor	New Hire Grade 41, Step 3 Effective 12/12
Administrative Assistant To Leader II	Tracie Gibler	New Hire Grade 32, Step 1 Effective 1/13
Sr. Caucus Staff Director	John Hodges	Resigned Effective 1/13
Caucus Staff Director	Eric Johansen	Grade 27, Step 2 Promotion to Grade 38, Step 1 Effective 1/13
Research Analyst I	Aaron Todd	New Hire Grade 29, Step 3 Effective 12/12

MICHAEL E. GRONSTAL, CHAIR

REPORT OF COMMITTEE ON MILEAGE

MADAM PRESIDENT: Pursuant to Section 2.10, Code 2013, the following has been determined to be the mileage to which Senators are entitled for the Eighty-fifth General Assembly:

ROUND TRIP MILES

ANDERSON, William	378
BEALL, Daryl	190
BEHN, Jerry	94
BERTRAND, Rick	402
BLACK, Dennis	104
BOETTGER, Nancy	222
BOLKCOM, Joe	234
BOWMAN, Tod	370
BRASE, Chris	302
BREITBACH, Michael	366
CHAPMAN, Jake	56
CHELGREN, Mark	178
COURTNEY, Thomas	390
DANIELSON, Jeff	250
DEARDEN, Dick L.	0
DIX, William	264
DOTZLER, Bill	260
DVORSKY, Robert E.	224

ERNST, Joni	248
FEENSTRA, Randy	508
GREINER, Sandra	242
GRONSTAL, Michael E.	270
GUTH, Dennis	204
HART, Rita	320
HATCH, Jack	0
HOGG, Robert M.	260
HORN, Wally E.	250
HOUSER, Hubert M.	252
JOCHUM, Pam	400
JOHNSON, David	458
KAPUCIAN, Tim	180
MATHIS, Liz	268
McCOY, Matt	0
PETERSEN, Janet	0
QUIRMBACH, Herman	75
RAGAN, Amanda	240
ROZENBOOM, Ken	134
SCHNEIDER, Charles	0
SCHOENJAHN, Brian	360
SEGEBART, Mark	228
SENG, Joe	334
SINCLAIR, Amy	137
SMITH, Roby	332
SODDERS, Steven	97
SORENSEN, Kent	60
TAYLOR, Rich	296
WHITVER, Jack	0
WILHELM, Mary Jo	400
ZAUN, Brad	0
ZUMBACH, Dan	344

STEVEN J. SODDERS, CHAIR
NANCY J. BOETTGER
MICHAEL BREITBACH
LIZ MATHIS

ASSIGNMENT OF SEATS IN THE PRESS GALLERY 2013 SESSION

Seat No.

51. STAFF
52. Des Moines Register – WILLIAM PETROSKI, JASON NOBLE,
JENNIFER JACOBS, KATHIE OBRADOVICH, TONY LEYS, JASON
CLAYWORTH
53. The Associated Press – CATHERINE LUCEY, MACKENZIE ELMER,
TOM BEAUMONT
54. Radio Iowa News Network – O. KAY HENDERSON, DAR DANIELSON,
PAT CURTIS

- 55. Single Day – Visitor
- 56. Dubuque Telegraph Herald – ERIN MURPHY, DAVE KETTERING
- 57. Iowa Public Radio – JOYCE RUSSELL, CLAY MASTERS
- 58. The Cedar Rapids Gazette – ROD BOSHART, JAMES LYNCH
- 59. Single Day – Visitor Press Seat.
- 60. Lee Enterprises – MICHAEL WISER
- 61. Staff
- 62. Iowa Watchdog – SHEENA DOOLEY
- 63. Iowa Legislative News Service – JACK HUNT, BARBARA HUNT
- 64. WHO Radio – GARY BARRETT RICHARD LEE, BRAD EHRlich, SUE DANIELSON

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Internal Service Fund Report, pursuant to Iowa Code section 8A.123(5)(b). Report received on September 27, 2012.

FY 2012 Diversity and Affirmative Action Report, pursuant to Iowa Code section 19B.5(2). Report received on September 28, 2012.

FY 2012 Capitol Planning Commission's Report, pursuant to Iowa Code section 8A.373. Report received on December 4, 2012.

FY 2012 State Employee Retirement Incentive Program (SERIP) Report, pursuant to 2010 Iowa Acts, SF 2062, section 1(6)(c). Report received on December 4, 2012.

DEPARTMENT ON AGING

Elder Abuse Review and Report, pursuant to 2012 Iowa Acts, HF 2387, section 1(3). Report received on December 21, 2012.

Substitute Decision Maker Program Report, pursuant to 2012 Iowa Acts, SF 2336, section 1(6). Report received on December 21, 2012.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Soil Nutrient Mass Study Report, pursuant to 2011 Iowa Acts, SF 509, section 17(3). Report received on January 3, 2013.

AUDITOR OF STATE

Combined Report on Institutions of the Department of Corrections, pursuant to Iowa Code section 904.115. Report received on December 4, 2012.

FY 2011 Iowa College Student Aid Commission Report, pursuant to Iowa Code section 261.2(8). Report received on December 5, 2012.

FY 2011 Iowa Department of Commerce Recommendations Report, pursuant to Iowa Code section 546.12(1). Report received on December 5, 2012.

FY 2012 Iowa Public Employees' Retirement System (IPERS) Recommendations Report, pursuant to Iowa Code section 97B.4. Report received on December 5, 2012.

FY 2010 Attorney General's Office Reimbursements Report, pursuant to 2009 Iowa Acts, SF 475, section 2(c). Report received on December 5, 2012.

Targeted Small Business Compliance Report, pursuant to Iowa Code section 11.26. Report received on December 11, 2012.

Iowa Veterans Home and Iowa Department of Veterans Affairs Recommendations Report, pursuant to Iowa Code section 35D.17. Report received on December 11, 2012.

DEPARTMENT FOR THE BLIND

2012 Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on December 12, 2012.

FY 2012 Department for the Blind Performance Report, pursuant to Iowa Code section 216B.7. Report received on January 10, 2013.

Judicial Review Report, pursuant to Iowa Code section 625.29(7). Report received on December 12, 2012.

COLLEGE STUDENT AID COMMISSION

FY 2012 Accelerated Career Education Grants Report, pursuant to Iowa Code section 261.22(6). Report received on December 4, 2012.

FY 2012 College Student Aid Commission Tuition Grant Report, pursuant to Iowa Code section 261.15(4). Report received on December 27, 2012.

FY 2012 Teacher Shortage Forgivable Loan Program Report, pursuant to Iowa Code section 261.111(9). Report received on December 28, 2012.

FY 2012 Iowa Vocational-Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17(7)(d). Report received on December 28, 2012.

FY 2012 Barber and Cosmetology Arts and Sciences Tuition Grant Program Report, pursuant to Iowa Code section 261.18(7)(d). Report received on December 28, 2012.

FY 2012 Registered Nurse and Nurse Educator Loan Forgiveness Program Report, pursuant to Iowa Code section 261.23(5). Report received on December 28, 2012.

FY 2012 Teacher Shortage Loan Forgiveness Program Report, pursuant to Iowa Code section 261.112(6). Report received on December 28, 2012.

2012 Joint Investment Trust, pursuant to Iowa Code section 28E. Report received on December 31, 2012.

Judicial Review, pursuant to Iowa Code section 625.29(7). Report received on January 4, 2013.

FY 2012 Iowa Grant Program Report, pursuant to Iowa Code section 261.96(4). Report received on January 4, 2013.

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on January 11, 2013.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

2011 Medical Malpractice Annual Report, pursuant to Iowa Code 505.27. Report received on December 18, 2012.

2011 Health Spending Costs for Health Insurance Plans Report, pursuant to Iowa Code 505.18(2). Report received on December 11, 2012.

DEPARTMENT OF COMMERCE (UTILITIES DIVISION)

Small Wind Innovation Zone Report, pursuant to Iowa Code section 476.48(6). Report received on December 28, 2012.

DEPARTMENT OF CORRECTIONS

Electronic Monitoring System Report, pursuant to Iowa Code section 904.115. Report received on December 6, 2012.

OFFICE OF DRUG CONTROL POLICY

2013 Iowa Drug Control Strategy Report, pursuant to Iowa Code 80E.1(2)(b). Report received on November 1, 2012.

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services 2012 Quarterly Report, pursuant to Iowa Code section 15H.2(3)(h). Report received on July 12, 2012.

FY 2012 Energy Bank Annual Report, pursuant to Iowa Code section 473.19(3). Report received on January 3, 2013.

Iowa Commission on Volunteer Services 2012 Quarterly Report, pursuant to Iowa Code section 15H.2(3)(h). Report received on January 11, 2013.

2012 Iowa Economic Development Authority Annual Report, pursuant to Iowa Code section 1126(35). Report received on January 14, 2013.

DEPARTMENT OF EDUCATION

Administrator Evaluation Task Force Final Report, pursuant to 2012 Iowa Acts, SF 2284, section 7. Report received on October 16, 2012.

Instructional Time Task Force Final Report, pursuant to 2012 Iowa Acts, SF 2284, section 36(4). Report received on October 16, 2012.

Teaching Standards and Teacher Evaluation Task Force Final Report, pursuant to 2012 Iowa Acts, SF 2284, section 9. Report received on October 16, 2012.

Cross-Agency Assessment Instrument Planning Group Report, pursuant to 2012 Iowa Acts, SF 2284, section 35. Report received on November 27, 2012.

Teacher Leadership and Compensation Task Force Final Report, pursuant to 2012 Iowa Acts, SF 2284, section 11(4). Report received on December 1, 2012.

Charter School and Innovation Zone School Annual Report, pursuant to Iowa Code section 256F.10(2). Report received on December 12, 2012.

Iowa Core Curriculum Annual Report, pursuant to Iowa Code section 256.9(54). Report received on January 8, 2013.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A(4). Report received on January 8, 2013.

Iowa Vocational Rehabilitation Services Report, pursuant to 2012 Iowa Acts, SF 2321, section 5(3). Report received on January 9, 2013.

School Infrastructure Funding Report, pursuant to Iowa Code section 256.9(19). Report received on January 10, 2013.

DEPARTMENT OF HUMAN RIGHTS

FY 2012 Public Safety Advisory Board Funding Report, pursuant to Iowa Code section 216A.133(a). Report received on December 3, 2012.

Comprehensive Jail Diversion Program, Mental Health Courts Study Report, pursuant to 2012 Iowa Acts, SF 2312, section 18. Report received on December 3, 2012.

Twenty and Five-year Criminal and Juvenile Justice Plan Report, pursuant to Iowa Code section 216A.135. Report received on December 4, 2012.

DEPARTMENT OF HUMAN SERVICES

Judicial Workgroup Continuation Report, pursuant to 2012 Iowa Acts, SF 2312, section 17. Report received on November 30, 2012.

Subacute Facilities Report, pursuant to 2012 Iowa Acts, SF 2315, section 58. Report received on December 4, 2012.

Child Abuse Assessments Administrative Appeals Report, pursuant to 2012 Iowa Acts, HF 2226, section 7. Report received on December 4, 2012.

Medicaid Cost Containment Strategies Quarterly Report, pursuant to 2011 Iowa Acts, HF 649, section 10(20)(e). Report received on December 4, 2012.

Direct Care Worker in Nursing Facilities Turnover Report. Report received on December 6, 2012.

Child Abuse Differential Response Review and Recommendations Report, pursuant to 2012 Iowa Acts, HF 2226, section 6(3). Report received on December 6, 2012.

Children's Disability Services Workgroup Final Report, pursuant to Iowa Code section 225C.54(5). Report received on December 11, 2012.

MHDS Transition Fund Report, pursuant to 2012 Iowa Acts, SF 2315, section 23(2)(f). Report received on December 11, 2012.

Child Abuse Registry Length of Time Review Report, pursuant to 2012 Iowa Acts, HF 2226, section 6(3). Report received on December 11, 2012.

Regional Services System Outcomes and Performance Measures Committee Report, pursuant to 2012 Iowa Acts, SF 2315, section 25(3). Report received on December 14, 2012.

Crisis Stabilization Program Pilot Project Report, pursuant to 2012 Iowa Acts, SF 2315, section 60(2). Report received on December 16, 2012.

Service System Data and Statistical Information Integration Workgroup Report, pursuant to 2011 Iowa Acts, SF 525, section 3. Report received on December 16, 2012.

Third Party Coverage Sources for Adults with a Developmental Disability and Adults with a Brain Injury Report, pursuant to 2012 Iowa Acts, SF 2315, section 22(2). Report received on December 16, 2012.

Autism Pilot Project Report, pursuant to 2012 Iowa Acts, SF 2336, section 22(23)(a). Report received on December 20, 2012.

Healthy and Well Kids in Iowa (Hawk-I) Board Annual Report, pursuant to Iowa Code section 514I.5(7)(g). Report received on December 21, 2012.

Risk Pool Board Expenditure Report, pursuant to 2012 Iowa Acts, SF 2071, section 6(6). Report received on December 27, 2012.

Independent Living Services Report, pursuant to Iowa Code section 234.35(4). Report received on December 28, 2012.

Foster Group Care Rate Methodology Workgroup Final Report, pursuant to Iowa Code 237.18(6). Report received on January 7, 2013.

MHDS Redesign Transition Committee Final Report, pursuant to 2012 Iowa Acts, SF 2315, section 23(2)(4)(f). Report received on January 11, 2013.

DEPARTMENT OF INSPECTIONS AND APPEALS

Medicaid Divestiture Program Fiscal Impact Report, pursuant to 2012 Iowa Acts, SF 2313, section 15(3)(b). Report received on January 8, 2013.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

FY 2012 Report on Iran-Related Divestment Activities, pursuant to Iowa Code section 12H.5(2). Report received on October 4, 2012.

FY 2012 Report on Sudan-Related Divestment Activities, pursuant to Iowa Code section 12F.5(2). Report received on October 4, 2012.

Comprehensive Annual Financial Report (CAFR) pursuant to Iowa Code section 97B.4(4)(a). Report received on January 4, 2013.

ASSOCIATION OF IOWA FAIRS

FY 2012 Iowa Fairs State Funding Report, pursuant to Iowa Code section 174.9. Report received on December 18, 2012.

DEPARTMENT OF JUSTICE

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104(5). Report received on December 12, 2012.

False Claims Act Annual Report, pursuant to 2010 Iowa Acts, SF 2088, section 345. Report received December 12, 2012.

Prosecutor Intern Program Annual Report, pursuant to Iowa Code section 13A.6. Report received on December 19, 2012.

LAKE DELHI DAM RECONSTRUCTION

Public Access and Wastewater Plans, pursuant to 2011 Iowa Acts, HF 648, section 1. Report received on June 25, 2012.

IOWA LOTTERY AUTHORITY

Iowa Lottery Authority Quarterly Report, pursuant to Iowa Code section 99G.40(1)(a). Report received on December 26, 2012.

DEPARTMENT OF MANAGEMENT (STATE APPEAL BOARD)

General Tort Claims, Highway Tort Claims and Settlements and Judgments Paid During 2012 Report, pursuant to Iowa Code section 669.12. Report received on January 8, 2013.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

FY 2012 Report on Iran-Related Divestment Activities, pursuant to Iowa Code section 12H.5(2). Report received on October 4, 2012.

FY 2012 Report on Sudan-Related Divestment Activities, pursuant to Iowa Code section 12F.5(2). Report received on October 4, 2012.

Municipal Fire and Police Retirement System of Iowa Annual Report, pursuant to Iowa Code section 411.5(6)(a). Report received on December 14, 2012.

Municipal Fire and Police Retirement System of Iowa Annual Report, pursuant to Iowa Code section 411.5(6)(a). Report received on January 6, 2013.

DEPARTMENT OF NATURAL RESOURCES

2011 Iowa Drinking Water Program Annual Compliance Report, pursuant to the 1996 Reauthorized Safe Drinking Water Act. Report received on July 17, 2012.

Low-level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1(3)(i)(1). Report received on December 12, 2012.

Compliance with Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134(14). Report received on December 12, 2012.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11(2)(c)(2). Report received on December 18, 2012.

Hazardous Substance Remedial Fund Report, pursuant to Iowa Code section 455B.425. Report received on December 18, 2012.

Hazardous Waste Cleanup Program Report, pursuant to Iowa Code section 455B.425. Report received on December 24, 2012.

Greenhouse Gas Emissions Report, pursuant to Iowa Code section 455B.104(4). Report received on December 27, 2012.

Department of Natural Resources Annual Report, pursuant to Iowa Code section 455A.4(1)(d). Report received on December 27, 2012.

Lake Restoration Project Report, pursuant to 2006 Iowa Acts, HF 2782, section 26. Report received on December 28, 2012.

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16(7)(c). Report received on December 28, 2012.

State Preserves Report, pursuant to Iowa Code section 465C.8(11). Report received on January 3, 2013.

Outdoor Recreations Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 11, 2013.

IOWA PROPANE EDUCATION AND RESEARCH COUNCIL

Iowa Propane Education and Research Council Audit Report, pursuant to Iowa Code section 101C.3(10). Report received on August 23, 2012.

Iowa Propane Education and Research Council Programs and Projects Report, pursuant to Iowa Code section 101C.3(10). Report received on January 6, 2013.

DEPARTMENT OF PUBLIC DEFENSE

E911 Task Force Report, pursuant to 2012 Iowa Acts, SF 2332, section 12(2). Report received on December 14, 2012.

Public Defense Annual Report, pursuant to Iowa Code section 29A.12(1). Report received on January 7, 2013.

PUBLIC EMPLOYMENT RELATIONS BOARD

Public Employment Relations Board 2012 Annual Report, pursuant to Iowa Code section 20.25. Report received on December 14, 2012.

DEPARTMENT OF PUBLIC HEALTH

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code 105.9(5)(a). Report received on December 14, 2012.

Mental Health and Disabilities Workforce Development Workgroup Report, pursuant to 2012 Iowa Acts, SF 2315, section 24. Report received on December 14, 2012.

Guidelines for the Management of Chronic Conditions in Iowa Schools Report, pursuant to 2012 Iowa Acts, SF 2336, section 3(j). Report received on December 16, 2012.

Mandatory Child Abuse Reporter Training Committee Review Report, pursuant to 2012 Iowa Acts, SF 2225, section 7. Report received on December 18, 2012.

Plumbing and Mechanical Systems Board Report, pursuant to Iowa Code section 105.9(5)(a). Report received on December 19, 2012.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17. Report received on January 2, 2013.

Statewide Health Care Delivery Infrastructure and Resources Strategic Plan Report, pursuant to Iowa Code section 135.164(4). Report received on January 4, 2013.

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on January 8, 2013.

DEPARTMENT OF PUBLIC SAFETY

State Interoperable Communications System Board Report, pursuant to 2007 Iowa Acts, HF 353, section 2(14). Report received on December 24, 2012.

IOWA PUBLIC TELEVISION

Joint Investment Trust, pursuant to Iowa Code section 28E. Report received on December 6, 2012.

Judicial Review, pursuant to Iowa Code section 17A. Report received on December 6, 2012.

BOARD OF REGENTS

Transfer of Funds Report, pursuant to 2012 Iowa Acts, SF 2321, section 6. Report received on September 11, 2012.

FY 2012 Report on Iran and Sudan Related Divestment Activities, pursuant to Iowa Code sections 12H.5(2) and 12F.5(2). Report received on September 27, 2012.

ISU Livestock Odor Mitigation Report, pursuant to Iowa Code section 266.47(1)(b). Report received on November 27, 2012.

Cooperative Purchasing Plan Report, pursuant to Iowa Code section 262.9B(5). Report received on November 30, 2012.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35). Report received on November 30, 2012.

University of Iowa Hospitals and Clinics Audited Financial Report, pursuant to Iowa Code 263A.13. Report received on January 11, 2013.

College Bound and IMAGES Program Annual Report, pursuant to Iowa Code section 262.93. Report received on January 11, 2013.

Research and Development School Advisory Council Report, pursuant to Iowa Code section 256G.4(3)(c)(2). Report received on January 11, 2013.

DEPARTMENT OF REVENUE

FY 2012 Collection Enterprise Report, pursuant to Iowa Code section 421.17(27)(h)(j). Report received on October 29, 2012.

Solar Energy System Tax Credits Report, pursuant to Iowa Code section 422.11L(5). Report received on December 24, 2012.

IOWA SCHOOLS JOINT INVESTMENT TRUST

FY 2012 Annual Financial Report, pursuant to Iowa Code section 12B.10A(7). Report received on December 12, 2012.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

ITTC Quarterly Status Report, pursuant to 2011 Iowa Acts, HF 45, section 2(5). Report received on December 14, 2012.

DEPARTMENT OF TRANSPORTATION

FY 2012 Use of Reversions Report, pursuant to Iowa Code section 307.46(2)(b). Report received on September 10, 2012.

FY 2012 Educational Leave/Educational Assistance Report, pursuant to Iowa Code section 70A.25(3)(b). Report received on October 1, 2012.

Transportation Coordination Report, pursuant to Iowa Code section 324A.4(2)(a). Report received on December 14, 2012.

Small Business and Disadvantaged Business Enterprise Report, pursuant to 2010 Iowa Acts, HF 2460, section 4. Report received on December 17, 2012.

School Bus Safety Study Report, pursuant to 2012 Iowa Acts, SF 2218, section 5(1). Report received on December 27, 2012.

TREASURER OF STATE

FY 2012 Report on Sudan-Related Divestment Activities, pursuant to Iowa Code section 12F.5(2). Report received on December 12, 2012.

FY 2012 Report on Iran-Related Divestment Activities, pursuant to Iowa Code section 12H.5(2). Report received on December 14, 2012.

Iowa Education Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a). Report received on December 12, 2012.

DEPARTMENT OF TRANSPORTATION

FY 2012 Annual Report of the Iowa Highway Research Board, pursuant to Iowa Code sections 310.36 and 312.3A. Report received on January 11, 2013.

FY 2012 Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on January 14, 2013.

FY 2012, Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on January 14, 2013.

DEPARTMENT OF VETERANS AFFAIRS

Judicial Review, pursuant to Iowa Code section 17A. Report received on December 18, 2012.

Joint Investment Trust, pursuant to Iowa Code section 28E. Report received on December 18, 2012.

FY 2012 County Commissions of Veterans Affairs Allocation Program Report, pursuant to Iowa Code 35A.5(14). Report received on January 10, 2013.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2012, pursuant to Iowa Code section 8D.10, were received from the following agencies:

DEPARTMENT OF ADMINISTRATIVE SERVICES – Report received on December 11, 2012.

DEPARTMENT ON AGING – Report received on January 7, 2013.

DEPARTMENT FOR THE BLIND – Report received on December 5, 2012.

CIVIL RIGHTS COMMISSION – Report received on January 10, 2013.

COLLEGE STUDENT AID COMMISSION – Report received on December 14, 2012.

DEPARTMENT OF COMMERCE (ALCOHOLIC BEVERAGES DIVISION) – Report received on December 1, 2012.

DEPARTMENT OF COMMERCE (DIVISION OF BANKING) – Report received on December 18, 2012.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION) – Report received on December 1, 2012.

DEPARTMENT OF CORRECTIONS – Report received on January 11, 2013.

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD – Report received on January 7, 2013.

DEPARTMENT OF HUMAN RIGHTS – Report received on September 4, 2012.

DEPARTMENT OF HUMAN SERVICES – Report received on December 24, 2012.

DEPARTMENT OF HUMAN SERVICES – Report received on December 26, 2012.

DEPARTMENT OF HUMAN SERVICES (WOODWARD RESOURCE CENTER) – Report received on September 14, 2012.

DEPARTMENT OF INSPECTIONS AND APPEALS – Report received on December 1, 2012.

IOWA LOTTERY AUTHORITY – Report received on November 27, 2012.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM – Report received on November 1, 2012.

STATE PUBLIC DEFENDER – Report received on December 14, 2012.

DEPARTMENT OF PUBLIC HEALTH – Report received on November 19, 2012.

IOWA PUBLIC TELEVISION – Report received on August 17, 2012.

DEPARTMENT OF REVENUE – Report received on December 1, 2012.

STATE TREASURER'S OFFICE – Report received on August 21, 2012.

DEPARTMENT OF TRANSPORTATION – Report received on January 10, 2013.

DEPARTMENT OF VETERANS AFFAIRS – Report received on December 18, 2012.

IOWA VETERANS HOME – Report received on November 27, 2012.

IOWA VOCATIONAL REHABILITATION SERVICES – Report received on September 27, 2012.

REPORTS OF COMMITTEE MEETINGS

LABOR AND BUSINESS RELATIONS

Convened: Monday, January 14, 2013, 2:05 p.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Houser, Ranking Member; Brase, Chapman, Dix, Dotzler, Seng, and Soddors.

Members Absent: Anderson and Hatch (both excused).

Committee Business: Organizational meeting.

Adjourned: 2:10 p.m.

LOCAL GOVERNMENT

Convened: Monday, January 14, 2013, 2:35 p.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun.

Members Absent: Chelgren (excused).

Committee Business: Introductions and adoption of rules.

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

Senate File 1, by Zaun, a bill for an act providing for the issuance of an Olympic motor vehicle registration plate, establishing fees, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 2, by Johnson, a bill for an act relating to parent empowerment petitions for implementation of school intervention models by school districts.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 3, by Johnson, a bill for an act relating to the use of child labor in laundry occupations.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 4, by Hogg, a bill for an act making an appropriation to the state board of regents for purposes of constructing solar electric generation facilities at the state university of Iowa and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 5, by Anderson, a bill for an act relating to funding for projects on state and local roads and bridges in critical need of repair or maintenance, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Transportation**.

SUBCOMMITTEE ASSIGNMENT

Senate File 3

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Dearden

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 15, 2013

The Senate met in regular session at 9:00 a.m., President Jochum presiding.

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Joni Ernst, member of the Senate from Montgomery County, Red Oak, Iowa.

The Journal of Monday, January 14, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 14, 2013, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a concurrent resolution to provide for a joint convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Tuesday, January 15, 2013, at 10:00 a.m. for Governor Terry E. Branstad to deliver his budget message.

Read first time and **placed on calendar**.

House Concurrent Resolution 2, a concurrent resolution to provide for a joint convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Wednesday, January 16, 2013, at 10:00 a.m. for Chief Justice Mark S. Cady to present his message of the condition of the judicial branch.

Read first time and **placed on calendar**.

House Concurrent Resolution 3, a concurrent resolution to provide for a joint convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Thursday, January 31, 2013, at 10:00 a.m. for Major General Timothy Orr to present his message of the condition of the Iowa National Guard.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolutions 1, 2, and 3.

House Concurrent Resolution 1

On motion of Senator Gronstal, **House Concurrent Resolution 1**, a concurrent resolution to provide for a joint convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Tuesday, January 15, 2013, at 10:00 a.m. for Governor Terry E. Branstad to deliver his budget message, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 1, which motion prevailed by a voice vote.

House Concurrent Resolution 2

On motion of Senator Gronstal, **House Concurrent Resolution 2**, a concurrent resolution to provide for a convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Wednesday, January 16, 2013, at 10:00 a.m. for Chief Justice Mark S.

Cady to present his message of the condition of the judicial branch, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 2, which motion prevailed by a voice vote.

House Concurrent Resolution 3

On motion of Senator Gronstal, **House Concurrent Resolution 3**, a concurrent resolution to provide for a joint convention of the two houses of the 2013 session of the Eighty-fifth General Assembly to be held on Thursday, January 31, 2013, at 10:00 a.m. for Major General Timothy Orr to present his message of the condition of the Iowa National Guard, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 3, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolutions 1, 2, and 3** be **immediately messaged** to the House.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:45 a.m., President Jochum presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 1, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

The joint convention convened at 9:52 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Wilhelm, Danielson, and Sinclair on the part of the Senate, and Representatives Soderberg, Highfill, and Ruff on the part of the House.

Secretary of State Matt Schultz, Treasurer of State Mike Fitzgerald, Secretary of Agriculture Bill Northey, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

The Chief Justice and the Justices of the Supreme Court and the Chief Judge and the Judges of the Court of Appeals were escorted into the House chamber.

Lieutenant Governor Kim Reynolds, her husband, and other family members, were escorted into the House chamber.

Chris Branstad, the Governor's wife, and other family members, were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Jochum presented Governor Terry E. Branstad, who delivered the following Condition of the State Address:

Madam Lt. Governor, Madam President, Mr. Speaker, Leaders, justices, judges, legislators, elected officials, distinguished guests, family, friends and fellow Iowans.

It is an honor and a privilege to serve as your governor. I thank God, each and every day, for the opportunity that has been provided to me to serve you and all the people of Iowa.

I stand before you once again to report on the condition of our state and to outline a focused agenda and a biennial budget.

I am pleased to report we have made great progress. Our state's balanced budget is built on the principles of stability and predictability. It is a shining example of the good work we have done together.

And in the areas of job creation and economic development, I would put our efforts to successfully attract new jobs and market our state both at home and abroad up against the efforts of any state.

Yet, in other areas, an honest assessment would suggest we still have much work to do. In particular, I reference our on-going efforts to reduce property taxes and to adopt a truly transformational educational system.

Iowans are entering a period of unprecedented opportunity and we in this chamber have it within our grasp to help foster this state's greatest economic expansion and quality of life improvement in modern history.

Perhaps the heaviest lift over the past two years was restoring proper budgeting practices and insisting on strict fiscal discipline. I insisted on a two year budget and we measured all tax and spending decisions through the lens of a five year budget projection.

And today, I am once again submitting a biennial budget for fiscal years 2014 and 2015 and ask you to commit to join me in making this sound budgeting practice a reality so those most dependent on the vital services we deliver can trust that promises made are promises kept.

As a result of the tough choices we made, Iowa is currently in the best financial position in our state's long and proud history.

This is not about good luck. This didn't just happen. We blazed our own path by making hard choices and we must never return to the irresponsible budgeting practices of the past.

Our successes do not end with the state budget. We also completely redesigned our state's economic development efforts through the creation of the new Iowa Economic Development Authority, the Iowa Innovation Council, and the Iowa Partnership for Economic Progress.

These efforts have paid big dividends leading to the two largest private capital investments in Iowa history with the construction of new fertilizer facilities in Lee and Woodbury counties.

All totaled, in the two years since this administration took office, our efforts have landed more than \$5.3 billion in capital investments in Iowa. These investments translate into jobs for thousands of Iowans and higher incomes for so many Iowa families.

When I stood before you two years ago Iowa's unemployment rate was over six percent.

Today our unemployment rate is at four point nine percent, the lowest it has been in over four years.

In addition, through the efforts of Lt. Governor Reynolds and University of Northern Iowa President Ben Allen, we launched the Governor's science, technology, engineering and math, or STEM, initiative. This initiative is already enhancing learning opportunities for Iowa children by putting outstanding STEM programs in more than 800 sites statewide.

But our work on education reform has not gone far enough.

We were reminded of this yet again last month when a new study showed our students' ranking on vocabulary tests had slipped into mediocrity.

Let me ask you this very hard question: When did we decide that middle of the pack was good enough when it came to our children's education?

Did we really make that decision or did we simply allow it to happen through inaction?

Let's take the same serious approach we took to solving our budget problems and reshaping our economic development efforts to making our schools the best in the world.

The quality of our children's education impacts everything we do to improve our state. Let's focus on our future, *and theirs*.

For too many years our young people have looked to the coasts in search of career opportunities. Be it financial industry prospects in the East or the tech sector in the West, Iowa was relegated to a status some disparagingly called "flyover country."

Today, we are living a different story.

Within the past year Iowa has gotten a serious look from the more than 1.3 billion residents of China—many of whom are now very familiar with our state as a result of our special relationship with their incoming president.

It was just a year ago I invited China's next President, Xi Jinping, to visit our state. As you know, he accepted my invitation and many of you were in attendance at the dinner we hosted in his honor at the state Capitol.

Iowa's emerging role in the world economy really struck home to me at the dinner we hosted for Vice President Xi and his delegation.

He said Iowa was the first place in the United States he had ever visited and then said in reference to the wonderful Iowans he met on that trip: "to me, you are America."

The next day, fittingly, at the World Food Prize building, our state signed an agreement with China to provide more than \$4.3 billion in soybeans.

Iowa no longer merely feeds the world—it feeds the world economy.

Vice President Xi and his delegation's visit made clear: Iowa is "flyover country" no more.

Today, Iowa-produced avionics are installed in aircraft made in Brazil, Iowa tractor technology ploughs the ground in Russia, and Iowa lighting illuminates growth around the world.

Innovation is propelling Iowa forward, both at home and abroad. The coming decades can be ours if we are bold enough to make these incredible opportunities our new Iowa reality.

This year, I bring to you a bold plan of action focusing specifically on three goals:

First...job creation and expanding opportunity for Iowa's families;

Second...improving educational opportunities for Iowa's children; and

Third...improving the health of our citizens.

These are opportunities that not only benefit us, but will reshape the future for our children and grandchildren.

This is our opportunity. This is our Iowa.

In the past two years, Iowa has experienced some success. Family incomes in Iowa have grown at the second highest rate in the nation, at nearly seven percent, and our economy has created 100,000 jobs.

These are nice success stories, but they are only the first chapters in a book of accomplishments that we are still writing. There is more to do because this is our opportunity. This is our Iowa.

When we consider strategies for stimulating our economy to encourage job creation we need to look to find ways to lower the cost of doing business in this state.

This will improve our ability to compete, putting more dollars into the hands of consumers to purchase Iowa goods and services.

Both of these objectives can be accomplished by returning a significant portion of our state's budget surplus to the taxpayers who made that surplus possible in the first place.

In this budget, I am proposing a significant plan to reform our property tax system to make it competitive and provide nearly \$400 million in actual property tax relief to Iowa's hardworking taxpayers.

The principles guiding our property tax plan are simple.

- Permanent property tax relief.
- No shift of the tax burden between classes of property
- And property tax reduction for all classes of property.
- Our plan has three significant components.

First, the budget fully funds the Homestead Tax Credit and the Elderly and Disabled Tax Credit in fiscal year 2014 with an additional appropriation of \$33 million.

Last year we made a down payment on this funding gap and this year we will close that gap once and for all.

Second, I will propose legislation to permanently change the school finance formula so that "allowable growth" will be replaced by 100% state aid.

No longer will the school aid formula trigger automatic increases in local property taxes.

Third, I will bring forward legislation designed to stop any future tax shifts between classes of property by tying the classes together in one combined rollback, correcting a mistake made when the original rollback formula was implemented back in the 1970s.

This legislation will take the current four percent cap on valuation growth for residential property and agricultural land, cut it in half to two percent, and apply it to all classes of property.

If left unchecked, current law will allow property taxes to grow by over two billion dollars in the next eight years and half of the increase will fall directly on Iowa homeowners. I find that prospect terrifying and ask you to work with me to ensure property taxpayers are protected from this unprecedented property tax increase.

My plan permanently reduces commercial and industrial property tax values by 20% over a four year period and provides direct funding for local governments to replace 100% of the property tax revenue.

My biennial budget provides the resources to make this possible and my five year budget projection accounts for the nearly 400 million dollars in direct property tax relief.

Small businesses in Iowa have paid some of the highest property tax rates in the nation for far too long. These high taxes mean less money for businesses to hire new employees or provide salary increases to their current employees.

The businesses pay the taxes yes, but it is our middle class families who truly feel the pain.

And it is those same middle class families who will reap the benefits of a competitive property tax structure that makes it easier for us to recruit, retain, and grow those companies that create the new jobs our families need.

Our plan to reform and reduce property taxes is an investment in Iowa families and small businesses, but not at the expense of Iowa's local governments.

In addition to lowering and reforming property taxes, I am committed to enhancing the skills of our state's workforce as a critical investment in meeting the needs of Iowa's job creators over the next decade.

To that end our administration has embarked on an ambitious effort called Skilled Iowa to bring new workforce skills to our unemployed, under-employed, and those simply seeking better long-term careers.

The impetus for the Skilled Iowa initiative came from conversations I had with Iowans like Bill Knapp, Jim Cownie, and Teresa Wahlert on how to best bridge the skills gap so many employers have articulated as an impediment to bringing more high quality jobs to Iowa.

Our Skilled Iowa initiative builds on the STEM program to ensure workers in Iowa get the skills they need to fill the high-paying jobs of today and tomorrow.

It is simply unacceptable for me to hear time and again as I travel throughout Iowa's 99 counties that employers are ready to hire, but our workers aren't prepared with the necessary skillset to fill these jobs.

Skilled Iowa is helping to change this and bring new hope to Iowans. We already have 2,400 Iowa businesses signed up for Skilled Iowa and 18,000 Iowans have used Skilled Iowa resources to certify their skills with a National Career Readiness Certificate.

My hope is to grow this program and work with new employers seeking a skilled workforce while serving more Iowans.

Through lower property taxes and a more highly skilled workforce, in addition to our successful economic development efforts, we have an opportunity to stimulate this state's economy and provide our citizens with the high quality careers they truly deserve.

This is our opportunity. This is our Iowa.

And speaking of our Iowa, today in the balconies of this chamber are school children from around Iowa.

Today they get the opportunity to watch democracy in action. I hope they will leave this building with the knowledge that each of us here shares a commitment to making Iowa a better place for them and their families.

In today's knowledge-based, global economy, youngsters must finish high school ready for college or career training.

This is an economic and moral imperative.

We cannot continue to be complacent:

- Iowa eighth-graders led the nation in math in 1992. Now, we rank 25th—not because our scores have slipped, but because our scores have been stagnant while other states' improved.

- We are shortchanging some of our best students, too. Just eight percent of Iowa eighth-graders scored at the advanced level in math on the national test compared to 15 percent in Massachusetts, which is number one in the nation.
- Among Iowa's high school class of 2012 who went directly to a community college, more than 36 percent had to enroll in a remedial class.

Let me be perfectly clear to the teachers here today and teachers in classrooms across Iowa, you are NOT the problem.

Iowa is fortunate to have many dedicated educators who work incredibly hard. I know this from visiting Iowa's schools, and because my daughter Allison teaches in Waukee and the Lt. Governor's daughter Jessica teaches in Creston.

Unfortunately, our teachers are stuck in a *system* designed for the 20th century. We must work together to transform Iowa's schools for the 21st century.

Let's establish new roles for top teachers who will provide instructional leadership alongside principals to better meet the needs of every student.

That is why elevating the teaching profession is at the heart of our 2013 education plan. It has three key pieces.

The centerpiece of our plan is to revitalize Iowa schools with a new teacher leadership and compensation structure. Relying on teacher leadership is a hallmark of high-performing school systems around the country and around the world.

Iowa has embraced paying teachers in innovative ways before. In 2001, the Iowa legislature passed and Governor Vilsack signed a law establishing a career ladder.

They understood we were losing teachers who found few ways to advance professionally without leaving the classroom. But unfortunately, it was never funded.

Establishing new career pathways promises to do more than raise student achievement. It will offer outstanding teachers new professional opportunities.

Our plan honors teachers by recognizing how vitally important they are and provides five career pathways teachers may pursue.

Educators will be able to advance their careers in the classroom through these numerous pathways. Our plan gives teachers the opportunity to have a meaningful impact as leaders in their schools while also giving our children a better education.

The end result for Iowa children will be better performance in the classroom and better opportunities in their futures.

This kind of reform does come with significant cost, but it is a cost I believe to be a true investment in educational excellence. I am recommending a \$160 million state investment in this new teacher compensation model to keep our best performing teachers in classrooms throughout their entire careers.

And, I believe we should resolve the issue of what we are collectively willing to invest in achievement-driven reform before we spend one minute discussing additional resources to support our existing educational system.

The second piece of our education reform plan – The Teach Iowa Initiative – addresses another key problem: recruiting top students to become teachers. The simple truth is we must attract more of our best students into the teaching profession.

Today, I propose boosting beginning minimum teacher pay from \$28,000 to \$35,000 a year – a 25 percent increase to help reduce the amount of financial sacrifice high-achieving students have to make in order to choose to enter the teaching profession.

Additionally, I propose a significant expansion of a program administered by the Iowa College Student Aid Commission.

Our Teach Iowa initiative attempts to attract more top students into teaching by offering tuition reimbursement for highly talented new graduates who teach in Iowa schools for five years.

Priority will be placed on students majoring in hard-to-hire subjects, like math and science, but awards will also go to future teachers in other majors as well.

And the Teach Iowa Initiative includes a pilot to expand the traditional one-semester of student-teaching to a year-long apprenticeship in partner schools. Stronger clinical experiences stand to better prepare future teachers.

The third key piece of our plan to revitalize education in Iowa is a new college or career ready seal that high school students may earn in addition to their diploma. We want business and education leaders to set high standards for the seals.

Beginning next school year, students will have the option, at the state's expense, of taking a college-entrance or workforce readiness test.

Our program will make it clear what it means to be college or career ready based on the real world expectations of Iowa education and business leaders.

When Iowa can brag about having the best-educated workforce anywhere, more businesses will locate and expand in Iowa. As a result, more young people will stay in Iowa because they can land good jobs that pay well, and allow them to enjoy a great quality of life.

Our children deserve our best efforts because this is our opportunity. This is our Iowa.

Lastly, I wish to speak to you about an issue that stands at the heart of our Iowa quality of life and is so personally important to me.

That issue is the health and well-being of each and every Iowan and my desire to make Iowa the healthiest state in the nation.

As a former President of one of Iowa's medical teaching universities, I marveled at the progress modern medicine has made to save and lengthen lives.

Yet, while we are living longer lives I have to ask are we living better lives?

The obesity epidemic and onset of more and more chronic disease stretches the capacity of our medical system to meet our needs and stretches the ability of taxpayers to support programs such as Medicaid.

This is why we have embarked on the ambitious public-private partnership to make Iowa the healthiest state in the nation.

We have an opportunity to make Iowa communities vibrant by ensuring they have the health care professionals needed to keep their residents healthy. And why shouldn't doctors choose to live and work in Iowa?

Yet, in the past decade Iowa has fallen further and further behind in active physicians per 100,000 residents. Sure, we are behind states like Massachusetts and Michigan.

But we are also trailing neighboring rural states like South Dakota and Nebraska. Iowa is 46th in the nation in internal medicine, 47th in the nation in pediatric, 48th in psychiatry and last in both emergency medicine and obstetrics and gynecology.

We are home to two great medical schools—the University of Iowa and Des Moines University.

In fact, we have over 1,500 medical students currently enrolled in these institutions. But we are not doing enough to keep them here.

Today, I am proposing three initiatives intended to keep Iowa and Iowans healthy by keeping doctors in our communities.

First, my budget proposes two million dollars to support medical residency programs in Iowa.

Last year, we came together and created a public-private partnership to help doctors serving rural areas repay their costly loans. My second proposal provides two million dollars to launch the Rural Physician Loan Repayment Program and expand it to include OB-GYN and emergency medicine doctors as well as primary care physicians.

My third proposal is for us to come together and pass a Certificate of Merit law and a cap on non-economic damages.

Keeping doctors in Iowa requires we make our state a place that is friendly to those who practice medicine.

The first oath taken by a doctor is to do no harm. No group of people is more committed to protecting patients than our Iowa doctors.

Frivolous lawsuits are harming our ability to recruit and retain doctors.

A Certificate of Merit simply requires a medical expert review the facts of a case when a lawsuit is filed and verify that the injuries could have come from substandard care. This lets real claims move forward and takes the weight of bad claims off the health care and judicial systems.

These are sensible reforms. And we know they work because states with these laws have more doctors and lower insurance costs than we do.

It is our responsibility—mine and yours—to work together to offer these generational gifts:

- the best education,
- a thriving marketplace where start-ups are competing to create jobs for all Iowans,
- coupled with responsible and measured leadership from each of us to promote and enhance what is right with Iowa to reach our full potential.

This is our opportunity. This is our Iowa.

It is the promise of a good people, who demand a good government, and expect the men and women serving in that government to put aside their differences and come together to make good public policy.

It is the promise of providing hardworking parents the ability to give their children a world-class education.

It is the promise of a way of life that provides opportunities to thrive in the heartland of America.

The condition of our state is strong and is growing stronger by the day.

We stand at a place in history where many other states are burdened with debt and looming uncertainty while Iowa is well positioned for unprecedented growth.

While some states across this country are choking the opportunities right out of their states through over-taxation and over-regulation, Iowa is like a lighthouse, beaming a bright light of opportunity to those seeking a better life within our borders.

Let us turn the page and write a new chapter in Iowa's history.

A chapter which reflects how a people of good character and a common purpose, who were genuinely committed to working together, provided the dynamic solutions that led to the best times in our state's long and proud history.

- A chapter that will hail the unprecedented growth of job opportunities and rise in family incomes for all Iowans.
- A chapter that celebrates the fact every Iowa child has access to the best education in the world.
- A chapter that affirms how Iowans' quality of life reached new heights, as our citizens became the healthiest in the United States.

This is the chapter in our history that you and I, each and every one of us in this chamber, have the opportunity to write. So let's write it well and write it together.

This is our opportunity. This is our Iowa.

Thank you. God bless you and God bless the people of Iowa.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Upmeyer moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:37 a.m. until 9:00 a.m., Wednesday, January 16, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

FY 2011 and FY 2012 DAS Annual Report, pursuant to Iowa Code section 7A.3. Report received on January 14, 2013.

DEPARTMENT OF EDUCATION

Competency-Based Instruction Task Force Preliminary Report, pursuant to 2012 Iowa Acts, SF 2284, section 2(5)(b). Report received on January 14, 2013.

Online Learning Survey Report, pursuant to Iowa Code section 256.7(32)(c)(3). Report received on January 14, 2013.

DEPARTMENT OF HUMAN SERVICES

Nursing Facility Quality Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4(6). Report received on January 14, 2013.

DEPARTMENT OF JUSTICE

Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, HF 2465, section 7(4)(a). Report received on January 15, 2013.

BOARD OF REGENTS

Beginner Farmer Center Report, pursuant to Iowa Code section 266.39E(3). Report received on January 14, 2013.

Annual Articulation Report, pursuant to 2009 Iowa Acts, HF 815, section 3(i). Report received on January 15, 2013.

Joint Investment Trust, pursuant to Iowa Code section 12B.10A(7). Report received on January 15, 2013.

IOWA STUDENT LOAN

Empowering Students to Reach Their Life Goals Report, pursuant to Iowa Code section 7C.13(2). Report received on January 15, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC DEFENSE – Report received on January 15, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Jay Small, Hinton – For winning the NFL Punt, Pass, and Kick championship. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, January 15, 2013, 2:05 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:20 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, January 15, 2013, 1:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Chelgren, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Behn and Danielson (both excused).

Committee Business: Initial committee meeting.

Adjourned: 1:25 p.m.

EDUCATION

Convened: Monday, January 14, 2013, 2:00 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: Behn and Boettger (both excused).

Committee Business: Organizational meeting.

Adjourned: 2:30 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 15, 2013, 1:00 p.m.

Members Present: Dearden, Chair; Greiner, Ranking Member; Bolcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, and Zumbach.

Members Absent: Black, Vice Chair; and Seng (both excused).

Committee Business: Adoption of rules and member introductions, with visitors.

Adjourned: 1:20 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 14, 2013, 11:00 a.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sadders.

Members Absent: None.

Committee Business: Appointments and floor privileges.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 6, by Hogg, a bill for an act increasing the maximum balance authorized for the Iowa economic emergency fund.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 7, by Hogg, a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as oriental bittersweet, within this state, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 8, by Schoenjahn, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 9, by Soddors, a bill for an act concerning public safety by establishing a public safety training and equipment trust fund, establishing a public safety training and facilities task force, and making appropriations.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 10, by Johnson, a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 11, by Anderson, a bill for an act increasing the default speed limit on hard surface roads to sixty miles per hour.

Read first time under Rule 28 and referred to committee on **Transportation**.

STUDY BILLS RECEIVED

SSB 1001 Human Resources

Requiring pulse oximetry screening for newborns in a birthing hospital.

SSB 1002 Labor and Business Relations

Relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

SSB 1003 Natural Resources and Environment

Relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands.

SSB 1004 Natural Resources and Environment

Relating to pollution prevention and waste management assistance.

SSB 1005 Natural Resources and Environment

Relating to water quality.

SSB 1006 Natural Resources and Environment

Relating to certain license requirements under the purview of the natural resource commission.

SSB 1007 State Government

Relating to radon control by requiring the state building code commissioner to adopt statewide radon control standards in residential construction, requiring that radon testing, mitigation, or abatement be conducted in schoolhouses and certain residential buildings, requiring certain notifications, providing an income tax credit, and making penalties applicable and including retroactive applicability provisions.

SSB 1008 State Government

Relating the technical administration of election and voter registration laws, including by making modifications to certain filing deadlines, preservation of certain records, elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries.

SSB 1009 State Government

Concerning the review, approval, and establishment of county supervisor districting plans.

SSB 1010 State Government

Relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

SSB 1011 State Government

Authorizing the secretary of state to modify fees for businesses newly organizing in this state during an Iowa start a business month.

SSB 1012 State Government

Relating to proof of identification and proof of residence in order to register to vote or to vote, creating a criminal offense for falsely swearing certain oaths and affidavits, and including applicability provisions.

SSB 1013 State Government

Relating to the legal sufficiency review of and notification procedures for complaints filed with the Iowa ethics and campaign disclosure board.

SSB 1014 State Government

Relating to the title of the office of citizens' aide.

SSB 1015 Human Resources

Relating to the Iowa information program for drug prescribing and dispensing.

SSB 1016 Human Resources

Relating to programs and services under the purview of the department of public health.

SSB 1017 Human Resources

Relating to controlled substances by making changes to the list of substances classified as controlled substances, allowing the exchange of information among prescription databases and monitoring programs, and making penalties applicable.

SSB 1018 State Government

Relating to the policy administration of election and voter registration laws by the secretary of state, including the voter registration age, absentee voting, the provision of training space for election personnel, the candidate nomination filing requirements for merged area, school district, and city elections and related filing requirements, the filling of vacancies in city office, and authorizing certain cities to conduct city elections by absentee ballot, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 1**

TRANSPORTATION: Brase, Chair; Bowman and Kapucian

Senate File 4

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Bolckcom and Zumbach

Senate File 5

TRANSPORTATION: Danielson, Chair; Behn and McCoy

SSB 1001

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Ragan

SSB 1002

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; and Anderson

SSB 1003

NATURAL RESOURCES AND ENVIRONMENT: Brase, Chair; Breitbach and Dearden

SSB 1004

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Black and Rozenboom

SSB 1005

NATURAL RESOURCES AND ENVIRONMENT: Schoenjahn, Chair; Greiner and Seng

SSB 1006

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Johnson

SSB 1007

STATE GOVERNMENT: McCoy, Chair; Petersen and Chapman

SSB 1008

STATE GOVERNMENT: Danielson, Chair; Jochum and Anderson

SSB 1009

STATE GOVERNMENT: Danielson, Chair; Jochum and Chapman

SSB 1010

STATE GOVERNMENT: Danielson, Chair; Jochum and Feenstra

SSB 1011

STATE GOVERNMENT: Danielson, Chair; Courtney and Whitver

SSB 1012

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

SSB 1013

STATE GOVERNMENT: Danielson, Chair; Jochum and Anderson

SSB 1014

STATE GOVERNMENT: Dearden, Chair; Sodders and Smith

SSB 1015

HUMAN RESOURCES: Wilhelm, Chair; Quirmbach and Segebart

SSB 1016

HUMAN RESOURCES: Wilhelm, Chair; Quirmbach and Boettger

SSB 1017

HUMAN RESOURCES: Wilhelm, Chair; Quirmbach and Whitver

SSB 1018

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 16, 2013

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by Hannah McCulloh, coordinator of the International Student Ministry at Memorial Lutheran Church in Ames, Iowa. She was the guest of Senator Whitver.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Olivia Paschke and Emerson Kleis.

The Journal of Tuesday, January 15, 2013, was approved.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:40 a.m., President Jochum presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 2, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:45 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Terry E. Branstad to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Brase, Hart, and Schneider on the part of the Senate, and Representatives Sands, Landon, and Riding on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable Mark S. Cady, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hogg, Courtney, and Zumbach on the part of the Senate, and Representatives Baltimore, Garrett, and Dawson on the part of the House.

Secretary of State Matt Schultz, State Treasurer Mike Fitzgerald, Secretary of Agriculture Bill Northey, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and the Judges of the Court of Appeals, and the Chief Judges of the District Courts were escorted into the House chamber.

Becky Cady, wife of Chief Justice Cady; his son, Spencer Cady; daughter-in-law Reilly Cady; and guest, former governor Robert E. Ray, were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon Chief Justice Mark S. Cady and escorted him to the Speaker's station.

President Jochum then presented Chief Justice Mark S. Cady who delivered the following Condition of the Judiciary Message:

Madame President, Mr. Speaker, Members of the General Assembly, Governor Branstad, Lt. Governor Reynolds, state officials, colleagues and family, distinguished guests and friends:

The responsibility of the chief justice to appear before this joint assembly each year to report on the condition of the judiciary was made into law by you in 1978. Chief Justice Ward Reynoldson was the first chief justice to perform this task in response to that law. At the beginning of his speech, he quipped that he would have been just as enthusiastic to appear before you had he merely been invited. While I was invited today, I can assure you that I am just as enthusiastic as Chief Justice Reynoldson. I am excited to talk to you because everyone of us in the Iowa Judicial Branch is poised to make the Iowa court system the best, most advanced, and the most responsive court system in the nation. I look forward with hope and promise to working with you to accomplish this goal. As we have proven in the past, a great vision can become a reality when we work together.

When my son was in grade school, I coached his school football team, along with a few other parents. We practiced on the school grounds after dinner in the same grassy area where the children played at recess during the day. One evening, two games into the season, both of which we had lost, I noticed a man and a girl standing off to the side. I spoke with the man, and he told me his daughter suffered from a profound hearing loss and could not hear without her hearing aids, one of which she lost on the field during recess that day. The hearing aid was very small and very expensive. We stopped practice, and the coaches had the boys line up shoulder to shoulder, heads down, and begin walking the field. Within a few minutes, the hearing aid lying in a sea of grass was found—and so too was the recipe for success as a team for the rest of the season and beyond. They all learned that, when all players do their jobs and trust others to do their jobs, success can be achieved. The boys went on to win the rest of their regular season games.

As is often the case, the lessons of our children are our lessons as well. We, the three branches of government, are a team poised for great success, and it is incumbent upon us—its leaders—to forge and implement a plan that achieves this success for all Iowans.

We are partners in this venture because our constitution—properly, I might add—has given you control over the purse strings of this state. My responsibility is twofold:

first, to share with you a vision for our courts that will meet the expectations of Iowans today and into the future; and, second, to provide you with the information you need to make the best and most informed decisions possible for the funding and operation of our courts. This is the process of responsible government. I promise you that I will do everything I can to provide you the information you need. On behalf of the judicial branch staff, we promise to work as hard as we can to make people's lives better and to enhance our state's economic vitality, so that all Iowans feel a sense of pride in the way their government operates and serves them.

In addition to my remarks today, I will continue to communicate with you by maintaining office hours here at the Capitol to answer your questions and expand upon our vision for the improvement of the judicial branch. Also, immediately following today's speech, we invite all of you to join us for a reception in our historic courtroom downstairs.

Since the last time I was before you, the supreme court has continued, and will continue, to hear supreme court proceedings across the state in the spring and fall of every year. We hear these oral arguments in the evening so as many people as possible may attend. The evening sessions also enable court members to meet with Iowans to answer questions and hear their expectations for our court system. The following morning, the members of the court fan out to nearby schools to talk with students, teachers, and administrators. Through our court-on-the road efforts during 2012, we visited five communities as a full court, and individual justices visited 40 schools, colleges, and universities. I would like to take this moment to say "thank you" to all the teachers, principals, school districts, college administrators, and community leaders who have welcomed us into their classrooms and communities. To gain an even broader perspective, I have met with many of Iowa's business leaders who rely so much on our system of fair and impartial courts. Likewise, all members of the court have met with civic groups, business organizations, legislators, local leaders, educators, students, and of course, those individuals who work so hard in the judicial branch on a daily basis. We have learned much from these experiences.

These Iowans have described for us what they expect and need from our courts. This list is fairly straightforward:

- Protect Iowa's children;
- Provide full-time access to justice;
- Operate an efficient, full-service court system;
- Provide faster and less costly resolution of legal disputes;
- Be open and transparent; and
- Provide fair and impartial justice for all.

Let me elaborate, starting with our state's most precious resource.

I. Protect Iowa's Children

Iowans expect the courts to be there for the children of this state. You have assigned this responsibility to us, which we embrace with the care and attention it demands. Young Iowans who turn to crime, or who must cope with shattered families, or who suffer from daily abuse, represent a tragic failing of our society. They also represent potential expenditures of millions, no billions, of future taxpayer dollars if

they end up incarcerated or must be treated for more serious conditions as adults. We save taxpayer dollars when troubled children receive the full and timely services of the juvenile court system. In this critical area, our courts do not just hold juveniles accountable for their actions, we also construct, implement, and monitor a remedy until our assistance is no longer needed. We are not only the emergency room for these struggling children and their families. We are the recovery room and, importantly, the rehabilitation center that follows. At each stage, we need the full complement of resources to do the job right. We all fail if our courts fail our children.

Today, juvenile court judges across the state have chosen to devote their professional lives to making a real difference in the lives of our troubled children. These men and women are dedicated to putting a stop to the otherwise likely cycle of delinquency and adult criminal behavior. They run innovative and inspiring courtrooms devoted to making positive changes in the lives of our children. A great example is our nationally recognized family drug courts that target families with parents who have substance-related disorders. These courts bring together members from the extended family, counselors, and community service providers to help keep children with their families. In the past five years, family drug courts have served 399 families, and 80% of those families are still together. Family drug courts are funded by a federal grant that was recently renewed. Family drug courts in Iowa have reunited families or prevented foster placement for 576 children. All these efforts have saved taxpayers more than \$2 million dollars in its five years of operation. Our family drug courts are examples of proven court innovations and collaborations that benefit our families and taxpayers.

For children who are themselves in trouble with the law, juvenile court officers work closely with our judges to assist children and their families to transform behaviors and attitudes before it's too late. Your court system helps mend the lives of thousands of young Iowans, helping them become good and productive citizens who will positively contribute to our society. Sadly, however, we are far from reaching all of our children and families in need. Sometimes even in the most fundamental ways.

I have visited with juvenile judges and juvenile court officers and learned firsthand that the most important and proven part of their job is to have an early face-to-face conversation with troubled youth. One conversation, between a child and a devoted and trained juvenile court officer asking the right questions, can often identify the underlying problems and help match the needs of the child with the services available in the community. With enough support, the juvenile court officer can then monitor the child's progress through treatment or therapy. We do not have enough juvenile court officers, however, to reach all of our children in need, and too often our first contact with a child is through a letter. That is just wrong. Every child deserves a face-to-face meeting with an assigned juvenile court officer. An impersonal letter from a stranger just does not cut it. We know that with early, personal intervention, more troubled children are saved from a life of crime and lifted out of a world of heartache. With your help this can be done. If we are going to accomplish any lasting good in our lives, we must begin by bringing lasting good to the lives of our children in need.

II. Provide Full-Time Access to Justice

Iowans expect and deserve to have full-time access to justice. Whether it's children in need, or you, your business, or your friends and neighbors who must at some time count on access to court services, it is clear that Iowans expect their government to operate a full-time, full-service, and efficient court system. Currently, all clerk of court offices in Iowa are closed every Tuesday and Thursday afternoon. Closures deny access to Iowans, including those seeking commitment of loved ones for mental illness and substance abuse and people seeking protection from domestic violence. We have all

heard stories about domestic violence victims having to wait for an order of protection because the clerk of court offices are closed. We also know more families in need of mental health services are turning to the courts every year. The number of adult mental health commitment petitions has grown 45 percent in the last decade, while the number of juvenile commitment petitions has grown 93 percent during the same time. When a mental health crisis strikes a family, our courts must be accessible. In addition, closures slow down the processing of child support checks, liens, garnishments, warrants, and other important matters. These closures should end. Iowans deserve and expect all clerk of court offices to be open every day during business hours.

III. Operate an Efficient, Full-Service Court System

The Iowa Judicial Branch does continuously work to improve access to the courts and make operations more efficient. We have made tremendous progress in these efforts in recent years, including, as you are aware, with EDMS—our electronic document management system. With EDMS, we are creating and implementing an efficient paperless court system. This project is on track to be nearly half done by the end of this year. We still have much work to do, and there are many expert and dedicated judicial branch employees making it happen, but it already has become a national model for other states to follow.

Since the first document was successfully filed electronically in the Plymouth County Clerk of Court Office in January 2010, court users have electronically filed nearly one million documents in 15 Iowa counties. We began with a county-by-county approach to implementing EDMS that included extensive training for all court users. In Woodbury County, our first move into a large county over a year ago, Sioux City Police Chief Doug Young says his officers now use and depend on EDMS every day without complaint. EDMS works and quickly passes critical information between the courts and police. I have heard similar reports from Humboldt County Sheriff Dean Kruger and Fort Dodge Police Chief Tim Carmody, who said that with EDMS, his officers receive search warrants and court orders faster than before and there is less administrative paperwork. Now his officers can spend more time out on patrol.

Many EDMS users are self-represented litigants, who can now file from their homes in the evenings when they are off work, or small business owners who do not have to interrupt their work day to race to the courthouse to file a lien or other court document. Judges using EDMS are also more efficient and are now able to prepare for court even when they are in a neighboring county. By the end of this year, we expect to bring EDMS to 30 more counties.

IV. Provide Faster and Less Costly Resolution of Legal Disputes

Iowans expect and deserve timely resolution of their legal disputes. The old axiom “justice delayed is justice denied” is more and more true in our increasingly fast-paced world. I hear repeatedly in my conversations with business community leaders across the state about the importance of resolving disputes quickly and inexpensively so the involved parties can move on. Often, the time waiting for a resolution can be time when capital is not invested, new employees are not hired, or economic development is put on hold. While EDMS will help, our court system is still plagued with costly, frustrating, and unnecessary delays. Technology can only do so much for a justice system. We have learned that potential efficiencies in our court system quickly fall out of reach without sufficient personnel. Too many times, a case must be rescheduled because a judge is without some essential staff to allow the case to proceed. I have personally called lawyers to apologize for this unfortunate circumstance and for the additional costs. In peoples’ lives, one courtroom delay is one too many. This is not how a justice system

should operate, and it is not what Iowa litigants should endure. We can only have a full-service court system if our judges have the support they need to run an efficient courtroom.

This leads me to a related point. We are trying to operate our branch of government as any efficient, successful business or organization would operate, and we must pay competitive salaries to our judges and magistrates that reward superior performance, sustain committed service, and compete in the marketplace. We all know that adequate employee compensation is essential in any successful operation, including the operation of our courts.

Iowans expect our courts to give users more options to resolve civil disputes in a way that meets the changing needs of the 21st Century and provide better, faster, and less costly court services. Twelve months ago I spoke with you about the importance of a fair and predictable justice system to economic development in Iowa. Since that time, business owners from around the state continue to share their vision for a modern and responsive court system. We are moving forward with two innovations to provide faster and less expensive dispute resolution. First, we are in the process of streamlining the civil justice system by developing another track litigants can select that will reduce the costly and time-consuming discovery disputes that often accompany litigation. This track of litigation will offer users a means to obtain a less costly and more prompt resolution of legal disputes.

Second, we recently approved a pilot project to establish business courts in Iowa. Our Civil Justice Reform Task Force studied this exciting concept, and we have thoroughly discussed the project with many groups of Iowans, including business leaders. Importantly, our business courts will be staffed by judges specially trained in the complex issues facing businesses in our modern economy. These judges will offer commercial litigants the expertise needed and desired when courts are asked to resolve their disputes in a fair, efficient manner. Our business courts will spotlight the integrity and ingenuity of all the courts throughout Iowa as another example of the commitment by our court system to treat all litigants and their claims with respect and understanding. By relocating these complex litigation cases to a separate docket, other civil cases may proceed more efficiently. Additionally, we expect business courts to help all Iowans by contributing an important piece to the new wave of economic confidence in Iowa as a place to grow and prosper. We all can agree that America's core strength is its innovation, its ideas. Courts are a part of this innovation too.

V. Be Open and Transparent

Iowans demand the courts, as well as all of state government, to be open and transparent. As you know, the strength of our democracy requires well-informed citizens. The strength and effectiveness of our court system depends on public confidence in the courts. To this end, the Iowa Judicial Branch has been a national leader in allowing audio, photographic, and video coverage of the courts. Our rules governing media coverage are carefully designed to prevent disruption of the court hearing and to safeguard the rights of litigants to a fair trial and appeal.

These rules have worked well for many years. However, they have become outdated by smart phones and new ways of communication such as blogging and twitter. In response, the supreme court created a committee of journalists and court users to update the rules to address the new media covering our government. Working together we will be able to allow all Iowans, especially the next generation, to see for themselves how our justice system works for them. As we have in the past, we welcome transparency. It is a critical part of our future success because it enhances public understanding of our courts.

VI. Provide Fair and Impartial Justice for All

Iowans demand our courts provide fair and impartial justice for all. Through the judicial merit selection process, our courts continue to be free from political influence and provide fair and impartial justice to all Iowans. Our judges make decisions based on the facts of a case and the rule of law, not their personal beliefs or popular opinion. Allegiance to the law is the very core of our judicial system, embodied in our oath as judges and our rules of ethics, and it is our pledge to all Iowans. While some may disagree with the court's work from time to time, it is our hope that this pledge will always be visible in all our work. We must be devoted to fair and impartial courts because it is an important component in our future success as a state.

Throughout the last year, I have listened carefully to Iowans across this great state. These thoughtful voices continue to resonate today, and the caring faces of Iowans guide us in our commitment to our system of justice. I pledge to you that we will continue to engage all Iowans in conversations about the needs and expectations for our courts.

I stand before you today as the voice for our judicial branch of government, as the voice of the judicial branch staff who are "all in" to make our court system the best in the country. I am also the voice for the hundreds of thousands of court users in Iowa, including those Iowans suffering from mental illness and drug addiction. I am the voice for a committed and caring profession that relies on our court system in representing Iowans. I am the voice for victims of crime and victims of injustice; the voice for the accused; the voice for families torn apart; the voice for our troubled children who depend on our courts for their safety and success; and the voice for all those who believe, as I believe, that our courts must have a strong foundation for each generation to build on and flourish.

Together, we are the voice for Iowans. We must work to deliver on the grand vision of our forefathers—that the government they created will be the government operated by each generation to always make the lives of Iowans the healthiest, happiest, and most prosperous possible. It is a vision only today's leaders can deliver. The cause is just. So, today, I stand before you with this vision of a court system reaching its greatest potential, and with the information you need to help make that a reality.

Let today be a beginning when we walk together as my son and his teammates did, shoulder to shoulder. Let us work together to advance a just cause, to reach our greatest potential.

Thank you.

Chief Justice Mark S. Cady was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Upmeyer moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:40 a.m. until 9:00 a.m., Thursday, January 17, 2013.

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the Eighty-fifth General Assembly, 2013 session:

*Vice Chair

**Ranking Member

AGRICULTURE—13 Members

Seng, Chair	Black	Greiner	Houser
Taylor*	Bowman	Guth	Kapucian
Zumbach**	Brase	Hart	Sodders
Beall			

APPROPRIATIONS—21 Members

Dvorsky, Chair	Courtney	Kapucian	Schoenjahn
Danielson*	Dotzler	Mathis	Segebart
Whitver**	Ernst	McCoy	Smith
Black	Guth	Petersen	
Boettger	Hatch	Ragan	
Bolkcom	Hogg	Rozenboom	

COMMERCE—15 Members

McCoy, Chair	Bertrand	Hatch	Seng
Petersen*	Bolkcom	Mathis	Sinclair
Anderson**	Breitbach	Schneider	Wilhelm
Beall	Chapman	Schoenjahn	

ECONOMIC GROWTH/REBUILD IOWA—15 Members

Sodders, Chair	Chelgren	Hatch	Taylor
Bowman*	Danielson	Houser	Whitver
Chapman**	Dotzler	Mathis	Wilhelm
Behn	Hart	Schneider	

EDUCATION—15 Members

Quirnbach, Chair	Behn	Hart	Sinclair
Schoenjahn*	Boettger	Hogg	Wilhelm
Ernst**	Bowman	Johnson	Zaun
Beall	Dvorsky	Mathis	

ETHICS—6 Members

Horn, Chair Dearden*	Greiner** Behn	Seng	Whitver
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GOVERNMENT OVERSIGHT—5 Members

Petersen, Chair Schoenjahn*	Sorenson**	Greiner	McCoy
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HUMAN RESOURCES—13 Members

Ragan, Chair Wilhelm* Johnson** Boettger	Bolkcom Dotzler Ernst	Hatch Jochum Mathis	Quirnbach Segebart Whitver
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JUDICIARY—13 Members

Hogg, Chair Courtney* Schneider** Boettger	Dvorsky Horn Petersen	Quirnbach Sodders Sorenson	Taylor Whitver Zaun
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LABOR AND BUSINESS RELATIONS—11 Members

Horn, Chair Dearden* Houser**	Anderson Brase Chapman	Dix Dotzler Hatch	Seng Sodders
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LOCAL GOVERNMENT—11 Members

Wilhelm, Chair Brase* Sinclair**	Chelgren Dvorsky Guth	Hart Quirnbach Schoenjahn	Taylor Zaun
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NATURAL RESOURCES AND ENVIRONMENT—13 Members

Dearden, Chair Black* Greiner** Bolkcom	Brase Breitbach Hogg	Johnson Ragan Rozenboom	Schoenjahn Seng Zumbach
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RULES AND ADMINISTRATION—11 Members

Gronstal, Chair Jochum* Dix**	Bertrand Courtney Dearden	Dvorsky Ernst Ragan	Rozenboom Sodders
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STATE GOVERNMENT—15 Members

Danielson, Chair	Bowman	Feenstra	Smith
Jochum*	Chapman	Horn	Sodders
Sorenson**	Courtney	McCoy	Whitver
Anderson	Dearden	Petersen	

TRANSPORTATION—13 Members

Bowman, Chair	Brase	Dearden	McCoy
Beall*	Breitbach	Dvorsky	Taylor
Kapucian**	Danielson	Feenstra	Zumbach
Behn			

VETERANS AFFAIRS—11 Members

Beall, Chair	Black	Hart	Schneider
Danielson*	Chelgren	Horn	Sodders
Rozenboom**	Ernst	Ragan	

WAYS AND MEANS—15 Members

Bolkcom, Chair	Bertrand	Hogg	Quirnbach
Seng*	Black	Jochum	Schneider
Feenstra**	Chapman	McCoy	Smith
Behn	Dotzler	Petersen	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

Mathis, Chair	Guth**	Ernst
Danielson*	Brase	

AGRICULTURE AND NATURAL RESOURCES

Black, Chair	Rozenboom**	Wilhelm
Dearden*	Greiner	

ECONOMIC DEVELOPMENT

Dotzler, Chair	Boettger**	Seng
Hart*	Schneider	

EDUCATION

Schoenjahn, Chair	Smith**	Sinclair
Horn*	Quirnbach	

HEALTH AND HUMAN SERVICES

Hatch, Chair	Segebart**	Johnson
Ragan*	Bolkcom	

JUSTICE SYSTEM

Courtney, Chair
Hogg*

Chapman**
Chelgren

Taylor

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

McCoy, Chair
Beall*

Kapucian**
Anderson

Bowman

SENATORS AND THEIR RESPECTIVE COMMITTEES

ANDERSON, Bill

Commerce, Ranking Member
Labor and Business Relations
State Government
Transportation, Infrastructure, and Capitals
Appropriations Subcommittee

BEALL, Daryl

Agriculture
Commerce
Education
Transportation, Vice Chair
Veterans Affairs, Chair
Transportation, Infrastructure, and Capitals
Appropriations Subcommittee, Vice Chair

BEHN, Jerry

Economic Growth/Rebuild Iowa
Education
Ethics
Transportation
Ways and Means

BERTRAND, Rick

Commerce
Rules and Administration
Ways and Means

BLACK, Dennis H.

Agriculture
Appropriations
Natural Resources and
Environment, Vice Chair
Veterans Affairs
Ways and Means
Agriculture and Natural Resources
Appropriations Subcommittee, Chair

BOETTGER, Nancy J.

Appropriations
Education
Human Resources
Judiciary
Economic Development Appropriations
Subcommittee, Ranking Member

BOLKCOM, Joe

Appropriations

	Commerce Human Resources Natural Resources and Environment Ways and Means, Chair Health and Human Services Appropriations Subcommittee
BOWMAN, Tod	Agriculture Economic Growth/Rebuild Iowa, Vice Chair Education State Government Transportation, Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee
BRASE, Chris	Agriculture Labor and Business Relations Local Government, Vice Chair Natural Resources and Environment Transportation Administration and Regulation Appropriations Subcommittee
BREITBACH, Michael	Commerce Natural Resources and Environment Transportation
CHAPMAN, Jake	Commerce Economic Growth/Rebuild Iowa, Ranking Member Labor and Business Relations State Government Ways and Means Justice System Appropriations Subcommittee, Ranking Member
CHELGREN, Mark	Economic Growth/Rebuild Iowa Local Government Veterans Affairs Justice System Appropriations Subcommittee
COURTNEY, Thomas	Appropriations Judiciary, Vice Chair Rules and Administration State Government Justice System Appropriations Subcommittee
DANIELSON, Jeff	Appropriations, Vice Chair Economic Growth/Rebuild Iowa State Government, Chair Transportation

	Veterans Affairs, Vice Chair Administration and Regulation Appropriations Subcommittee, Vice Chair
DEARDEN, Dick	Ethics, Vice Chair Labor and Business Relations, Vice Chair Natural Resources and Environment, Chair Rules and Administration State Government Transportation Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair
DIX, Bill	Labor and Business Relations Rules and Administration, Ranking Member
DOTZLER, William	Appropriations Economic Growth/Rebuild Iowa Human Resources Labor and Business Relations Ways and Means Economic Development Appropriations Subcommittee, Chair
DVORSKY, Robert	Appropriations, Chair Education Judiciary Local Government Rules and Administration Transportation
ERNST, Joni	Appropriations Education, Ranking Member Human Resources Rules and Administration Veterans Affairs Administration and Regulation Appropriations Subcommittee
FEENSTRA, Randy	State Government Transportation Ways and Means, Ranking Member
GREINER, Sandra	Agriculture Ethics, Ranking Member Government Oversight Natural Resources and Environment, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee

GRONSTAL, Michael	Rules and Administration, Chair
GUTH, Dennis	Agriculture Appropriations Local Government Administration and Regulation Appropriations Subcommittee, Ranking Member
HART, Rita	Agriculture Economic Growth/Rebuild Iowa Education Local Government Veterans Affairs Economic Development Appropriations Subcommittee, Vice Chair
HATCH, Jack	Appropriations Commerce Economic Growth/Rebuild Iowa Human Resources Labor and Business Relations Health and Human Services Appropriations Subcommittee, Chair
HOGG, Robert	Appropriations Education Judiciary, Chair Natural Resources and Environment Ways and Means Justice System Appropriations Subcommittee, Vice Chair
HORN, Wally	Ethics, Chair Judiciary Labor and Business Relations, Chair State Government Veterans Affairs Education Appropriations Subcommittee, Vice Chair
HOUSER, Hubert.	Agriculture Economic Growth/Rebuild Iowa Labor and Business Relations, Ranking Member
JOCHUM, Pam	Human Resources Rules and Administration, Vice Chair State Government, Vice Chair Ways and Means

JOHNSON, David	Education Human Resources, Ranking Member Natural Resources and Environment Health and Human Services Appropriations Subcommittee
KAPUCIAN, Tim	Agriculture Appropriations Transportation, Ranking Member Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member
MATHIS, Liz	Appropriations Commerce Economic Growth/Rebuild Iowa Education Human Resources Administration and Regulation Appropriations Subcommittee, Chair
McCOY, Matt	Appropriations Commerce, Chair Government Oversight State Government Transportation Ways and Means Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair
PETERSEN, Janet	Appropriations Commerce, Vice Chair Government Oversight, Chair Judiciary State Government Ways and Means
QUIRMBACH, Herman	Education, Chair Human Resources Judiciary Local Government Ways and Means Education Appropriations Subcommittee
RAGAN, Amanda	Appropriations Human Resources, Chair Natural Resources and Environment Rules and Administration Veterans Affairs Health and Human Services Appropriations Subcommittee, Vice Chair

ROZENBOOM, Ken	Appropriations Natural Resources and Environment Rules and Administration Veterans Affairs, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
SCHNEIDER, Charles	Commerce Economic Growth/Rebuild Iowa Judiciary, Ranking Member Veterans Affairs Ways and Means Economic Development Appropriations Subcommittee
SCHOENJAHN, Brian	Appropriations Commerce Education, Vice Chair Government Oversight, Vice Chair Local Government Natural Resources and Environment Education Appropriations Subcommittee, Chair
SEGEBART, Mark	Appropriations Human Resources Health and Human Services Appropriations Subcommittee, Ranking Member
SENG, Joe	Agriculture, Chair Commerce Ethics Labor and Business Relations Natural Resources and Environment Ways and Means, Vice Chair Economic Development Appropriations Subcommittee
SINCLAIR, Amy	Commerce Education Local Government, Ranking Member Education Appropriations Subcommittee
SMITH, Roby	Appropriations State Government Ways and Means Education Appropriations Subcommittee, Ranking Member
SODDERS, Steven	Agriculture Economic Growth/Rebuild Iowa, Chair Judiciary

	Labor and Business Relations Rules and Administration State Government Veterans Affairs
SORENSEN, Kent	Government Oversight, Ranking Member Judiciary State Government, Ranking Member
TAYLOR, Rich	Agriculture, Vice Chair Economic Growth/Rebuild Iowa Judiciary Local Government Transportation Justice System Appropriations Subcommittee
WHITVER, Jack	Appropriations, Ranking Member Economic Growth Ethics Human Resources Judiciary State Government
WILHELM, Mary Jo	Commerce Economic Growth/Rebuild Iowa Education Human Resources, Vice Chair Local Government, Chair Agriculture and Natural Resources Appropriations Subcommittee,
ZAUN, Brad	Education Judiciary Local Government
ZUMBACH, Dan	Agriculture, Ranking Member Natural Resources and Environment Transportation

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Iowa Reading Research Center Final Report, pursuant to 2012 Iowa Acts, SF 2284, section 32(3). Report received January 15, 2013.

Early ACCESS Council Report. Report received on January 16, 2013.

Disaster Waiver Report, pursuant to Iowa Code 256.9(59). Report received on January 16, 2013.

JUDICIAL BRANCH

Enhanced Court Collections Fund Report, pursuant to 2012 Iowa Acts, HF 2338, section 8. Report received on January 16, 2013.

Court Technology and Modernization Fund Report, pursuant to 2012 Iowa Acts, HF 2338, section 8. Report received on January 16, 2013.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Financial Evaluation Report, pursuant to 2010 Iowa Acts, HF 2518, section 44(16). Report received on January 16, 2013.

DEPARTMENT OF PUBLIC HEALTH

Annual Obstretical Care in Iowa Report, pursuant to Iowa Code section 135.11(16). Report received on January 16, 2013.

Problem Gambling Treatment and Prevention Report, pursuant to Iowa Code section 135.150(2). Report received on January 16, 2013.

Iowa Youth Suicide Prevention Program Progress Report, pursuant to 2012 Iowa Acts, HF 2465, section 8(2). Report received on January 16, 2013.

BOARD OF REGENTS

Grow Iowa Values Fund Report, pursuant to Iowa Code section 15G.111(5)(c). Report received on January 16, 2013.

Technology Transfer and Economic Development Report, pursuant to 2005 Iowa Acts, HF 809, section 13 and 2006 Iowa Acts, HF 2459, section 14. Report received on January 16, 2013.

Regents Innovation Fund Report, pursuant to Iowa Code section 1136.17(14). Report received on January 16, 2013.

Patents and Licenses Report, pursuant to Iowa Code 262B.3(3). Report received on January 16, 2013.

TREASURE OF STATE

Tobacco Settlement Authority Report, pursuant to Iowa Code 12E.15. Report received on January 16, 2013.

IOWA VETERANS HOME

Post-Traumatic Stress Dual Diagnosis Treatment Program Study Report, pursuant to 2012 Iowa Acts, SF 2245, section 1(2). Report received on January 16, 2013.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2012, pursuant to Iowa Code section 8D.10, were received from the following agencies:

DEPARTMENT OF CULTURAL AFFAIRS – Report received on January 16, 2013.

DEPARTMENT OF EDUCATION – Report received on January 16, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Brady Garden, Charles City – For achieving the rank of Eagle Scout, Troop 1087. Senator Wilhelm.

Tom Roberts, Lime Springs – For achieving the rank of Eagle Scout, Troop 121. Senator Wilhelm.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, January 15, 2013, 2:35 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Boettger (excused).

Committee Business: Organizational meeting.

Adjourned: 2:45 p.m.

TRANSPORTATION

Convened: Tuesday, January 15, 2013, 1:30 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Adoption of rules and introductions.

Adjourned: 1:50 p.m.

VETERANS AFFAIRS

Convened: Wednesday, January 16, 2013, 2:05 p.m.

Members Present: Beall, Chair; Rozenboom, Ranking Member; Chelgren, Ernst, Hart, Horn, Ragan, Schneider, and Soddors.

Members Absent: Danielson, Vice Chair; and Black (both excused).

Committee Business: Introductions and approval of rules.

Adjourned: 2:05 p.m.

INTRODUCTION OF BILLS

Senate File 12, by Danielson, a bill for an act relating to area health education centers, creating an area health education centers fund, and providing an appropriation.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 13, by Anderson, a bill for an act prohibiting gender-selection abortions, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 14, by Anderson, a bill for an act relating to abortion-inducing drug safety and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 15, by Mathis, a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

STUDY BILLS RECEIVED**SSB 1019 Transportation**

Relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

SSB 1020 Transportation

Relating to the renewal of driver's licenses electronically and including effective date provisions.

SSB 1021 Transportation

Relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

SSB 1022 Economic Growth/Rebuild Iowa

Relating to the transfer of moneys to a fund established by the economic development authority and including effective date and retroactive applicability provisions.

SSB 1023 Economic Growth/Rebuild Iowa

Relating to the termination of the targeted small business financial assistance program and making appropriations for assistance to targeted small businesses.

SSB 1024 Economic Growth/Rebuild Iowa

Providing for a small employer health insurance tax credit for individual and corporate income taxpayers and including retroactive applicability provisions.

SSB 1025 Economic Growth/Rebuild Iowa

Relating to the administration of duties and programs by the economic development authority.

SSB 1026 Judiciary

Relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

SSB 1027 Judiciary

Requiring a person receiving a deferred judgment for or convicted of an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

SSB 1028 Judiciary

Requiring a person convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

SSB 1029 Judiciary

Relating to the excise tax on unlawful dealing in certain substances by adding new taxable substances and tax rates, modifying the taxation and rates of currently taxable substances, and making penalties applicable.

SSB 1030 Judiciary

Providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable.

SSB 1031 Judiciary

Relating to authorization procedures for certain county projects involving real property.

SSB 1032 Judiciary

Relating to the requirement that creditors provide notice of the availability of counseling and mediation services to homeowners facing foreclosure.

SSB 1033 Judiciary

Establishing the department of homeland security and emergency management.

SSB 1034 Judiciary

Relating to interpreters and translators for limited English proficient participants in legal proceedings and in court-ordered programs.

SSB 1035 Judiciary

Relating to the nomination and appointment of district judges.

SSB 1036 Judiciary

Relating to the governor's office of drug control policy and certain advisory councils.

SSB 1037 Judiciary

Relating to donations and charitable contributions in a criminal proceeding.

SSB 1038 Judiciary

Relating to the waiting period before the granting of a decree dissolving a marriage.

SSB 1039 Judiciary

Relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, making appropriations, and providing for a fee.

SSB 1040 Judiciary

Relating to the consumer credit code by providing for increases in monetary limits applicable to motor vehicle-related credit transactions and amending the incorporation date for references to the federal Truth in Lending Act.

SSB 1041 Judiciary

Providing access to child abuse records in juvenile court and the prosecution of certain youthful offenders.

SSB 1042 Judiciary

Relating to the practices and procedures of the state public defender.

SSB 1043 Judiciary

Relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

SSB 1044 Judiciary

Relating to the appointment and removal of clerks of the district court.

SSB 1045 Judiciary

Relating to the controlled substance of marijuana, providing a penalty, and including an effective date provision.

SSB 1046 Ways and Means

Relating to the administration of the streamlined sales and use tax agreement by the department of revenue.

SSB 1047 Commerce

Establishing data security compliance requirements in relation to payment card transactions, and providing penalties.

SSB 1048 Commerce

Exempting internet protocol-enabled service from the regulatory authority of the utilities board of the utilities division of the department of commerce.

SSB 1049 Commerce

Concerning applications for liquor control licenses and micro-distilled spirits, beer, and wine permits.

SSB 1050 Commerce

Relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions.

SSB 1051 Commerce

Increasing civil penalties applicable to specified pipeline safety violations.

SSB 1052 Commerce

Relating to credit for reinsurance, including transition, applicability, and effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 7**

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Breitbach and Schoenjahn

Senate File 8

COMMERCE: Schoenjahn, Chair; Chapman and Petersen

Senate File 9

JUDICIARY: Sodders, Chair; Schneider and Taylor

Senate File 10

NATURAL RESOURCES AND ENVIRONMENT: Johnson, Chair; Black and Dearden

Senate File 11

TRANSPORTATION: Danielson, Chair; Behn and Dearden

SSB 1019

TRANSPORTATION: Bowman, Chair; Danielson and Zumbach

SSB 1020

TRANSPORTATION: Bowman, Chair; Feenstra and McCoy

SSB 1021

TRANSPORTATION: Danielson, Chair; Beall and Breitbach

SSB 1022

ECONOMIC GROWTH/REBUILD IOWA: Danielson, Chair; Wilhelm and Chelgren

SSB 1023

ECONOMIC GROWTH/REBUILD IOWA: Sodders, Chair; Hart and Behn

SSB 1024

ECONOMIC GROWTH/REBUILD IOWA: Hatch, Chair; Bowman and Whitver

SSB 1025

ECONOMIC GROWTH/REBUILD IOWA: Dotzler, Chair; Taylor and Chapman

SSB 1026

JUDICIARY: Sodders, Chair; Horn and Sorenson

SSB 1027

JUDICIARY: Sodders, Chair; Courtney and Whitver

SSB 1028

JUDICIARY: Sodders, Chair; Courtney and Whitver

SSB 1029

JUDICIARY: Petersen, Chair; Hogg and Whitver

SSB 1030

JUDICIARY: Petersen, Chair; Taylor and Schneider

SSB 1031

JUDICIARY: Petersen, Chair; Quirnbach and Schneider

SSB 1032

JUDICIARY: Dvorsky, Chair; Taylor and Zaun

SSB 1033

JUDICIARY: Hogg, Chair; Taylor and Schneider

SSB 1034

JUDICIARY: Hogg, Chair; Courtney and Schneider

SSB 1035

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

SSB 1036

JUDICIARY: Courtney, Chair; Horn and Zaun

SSB 1037

JUDICIARY: Courtney, Chair; Petersen and Sorenson

SSB 1038

JUDICIARY: Courtney, Chair; Horn and Boettger

SSB 1039

JUDICIARY: Courtney, Chair; Hogg and Schneider

SSB 1040

JUDICIARY: Courtney, Chair; Taylor and Zaun

SSB 1041

JUDICIARY: Taylor, Chair; Hogg and Schneider

SSB 1042

JUDICIARY: Taylor, Chair; Dvorsky and Whitver

SSB 1043

JUDICIARY: Quirnbach, Chair; Hogg and Schneider

SSB 1044

JUDICIARY: Quirnbach, Chair; Hogg and Schneider

SSB 1045

JUDICIARY: Quirnbach, Chair; Courtney and Boettger

SSB 1046

WAYS AND MEANS: Dotzler, Chair; Petersen and Feenstra

SSB 1047

COMMERCE: Bolkcom, Chair; Petersen and Bertrand

SSB 1048

COMMERCE: McCoy, Chair; Mathis and Breitbach

SSB 1049

COMMERCE: Seng, Chair; Mathis and Anderson

SSB 1050

COMMERCE: Petersen, Chair; McCoy and Anderson

SSB 1051

COMMERCE: Schoenjahn, Chair; Wilhelm and Breitbach

SSB 1052

COMMERCE: Petersen, Chair; McCoy and Chapman

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 17, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by former Senate Page, Nina Liu, who played “Hallelujah” on the violin. She was the guest of Senators Chapman and Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Michelle Aberle.

The Journal of Wednesday, January 16, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:20 a.m. until 9:00 a.m., Friday, January 18, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Consumer Advocate Bureau Annual Report, pursuant to Iowa Code section 505.8(6)(b)(6). Report received on January 17, 2013.

JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107(7). Report received on January 17, 2013.

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Financial Evaluation Report, pursuant to Iowa Code section 411.5(6)(a). Report received on January 17, 2013.

DEPARTMENT OF NATURAL RESOURCES

Aquatic Invasive Species Report, pursuant to Iowa Code section 462A.52(3). Report received on January 17, 2013.

Environmental Protection Commission Annual Report, pursuant to Iowa Code section 455B.105(5). Report received on January 17, 2013.

DEPARTMENT OF PUBLIC HEALTH

Mental Health Professional Shortage Area Report, pursuant to Iowa Code section 135.180(5). Report received on January 17, 2013.

DEPARTMENT OF REVENUE

Iowa Tuition and Textbook Tax Credit Evaluation Study Report, pursuant to Iowa Code section 422.12. Report received on January 16, 2013.

Iowa Capital Investment Board Annual Report, pursuant to Iowa Code section 15E.63(9). Report received on January 17, 2013.

Property Assessment Appeal Board Report, pursuant to Iowa Code section 421.1A(7)(c). Report received on January 17, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

The Mill, Iowa City – For celebrating its 50th anniversary. Senator Dvorsky.

Maryann Dennis, Iowa City – For celebrating 20 years as the executive director of the Housing Fellowship. Senator Dvorsky.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, January 16, 2013, 3:00 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Bowman, Brase, Greiner, Guth, Hart, Kapucian, and Soddors.

Members Absent: Black and Houser (both excused).

Committee Business: Introductions.

Adjourned: 3:35 p.m.

GOVERNMENT OVERSIGHT

Convened: Wednesday, January 16, 2013, 2:35 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Approved committee rules.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: Thursday, January 17, 2013, 11:05 a.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Johnson, Ranking Member (excused).

Committee Business: Approved committee rules and introductions.

Adjourned: 11:10 a.m.

WAYS AND MEANS

Convened: Thursday, January 17, 2013, 10:05 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Chapman, Dotzler, Hogg, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Bertrand, Black, and Jochum (all excused).

Committee Business: Approved committee rules and introductions.

Adjourned: 11:00 a.m.

INTRODUCTION OF BILLS

Senate File 16, by Hatch, a bill for an act relating to body piercing, body modification, and tattooing, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 17, by Hatch, a bill for an act establishing a self-employment assistance program for recipients of unemployment compensation benefits and providing a termination date.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 18, by Hogg, a bill for an act authorizing a contingent appropriation from the Iowa economic emergency fund and the cash reserve fund to prevent a deficit in the general fund of the state.

Read first time under Rule 28 and referred to committee on **Appropriations**.

STUDY BILLS RECEIVED

SSB 1053 Education

Relating to complaints filed with the board of educational examiners.

SSB 1054 Judiciary

Relating to certificate of merit affidavits and noneconomic damages in medical malpractice actions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

EDUCATION: Schoenjahn, Chair; Bowman and Sinclair

Senate File 15

ECONOMIC GROWTH/REBUILD IOWA: Mathis, Chair; Schneider and Taylor

SSB 1053

EDUCATION: Hogg, Chair; Bowman and Zaun

SSB 1054

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, January 18, 2013

The Senate met in regular session at 9:00 a.m., President Jochum presiding.

The Journal of Thursday, January 17, 2013, was approved.

ADJOURNMENT

On motion of Senator Soddors, the Senate adjourned at 9:01 a.m. until 1:00 p.m., Tuesday, January 22, 2013.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 22, 2013

The Senate met in regular session at 12:58 p.m., President Jochum presiding.

Prayer was offered by Dale Rayhons, a paramedic at Mercy Medical Center in Des Moines, Iowa, and son of Representative Rayhons. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brian Rayhons, a paramedic at Air Life in Des Moines, Iowa, and grandson of Representative Rayhons.

The Journal of Friday, January 18, 2013, was approved.

ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 1:10 p.m. until 9:00 a.m., Wednesday, January 23, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

2012 World Food Prize Report, pursuant to Iowa Code section 15.368. Report received on December 31, 2012.

FY 2012 Iowa Innovation Corporation Report, pursuant to Iowa Code section 15.117A. Report received on January 14, 2013.

IOWA HIGHER EDUCATION LOAN AUTHORITY

2012 Annual Report, pursuant to Iowa Code section 261A.21. Report received on December 13, 2012.

DEPARTMENT OF TRANSPORTATION

FY 2012 Highway Construction Program Expenditures and Obligations Report, pursuant to Iowa Code section 307.12(1)(o). Report received on January 22, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF EDUCATION – Report received on November 28, 2012.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Denece Knudson, Mason City – For her retirement from the Cerro Gordo County Auditor's Office. Senator Ragan.

Lyn McDonnell, Bernard – For 50 years of outstanding service to the Bernard Fire Department. Senator Bowman.

STUDY BILLS RECEIVED

SSB 1055 Human Resources

Relating to the practice of interventional pain procedures, and providing a penalty.

SSB 1056 Human Resources

Relating to programs and services under the purview of the department on aging.

SSB 1057 Education

Relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions.

SSB 1058 Education

Relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

SSB 1059 Education

Relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

SSB 1060 Education

Relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

SSB 1061 Ethics

Relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly.

SSB 1062 Ethics

Relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-fifth General Assembly.

SSB 1063 Human Resources

Relating to the licensure of ambulatory surgical centers, providing fees and penalties, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 12**

HUMAN RESOURCES: Dotzler, Chair; Johnson and Ragan

Senate File 13

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

Senate File 14

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

Senate File 16

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Segebart

Senate File 17

ECONOMIC GROWTH/REBUILD IOWA: Hatch, Chair; Chelgren and Hart

SSB 1055

HUMAN RESOURCES: Dotzler, Chair; Boettger and Bolkcom

SSB 1056

HUMAN RESOURCES: Ragan, Chair; Johnson and Mathis

SSB 1057

EDUCATION: Quirnbach, Chair; Schoenjahn and Sinclair

SSB 1058

EDUCATION: Quirnbach, Chair; Ernst and Schoenjahn

SSB 1059

EDUCATION: Quirnbach, Chair; Johnson and Schoenjahn

SSB 1060

EDUCATION: Quirmbach, Chair; Boettger and Schoenjahn

SSB 1061

ETHICS: Horn, Chair; Behn, Dearden, Greiner, Seng, and Whitver

SSB 1062

ETHICS: Horn, Chair; Behn, Dearden, Greiner, Seng, and Whitver

SSB 1063

HUMAN RESOURCES: Dotzler, Chair; Bolkcom and Johnson

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 23, 2013

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Reverend Angela Doty from the Iowa Veterans Home in Marshalltown, Iowa. She was the guest of Senator Sodders.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Detrick.

The Journal of Tuesday, January 22, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:14 a.m. until 9:00 a.m., Thursday, January 24, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF CORRECTIONS

Integration Plan for Existing Iowa State Penitentiary, Clinical Care Unit, and John Bennett Unit Report, pursuant to 2012 Iowa Acts, HF 2335, section 32. Report received on January 23, 2013.

DEPARTMENT OF HUMAN SERVICES

FY 2012 Family Support Subsidy Program Report, pursuant to Iowa Code section 225C.42(1). Report received on January 23, 2013.

IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7(h). Report received on January 23, 2013.

Annual Report, pursuant to Iowa Code section 99G.7(h). Report received on January 23, 2013.

DEPARTMENT OF NATURAL RESOURCES

Hazardous Waste and Substance Disposal Annual Report, pursuant to Iowa Code section 455B.427(1). Report received on January 23, 2013.

DEPARTMENT OF PUBLIC HEALTH

Health Care Workforce Support Initiative Report, pursuant to Iowa Code section 135.175(8). Report received on January 23, 2013.

DEPARTMENT OF TRANSPORTATION

FY 2012 Highway Construction Program Expenditures and Contractual Obligations Report, pursuant to Iowa Code section 307.12(1)(o). Report received on January 23, 2013.

IOWA WORKFORCE DEVELOPMENT BOARD

FY 2012 Labor Services Report, pursuant to Iowa Code section 91.4(2). Report received on January 23, 2013.

FY 2012 Worker's Compensation Report, pursuant to Iowa Code section 86.9. Report received on January 23, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Arlene Kuehl, Sibley – For 42 years of dedicated service to the citizens of Osceola County as the county recorder. Senator Johnson.

Bob Truckenmiller, Ocheyedan – For 49 years of dedicated service and leadership to Boy Scout Troop 174. Senator Johnson.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, January 22, 2013, 1:15 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Dvorsky (excused).

Committee Business: Presentations regarding mental health programs.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: Tuesday, January 22, 2013, 3:15 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Feenstra, Ranking Member (excused).

Committee Business: Tax credit presentations.

Adjourned: 4:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 1, by Chelgren, Boettger, Behn, Ernst, Breitbach, Chapman, Zumbach, Bertrand, Segebart, Zaun, Sinclair, Anderson, Houser, Johnson, Rozenboom, Sorenson, Kapucian, Guth, Greiner, and Whitver, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the militia of this state.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 19, by Zaun, Chelgren, Johnson, Segebart, Chapman, Behn, Boettger, Feenstra, Sinclair, Rozenboom, and Greiner, a bill for an act prohibiting the use of automated traffic law enforcement

systems and requiring the removal of existing systems, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 20, by Zaun, Segebart, Chapman, Chelgren, Whitver, Boettger, Feenstra, Kapucian, Sinclair, and Rozenboom, a bill for an act providing for the distribution of fines collected under a city or county automated traffic law enforcement program to local nonprofit organizations.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 21, by Zaun, a bill for an act relating to the use of automated traffic law enforcement systems.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 22, by Sodders, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 23, by Bolkcom, a bill for an act removing the exemption for farm houses from county building codes and county zoning regulations.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 24, by Bolkcom, a bill for an act relating to Iowa national pollutant discharge elimination system program signage and providing a penalty.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 25, by Bolkcom, a bill for an act relating to city development and approval of voluntary annexation or voluntary severance of territory.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 26, by Zaun, a bill for an act establishing a multiple sclerosis support fund and authorizing lottery games to benefit persons with multiple sclerosis.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 27, by Ragan and Beall, a bill for an act relating to requirements for the use of headlights, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 28, by Courtney, a bill for an act concerning persons voluntarily excluded from gambling facilities.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1064 Veterans Affairs

Creating the hire a hero tax credit and including retroactive applicability provisions.

SSB 1065 State Government

Concerning charity beer and wine auctions.

SSB 1066 State Government

Authorizing charitable giving payroll deductions for community college employees.

SSB 1067 State Government

Authorizing charitable auctions for alcoholic spirits.

SSB 1068 State Government

Authorizing licensees authorized to operate gambling games on an excursion boat, gambling structure, or racetrack enclosure to operate internet wagering on poker and making penalties applicable.

SSB 1069 Human Resources

Relating to reimbursement of licensed dental hygienists under the Medicaid program.

SSB 1070 Local Government

Relating to certain fees collected by the county recorder.

SSB 1071 Ways and Means

Updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**SSB 1064**

VETERANS AFFAIRS: Ragan, Chair; Beall and Rozenboom

SSB 1065

STATE GOVERNMENT: Horn, Chair; Dearden and Sorenson

SSB 1066

STATE GOVERNMENT: Dearden, Chair; Courtney and Smith

SSB 1067

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

SSB 1068

STATE GOVERNMENT: Danielson, Chair; Feenstra and Horn

SSB 1069

HUMAN RESOURCES: Mathis, Chair; Wilhelm and Whitver

SSB 1070

LOCAL GOVERNMENT: Schoenjahn, Chair; Guth and Hart

SSB 1071

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 24, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Kerry Jech, of the New Hope Christian Church in Marshalltown, Iowa. He was the guest of Senator Sodders.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashley Green.

The Journal of Wednesday, January 23, 2013, was approved.

SPECIAL GUEST

Senator Schneider introduced to the Senate chamber John Ward, husband of Pat Ward, former member of the Senate from Polk County, Clive, Iowa.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:08 a.m. until 1:00 p.m., Monday, January 28, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF NATURAL RESOURCES

Watershed Improvement Projects Report, pursuant to Iowa Code section 466A.3(4)(e). Report received on January 24, 2013.

IOWA STUDENT LOAN

Empowering Students to Reach Their Life Goals 2012 Year in Review Report, pursuant to Iowa Code section 7C.13(2). Report received on January 24, 2013.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, January 16, 2013, 2:00 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Black (excused).

Committee Business: Presentation by David Roederer of the Department of Management.

Adjourned: 2:30 p.m.

APPROPRIATIONS

Convened: Wednesday, January 23, 2013, 10:35 a.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Presentations by the LSA Fiscal Services Division.

Adjourned: 11:25 a.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Wednesday, January 23, 2013, 3:00 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Chapman, Ranking Member; and Houser (both excused).

Committee Business: Presentation by the Iowa Finance Authority.

Adjourned: 3:50 p.m.

EDUCATION

Convened: Thursday, January 24, 2013, 2:35 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: LSA School Aid Presentation and approved SSB's 1057, 1059, and 1060.

Adjourned: 3:35 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, January 24, 2013, 11:05 a.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Greiner and McCoy.

Members Absent: Sorenson, Ranking Member (excused).

Committee Business: Presentation by Ruth Cooperrider of the Ombudsman's office.

Adjourned: 12:10 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 23, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Presentation by the Director of the Department on Aging, Donna Harvey.

Adjourned: 4:35 p.m.

LOCAL GOVERNMENT

Convened: Thursday, January 24, 2013, 1:05 p.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun.

Members Absent: Chelgren (excused).

Committee Business: Presentations by the League of Cities and ISAC.

Adjourned: 1:45 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Wednesday, January 23, 2013, 3:05 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: Greiner, Ranking Member (excused).

Committee Business: Presentation and introductions by the Director of the DNR.

Adjourned: 4:00 p.m.

TRANSPORTATION

Convened: Wednesday, January 23, 2013, 4:05 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Presentation from Director Trombino.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 24, 2013, 10:05 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner, and Wilhelm.

Members Absent: None.

Committee Business: Adoption of rules and presentation by the Fiscal Services Division.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, January 24, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach, and Sinclair.

Members Absent: None.

Committee Business: Adoption of rules and presentation by Fiscal Services Division.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, January 24, 2013, 10:05 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom, and Johnson.

Members Absent: None.

Committee Business: Adoption of rules and presentation by the Fiscal Services Division.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, January 24, 2013, 10:00 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren, and Taylor.

Members Absent: None.

Committee Business: Adoption of rules and presentation by the Fiscal Services Division.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 29, by Zaun, a bill for an act relating to the use of federal health care reform funding for abortions, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 30, by Anderson, a bill for an act relating to and extending provisions applicable to the renewable energy tax credit.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 31, by Zaun, a bill for an act relating to statements of refund value on beverage containers for wine.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 32, by Anderson and Bertrand, a bill for an act relating to a property assessment adjustment for certain persons, applying income and age limitations, providing a penalty, and including retroactive and other applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 33, by Johnson, a bill for an act relating to driving while engaged in a distracting activity and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 34, by Bolkcom, Ragan, Petersen, Soddors, Mathis, Hart, Beall, McCoy, Jochum, Gronstal, Quirmbach, Wilhelm, Dearden, Horn, Taylor, Hatch, Seng, Danielson, Dotzler, and Black, a bill for an act relating to reimbursement for services provided under a medical assistance home and community-based services waiver for the elderly.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 35, by Bolkcom, Petersen, Mathis, Hart, Ragan, Soddors, Bowman, Beall, McCoy, Jochum, Gronstal, Wilhelm, Dearden, Horn, Taylor, Hatch, Brase, Seng, Danielson, Dotzler, Schoenjahn, Black, and Quirmbach, a bill for an act relating to elderly persons with aggressive or psychiatric behaviors in long-term care facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 36, by Bolkcom, Petersen, Soddors, Mathis, Hart, Beall, Jochum, McCoy, Gronstal, Wilhelm, Dearden, Horn, Taylor, Hatch, Brase, Seng, Danielson, Dotzler, Dvorsky, Ragan, Schoenjahn, Black, and Quirmbach, a bill for an act relating to the long-term care resident's advocate program and making appropriations.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 37, by Bolkcom, Hogg, Dvorsky, Hatch, McCoy, and Quirmbach, a bill for an act requiring the use of safety helmets by certain young persons operating motorized bicycles, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 38, by Bolkcom, Soddors, Beall, McCoy, Jochum, Gronstal, Quirmbach, Dearden, Horn, Taylor, Hatch, Brase, Seng, Danielson, Dotzler, Dvorsky, Ragan, Schoenjahn, and Petersen, a bill for an act providing for standardized provisions and format and a consumer guide for long-term care insurance policies and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 39, by Zaun, a bill for an act providing a property assessment adjustment for certain property of persons who have attained the age of sixty-five, providing a penalty, and including retroactive and other applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 40, by Zaun, a bill for an act imposing a moratorium on the issuance of licenses for gambling games and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 41, by Zaun, a bill for an act relating to public employers providing office space to employee organizations.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 42, by Zaun, a bill for an act requesting establishment of an interim study committee on automobile insurance direct repair programs.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 43, by Zaun, a bill for an act relating to verification of social security numbers for public programs under the purview of the department of human services.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 44, by Zaun, Johnson, Segebart, Sinclair, Boettger, Kapucian, Zumbach, Chelgren, Whitver, and Feenstra, a bill for an act relating to the use of revenues from automated traffic law enforcement programs and establishing an uninsured, hit-and-run, and underinsured motor vehicle coverage trust fund.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 45, by Zaun, Johnson, Segebart, Houser, Behn, Sinclair, Breitbach, Bertrand, Chelgren, Kapucian, Whitver, and Feenstra, a bill for an act relating to abortions including prohibiting late-term abortions with certain exceptions, providing penalties, and including an effective date provision.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 46, by Zaun, a bill for an act relating to the sale or lease of the Iowa communications network.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 47, by Zaun, a bill for an act relating to unfunded federal mandates related to federal health care reforms and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 48, by Wilhelm, a bill for an act requiring background checks for school employees.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 49, by McCoy, a bill for an act requiring radon testing and mitigation in schools.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 50, by Jochum, a bill for an act making an appropriation to the railroad revolving loan and grant fund.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 51, by committee on Education, a bill for an act relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 52, by committee on Education, a bill for an act relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 53, by committee on Education a bill for an act relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1072 State Government

Establishing a voter owned Iowa clean elections Act and fund, providing sources of funding, providing an income tax exemption for contributions made to the fund, providing penalties, and including effective date provisions.

SSB 1073 Economic Growth/Rebuild Iowa

Relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee, and making remedies applicable.

SSB 1074 State Government

Concerning setoff procedures for collection of debts owed a state agency or political subdivision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 19

TRANSPORTATION: Danielson, Chair; Beall and Behn

Senate File 20

TRANSPORTATION: Danielson, Chair; Bowman and Feenstra

Senate File 21

TRANSPORTATION: Danielson, Chair; Brase and Breitbach

Senate File 23

LOCAL GOVERNMENT: Wilhelm, Chair; Hart and Sinclair

Senate File 25

LOCAL GOVERNMENT: Wilhelm, Chair; Taylor and Zaun

Senate File 27

TRANSPORTATION: Beall, Chair; Behn and Taylor

Senate File 29

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

Senate File 43

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Johnson

Senate File 45

HUMAN RESOURCES: Ernst, Chair; and Hatch

SSB 1072

STATE GOVERNMENT: Jochum, Chair; Danielson and Smith

SSB 1073

ECONOMIC GROWTH/REBUILD IOWA: Hart, Chair; Chelgren and Mathis

SSB 1074

STATE GOVERNMENT: Courtney, Chair; Chapman and Dearden

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: SENATE FILE 51 (SSB 1060), a bill for an act relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 52 (SSB 1059), a bill for an act relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 53 (SSB 1057), a bill for an act relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Quirmbach, Schoenjahn, Ernst, Beall, Boettger, Bowman, Dvorsky, Hart, Hogg, Mathis, Sinclair, Wilhelm, and Zaun. Nays, 2: Behn and Johnson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 28, 2013

The Senate met in regular session at 1:07 p.m., President Jochum presiding.

Prayer was offered by Pastor Clegguart Mitchell of the Leon Bible Church in Leon, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jacob Ihnen.

The Journal of Thursday, January 24, 2013, was approved.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 53** be referred from the Regular Calendar to the committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:28 p.m. until 9:00 a.m., Tuesday, January 29, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

COLLEGE STUDENT AID COMMISSION

2011–2012 Annual Report, pursuant to Iowa Code section 261.2(8). Report received on January 28, 2013.

ECONOMIC DEVELOPMENT AUTHORITY

2012 Iowa Energy Strategic Plan Report, pursuant to 2012 Iowa Acts, HF 2473, section 35. Report received on January 25, 2013.

DEPARTMENT OF EDUCATION

2012 Compact for Education Report, pursuant to Iowa Code section 272B.1(3)(j). Report received on January 25, 2013.

STATE BOARD OF REGENTS

Affirmative Action, Diversity, and Multicultural Accomplishment Report, pursuant to Iowa Code section 19B.5. Report received on January 28, 2013.

IOWA VETERANS HOME

Judicial Review Report, pursuant to Iowa Code section 625.29(7). Report received on January 25, 2013.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on January 25, 2013.

Discharge Report, pursuant to Iowa Code section 35D.15(2)(c)(3). Report received on January 28, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC SAFETY – Report received on January 28, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

The City of Dubuque – For being named Iowa “River City of the Year”. Senator Jochum.

Major General Rrahman Rama – For his leadership in enhancing cooperation between the Kosovo Security Force and the Iowa National Guard. Senator Beall.

Minister for Kosovo Security Force Agim Ceku – For his leadership in enhancing cooperation between the Ministry for Kosovo Security Force, the Iowa National Guard, and the people of Kosovo and Iowa. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, January 22, 2013, 2:15 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Presentation from the State Soil Conservation Committee.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Monday, January 28, 2013, 2:15 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Competency based education presentation.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: Monday, January 28, 2013, 1:30 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sodders.

Members Absent: None.

Committee Business: Governor's appointments.

Adjourned: 1:35 p.m.

INTRODUCTION OF BILLS

Senate File 54, by Zaun, a bill for an act providing for a waiver of tuition and mandatory fees at regents universities for Iowa national guard members who are residents of Iowa.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 55, by Zaun, a bill for an act concerning the retention of existing highway rest areas.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 56, by Zaun, a bill for an act authorizing a school district to adopt a mandatory uniform policy.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 57, by Zaun, a bill for an act relating to reserve peace officers approved and certified to carry weapons in the line of duty and nonprofessional permits to carry weapons.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 58, by Zaun, a bill for an act relating to liability cases involving licensed professionals.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 59, by Dearden, a bill for an act relating to the keeping of farm deer and preserve whitetail and including penalties and applicability provisions.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 60, by Chelgren, a bill for an act relating to the production or manufacture of goods retained within the state of Iowa and applicable federal authority, providing penalties, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 61, by Sorenson, a bill for an act providing for a moratorium on regulations affecting the sale of unprocessed food, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 62, by Sorenson, a bill for an act eliminating the reduction of a sentence through the accrual of earned time for inmates convicted of certain serious sex offenses.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 63, by Sorenson, a bill for an act relating to the electronic tracking and monitoring of persons on the sex offender registry.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 64, by Sorenson, a bill for an act requiring hormonal intervention therapy for persons convicted of a serious sex offense and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 65, by Danielson, a bill for an act prohibiting private safety agencies from utilizing the digits 911 in telephone numbers or internet addresses, and providing a penalty.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 66, by Danielson, a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 67, by Danielson, a bill for an act relating to exemptions from motor vehicle window transparency requirements, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 68, by Zaun, a bill for an act concerning private sector employee drug testing.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 69, by Danielson, a bill for an act requiring a study on the feasibility and economic impact of establishing an ergonomics standard for workplaces.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILLS RECEIVED

SSB 1075 Economic Growth/Rebuild Iowa

Relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees and a tax rebate, affecting the aggregate tax credit

limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

SSB 1076 Judiciary

Relating to mobile and manufactured home tenancy by providing for minimum duration of rental agreements, providing for termination or nonrenewal of rental agreements, and modifying notice of unpaid rent and related forcible entry and detainer provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 31

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

Senate File 32

WAYS AND MEANS: Quirmbach, Chair; Behn and Bolckcom

Senate File 34

HUMAN RESOURCES: Quirmbach, Chair; Boettger and Wilhelm

Senate File 35

HUMAN RESOURCES: Mathis, Chair; Johnson and Ragan

Senate File 36

HUMAN RESOURCES: Mathis, Chair; Quirmbach and Whitver

Senate File 37

TRANSPORTATION: Dvorsky, Chair; Feenstra and McCoy

Senate File 39

WAYS AND MEANS: Quirmbach, Chair; Behn and Bolckcom

Senate File 41

LABOR AND BUSINESS RELATIONS: Soddors, Chair; Chapman and Seng

Senate File 44

TRANSPORTATION: Danielson, Chair; Taylor and Zumbach

Senate File 48

EDUCATION: Dvorsky, Chair; Wilhelm and Zaun

Senate File 53

APPROPRIATIONS: Bolkcom, Chair; Dvorsky and Whitver

SSB 1075

ECONOMIC GROWTH/REBUILD IOWA: Soddors, Chair; Danielson and Whitver

SSB 1076

JUDICIARY: Courtney, Chair; Schneider and Taylor

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR**TERM**

AGRICULTURAL DEVELOPMENT AUTHORITY, EXECUTIVE DIRECTOR OF THE (Sec. 175.7)

Steven Ferguson, Des Moines

07/09/2012 – Pleasure of the Governor

ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)

Emily Forquer, Afton

04/27/2012 – 04/30/2013

AUTISM COUNCIL, IOWA (Sec. 256.35A)

Andrew Waldschmitt, Des Moines

12/06/2012 – 04/30/2015

BLIND, COMMISSION FOR THE (Sec. 216B.2)

Sandra Ryan, Ankeny

12/12/2012 – 04/30/2015

CAPITAL INVESTMENT BOARD, IOWA (Sec. 15E.63)

Thomas Bernau, Des Moines

09/11/2012 – 04/30/2015

Donna Walter, Ankeny

09/11/2012 – 04/30/2017

CHILD ADVOCACY BOARD (Sec. 237.16)

Elaine Sanders, Sioux City

04/13/2012 – 04/30/2013

CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)

Tom Conley, Urbandale	09/27/2012 – 04/30/2013
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DRUG POLICY COORDINATOR (Sec. 80E.1)

Steve Lukan, West Des Moines	05/30/2012 – Pleasure of the Governor
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EDUCATIONAL EXAMINERS, EXECUTIVE DIRECTOR OF THE BOARD OF
(Sec. 272.5)

Duane Magee, Waukee	07/01/2012 – Pleasure of the Governor
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EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Brenda Garcia-Van Auken, Muscatine	11/01/2012 – 04/30/2015
Mary Overholtzer, Tingley	04/27/2012 – 04/30/2013

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Wayne Engle, Marion	05/01/2012 – 04/30/2015
John Marino, Clear Lake	05/01/2012 – 04/30/2015
Patricia Weese, Bedford	05/01/2012 – 04/30/2015

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

Joanne Stockdale, Okoboji	12/06/2012 – 04/30/2013
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INFORMATION OFFICER, CHIEF (Sec. 8A.201A)

Robert S. von Wolfradt, West Des Moines	04/27/2012 – Pleasure of the Governor
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JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.2A)

Scott Bailey, Otley	01/14/2013 – 04/30/2014
John Bloom, West Des Moines	01/14/2013 – 04/30/2018
Elizabeth Doll, Council Bluffs	01/14/2013 – 04/30/2016
Kathy Pearson, Cedar Rapids	01/14/2013 – 04/30/2018
Patricia (Trish) Roberts, Carroll	01/14/2013 – 04/30/2014
Helen Sinclair, Melrose	01/14/2013 – 04/30/2016
Steve Sukup, Clear Lake	01/14/2013 – 04/30/2016
John (Jerry) Welter, Monticello	01/19/2013 – 04/30/2014

LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)

Ramon Rodriguez, Pleasant Hill	05/01/2012 – 04/30/2014
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MEDICINE, BOARD OF (Sec. 147.14(1)(b))

Frank Bognanno, Des Moines	05/01/2012 – 04/30/2015
Ann Gales, Bode	06/29/2012 – 04/30/2013
Michael Thompson, Pella	05/01/2012 – 04/30/2015

NATURAL RESOURCES, DIRECTOR OF THE DEPARTMENT OF (Sec. 455A.3)

Chuck Gipp, Decorah	05/31/2012 – Pleasure of the Governor
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PAROLE, CHAIRPERSON OF THE BOARD OF (Sec. 904A.3)

Jason Carlstrom, Okoboji	09/03/2012 – Pleasure of the Governor
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PAROLE, BOARD OF (Sec. 904A.1)

Jason Carlstrom, Okoboji

09/03/2012 – 04/30/2014

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA
COMPREHENSIVE (Sec. 455G.4(4))

Timothy Gartin, Ames

08/14/2012 – 04/30/2013

N. Kurt Mumm, Jr., Johnston

08/14/2012 – 04/30/2016

PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)

Susan Pleva, Woodward

05/01/2012 – 04/30/2015

PODIATRY, BOARD OF (Sec. 147.14(1)(s))

Travis Carlson, Hiawatha

08/02/2012 – 04/30/2015

Donald Shurr, North Liberty

08/02/2012 – 04/30/2015

PROPERTY ASSESSMENT APPEAL BOARD, CHAIR OF THE (Sec. 421.1A(2))

Stewart Iverson, Clarion

01/04/2013 – 04/30/2013

PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)

Stewart Iverson, Clarion

01/04/2013 – 04/30/2017

PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(g))

Joan Skogstrom, Urbandale

09/27/2012 – 04/30/2013

PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)

Robert Andeweg, Urbandale

07/01/2012 – 04/30/2016

Anthony Gaughan, West Des Moines

07/01/2012 – 04/30/2014

Jo Martin, Spirit Lake

07/01/2012 – 04/30/2014

Andrew McKean, Anamosa

07/01/2012 – 04/30/2016

Gary Mohr, Bettendorf

07/01/2012 – 04/30/2014

William Monroe, Johnston

07/01/2012 – 04/30/2014

Kathleen Richardson, Des Moines

07/01/2012 – 04/30/2016

Suzan Stewart, Sioux City

07/01/2012 – 04/30/2014

Peggy Weitzl, Carroll

07/01/2012 – 04/30/2016

PUBLIC SAFETY, COMMISSIONER OF (Sec. 80.2)

K. Brian London, Tallahassee

10/08/2012 – Pleasure of the Governor

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Vernon (Fred) Greder, Mason City

11/01/2012 – 04/30/2013

REAL ESTATE COMMISSION (Sec. 543B.8)

John Goede, Spencer

06/26/2012 – 04/30/2014

REGENTS, STATE BOARD OF (Sec. 262.1)

Hannah Walsh, Spirit Lake

11/30/2012 – 04/30/2015

SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)

Timothy Palmer, Truro

09/24/2012 – 04/30/2017

TECHNOLOGY ADVISORY COUNCIL (Sec. 8A.204)

Leann Jacobsen, Spencer	08/20/2012 – 04/30/2014
Timothy Peterson, Des Moines	08/20/2012 – 04/30/2013

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA
(Sec. 8D.3(2))

Mary Sellers, Des Moines	12/18/2012 – 04/30/2016
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TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Shirley Daniels, Des Moines	05/01/2012 – 04/30/2015
Chad Jensen, Carroll	05/01/2012 – 04/30/2015

VISION IOWA BOARD (Sec. 15F.102)

James Davidson, Burlington	09/24/2012 – 04/30/2013
Kelly Reilly, West Des Moines	07/31/2012 – 04/30/2015
Carrie Tedore, Dubuque	07/31/2012 – 04/30/2013

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 28, 2013:

AGRICULTURE

Steven Ferguson – Executive Director of the Agricultural Development Authority

Timothy Palmer – State Soil Conservation Committee

COMMERCE

Mary Sellers – Iowa Telecommunications and Technology Commission

ECONOMIC GROWTH/REBUILD IOWA

Thomas Bernau – Iowa Capital Investment Board

Donna Walter – Iowa Capital Investment Board

EDUCATION

Andrew Waldschmitt – Iowa Autism Council

Duane Magee – Executive Director of the Educational Examiners

Brenda Garcia-Van Auken – Board of Educational Examiners
Mary Overholtzer – Board of Educational Examiners

Hannah Walsh – State Board of Regents

HUMAN RESOURCES

Elaine Sanders – Child Advocacy Board

Ramon Rodriguez – Commission of Latino Affairs
Shirley Daniels – Commission on Tobacco Use Prevention and Control
Chad Jensen – Commission on Tobacco Use Prevention and Control

JUDICIARY

Tom Conley – Iowa State Civil Rights Commission

Steve Lukan – Drug Policy Coordinator

Scott Bailey – State Judicial Nominating Commission
John Bloom – State Judicial Nominating Commission
Elizabeth Doll – State Judicial Nominating Commission
Kathy Pearson – State Judicial Nominating Commission
Patricia (Trish) Roberts – State Judicial Nominating Commission
Helen Sinclair – State Judicial Nominating Commission
Steve Sukup – State Judicial Nominating Commission
John (Jerry) Welter – State Judicial Nominating Commission

Jason Carlstrom – Chairperson of the Board of Parole

Jason Carlstrom – Board of Parole

LABOR AND BUSINESS RELATIONS

Susan Pleva – Plumbing and Mechanical Systems Examining Board

LOCAL GOVERNMENT

Stewart Iverson – Chair of the Property Assessment Appeal Board

Stewart Iverson – Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Chuck Gipp – Director of the Department of Natural Resources

Joanne Stockdale – Environmental Protection Commission

Timothy Gartin – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Emily Forquer – Architectural Examining Board

Sandra Ryan – Commission for the Blind

Wayne Engle – Electrical Examining Board

John Marino – Electrical Examining Board

Patricia Weese – Electrical Examining Board

Robert S. von Wolfradt – Chief Information Officer

Frank Bognanno – Board of Medicine

Ann Gales – Board of Medicine

Michael Thompson – Board of Medicine

Travis Carlson – Board of Podiatry

Donald Shurr – Board of Podiatry

Joan Skogstrom – Board of Psychology

Robert Andeweg – Iowa Public Information Board

Anthony Gaughan – Iowa Public Information Board

Jo Martin – Iowa Public Information Board

Andrew McKean – Iowa Public Information Board

Gary Mohr – Iowa Public Information Board

William Monroe – Iowa Public Information Board

Kathleen Richardson – Iowa Public Information Board

Suzan Stewart – Iowa Public Information Board

Peggy Weitzl – Iowa Public Information Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

John Goede – Real Estate Commission

Leann Jacobsen – Technology Advisory Council

Timothy Peterson – Technology Advisory Council

James Davidson – Vision Iowa Board

Kelly Reilly – Vision Iowa Board

Carrie Tedore – Vision Iowa Board

TRANSPORTATION

K. Brian London – Commissioner of Public Safety

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 29, 2013

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by the Honorable Rick Bertrand, member of the Senate from Woodbury County, Sioux City, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jennifer Brookhart.

The Journal of Monday, January 28, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Wednesday, January 30, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Child Development Coordinating Council Annual Report, pursuant to Iowa Code section 256A.3(8). Report received on January 29, 2013.

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on January 29, 2013.

DEPARTMENT OF NATURAL RESOURCES

Hazardous Substance Remedial Fund Report, pursuant to Iowa Code section 455B.425. Report received on January 29, 2013.

DEPARTMENT OF REVENUE

Iowa Streamlined Sales Tax Advisory Council Annual Report, pursuant to 2003 Iowa Acts, HF 683, section 204(2). Report received on January 29, 2013.

DEPARTMENT OF TRANSPORTATION

Registered Flexible Fuel Vehicles Annual Report, pursuant to Iowa Code section 452A.33. Report received on January 29, 2013.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Tuesday, January 29, 2013, 11:30 a.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Approved Senate File 53.

Adjourned: 11:55 a.m.

COMMERCE

Convened: Tuesday, January 29, 2013, 2:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Bolkcom (excused).

Committee Business: Approved SSB 1051.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: Monday, January 28, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Presentation by the United Way.

Adjourned: 4:55 p.m.

TRANSPORTATION

Convened: Monday, January 28, 2013, 4:05 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Presentation by Director Trombino.

Adjourned: 5:05 p.m.

WAYS AND MEANS

Convened: Tuesday, January 29, 2013, 1:00 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Black and McCoy (both excused).

Committee Business: Presentation by Victoria Daniels and Jim McNulty from the Department of Revenue.

Adjourned: 1:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, January 29, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach, and Sinclair.

Members Absent: None.

Committee Business: Presentation by the President of the Midwest Higher Education Compact, Larry Isaak.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, January 29, 2013, 10:05 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Bolkcom, and Johnson.

Members Absent: Segebart, Ranking Member (excused).

Committee Business: Presentations.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, January 29, 2013, 10:00 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Anderson, and Bowman.

Members Absent: None.

Committee Business: Review of Governor's FY2014 and FY2015 budget recommendations.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

Senate File 70, by Bolkcom, Petersen, Soddors, Mathis, Hart, Bowman, Beall, McCoy, Jochum, Gronstal, Quirmbach, Wilhelm, Dearden, Horn, Taylor, Hatch, Brase, Seng, Danielson, Dvorsky, Ragan, Schoenjahn, and Black, a bill for an act requiring American products to be used for public improvements, providing a penalty, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 71, by Hatch, Ragan, Mathis, Bolkcom, Dearden, Black, Gronstal, Jochum, Courtney, Wilhelm, Brase, Horn, Petersen, Taylor, Seng, Dotzler, Dvorsky, Hogg, Quirmbach, Beall, Soddors, Schoenjahn, Hart, and McCoy, a bill for an act relating to integrated care models for the delivery of health care, including but not limited

to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 72, by Hatch, McCoy, Jochum, Quirmbach, Horn, Taylor, Brase, Dotzler, Dvorsky, Bolkcom, Petersen, Soddors, Mathis, Hart, and Beall, a bill for an act providing for the establishment of the Iowa health benefit marketplace and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 73, by Danielson, a bill for an act providing for the issuance of special electric vehicle registration plates, establishing fees, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 74, by Danielson, a bill for an act relating to lifetime fishing and hunting licenses issued to certain resident disabled veterans.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 75, by Johnson, a bill for an act relating to requirements for persons who perform transvaginal ultrasounds.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 76, by Sorenson, Bertrand, Anderson, Chelgren, Feenstra, Whitver, and Segebart, a bill for an act creating the penalty of death for the commission of murder in the first degree, and the commission of either kidnapping in the first degree or sexual abuse in the first degree, or both, against the same minor who was murdered, providing a penalty, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 77, by Sorenson, a bill for an act allowing certain milk and products using milk to be transferred directly by operators of dairy farms, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 78, by Sorenson, Feenstra, and Chelgren, a bill for an act relating to jurors acting as finders of facts in a trial as well as judging the law.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 79, by Bolkcom, Dotzler, Hatch, and Courtney, a bill for an act relating to marijuana, including the creation of a medical marijuana Act, and providing for civil and criminal penalties and fees.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 80, by Bolkcom, Hogg, Dvorsky, Dotzler, Seng, Petersen, Hatch, Horn, Dearden, Quirmbach, and McCoy, a bill for an act requiring policies at public institutions of higher education for granting resident status to certain individuals for purposes of paying postsecondary tuition and fees.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 81, by Sorenson, Feenstra, and Chelgren, a bill for an act declaring the federal Patient Protection and Affordable Care Act invalid, null and void, and of no effect in this state, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 82, by Sorenson, a bill for an act relating to unfunded federal mandates related to federal health care reforms and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 83, by Hogg, a bill for an act relating to the income considered available in determining client participation in payment of medical institution care under Medicaid.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 84, by Sorenson, Feenstra, and Anderson, a bill for an act relating to an automated electronic notification system within the missing person information clearinghouse to notify hunters and others of missing children in designated geographical areas.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 85, by Sorenson, Dix, Breitbach, Behn, Zumbach, Schneider, Chapman, Segebart, Smith, Kapucian, Boettger, Whitver, Chelgren, Ernst, Guth, Feenstra, Sinclair, Rozenboom, Zaun, Anderson, Johnson, Greiner, Houser, and Bertrand, a bill for an act relating to proof of identification and proof of residence in order to register to vote or to vote, establishing a criminal offense for falsely swearing certain oaths and affidavits, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 86, by Bertrand, Feenstra, Anderson, Ernst, Whitver, Boettger, Guth, Smith, Johnson, Kapucian, Rozenboom, Segebart, Houser, Behn, Sinclair, Zumbach, Schneider, Breitbach, Dix, and Sorenson, a bill for an act relating to the taxpayers trust fund by modifying the transfer of moneys from the Iowa economic emergency fund to the taxpayers trust fund, allowing transfers from the taxpayers trust fund, creating an Iowa taxpayers trust fund tax credit

and fund and providing for the transfer of moneys from the taxpayers trust fund for purposes of the credit, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 87, by Danielson, a bill for an act relating to the authorized use of revenues from the physical plant and equipment levy and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 88, by Bolkcom, Dotzler, Dvorsky, Ragan, Danielson, Seng, Brase, Hatch, Taylor, Horn, Dearden, Wilhelm, Gronstal, Jochum, McCoy, Beall, Bowman, Mathis, Soddors, Petersen, Schoenjahn, Black, and Quirmbach, a bill for an act relating to the amount of the earned income tax credit and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 89, by Anderson, a bill for an act relating to activities conducted by local emergency management commissions.

Read first time under Rule 28 and referred to committee on **Local Government**.

STUDY BILLS RECEIVED

SSB 1077 Commerce

Requiring notice of a change of beneficiary under an individual policy of accident and sickness insurance and including applicability provisions.

SSB 1078 Commerce

Relating to insurance coverage for dental care services.

SSB 1079 Commerce

Relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions.

SSB 1080 Commerce

Relating to matters under the purview of the banking division of the department of commerce, and providing for fees.

SSB 1081 Judiciary

Relating to drug control, including the criminal offense of prohibited acts related to controlled substances and the information program for drug prescribing and dispensing, and providing a penalty.

SSB 1082 Human Resources

Relating to vaccine administration by licensed pharmacists.

SSB 1083 Agriculture

Relating to the corn promotion board by providing for its governance, providing for an assessed checkoff on corn, and including effective date provisions.

SSB 1084 Natural Resources and Environment

Relating to the definition of all-terrain vehicle and off-road utility vehicle for purposes of the regulation of recreational vehicles by the department of natural resources.

SSB 1085 State Government

A study bill for an act relating to disciplinary procedures before the board of medicine and providing a penalty.

SSB 1086 State Government

Relating to health care coverage of certain nonstate public employees and officials and employees of nonprofit employers under the state health insurance plan and including effective date provisions.

SSB 1087 State Government

Modifying provisions applicable to the propane education and research council and increasing an assessment.

SSB 1088 Judiciary

Relating to conducting condemnation proceedings.

SSB 1089 Judiciary

Relating to the sentencing of minors convicted of murder in the first degree and including effective date and applicability provisions.

SSB 1090 Judiciary

Relating to identity theft, and providing a penalty.

SSB 1091 State Government

Providing for the licensing of polysomnographic technologists and providing for a penalty.

SSB 1092 State Government

Authorizing a city to use city reserve funds as a loan for certain projects.

SSB 1093 State Government

Relating to public employee human resources management and making an appropriation.

SUBCOMMITTEE ASSIGNMENTS

Senate File 24

AGRICULTURE: Seng, Chair; Hart and Zumbach

Senate File 30

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Breitbach and Hogg

Senate File 40

STATE GOVERNMENT: Horn, Chair; Courtney and Sorenson

Senate File 46

STATE GOVERNMENT: McCoy, Chair; Jochum and Sorenson

Senate File 47

STATE GOVERNMENT: Petersen, Chair; McCoy and Whitver

Senate File 49

STATE GOVERNMENT: McCoy, Chair; Chapman and Petersen

Senate File 54

EDUCATION: Dvorsky, Chair; Quirmbach and Sinclair

Senate File 56

EDUCATION: Quirmbach, Chair; Schoenjahn and Zaun

Senate File 58

JUDICIARY: Hogg, Chair; Dvorsky and Zaun

Senate File 59

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Seng and Zumbach

Senate File 61

STATE GOVERNMENT: Sodders, Chair; Courtney and Sorenson

Senate File 66

EDUCATION: Beall, Chair; Hart and Johnson

Senate File 68

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Chapman and Dotzler

Senate File 69

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Dearden

Senate File 71

HUMAN RESOURCES: Jochum, Chair; Boettger and Hatch

Senate File 74

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

Senate File 75

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Johnson

Senate File 77

AGRICULTURE: Seng, Chair; Bowman and Greiner

Senate File 79

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

Senate File 81

STATE GOVERNMENT: Jochum, Chair; Courtney and Sorenson

Senate File 82

STATE GOVERNMENT: Jochum, Chair; Anderson and Courtney

Senate File 83

HUMAN RESOURCES: Dotzler, Chair; Ragan and Segebart

SSB 1049
(Reassigned)

COMMERCE: Seng, Chair; Bertrand and Mathis

SSB 1077

COMMERCE: McCoy, Chair; Chapman and Mathis

SSB 1078

COMMERCE: McCoy, Chair; Anderson and Petersen

SSB 1079

COMMERCE: McCoy, Chair; Breitbach and Wilhelm

SSB 1080

COMMERCE: McCoy, Chair; Anderson and Seng

SSB 1081

JUDICIARY: Quirmbach, Chair; Horn and Whitver

SSB 1082

HUMAN RESOURCES: Wilhelm, Chair; Boettger and Mathis

SSB 1083

AGRICULTURE: Black, Chair; Kapucian and Seng

SSB 1084

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Johnson and Ragan

SSB 1085

STATE GOVERNMENT: Horn, Chair; Smith and Soddors

SSB 1086

STATE GOVERNMENT: Petersen, Chair; Bowman and Whitver

SSB 1087

STATE GOVERNMENT: Soddors, Chair; Dearden and Feenstra

SSB 1088

JUDICIARY: Quirmbach, Chair; Horn and Whitver

SSB 1089

JUDICIARY: Horn, Chair; Dvorsky and Schneider

SSB 1090

JUDICIARY: Sodders, Chair; Hogg and Schneider

SSB 1091

STATE GOVERNMENT: Sodders, Chair; Dearden and Smith

SSB 1092

STATE GOVERNMENT: Danielson, Chair; Feenstra and Petersen

SSB 1093

STATE GOVERNMENT: Danielson, Chair; Courtney and Whitver

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 53 (SSB 1057), a bill for an act relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 21: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on January 29, 2013, to investigate the appointment and reappointment of the following appointee:

AGRICULTURE

As Executive Director of the Agricultural Development Authority:

Steven Ferguson – Soddors, Chair; Brase and Greiner

As a member of the State Soil Conservation Committee:

Timothy Palmer – Beall, Chair; Taylor and Guth

COMMERCE

As a member of the Iowa Telecommunications and Technology Commission:

MARY SELLERS – McCoy, Chair; Hatch and Bertrand

ECONOMIC GROWTH/REBUILD IOWA

As members of the Iowa Capital Investment Board:

Thomas Bernau – Hatch, Chair; McCoy and Chapman
Donna Walter – McCoy, Chair; Hatch and Whitver

EDUCATION

As a member of the Iowa Autism Council:

Andrew Waldschmitt – Beall, Chair; Behn and Mathis

As the Executive Director of the Educational Examiners:

Duane Magee – Schoenjahn, Chair; Hart and Boettger

As members of the Board of Educational Examiners:

Brenda Garcia-Van Auken – Schoenjahn, Chair; Hart and Behn
Mary Overholtzer – Dvorsky, Chair; Behn and Schoenjahn

As a member of the State Board of Regents:

Hannah Walsh – Quirmbach, Chair; Dvorsky and Johnson

HUMAN RESOURCES

As a member of the Child Advocacy Board:

Elaine Sanders – Ernst, Chair; Boettger and Mathis

As a member of the Commission of Latino Affairs:

Ramon Rodriguez – Hatch, Chair; Bolkcom and Johnson

As members of the Commission on Tobacco Use Prevention and Control:

Shirley Daniels – Quirmbach, Chair; Dotzler and Segebart

Chad Jensen – Johnson, Chair; Wilhelm and Ragan

JUDICIARY

As a member of the Iowa State Civil Rights Commission:

Tom Conley – Quirmbach, Chair; Boettger and Petersen

As the Drug Policy Coordinator:

Steve Lukan – Soddors, Chair; Schneider and Hogg

As members of the State Judicial Nominating Commission:

Scott Bailey – Courtney, Chair; Sorenson and Hogg

John Bloom – Courtney, Chair; Schneider and Hogg

Elizabeth Doll – Courtney, Chair; Schneider and Hogg

Kathy Pearson – Courtney, Chair; Whitver and Hogg

Patricia (Trish) Roberts – Courtney, Chair; Zaun and Hogg

Helen Sinclair – Courtney, Chair; Boettger and Hogg

Steve Sukup – Courtney, Chair; Schneider and Hogg

John (Jerry) Welter – Courtney, Chair; Sorenson and Hogg

As Chairperson of the Board of Parole:

Jason Carlstrom – Courtney, Chair; Whitver and Taylor

As a member of the Board of Parole:

Jason Carlstrom – Courtney, Chair; Zaun and Taylor

LABOR AND BUSINESS RELATIONS

As a member of the Plumbing and Mechanical Systems Examining Board:

Susan Pleva – Soddors, Chair; Dotzler and Houser

LOCAL GOVERNMENT

As Chair of the Property Assessment Appeal Board:

Stewart Iverson – Quirnbach, Chair; Brase and Guth

As a member of the Property Assessment Appeal Board:

Stewart Iverson – Quirnbach, Chair; Brase and Guth

NATURAL RESOURCES AND ENVIRONMENT

As Director of the Department of Natural Resources:

Chuck Gipp – Dearden, Chair; Black and Greiner

As a member of the Environmental Protection Commission:

Joanne Stockdale – Black, Chair; Hogg and Zumbach

As members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

Timothy Gartin – Johnson, Chair; Seng and Bowman

N. Kurt Mumm, Jr. – Rozenboom, Chair; Ragan and Hogg

STATE GOVERNMENT

As a member of the Architectural Examining Board:

Emily Forquer – Soddors, Chair; Dearden and Whitver

As a member of the Commission for the Blind:

Sandra Ryan – Soddors, Chair; Dearden and Whitver

As members of the Electrical Examining Board:

Wayne Engle – Danielson, Chair; Courtney and Whitver

John Marino – Danielson, Chair; Courtney and Whitver

Patricia Weese – Danielson, Chair; Courtney and Whitver

As Chief Information Officer:

Robert S. von Wolfradt – Jochum, Chair; Petersen and Whitver

As members of the Board of Medicine:

Frank Bognanno – Horn, Chair; Dearden and Anderson

Ann Gales – Horn, Chair; Dearden and Anderson

Michael Thompson – Horn, Chair; Dearden and Anderson

As members of the Board of Podiatry:

Travis Carlson – Horn, Chair; Dearden and Anderson
Donald Shurr – Horn, Chair; Dearden and Anderson

As a member of the Board of Psychology:

Joan Skogstrom – Petersen, Chair; Jochum and Anderson

As members of the Iowa Public Information Board:

Robert Andeweg – Jochum, Chair; Bowman and Anderson
Anthony Gaughan – Jochum, Chair; Bowman and Anderson
Jo Martin – Jochum, Chair; Bowman and Anderson
Andrew McKean – Jochum, Chair; Bowman and Anderson
Gary Mohr – Jochum, Chair; Bowman and Smith
William Monroe – Jochum, Chair; Bowman and Smith
Kathleen Richardson – Jochum, Chair; Bowman and Smith
Suzan Stewart – Jochum, Chair; Bowman and Smith
Peggy Weitzl – Jochum, Chair; Bowman and Smith

As a member of the Real Estate Appraiser Examining Board:

Vernon (Fred) Greder – Sodders, Chair; Courtney and Smith

As a member of the Real Estate Commission:

John Goede – Sodders, Chair; Courtney and Smith

As members of the Technology Advisory Council:

Leann Jacobsen – McCoy, Chair; Dearden and Smith
Timothy Peterson – McCoy, Chair; Dearden and Chapman

As members of the Vision Iowa Board:

James Davidson – McCoy, Chair; Petersen and Chapman
Kelly Reilly – McCoy, Chair; Petersen and Chapman
Carrie Tedore – McCoy, Chair; Petersen and Chapman

TRANSPORTATION

As Commissioner of Public Safety:

K. Brian London – Danielson, Chair; Brase and Feenstra

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 30, 2013

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Tom Burkhardt of the Glen Echo Christian Church in Des Moines, Iowa. He was the guest of Senator Zaun and Senate Doorkeeper Bob Langbehn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brett Ofstein.

The Journal of Tuesday, January 29, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:29 a.m. until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:40 a.m., President Jochum presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 53, 52, and 51.

Senate File 53

On motion of Senator Quirmbach, **Senate File 53**, a bill for an act relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions, with report of the committee on Appropriations recommending passage, was taken up for consideration.

Senator Feenstra offered amendment S-3003, filed by Senator Feenstra, et al., from the floor striking and replacing everything after the enacting clause, and to the title page of the bill.

(Senate File 53 and amendment S-3003, were deferred.)

The Senate stood at ease at 11:44 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:53 a.m., President Jochum presiding.

The Senate resumed consideration of Senate File 53 and amendment S-3003, previously deferred.

Senator Quirmbach raised the point of order that amendment S-3003 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3003 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sorenson, until he arrives, on request of Senator Dix.

Senator Chelgren offered amendment S-3002, filed by him from the floor to pages 2, 3, and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3002 be adopted?” (S.F. 53), the vote was:

Yeas, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zaun
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 1:

Sorenson

Amendment S–3002 lost.

Senator Quirmbach offered amendment S–3001, filed by him from the floor to pages 3 and 4 of the bill, and moved its adoption.

Amendment S–3001 was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 53), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders

Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Greiner	Petersen	Wilhelm
Brase	Gronstal	Quirmbach	Zaun
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Sorenson

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

Senate File 52

On motion of Senator Quirmbach, **Senate File 52**, a bill for an act relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 52), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver

Boettger
Breitbach
Chapman

Feenstra
Greiner
Guth

Rozenboom
Schneider
Segebart

Zaun
Zumbach

Absent, 1:

Sorenson

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

Senate File 51

On motion of Senator Quirmbach, **Senate File 51**, a bill for an act relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 51), the vote was:

Yeas, 26:

Beall
Black
Bolkcom
Bowman
Brase
Courtney
Danielson

Dearden
Dotzler
Dvorsky
Gronstal
Hart
Hatch
Hogg

Horn
Jochum
Mathis
McCoy
Petersen
Quirmbach
Ragan

Schoenjahn
Seng
Sodders
Taylor
Wilhelm

Nays, 23:

Anderson
Behn
Bertrand
Boettger
Breitbach
Chapman

Chelgren
Dix
Ernst
Feenstra
Greiner
Guth

Houser
Johnson
Kapucian
Rozenboom
Schneider
Segebart

Sinclair
Smith
Whitver
Zaun
Zumbach

Absent, 1:

Sorenson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 51, 52, and 53** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:56 p.m. until 9:00 a.m., Thursday, January 31, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF TRANSPORTATION

FY2012 Biodiesel and Biodiesel Blended Fuel Revolving Fund Report, pursuant to 2001 Iowa Acts, SF 465. Report received on January 30, 2013.

TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on January 29, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Brigadier General Xhavit Gashi – As a distinguished guest of the people of Iowa. Senator Beall.

Ambassador Akam Ismaili – As a distinguished guest of the people of Iowa. Senator Beall.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the northwest Senate gallery:

Valerie Newhouse, President of Iowa Lakes Community College and five of the college's student leaders. Senator Johnson.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 30, 2013, 1:10 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Presentations by the Department of Education.

Adjourned: 2:00 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 30, 2013, 3:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Presentations by the Director of DHS, Chuck Palmer; Dr. Debra Waldon; and the Director of Iowa Medicaid, Jennifer Vermeer.

Adjourned: 4:00 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 30, 2013, 1:05 p.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Houser, Ranking Member; Anderson, Brase, Chapman, Dix, Dotzler, Hatch, Seng, and Sodders.

Members Absent: None.

Committee Business: Approved SSB 1002 and Governor's appointment.

Adjourned: 1:10 p.m.

STATE GOVERNMENT

Convened: Monday, January 14, 2013, 2:30 p.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Sorenson, Ranking Member; Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Sodders, and Whitver.

Members Absent: None.

Committee Business: Approved committee rules.

Adjourned: 3:00 p.m.

ALSO:

Convened: Thursday, January 24, 2013, 1:00 p.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Bowman, Chapman, Courtney, Dearden, Horn, McCoy, Petersen, Smith, Soddors, and Whitver.

Members Absent: Sorenson, Ranking Member; Anderson, and Feenstra (all excused).

Committee Business: Presentation on radon.

Adjourned: 2:30 p.m.

ALSO:

Convened: Monday, January 28, 2013, 3:00 p.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Sorenson, Ranking Member; Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver.

Members Absent: None.

Committee Business: Deferred SSB 1010.

Adjourned: 4:00 p.m.

TRANSPORTATION:

Convened: Wednesday, January 30, 2013, 3:00 p.m.

Recessed: Wednesday, January 30, 2013, 3:05 p.m.

Reconvened: Wednesday, January 30, 2013, 3:15 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Discussed SSB's 1019 and 1021.

Adjourned: 3:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 30, 2013, 10:20 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach, and Sinclair.

Members Absent: None.

Committee Business: Presentation by Duane Magee, Executive Director of the Board of Educational Examiners.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 30, 2013, 10:20 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom, and Johnson.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, January 30, 2013, 11:15 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Anderson, and Bowman.

Members Absent: None.

Committee Business: Presentations by the Department of Transportation.

Adjourned: 11:45 a.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 1, by Zaun, Johnson, Chelgren, and Whitver, a concurrent resolution urging the members of the Congress of the United States to propose a balanced budget amendment to the Constitution of the United States for submission to the states for ratification.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 90, by Bolkcom, a bill for an act relating to assisted living programs.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 91, by committee on Commerce, a bill for an act increasing civil penalties applicable to specified pipeline safety violations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 92, by Sodders, a bill for an act providing reserve peace officers with an individual income tax credit and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 93, by Zaun, a bill for an act providing for the licensure of operators authorized to purchase, use, and explode fireworks, and including penalties.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 94, by Zaun, Rozenboom, and Chelgren, a bill for an act repealing statewide licensure requirements for electricians and electrical contractors, including transition provisions, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 95, by Zaun, a bill for an act relating to developer fees for federal low-income housing tax credits.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 96, by Chelgren, a bill for an act relating to the justifiable use of reasonable force.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 97, by Chelgren, a bill for an act repealing the option of voting straight party and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 98, by Zaun, Rozenboom, and Chelgren, a bill for an act repealing the Iowa plumber, mechanical professional, and contractor licensing Act.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 99, by Jochum, a bill for an act providing free motor vehicle registration for certain disabled veterans.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 100, by Ernst, a bill for an act relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 101, by Danielson, a bill for an act relating to coverage for foster children under the Medicaid program, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 102, by Anderson and Feenstra, a bill for an act concerning requirements for state purchasing from prison industries.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 103, by Chelgren, a bill for an act prohibiting labor unions from knowingly collecting dues from persons not lawfully present in the United States and providing penalties.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 104, by Chelgren, a bill for an act exempting from the computation of net income for the individual state income tax all social security benefits and governmental or other pension or retirement pay, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 105, by Sinclair, a bill for an act relating to the disposition of legal firearms and ammunition seized by a law enforcement agency.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 106, by committee on Ways and Means, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

STUDY BILLS RECEIVED

SSB 1094 Judiciary

Relating to funds transfers under the uniform commercial code, and including effective date provisions.

SSB 1095 Judiciary

Relating to an application for the immediate return of seized property.

SSB 1096 Judiciary

Relating to granting authority to the board of pharmacy to temporarily designate a substance a controlled substance, classifying certain synthetic cannabinoids as schedule I controlled substances, and providing penalties and making penalties applicable.

SSB 1097 Judiciary

Relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

SSB 1098 Judiciary

Relating to the discharge of a firearm near buildings or feedlots by certified law enforcement officers for training purposes and providing penalties.

SSB 1099 Judiciary

Relating to county attorney duties when representing the department of human services in juvenile court.

SUBCOMMITTEE ASSIGNMENTS**Senate File 57**

JUDICIARY: Sodders, Chair; Dvorsky and Zaun

Senate File 62

JUDICIARY: Hogg, Chair; Courtney and Sorenson

Senate File 63

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 64

JUDICIARY: Hogg, Chair; Petersen and Sorenson

Senate File 65

JUDICIARY: Sodders, Chair; Boettger and Courtney

Senate File 76

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 78

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 80

EDUCATION: Dvorsky, Chair; Behn and Quirmbach

Senate File 84

JUDICIARY: Hogg, Chair; Petersen and Sorenson

Senate File 85

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

Senate File 87

EDUCATION: Beall, Chair; Boettger and Hart

Senate File 89

LOCAL GOVERNMENT: Wilhelm, Chair; Brase and Chelgren

Senate File 90

HUMAN RESOURCES: Hatch, Chair; Dotzler and Johnson

SSB 1094

JUDICIARY: Whitver, Chair; Horn and Petersen

SSB 1095

JUDICIARY: Schneider, Chair; Petersen and Sodders

SSB 1096

JUDICIARY: Quirmbach, Chair; Courtney and Zaun

SSB 1097

JUDICIARY: Taylor, Chair; Hogg and Schneider

SSB 1098

JUDICIARY: Hogg, Chair; Sodders and Sorenson

SSB 1099

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 91 (SSB 1051), a bill for an act increasing civil penalties applicable to specified pipeline safety violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McCoy, Petersen, Anderson, Beall, Bertrand, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, 1: Bolkcom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 106 (SSB 1071), a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

LABOR AND BUSINESS RELATIONS

Susan Pleva – Plumbing and Mechanical Systems Examining Board

AMENDMENTS FILED

S-3001	S.F.	53	Herman C. Quirmbach
S-3002	S.F.	53	Mark Chelgren
S-3003	S.F.	53	Randy Feenstra
			Bill Anderson
			Joni Ernst
			Mark Chelgren
			Rick Bertrand
			Bill Dix
			Charles Schneider
			Michael Breitbach
			Jake Chapman
			Dennis Guth
			Jerry Behn
			Dan Zumbach
			Sandra Greiner
			Mark Segebart
			David Johnson
			Hubert Houser
			Tim L. Kapucian
			Roby Smith
			Nancy J. Boettger
			Jack Whitver
			Brad Zaun
			Ken Rozenboom
			Amy Sinclair

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 31, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by the Honorable Joni K. Ernst, member of the Senate from Montgomery County, Red Oak, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Levi Price.

SPECIAL GUESTS

Senator Beall introduced to the Senate Chamber Agim Ceku, Minister of the Kosovo Security Force. He was accompanied by Akam Ismaili, Kosovo Ambassador to the United States; Rrahman Rama, Major General of the Kosovo Security Force; and Xhavit Gashi, Brigadier General of the Kosovo Security Force.

Minister Ceku addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Journal of Wednesday, January 30, 2013, was approved.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:43 a.m., President Jochum presiding.

The Senate stood at ease at 9:45 a.m. until the fall of the gavel for the purpose of a joint convention.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 3, duly adopted, the joint convention was called to order at 9:50 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Terry E. Branstad to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Seng, Quirmbach, and Chapman on the part of the Senate, and Representatives Moore, Sheets, and Thomas on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Adjutant General of the Iowa National Guard, Major General Tim Orr, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Schoenjahn, Black, and Ernst on the part of the Senate, and Representatives Alons, Salmon, and Prichard on the part of the House.

Secretary of State, Matt Schultz; Secretary of Agriculture and Land Stewardship, Bill Northey; State Treasurer, Michael Fitzgerald and State Auditor David Vaudt were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

Major General Tim Orr's family and invited guests from Kosovo were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon Major General Tim Orr, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Jochum presented Major General Tim Orr, Adjutant General of the Iowa National Guard. Major General Orr provides command and control for 105 Army and Air National Guard Units and over 9,400 Army and Air National Guard members in the state of Iowa, who delivered the following Condition of the Guard Address:

Good morning Ladies and gentlemen—thank you for that wonderful welcome. Speaker Paulsen, President Jochum—thank you for the opportunity to once again address this joint convention of the Eighty-fifth General Assembly of the Iowa Legislature.

Governor Branstad, Lieutenant Governor Reynolds, members of the General Assembly, distinguished guests and fellow Iowans. Today, I deliver my fourth Condition of the Guard address and it is indeed an honor and a privilege to be here.

Governor Branstad and Lieutenant Governor Reynolds, thank you for being here today. For the past two years you both have done a tremendous job leading our Iowa National Guard. You have demonstrated from the very beginning your strong support for and commitment to the men and women of the Iowa National Guard, our families, and employers.

I would also like to give a special thank you to our citizen-legislators, who have done so much to honor and support the Iowa National Guard over the 175-year history of our organization.

The state of Iowa has one of the strongest traditions of any state for its commitment to their National Guard and veterans. Our success is directly attributed to what you have done for your Iowa National Guard—we humbly thank you.

And I want to especially thank the people of Iowa. Your support of our Soldiers, Airmen, and families has been absolutely incredible.

Today, I am proud to report that the Iowa National Guard continues to be Mission-Focused and Warrior Ready.

Through all the efforts of our Soldiers, Airmen, families, employers, elected leaders, communities, and our citizens, we have demonstrated that Iowa is a state that truly serves together.

This is a story that began in 1838 and has transcended generations of Iowans, and is now carried so proudly by the 9,400 Iowa National Guard Soldiers and Airmen who serve today.

Here in Iowa, we're a vital link between our communities and the military, particularly as the size and the footprint for our active duty forces begin to shrink over the next several years. With a presence in 725 Iowa communities, men and women of the Iowa National Guard have demonstrated to their neighbors a sense of commitment and service that is the very best our state has to offer.

And the performance of these men and women over the past decade, both in combat overseas and emergency response here at home, has written a new chapter in this

organization's storied legacy and proven without a doubt that the National Guard is full and equal partner with our active duty counterparts.

Tough, reliable, capable, resilient, adaptable, and above all, ready when called, we have fulfilled our statutory and constitutional responsibilities to help defend the nation and provide the governor with a state emergency response force for approximately one-third the cost of an active duty Soldier or Airmen, making the National Guard truly the best value for America.

The most logical option for the nation to preserve its military capability, capacity, and depth in times of fiscal constraints is through continued reliance on the National Guard.

The demand for National Guard forces over the past two decades has required almost continuous use of Iowa's Soldiers and Airmen in order to execute our nation's defense and meet the operational requirements of our armed forces, and this year is no exception.

During this past year, the Iowa National Guard played a crucial role in overseas operations. Approximately 180 Iowa National Guard Soldiers and Airmen deployed in support of Operation Enduring Freedom, and I'm happy to report with the exception of that number, the rest of our Soldiers and Airmen were home for the holidays.

Today we have approximately 260 Soldiers and Airmen currently deployed, which is among the lowest number of deployed service members from the Iowa National Guard since the start of Operations Enduring and Iraqi Freedom. Over this last year we mobilized Soldiers and Airmen for overseas contingency operations in Kosovo, Afghanistan, Qatar, Honduras, and Kuwait.

As part of these deployments, approximately 50 Soldiers from Company C, 2-211th (MEDEVAC) General Support Aviation Battalion based in Waterloo were mobilized in July. These Soldiers are supporting Operation Enduring Freedom in Afghanistan with aerial medical capabilities, providing rapid evacuation and medical treatment for wounded and injured coalition personnel.

The 1034th Combat Sustainment Support Battalion from Camp Dodge deployed 60 Soldiers in August to Afghanistan, where they are providing area logistical support for all types of military units.

Recently, the 186th Military Police Company deployed 40 Soldiers to Honduras as part of Joint Task Force Bravo, where they provide security and law enforcement support for Southern Command operations.

The 132nd Fighter Wing, Des Moines experienced a very busy 2012 supporting overseas combat operations on its tenth overseas deployment since 1996. The unit deployed 300 Airmen to Afghanistan last winter in support of an Air Expeditionary Force rotation and returned to Iowa in April.

In Sioux City, 360 Airmen of the 185th Air Refueling Wing deployed around the globe in 2012 in support of Operation Enduring Freedom, executing aerial medical evacuations of our wounded and injured warriors and conducting refueling missions.

And just this past Monday, approximately 100 Soldiers from the 833rd Engineer Company in Ottumwa said goodbye to their families, friends, and communities for a year-long deployment to Afghanistan. This is the 833rd's third combat deployment since 9/11.

While we are grateful that so many of our Iowa National Guard Soldiers and Airmen have returned home after a busy year of deployments, we must not forget about those still recovering from wounds, injuries, or illnesses related to their mobilizations.

Over the past two years, more than 130 of our wounded, injured, or ill warriors have received medical care, either at military treatment facilities across the country or from health care providers in their local communities.

Today, I am proud to say we continue to make progress with only 14 Soldiers still receiving treatment at military facilities. However, for me, those deployments are not truly over until all of our men and women have returned back home to their families.

Last year, President Obama announced his intention that the United States military would be withdrawing out of Afghanistan by the close of 2014, while transitioning the combat mission back over to the Afghanistan government and military. Since this announcement, the demand for forces in the Iowa National Guard has begun to decline. We are now at a point where current and projected demands for Army and Air Force assets for Operation Enduring Freedom will decrease over the next several years. As evidence of this drawdown, we currently have just one Iowa National Guard unit that has received notification for potential deployment to Afghanistan next year.

But regardless of the drawdown in Afghanistan or the global security requirements, U.S. interests will ultimately dictate future force requirements, whether for operational missions, peacekeeping responsibilities, or support to regionally-aligned forces around the world. I would anticipate that the Iowa National Guard will continue some form of limited global engagement for the foreseeable future.

In addition to the drawdown of forces, we are working the looming federal budget challenges and military drawdown associated with a potential sequestration and budget shortfalls. It is anticipated that the budget reductions will significantly impact the military now and for the future. However, with all of these challenges, we are very fortunate to have a voice with the Department of Defense on these matters. Governor Terry Branstad currently serves as the co-chair for the President's Council of Governors in the Department of Defense.

The council provides a forum for governors to discuss matters of mutual interest with the Department of Defense, Department of Homeland Security and other federal agencies, including issues concerning the federal budget, National Guard, homeland defense, and civil support activities.

Through this council, Governor Branstad was able to strengthen the voice of all 50 states and their respective governors on Department of Defense issues that affected the National Guard, and particularly the Iowa Air National Guard's 132nd Fighter Wing in Des Moines.

The Governor, while serving in his Council of Governors capacity, worked tirelessly with the National Governors Association, all governors and their Adjutants General, and our Iowa congressional delegation to minimize the disproportionate 59% cuts placed on the Air National Guard for Fiscal Year 2013.

Through his leadership efforts, we were successful in minimizing the proposed personnel cuts. Significant to these efforts was the opportunity for the 132nd Fighter Wing to pick up three enduring, replacement missions for the loss of the F-16 fighter mission.

The 132nd Fighter Wing will transition from F-16 fighter aircraft into three new missions: a Reconnaissance Group, which includes a Remotely Piloted Aircraft squadron; an Intelligence Group; and a cyber-security mission. Out of the nearly four hundred personnel positions subject to elimination last February at the 132nd, these three new missions will allow us to keep approximately 970 personnel at the Des Moines Airbase, a loss of only 32 personnel, which will be managed through retirements and transfers.

Another way we're supporting and adapting to the changing global and operational environment is through the National Guard's State Partnership Program, or SPP. The Iowa National Guard's State Partnership Program with Kosovo continues to make great progress since its inception in March 2011.

The current focus of the program is on non-commissioned officer and officer development activities, as well as cooperative initiatives in the disaster response and emergency management arena. Partnering with Kosovo is a natural fit for the Iowa National Guard and the state of Iowa. Last year, Kosovo President Jahjaga made the first-ever visit to Iowa for Kosovo's head of state and met with Iowa leaders from across the public and private sectors.

We have taken on a vision of a "Whole of Iowa/Whole of Kosovo" relationship and have conducted more than 30 engagements between Iowa, the Kosovo Security Force, and Kosovo's Ministries of Defense, Business, Agriculture, Health, and Education over the past two years. One of our near-term goals with our partnership is to establish a sister city relationship with a Kosovo community. Our first sister city effort is between the City of Johnston and Peja, Kosovo. We are in the process of finalizing the agreement and will be signing the proclamation between the two cities in the near future.

Today, I am honored to introduce Kosovo's Ambassador to the United States, Ambassador Ismaili; Kosovo Minister of Defense, Minister Ceku; Kosovo Security Force Land Forces Commander, Maj. Gen. Rama; and the Kosovo Defense Attaché assigned to the United States, Brig. Gen. Gashi, who are with us this morning as my honored guests.

Please join me in giving our guests from Kosovo a warm Iowa welcome.

I asked these gentlemen to join us today to help highlight this critically important relationship between Kosovo and Iowa, observe our legislative process, and meet some of our key leaders. We are honored to partner with Kosovo and we look forward to a strong and productive relationship in the years ahead.

Another critical partnership for the Iowa National Guard is right here in Iowa with our civilian employers. As nearly 80% of our Soldiers and Airmen serve part-time in the Iowa National Guard and full-time with Iowa businesses and governmental entities, finding quality jobs with employers that understand and appreciate military service is key to the continued service and well-being of our men and women, and their families.

Most of our men and women come back from deployment and return to what they were doing before they left or pursue new opportunities. Some members may have been unemployed or underemployed before deploying or returned to find their positions eliminated due to the economic downturn. Others may simply want a new challenge after their deployment experience. However, some find this transition difficult.

Whatever the reason, nearly 28% of our returning Warriors were looking for work at the end of 2011. And we had a solemn obligation to help them.

Through a cooperative effort between the Employer Support of the Guard and Reserve, the Iowa National Guard's Job Connection Education Program, Iowa Work Force Development, Iowa Department of Veterans Affairs, U.S. Department of Labor, Principal Financial Group, and Greater Des Moines Partnership, we actively worked to assist our Soldiers, Airmen and their spouses find gainful employment and reduced the number of unemployed from 28% to less than 6% today.

One of the reasons for this great success in finding quality jobs is through the Job Connection Education Program, or JCEP. Iowa was the second state nationally selected to participate in this National Guard Bureau pilot program. Since November 2011, 150 National Guard members or their spouses have found employment with civilian employers through Iowa's JCEP.

And additional, tangible evidence of Iowa's employer support is the Secretary of Defense Employer Support Freedom award, which is awarded annually to the top 15 employers nationally for their support of National Guard and Reserve members.

This past year, the Nyemaster Goode law firm from Des Moines was selected for this prestigious award. Since 2007, Iowa employers have won this distinguished national award three times, including back-to-back in 2011 and 2012. This is a tremendous testament to the patriotism and support for Reserve Component military members and their families in Iowa.

Another reason we've been able to maintain our position as a national leader in readiness among our fellow states is because of the Iowa National Guard Educational Assistance Program or NGEAP, a program funded in its entirety by the state of Iowa.

This critical recruiting and retention tool helps ensure our readiness and provides an invaluable benefit to our Soldiers and Airmen. This year, more than fourteen hundred of our members received 100% paid tuition at the State Regents' rate to attend Iowa colleges, universities, and community colleges through this program, keeping our young people here in the state and providing them with a high-quality Iowa education.

And the Iowa National Guard is doing our part to stimulate the economy of Iowa. This year, the Iowa National Guard brought in more than \$370 million dollars of federal funding into the state, which is more than 97% of our department's budget. Our Soldiers and Airmen pay more in state property, payroll, and sales taxes than what the state provides in state funding to the Iowa National Guard.

Also this past year, the Iowa Air and Army National Guard executed nearly \$16 million in federal funds for our construction and capital projects program. We completed new construction, renovations, or additions in Miller Armory and the United States Property and Fiscal Office on Camp Dodge, the Davenport Army Aviation Support Facility, Fairfield Field Maintenance Shop, and the Iowa Falls and Shenandoah armories.

We currently have renovation and construction projects underway at the Council Bluffs and Dubuque armories. On Camp Dodge we are consolidating the Iowa Department of Veterans Affairs, Military Records Center, and the State Fiscal Office activities into one updated facility. By arraying these services under one roof, Iowa National Guard members, veterans, and military retirees will see improved veteran services, while Iowa taxpayers receive a greater value through more efficient use of existing infrastructure and resources.

2012 has thankfully been a relatively quiet year for our emergency response operations, particularly after the longest, continuous domestic response operation in Iowa National Guard history on the Missouri River from May to September 2011. We used this additional time to plan, prepare, and exercise for potential disaster response support on a variety of scenarios.

And that training paid off. During the recent December blizzard, we mobilized 80 Guardsmen to conduct Highway Assistance Team missions in partnership with the Iowa Departments of Transportation and Public Safety and provided assistance to motorists stranded by the blizzard. These assistance teams rescued nearly a dozen travelers from extremely hazardous situations and transported them to safety, including responding to and assisting with a two-fatality, 25-car pileup on Interstate 35 south of Dows, Iowa.

And last week, we just finished supporting the 2013 Presidential Inauguration event in Washington, DC, by sending approximately 120 members of the 1133rd Transportation Company, Mason City, the 185th Air Refueling Wing, Sioux City, and various other Iowa units in support of the inaugural operations.

The additional time we gained over the last year from quieter-than-normal combat, peacekeeping, and domestic operations has allowed our organization to re-focus on organizational readiness, which drives everything we do. We'd like to share the results of these efforts with you.

First of all, your Iowa National Guard is a national leader in personnel strength management—recruiting and retention. Both the Iowa Air and Army National Guard began fiscal year 2012 with more than 100 percent of authorized strength. We have been at or above 100 percent strength for more than ten years in a row—a significant accomplishment considering all we have been asked to do since 9/11 with an all-volunteer force.

We are in the top echelon of the National Guard for the quality of recruits coming into the National Guard for 2012. More than 20% of our basic training, advanced individual training, or technical school graduates are either honor or distinguished graduates, on the commandant's list, or in the top 10% at their respective military schools.

These efforts have not gone unnoticed by the U.S. Department of Defense and other military organizations; Iowa units received several significant awards in 2012:

The 132nd Fighter Wing and the 133rd Test Squadron both won the 2012 Air Force Outstanding Unit Award, the tenth time for the 132nd and the sixth time for the 133rd.

The 132nd Fighter Wing received the 2012 National Guard Association of the United States Major General John J. Pesch Flight Safety Trophy, which is awarded annually to the two Air National Guard wings nationally with the highest standards of flight safety. Additionally, the 132nd's Logistics Readiness Squadron won the 2012 Air National Guard Base Logistics Activity of the Year Award.

The 2nd Brigade Combat Team won the Citizen Patriot Unit Award, a national award given by the Reserve Forces Policy Board to only one unit nationally for its substantial contribution to the security posture of the United States.

And Headquarters and Headquarters Company, 1034th Combat Sustainment Support Battalion, which is currently deployed to Afghanistan, won the Eisenhower Trophy, given annually to an Army National Guard unit in each state rated the most outstanding during 2012.

While we're humbled by these prestigious awards presented for excellence across the organization, we're also extremely proud of the way in which we have been able to honor and remember those Iowans who have selflessly served our state and nation.

It is projected that Iowa will lose approximately 6,000 of its veterans in this calendar year. In order to meet the increasing demand for military funeral honors, the Iowa National Guard has partnered with Iowa veterans service organizations to provide each eligible veteran and their family these richly-deserved military funeral honors. Since 2000, the Iowa National Guard's Military Funeral Honors program has been rendering professional military funeral honors, in accordance with service tradition, to all eligible veterans when requested by an authorized family member. This past year, our Military Funeral Honors program supported nearly 1,600 Iowa funerals.

And we have been so fortunate to be able to also honor Iowa's living veterans. Last year, through a partnership with the Iowa Gold Star Military Museum and the U.S. Department of Defense, more than 3,200 of Iowa's Korean War era veterans and their families were recognized and presented certificates of appreciation for their honorable service at a ceremony commemorating the 60th anniversary of the Korean War. What a fitting and long-overdue tribute to these tremendous Iowans.

This year is the continuation of the 150th anniversary of the Civil War and the 50th anniversary of the start of the Vietnam War. The Iowa National Guard will participate in both anniversary events over the next two years.

In an effort to assist a grateful nation in thanking and honoring our Vietnam veterans and their families, the Iowa National Guard has signed on to the National Commemorative Partner Program. Through this program, the Iowa National Guard will plan and conduct events and activities that will recognize the service, valor, and sacrifice of Iowa's Vietnam veterans and their families.

There is another group of great Americans that serve our state and nation every day, but are often forgotten. They are the children of our military members who are affected by the multiple deployments and absence of their parents during a critical time in their lives. For most this includes repetitive separation from parents and other loved ones, and for many it includes learning to live the "new normal" necessitated by combat wounds, injury, illness, and loss. These children reside in nearly every community in Iowa.

A critical tool in reaching out to military children is the Military Child Education Coalition or MCEC, a program funded by the U.S. Department of Defense.

Over the last four years, MCEC has trained 530 Iowa education professionals and military family readiness personnel how to understand and support military-connected children. By virtue of the exceptional participation by Iowans in this program, the Iowa National Guard is a national leader in the MCEC program.

In an effort to elevate awareness of these challenges, Lieutenant Governor Kim Reynolds hosted the Military Child Education Coalition public engagement seminar in October with Iowa education and community leaders.

The goal of the seminar was to bring together different sectors within the education community to identify capabilities, synchronize existing resources and programs, and develop a plan for military children living in these times of uncertainty.

As I come to a close, I hope that I have left you confident that the Iowa National Guard is in good hands and is moving in the spirit of one. We have executed every mission assigned, served our state here at home, and deployed wherever needed in a moment's notice. And as the challenges of the last ten years fade, we will face new challenges together.

Budget constraints and shifting priorities will impact how we operate, how we are organized, and what we are asked to do in the years ahead, but despite these changes, the Iowa National Guard will remain Mission-Focused and Warrior Ready.

This team will continue to take care of our Soldiers, Airmen, families, and employers as we continue to serve so proudly as your hometown military. And we are so grateful for the continued support we receive from the Iowa General Assembly and the people of Iowa.

On behalf of our men and women and their families, thank you for this opportunity to provide an update and assessment of the Iowa National Guard. Your Iowa National Guard is truly making a difference every day.

Thank you, ladies and gentlemen.

Major General Tim Orr was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Upmeyer moved that the joint convention be dissolved, which motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:37 a.m. until 1:00 p.m., Monday, February 4, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN SERVICES

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54(5). Report received on January 31, 2013.

Mental Health and Disabilities Services Biennial Report, pursuant to Iowa Code section 225C.6(1)(i). Report received on January 31, 2013.

DEPARTMENT OF TRANSPORTATION

Special Plates Report, pursuant to 2011 Iowa Acts, HF 651, section 2. Report received on January 30, 2013.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, January 31, 2013, 11:30 a.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Bowman, Brase, Greiner, Hart, Kapucian, and Soddors.

Members Absent: Black, Guth, and Houser (all excused).

Committee Business: Presentation by Chuck Gipp, Director of DNR.

Adjourned: 12:10 p.m.

APPROPRIATIONS

Convened: Wednesday, January 30, 2013, 4:00 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Presentation by Cathann Kress of Iowa State University.

Adjourned: 5:00 p.m.

COMMERCE

Convened: Thursday, January 31, 2013, 1:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, and Sinclair.

Members Absent: Bertrand and Wilhelm (both excused).

Committee Business: Presentation by the Iowa Utilities Board.

Adjourned: 2:00 p.m.

JUDICIARY

Convened: Thursday, January 31, 2013, 2:10 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Horn, Petersen, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair; Dvorsky, and Quirmbach (all excused).

Committee Business: Presentations.

Adjourned: 2:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 29, 2013, 4:00 p.m.

Members Present: Dearden, Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: Black, Vice Chair (excused).

Committee Business: Iowa Nutrients Reduction Strategy presentation.

Adjourned: 5:15 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 30, 2013, 2:00 p.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Sorenson, Ranking Member; Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Sodders, and Whitver.

Members Absent: None.

Committee Business: Approved SSB 1010, as amended.

Adjourned: 3:00 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 2, by Zaun, Whitver, and Chelgren, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office and limit the term of service of members of the general assembly.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 107, by Zaun, a bill for an act relating to the taxpayers trust fund by modifying the transfer of moneys from the Iowa economic emergency fund to the taxpayers trust fund, creating an Iowa tax rebate payable from the taxpayers trust fund, creating a related individual income tax exemption, and making appropriations, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 108, by Zaun, a bill for an act exempting investment counseling services from the state sales tax.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 109, by Bolkcom, Brase, Ragan, Beall, Schoenjahn, Hatch, Black, Wilhelm, Horn, Petersen, Seng, and Dotzler, a bill for an act relating to the department on aging, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 110, by committee on Labor and Business Relations, a bill for an act relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 111, by Soddors, a bill for an act relating to the sale, operation, and possession of speed detection jamming devices, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 112, by Zaun, a bill for an act relating to the corporate income tax rates imposed on corporations and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 113, by Hogg, Feenstra, Boettger, Guth, Segebart, Breitbach, Beall, Soddors, Hatch, and Bolkcom, a bill for an act relating to the exemption of gaming floors from the prohibitions of the smokefree air Act.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 114, by committee on Transportation, a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

Read first time under Rule 28 and **placed on calendar**.

Senate File 115, by committee on Transportation, a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 116, by Beall and Dearden, a bill for an act requiring the display of a red flag while persons being towed by a vessel are in the water and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 117, by Beall, Schoenjahn, Seng, Hart, and Taylor, a bill for an act establishing a rural Iowa chiropractic care loan repayment program and trust fund to be administered by the college student aid commission.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 118, by Beall and Dearden, a bill for an act relating to grandparent and great-grandparent visitation.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 119, by Kapucian, a bill for an act relating to the advertisement of corn suitability ratings by persons engaged in transactions involving the transfer of real estate suitable for crop cultivation, and including penalties.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 120, by Bowman, a bill for an act modifying the funding requirements for whole grade sharing agreements and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 121, by committee on State Government, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1100 Veterans Affairs

Relating to property taxes of certain disabled veterans by modifying the disabled veteran homestead tax credit, providing an additional homestead credit for certain disabled veterans, and including applicability provisions.

SSB 1101 State Government

Relating to the sale of services by an official, a state employee, a member of the general assembly, or a legislative employee.

SSB 1102 State Government

Concerning business interest limitations for holders of a brewer's certificate of compliance and making penalties applicable.

SSB 1103 Transportation

Relating to the period of validity of driver's licenses and nonoperator's identification cards, and including effective date and applicability provisions.

SSB 1104 Transportation

Relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, registration fees for electric vehicles, and the administration of highway contracts, and including applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 1

STATE GOVERNMENT: Sodders, Chair; Petersen and Sorenson

Senate Joint Resolution 1

STATE GOVERNMENT: Danielson, Chair; Petersen and Sorenson

Senate File 26

STATE GOVERNMENT: Danielson, Chair; Horn and Whitver

Senate File 28

STATE GOVERNMENT: Courtney, Chair; Danielson and Whitver

Senate File 33

TRANSPORTATION: Bowman, Chair; Behn and McCoy

Senate File 55

TRANSPORTATION: Taylor, Chair; Danielson and Zumbach

Senate File 67

TRANSPORTATION: Danielson, Chair; Breitbach and Taylor

Senate File 73

TRANSPORTATION: Danielson, Chair; Brase and Feenstra

Senate File 93

STATE GOVERNMENT: Danielson, Chair; Anderson and Bowman

Senate File 94

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

Senate File 95

ECONOMIC GROWTH/REBUILD IOWA: Hatch, Chair; Chapman and Dotzler

Senate File 97

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

Senate File 98

STATE GOVERNMENT: Danielson, Chair; Horn and Whitver

Senate File 101

HUMAN RESOURCES: Jochum, Chair; Hatch and Johnson

Senate File 102

STATE GOVERNMENT: Courtney, Chair; Anderson and Bowman

SSB 1100

VETERANS AFFAIRS: Horn, Chair; Schneider and Soddors

SSB 1101

STATE GOVERNMENT: Petersen, Chair; Chapman and Soddors

SSB 1102

STATE GOVERNMENT: Horn, Chair; Courtney and Whitver

SSB 1103

TRANSPORTATION: Bowman, Chair; Behn and McCoy

SSB 1104

TRANSPORTATION: Taylor, Chair; Beall and Breitbach

FINAL COMMITTEE REPORTS OF BILL ACTION**LABOR AND BUSINESS RELATIONS**

Bill Title: SENATE FILE 110 (SSB 1002), a bill for an act relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Horn, Dearden, Houser, Anderson, Brase, Chapman, Dix, Dotzler, Hatch, Seng, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 121 (SSB 1010), a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 121, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 114 (SSB 1021), a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 115 (SSB 1019), a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bowman, Beall, Kapucian, Brase, Danielson, Dearden, Dvorsky, and Taylor. Nays, 5: Behn, Breitbach, Feenstra, McCoy, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 4, 2013

The Senate met in regular session at 1:08 p.m., President Pro Tempore Sodders presiding.

Prayer was offered by Pastor Al Hazelton of the Assembly of God Church in Harlan, Iowa. He was the guest of Senator Boettger.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Laura Prindle.

The Journal of Thursday, January 31, 2013, was approved.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 106.

Senate File 106

On motion of Senator Jochum, **Senate File 106**, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-3004, filed by him from the floor to page 3 and amending the title page of the bill.

(Senate File 106 and amendment S-3004, were deferred.)

The Senate stood at ease at 1:37 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:11 p.m., President Pro Tempore Soddors presiding.

The Senate resumed consideration of Senate File 106 and amendment S-3004, previously deferred.

Senator Feenstra withdrew amendment S-3004.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Ernst, until they arrive, on request of Senator Dix.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 106), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Feenstra	Mathis	Soddors
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Courtney	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Chelgren	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 106** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:19 p.m. until 9:00 a.m., Tuesday, February 5, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AGRICULTURAL DEVELOPMENT AUTHORITY

Executive Director Report, pursuant to Iowa Code section 175.8(4). Report received on February 4, 2013.

AUDITOR OF STATE

Special Investigation of the Adair County Engineer's Office Report, pursuant to Iowa Code section 11.6. Report received on February 1, 2013.

DEPARTMENT OF HUMAN SERVICES

Mental Health and Disability Services Commission Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on February 4, 2013.

DEPARTMENT OF TRANSPORTATION

Recycling Report, pursuant to Iowa Code section 307.21(3). Report received on January 31, 2013.

Passenger Rail Service Revolving Fund Report, pursuant to Iowa Code section 327J.3(1). Report received on February 4, 2013.

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3(5). Report received on February 4, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF NATURAL RESOURCES – Report received on February 4, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Matthew Eaton, Des Moines – For achieving the rank of Eagle Scout, Troop 71.
Senator Zaun.

William Tanner Peard, Waukee – For achieving the rank of Eagle Scout, Troop 178.
Senator Zaun.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, January 29, 2013, 4:05 p.m.

Members Present: Soddors, Chair; Chapman, Ranking Member; Behn, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, and Whitver.

Members Absent: Bowman, Vice Chair; Chelgren, and Wilhelm (all excused).

Committee Business: Presentations.

Adjourned: 4:50 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, January 31, 2013, 3:00 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; and Greiner.

Members Absent: McCoy (excused).

Committee Business: Presentation by the Iowa Lottery CEO, Terry Rich.

Adjourned: 3:30 p.m.

INTRODUCTION OF BILLS

Senate File 122, by Gronstal, a bill for an act relating to the targeted jobs withholding credit pilot project and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 123, by Taylor, a bill for an act providing for membership in a protection occupation under the Iowa public employees' retirement system for employees of the department of corrections.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 124, by Horn, a bill for an act allowing the operation of certain motorboats on lake Macbride at any time.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 125, by Black, a bill for an act increasing certain fees relating to the purchase of resident hunting, fishing, and trapping licenses.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 126, by Jochum, a bill for an act relating to the sales and use tax imposed on the operation of bingo games.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 127, by Dearden, a bill for an act providing for the restoration of the right to register to vote and to vote and hold elective office for certain persons and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1105 Human Resources

Relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

SSB 1106 State Government

Relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

SSB 1107 State Government

Relating to the exemption of gaming floors from the prohibitions of the smokefree air Act and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 86**

WAYS AND MEANS: Dotzler, Chair; Black and Schneider

Senate File 88

WAYS AND MEANS: McCoy, Chair; Seng and Smith

Senate File 92

WAYS AND MEANS: Dotzler, Chair; Behn and Petersen

Senate File 107

WAYS AND MEANS: Dotzler, Chair; Black and Chapman

Senate File 108

WAYS AND MEANS: Dotzler, Chair; Seng and Smith

Senate File 112

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

Senate File 116

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Dearden and Johnson

SSB 1105

HUMAN RESOURCES: Dotzler, Chair; Johnson and Wilhelm

SSB 1106

STATE GOVERNMENT: Danielson, Chair; Chapman and Jochum

SSB 1107

STATE GOVERNMENT: Petersen, Chair; Anderson and Soddors

AMENDMENTS FILED

S-3004	S.F.	106	Randy Feenstra
S-3005	S.F.	121	Jeff Danielson

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 5, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor John Cofield of St Paul's United Church of Christ in Wheatland, Iowa. He was the guest of Senator Hart.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

The Journal of Monday, February 4, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:12 a.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:13 a.m. until 9:00 a.m., Wednesday, February 6, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2012 Annual Report, pursuant to Iowa Code section 312.3B. Report received on February 4, 2013.

BOARD OF PHARMACY

Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554(2). Report received on February 5, 2013.

DEPARTMENT OF PUBLIC HEALTH

Epilepsy Treatment and Education Task Force Final Report, pursuant to 2011 Iowa Acts, HF 322. Report received on February 5, 2013.

1st Five Healthy Mental Development Initiative Report, pursuant to 2012 Iowa Acts, SF 2336. Report received on February 5, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Chuck Dirks, Coralville – For winning the 2012 Neal Smith Entrepreneur of the Year Award. Senator Dvorsky.

Christina Moffatt, Des Moines – For winning the 2012 Deb Dalziel Woman Entrepreneur Achievement Award. Senator McCoy.

William Tanner Peard, Waukee – For achieving the rank of Eagle Scout, Troop 178. Senator Gronstal.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 5, 2013, 2:05 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Approved SSB 1049 and Governor's appointment.

Adjourned: 2:20 p.m.

EDUCATION

Convened: Monday, February 4, 2013, 2:30 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Boettger, Bowman, Hart, Hogg, Johnson, Mathis, Sinclair, and Zaun.

Members Absent: Ernst, Ranking Member; Dvorsky and Wilhelm (all excused).

Committee Business: Presentations.

Adjourned: 3:25 p.m.

HUMAN RESOURCES

Convened: Monday, February 4, 2013, 4:30 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Ernst (excused).

Committee Business: Presentations.

Adjourned: 5:25 p.m.

JUDICIARY

Convened: Tuesday, February 5, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Boettger (excused).

Committee Business: Approved SSB's 1026 and 1030.

Adjourned: 3:25 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 5, 2013, 9:10 a.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sodders.

Members Absent: None.

Committee Business: Governor's appointment.

Adjourned: 9:15 a.m.

TRANSPORTATION

Convened: Monday, February 4, 2013, 4:30 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dvorsky, Feenstra, Taylor, and Zumbach.

Members Absent: Dearden and McCoy (both excused).

Committee Business: Presentations.

Adjourned: 5:30 p.m.

WAYS AND MEANS

Convened: Tuesday, February 5, 2013, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 1:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 5, 2013, 10:10 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner, and Wilhelm.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 5, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirnbach, and Sinclair.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 5, 2013, 10:05 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom, and Johnson.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 5, 2013, 10:10 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Anderson, and Bowman.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:15 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 2, by Zaun, Sorenson, Bertrand, Anderson, Johnson, Feenstra, Boettger, Kapucian, Guth, Chapman, Segebart, and Whitver, a concurrent resolution claiming state sovereignty under the Tenth Amendment to the Constitution of the United States over certain mandates imposed on the states by the federal government.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 1, by Hatch and Bolkcom, a resolution regarding the federal budget.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 2, by Zaun, Chelgren, Smith, Bertrand, Sorenson, Johnson, Anderson, Feenstra, Kapucian, Boettger, Guth, Chapman, Segebart, and Whitver, a resolution supporting a free, independent, and secure Israel.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 128, by Zaun, a bill for an act increasing the amount of the tuition tax credit and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 129, by Zaun, a bill for an act exempting from the sales tax the sales price of a physical exercise club contract.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 130, by Zaun, a bill for an act relating to the disposition of fines collected under city and county automated traffic law enforcement programs and providing for the deposit of certain revenues into the road use tax fund.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 131, by Ernst, a bill for an act establishing the sales tax rebate for county development program and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 132, by Petersen, Seng, Dvorsky, Beall, Ragan, Hatch, Bolkcom, Quirmbach, and Mathis, a bill for an act modifying provisions relating to the regulation of delayed deposit services businesses, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 133, by Soddors, a bill for an act concerning public safety by establishing a public safety training and equipment trust fund, transferring insurance premium tax receipts to the fund, providing for a public safety training and facilities task force, and making appropriations.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 134, by Jochum, a bill for an act relating to the use of restraints against a pregnant inmate or detainee and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 135, by Petersen, a bill for an act providing access to delayed deposit services customer information by designated entities for specified purposes, providing a penalty, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 136, by Hatch, a bill for an act relating to the creation of an office of the chancellor to administer the Iowa higher education system under the direction of the state board of regents.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 137, by Breitbach, Kapucian, Segebart, Greiner, Rozenboom, Sinclair, Guth, Boettger, Zumbach, and Whitver, a bill for an act concerning payment of health insurance premium costs by members of the general assembly.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate File 138, by Zaun, Anderson, Sorenson, Bertrand, Feenstra, Kapucian, Boettger, Houser, Chapman, and Whitver, a bill for an act relating to the review of administrative rules and the rulemaking process.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 139, by Kapucian, a bill for an act relating to the use of automated traffic law enforcement systems by cities and counties, and providing for the disposition of revenues derived from the use of automated traffic law enforcement systems.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 140, by Hatch, a bill for an act relating to parental obligation pilot projects, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Appropriations**.

STUDY BILLS RECEIVED

SSB 1108 Local Government

Relating to fees collected by a county recorder or the governing board of the county land record information system.

SSB 1109 Judiciary

Relating to robbery in the first degree, and providing a penalty.

SSB 1110 Judiciary

Relating to the boards of directors of public corporations.

SSB 1111 Judiciary

Relating to the possession of alcohol by certain minors and juvenile court jurisdiction, and making penalties applicable.

SSB 1112 Economic Growth/Rebuild Iowa

Relating to economic development by modifying the innovation fund investment tax credit and the authority and duties of the Iowa innovation corporation, and including effective date and retroactive applicability provisions.

SSB 1113 State Government

Relating to the establishment and management of business entities organized in this state or formed in a different state and authorized to do business in this state.

SSB 1114 State Government

Making changes to the campaign finance laws relating to independent expenditures.

SSB 1115 Agriculture

Providing for the possession of cats classified as bengals.

SSB 1116 Human Resources

Relating to third-party payment of services provided by a physical therapist.

SSB 1117 Natural Resources and Environment

Relating to the natural resources and outdoor recreation trust fund by increasing the sales and use tax rates and including effective date provisions.

SSB 1118 Commerce

Concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2**

STATE GOVERNMENT: Danielson, Chair; Jochum and Sorenson

Senate File 38

COMMERCE: Bolkcom, Chair; Breitbach and Hatch

Senate File 70

ECONOMIC GROWTH/REBUILD IOWA: Bowman, Chair; Behn and Hart

Senate File 72

COMMERCE: McCoy, Chair; Anderson, Bertrand, Hatch, and Petersen

Senate File 96

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 103

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Houser

Senate File 105

JUDICIARY: Soddors, Chair; Hogg and Sorenson

Senate File 111

JUDICIARY: Taylor, Chair; Soddors and Zaun

Senate File 113

STATE GOVERNMENT: Petersen, Chair; Soddors and Whitver

Senate File 117

EDUCATION: Beall, Chair; Hart and Zaun

Senate File 120

EDUCATION: Mathis, Chair; Boettger and Bowman

Senate File 122

ECONOMIC GROWTH/REBUILD IOWA: Taylor, Chair; Chelgren and Hart

Senate File 123

STATE GOVERNMENT: Courtney, Chair; Horn and Smith

Senate File 124

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Seng and Zumbach

Senate File 125

NATURAL RESOURCES AND ENVIRONMENT: Black, Chair; Dearden and Rozenboom

Senate File 126

WAYS AND MEANS: Quirmbach, Chair; Black and Schneider

Senate File 127

STATE GOVERNMENT: Dearden, Chair; Sodders and Whitver

Senate File 128

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Feenstra

Senate File 129

WAYS AND MEANS: Dotzler, Chair; Black and Smith

Senate File 130

TRANSPORTATION: Danielson, Chair; Brase and Feenstra

SSB 1108

LOCAL GOVERNMENT: Schoenjahn, Chair; Guth and Hart

SSB 1109

JUDICIARY: Sodders, Chair; Horn and Schneider

SSB 1110

JUDICIARY: Hogg, Chair; Horn and Schneider

SSB 1111

JUDICIARY: Taylor, Chair; Petersen and Whitver

SSB 1112

ECONOMIC GROWTH/REBUILD IOWA: Dotzler, Chair; Schneider and Soddors

SSB 1113

STATE GOVERNMENT: Danielson, Chair; Courtney and Smith

SSB 1114

STATE GOVERNMENT: Danielson, Chair; Anderson and Jochum

SSB 1115

AGRICULTURE: Seng, Chair; Kapucian and Taylor

SSB 1116

HUMAN RESOURCES: Dotzler, Chair; Boettger and Mathis

SSB 1117

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black, Greiner, Hogg, and Zumbach

SSB 1118

COMMERCE: Mathis, Chair; Bertrand and Petersen

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

COMMISSIONER OF INSURANCE (Sec. 505.2)

Nicholas Gerhart, Des Moines

02/01/2013 – 04/30/2013

Nicholas Gerhart, Des Moines (reappointment)

05/01/2013 – 04/30/2017

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on February 5, 2013:

COMMERCE

Nicholas Gerhart – Commissioner of Insurance

Nicholas Gerhart – Commissioner of Insurance (reappointment)

APPOINTMENT TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on February 5, 2013, to investigate the appointment and reappointment of the following appointee:

COMMERCE

As Commissioner of Insurance:

NICHOLAS GERHART – McCoy, Chair; Hatch and Anderson

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Timothy Palmer – State Soil Conservation Committee

COMMERCE

Mary Sellers – Iowa Telecommunications and Technology Commission

AMENDMENT FILED

S-3006 S.F. 110 William A. Dotzler, Jr.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 6, 2013

The Senate met in regular session at 9:14 a.m., President Jochum presiding.

Prayer was offered by Christie John, pastor of Geneseo United Methodist Church in Buckingham, Iowa. She was the guest of Senator Soddors.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grant Smith.

The Journal of Tuesday, February 5, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Steven Ferguson, the governor's appointee to be the Executive Director of the Agricultural Development Authority. He was the guest of Senator Soddors and the committee on Agriculture.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:26 a.m. until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:07 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 106, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

ALSO: That the House has on February 6, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 14, a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

Read first time and referred to committee on **Transportation**.

House File 112, a bill for an act relating to the forfeiture of bail in a criminal case.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on February 6, 2013, **adopted** the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Read first time and attached to **companion Senate Concurrent Resolution 3**.

House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Read first time and referred to committee on **Rules and Administration**.

The Senate stood at ease at 4:08 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:23 p.m., President Jochum presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 110, 114, and 91.

Senate File 110

On motion of Senator Dotzler, **Senate File 110**, a bill for an act relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ernst, until she arrives, on request of Senator Dix.

Senator Bertrand offered amendment S-3007, filed by him from the floor to pages 1 and 2, and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3007 be adopted? (S.F. 110), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 22:

Anderson
Behn
Bertrand

Chelgren
Dix
Feenstra

Johnson
Kapucian
Rozenboom

Smith
Sorenson
Whitver

Boettger	Greiner	Schneider	Zumbach
Breitbach	Guth	Segebart	
Chapman	Houser	Sinclair	

Nays, 27:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	Zaun
Danielson	Hogg	Ragan	

Absent, 1:

Ernst

Amendment S–3007 lost.

Senator Dotzler offered amendment S–3006, filed by him on February 5, 2013, to page 2 of the bill, and moved its adoption.

Amendment S–3006 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Black, until he returns, on request of Senator Gronstal.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 110), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor

Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hatch	Rozenboom	Zaun
Courtney	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Black	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 114

On motion of Senator Danielson, **Senate File 114**, a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 114), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hatch	Rozenboom	Zaun
Courtney	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Black	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 91

On motion of Senator Schoenjahn, **Senate File 91**, a bill for an act increasing civil penalties applicable to specified pipeline safety violations, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 91), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hatch	Rozenboom	Zaun
Courtney	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Black	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 91, 110, and 114** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:57 p.m. until 9:00 a.m., Thursday, February 7, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF MANAGEMENT

Standing Appropriations Report, pursuant to Iowa Code section 8.6(2). Report received on February 6, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Frances E. Kurtz, Des Moines – For her service to Berl Priebe, who served two terms in the House of Representatives and eight years in the Senate. Senator Zaun.

Bob Nepl, Aurelia – For 16 years of service as Manager of the Aurelia Co-op and his service as President of the Two-Cylinder Club of Northwest Iowa. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH/REBUILD IOWA

Convened: Thursday, January 31, 2013, 4:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Danielson, Dotzler, Hart, Mathis, Taylor, and Whitver.

Members Absent: Behn, Chelgren, Hatch, Houser, Schneider, and Wilhelm (all excused).

Committee Business: Presentations on rural broadband and fiber.

Adjourned: 4:40 p.m.

EDUCATION

Convened: Wednesday, February 6, 2013, 1:00 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: Ernst, Ranking Member; and Boettger (both excused).

Committee Business: Governor's appointees.

Adjourned: 2:00 p.m.

ETHICS

Convened: Wednesday, February 6, 2013, 11:50 a.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Greiner, Ranking Member; and Behn.

Members Absent: Seng and Whitver (both excused).

Committee Business: Approved SSBs 1061 and 1062.

Adjourned: 11:55 a.m.

HUMAN RESOURCES

Convened: Wednesday, February 6, 2013, 3:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Ernst (excused).

Committee Business: Governor's appointees.

Adjourned: 3:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 5, 2013, 4:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Passed SF 10. Approved SSB 1004. Approved governor's appointee. Presentation by the Department of Natural Resources on forestry health.

Adjourned: 5:15 p.m.

TRANSPORTATION

Convened: Wednesday, February 6, 2013, 3:05 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, Taylor, and Zumbach.

Members Absent: McCoy (excused).

Committee Business: Presentation.

Adjourned: 3:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, January 24, 2013, 10:05 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase and Ernst.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:20 a.m.

ALSO:

Convened: Tuesday, February 5, 2013, 10:10 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; and Brase.

Members Absent: Ernst (excused).

Committee Business: Presentation.

Adjourned: 11:35 a.m.

ALSO:

Convened: Wednesday, February 6, 2013, 10:15 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; and Brase.

Members Absent: Ernst (excused).

Committee Business: Presentation by the Department of Human Rights.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 6, 2013, 10:10 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner and Wilhelm.

Members Absent: None.

Committee Business: None.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, January 24, 2013, 10:10 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: None.

Adjourned: 11:15 a.m.

ALSO:

Convened: Tuesday, January 29, 2013, 10:05 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:30 a.m.

ALSO:

Convened: Tuesday, February 5, 2013, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: None.

Adjourned: 11:30 a.m.

ALSO:

Convened: Wednesday, February 6, 2013, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Schneider and Seng.

Members Absent: Boettger, Ranking Member (excused).

Committee Business: None.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 6, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentation by community college presidents on several programs and funding sources.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 6, 2013, 10:10 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom and Johnson.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, January 29, 2013, 10:10 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: None.

Adjourned: 11:00 a.m.

ALSO:

Convened: Wednesday, January 30, 2013, 10:20 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: None.

Adjourned: 11:40 a.m.

ALSO:

Convened: Tuesday, February 5, 2013, 10:10 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: Discussion.

Adjourned: 11:40 a.m.

ALSO:

Convened: Wednesday, February 6, 2013, 10:10 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: None.

Adjourned: 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 6, 2013, 10:15 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 11:30 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 3, by committee on Ethics, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 3, by committee on Ethics, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-fifth General Assembly.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 4, by Beall and Kapucian, a resolution congratulating the Republic of China (Taiwan) on its inclusion in the United States Visa Waiver Program; supporting Taiwan's efforts to secure entry into the Trans-Pacific Partnership; and reaffirming support for Taiwan's participation in the International Civil Aviation Organization, and for strengthening sister-state ties between Iowa and Taiwan.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 141, by Sodders, a bill for an act relating to game birds only hunting preserves.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 142, by committee on Judiciary, a bill for an act providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 143, by committee on Commerce, a bill for an act concerning applications for liquor control licenses and micro-distilled spirits, beer, and wine permits.

Read first time under Rule 28 and **placed on calendar**.

Senate File 144, by committee on Natural Resources and Environment, a bill for an act relating to pollution prevention and waste management assistance.

Read first time under Rule 28 and **placed on calendar**.

Senate File 145, by committee on Judiciary, a bill for an act relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

Read first time under Rule 28 and **placed on calendar**.

Senate File 146, by committee on Natural Resources and Environment, a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Read first time under Rule 28 and **placed on calendar**.

Senate File 147, by Chelgren, Rozenboom, Behn, Zaun, Whitver, Bertrand, and Feenstra, a bill for an act requiring drug testing for individuals applying for or receiving state assistance.

Read first time under Rule 28 and referred to committee on **Human Resources**.

STUDY BILLS RECEIVED

SSB 1119 Human Resources

Relating to the transfer of assets under the Medicaid program.

SSB 1120 Economic Growth/Rebuild Iowa

Creating the manufactured housing program fund.

SSB 1121 State Government

Providing for appropriations to the statewide fire and police retirement system and including effective date provisions.

SSB 1122 Education

Establishing the categorical state percent of growth for the school budget year beginning July 1, 2014, and including effective date and applicability provisions.

SSB 1123 Education

Establishing the state percent of growth for the school budget year beginning July 1, 2014, and including effective date and applicability provisions.

SSB 1124 Judiciary

Requiring in-state construction contracts and disputes thereof to be governed by Iowa law.

SSB 1125 Judiciary

Prohibiting employers from refusing to hire job applicants based on certain criminal history and providing penalties.

SSB 1126 Judiciary

Relating to payments from the indigent defense fund by the state public defender.

SUBCOMMITTEE ASSIGNMENTS**Senate File 99**

VETERANS AFFAIRS: Hart, Chair; Danielson and Rozenboom

Senate File 118

JUDICIARY: Taylor, Chair; Horn and Whitver

Senate File 122
(Reassigned)

ECONOMIC GROWTH/REBUILD IOWA: Taylor, Chair; Hart and Schneider

Senate File 136

EDUCATION: Dvorsky, Chair; Quirmbach and Sinclair

Senate File 139

TRANSPORTATION: Danielson, Chair; Behn and Bowman

Senate File 141

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Breitbach and Dearden

SSB 1119

HUMAN RESOURCES: Dotzler, Chair; Whitver and Wilhelm

SSB 1120

ECONOMIC GROWTH/REBUILD IOWA: Hart, Chair; Danielson and Schneider

SSB 1121

STATE GOVERNMENT: Courtney, Chair; Danielson and Sorenson

SSB 1122

EDUCATION: Quirmbach, Chair; Boettger and Schoenjahn

SSB 1123

EDUCATION: Quirmbach, Chair; Johnson and Schoenjahn

SSB 1124

JUDICIARY: Petersen, Chair; Schneider and Soddors

SSB 1125

JUDICIARY: Hogg, Chair; Petersen and Schneider

SSB 1126

JUDICIARY: Taylor, Chair; Dvorsky and Whitver

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: SENATE FILE 143 (SSB 1049), a bill for an act concerning applications for liquor control licenses and micro-distilled spirits, beer, and wine permits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ETHICS

Bill Title: SENATE CONCURRENT RESOLUTION 3 (SSB 1061), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Horn, Dearden, Greiner, and Behn. Nays, none. Absent, 2: Seng and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 3 (SSB 1062), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-fifth General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Horn, Dearden, Greiner, and Behn. Nays, none. Absent, 2: Seng and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 142 (SSB 1030), a bill for an act providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 145 (SSB 1026), a bill for an act relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Boettger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 145, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 144 (SSB 1004), a bill for an act relating to pollution prevention and waste management assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 146 (formerly SF 10), a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 4, a resolution congratulating the Republic of China (Taiwan) on its inclusion in the United States Visa Waiver Program; supporting Taiwan's efforts to secure entry into the Trans-Pacific Partnership; and reaffirming support for Taiwan's participation in the International Civil Aviation Organization, and for strengthening sister-state ties between Iowa and Taiwan.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Jochum, Dix, Bertrand, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Ramon Rodriguez – Commission of Latino Affairs

Chad Jensen – Commission on Tobacco Use Prevention and Control

NATURAL RESOURCES AND ENVIRONMENT

Timothy Gartin – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

AMENDMENT FILED

S-3007 S.F. 110 Rick Bertrand

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 7, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Reverend Mike Gudka, pastor of St. Paul United Methodist Church in La Porte City, Iowa. He was the guest of Senator Sodders.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page William Thomas.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Robert S. von Wolfradt, the governor's appointee to be the Chief Information Officer. He was the guest of Senators Danielson and Whitver and the committee on State Government.

The Secretary of the Senate introduced Chuck Gipp, the governor's appointee to be the Director of the Department of Natural Resources. He was the guest of Senators Dearden and Greiner and the committee on Natural Resources and Environment.

The Secretary of the Senate introduced Duane Magee, the governor's appointee to be the Executive Director of the Board of Educational Examiners. He was the guest of Senator Schoenjahn and the committee on Education.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Beall asked and received unanimous consent to take up for consideration Senate Resolution 4.

Senate Resolution 4

On motion of Senator Beall, **Senate Resolution 4**, a resolution congratulating the Republic of China (Taiwan) on its inclusion in the United States Visa Waiver Program; supporting Taiwan's efforts to secure entry into the Trans-Pacific Partnership; and reaffirming support for Taiwan's participation in the International Civil Aviation Organization, and for strengthening sister-state ties between Iowa and Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of Senate Resolution 4, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Beall welcomed to the Senate chamber the Honorable Baushuan Ger, Director General of the Taipei Economic and Cultural Office in Chicago, Illinois. He was accompanied by deputy directors of the Taipei Economic and Cultural Office in Chicago, Su-Yang Tsao, and Sabine Chen.

Director General Ger addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Journal of Wednesday, February 6, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:20 a.m. until 1:00 p.m., Monday, February 11, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Thursday, February 7, 2013, 12:30 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, and Wilhelm.

Members Absent: Ernst, Ranking Member; and Zaun (both excused).

Committee Business: Approved SSBs 1122 and 1123, as amended.

Adjourned: 12:50 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 7, 2013, 11:35 a.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; Greiner and McCoy.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 12:25 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 7, 2013, 1:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, and Seng.

Members Absent: Zumbach (excused).

Committee Business: Approved governor's appointee. Presentation by the Department of Natural Resources.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, February 7, 2013, 10:05 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner and Wilhelm.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 7, 2013, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations by the Iowa Finance Authority and the Iowa Public Employment Relations Board.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 7, 2013, 10:00 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; and Sinclair.

Members Absent: Quirmbach (excused).

Committee Business: Presentations.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 7, 2013, 10:00 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; and Bolckom.

Members Absent: Johnson (excused).

Committee Business: Presentations.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 7, 2013, 10:15 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Anderson and Bowman.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:15 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 3, by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the sessions of the general assembly.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 148, by Danielson, a bill for an act relating to the expungement of an acquittal or dismissal of a criminal charge.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 149, by Kapucian, a bill for an act allowing criminal history and abuse registry background checks for certain food vendors.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 150, by Soddors, a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 151, by Soddors, a bill for an act establishing a criminal offense for removing or attempting to remove a communication device from the possession of a peace officer.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 152, by Soddors, a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 153, by committee on State Government, a bill for an act relating to the title of the office of citizens' aide.

Read first time under Rule 28 and **placed on calendar**.

Senate File 154, by Zaun, Chelgren, Chapman, Johnson, Houser, Behn, Feenstra, and Rozenboom, a bill for an act providing for an annual transfer of revenue from the general fund of the state to the road use tax fund.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 155, by Zaun, a bill for an act relating to the compensation of vendors of automated traffic law enforcement systems used by a city or county.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 156, by Hogg, a bill for an act establishing an alternative supplementary weighting plan for at-risk pupils and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 157, by Bolkcom, Dotzler, Dvorsky, and McCoy, a bill for an act relating to the operation of bicycles on a highway and to motorists overtaking and passing a bicycle, implement of husbandry, or slow-moving vehicle on a highway, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 158, by Mathis, a bill for an act relating to the annual aggregate tax credit authorization limit for the endow Iowa tax credit and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 159, by Hatch, Zaun, Dotzler, Mathis, Dearden, Horn, McCoy, Petersen, and Hogg, a bill for an act to maintain a permanent Juneteenth exhibit in the state historical building.

Read first time under Rule 28 and referred to committee on **Economic Growth/Rebuild Iowa**.

Senate File 160, by Kapucian, Johnson, Zaun, Bertrand, Chelgren, Schneider, Zumbach, Feenstra, and Behn, a bill for an act providing certain transfers to the veterans trust fund.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 161, by committee on Education, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 162, by committee on Education, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED**SSB 1127 Human Resources**

Relating to Medicaid program integrity, and providing penalties.

SSB 1128 Commerce

Relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable.

SSB 1129 Commerce

Regulating the sale of portable electronics insurance, including by requiring licensure, and providing for fees and penalties.

SSB 1130 Human Resources

Relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

SSB 1131 Human Resources

Relating to record checks of prospective and current health care employees and certain students.

SUBCOMMITTEE ASSIGNMENTS**Senate File 88**
(Reassigned)

WAYS AND MEANS: Bolkcom, Chair; Seng and Smith

Senate File 147

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Whitver

SSB 1127

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Whitver

SSB 1128

COMMERCE: Beall, Chair; Bolkcom and Schneider

SSB 1129

COMMERCE: Mathis, Chair; Schneider and Schoenjahn

SSB 1130

HUMAN RESOURCES: Mathis, Chair; Johnson and Ragan

SSB 1131

HUMAN RESOURCES: Dotzler, Chair; Johnson and Wilhelm

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: *SENATE FILE 161 (SSB 1122), a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 4: Behn, Boettger, Johnson, and Sinclair. Absent, 2: Ernst and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 161, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 162 (SSB 1123), a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 4: Behn, Boettger, Johnson, and Sinclair. Absent, 2: Ernst and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 162, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 153 (SSB 1014), a bill for an act relating to the title of the office of citizens' aide.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 11, 2013

The Senate met in regular session at 1:08 p.m., President Jochum presiding.

Prayer was offered by members of the University of Northern Iowa Men's Glee Club from Cedar Falls, Iowa. They were the guests of Senator Danielson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

The Journal of Thursday, February 7, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Steve Lukan, the governor's appointee to be the Drug Policy Coordinator. He was the guest of Senators Soddors and Schneider and the committee on Judiciary.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:17 p.m. until 9:00 a.m., Tuesday, February 12, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14(21c). Report received on February 8, 2013.

IOWA JUDICIAL BRANCH

Juvenile Victim Restitution Program Report, pursuant to Iowa Code section 232A.3. Report received on February 8, 2013.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on February 8, 2013.

DEPARTMENT OF MANAGEMENT

Block Grants Report, pursuant to Iowa Code section 8.22(1b). Report received on February 8, 2013.

DEPARTMENT OF REVENUE

Health Insurance for Dependent Children Report, pursuant to Iowa Code section 422.12M(4c). Report received on February 8, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

IOWA JUDICIAL BRANCH – Report received on February 8, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Jonathan Burrress, Klemme – For achieving the rank of Eagle Scout. Senator Guth.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 11, 2013, 2:10 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: Ernst, Ranking Member (excused).

Committee Business: Presentations.

Adjourned: 3:05 p.m.

HUMAN RESOURCES

Convened: Monday, February 11, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Ernst (excused).

Committee Business: Approved SSB 1056, as amended. Approved governor's appointee.

Adjourned: 4:15 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 4, by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

Read first time under Rule 28 and **placed on calendar**.

Senate Resolution 5, by committee on Rules and Administration, a resolution relating to permanent rules of the senate for the eighty-fifth general assembly.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

Senate File 163, by Bolkcom, a bill for an act relating to an assault that occurs between persons in an intimate relationship and the crime of domestic abuse assault and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 164, by Bolkcom, a bill for an act relating to the opening of a door on the side of a vehicle available to moving traffic and providing a penalty.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 165, by Hogg, a bill for an act relating to water usage, making appropriations, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 166, by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Kapucian, Sorenson, Boettger, and Smith, a bill for an act creating a negotiated rulemaking process.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 167, by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Anderson, Bertrand, Segebart, Chelgren, Zaun, Sorenson, Whitver, Kapucian, and Boettger, a bill for an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, providing a penalty, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 168, by Behn, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Chelgren, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Chapman, Kapucian, Sorenson, Boettger, and Smith, a bill for an act relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 169, by Behn, Chapman, Houser, Greiner, Feenstra, Guth, Rozenboom, Anderson, Bertrand, Segebart, Chelgren, Johnson, Breitbach, Zaun, Sinclair, Whitver, Zumbach, Schneider, Kapucian, Sorenson, Boettger, and Smith, a bill for an act relating to the fiscal impact on cities of administrative rules adopted by the environmental protection commission.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 170, by committee on Economic Growth, a bill for an act relating to bidding for purchases through a competitive bidding process by the state.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1132 Human Resources

Relating to licensure identification and display requirements and professional title and abbreviation restrictions for certain health-related professions and making penalties applicable.

SSB 1133 Human Resources

Relating to service providers under Medicaid home and community-based services waivers.

SSB 1134 Ways and Means

Relating to electronic payment transactions by prohibiting the collection of interchange fees on specified taxes and fees, providing penalties, and including applicability provisions.

SSB 1135 Ways and Means

Establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

SSB 1136 Ways and Means

Relating to qualification for and receipt of the wind energy and renewable energy tax credits.

SSB 1137 Ways and Means

Increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and including effective date and retroactive applicability provisions.

SSB 1138 Natural Resources and Environment

Providing for a product stewardship report by the department of natural resources.

SSB 1139 Commerce

Relating to matters under the purview of the banking division of the department of commerce.

SSB 1140 Commerce

Providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances.

SUBCOMMITTEE ASSIGNMENTS

Senate File 119

COMMERCE: Beall, Chair; Chapman and Wilhelm

Senate File 133

JUDICIARY: Sodders, Chair; Schneider and Taylor

Senate File 134

JUDICIARY: Petersen, Chair; Boettger and Dvorsky

Senate File 148

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

Senate File 149

STATE GOVERNMENT: Dearden, Chair; Chapman and Sodders

Senate File 150

STATE GOVERNMENT: Petersen, Chair; Anderson and Sodders

Senate File 151

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

Senate File 152

JUDICIARY: Sodders, Chair; Hogg and Whitver

Senate File 154

TRANSPORTATION: Danielson, Chair; Feenstra and Taylor

Senate File 155

TRANSPORTATION: Danielson, Chair; Brase and Zumbach

Senate File 158

ECONOMIC GROWTH/REBUILD IOWA: Mathis, Chair; Hart and Whitver

Senate File 159

ECONOMIC GROWTH/REBUILD IOWA: Dotzler, Chair; Behn and Hatch

House File 112

JUDICIARY: Horn, Chair; Taylor and Zaun

SSB 1132

HUMAN RESOURCES: Dotzler, Chair; Boettger and Bolkcom

SSB 1133

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Ragan

SSB 1134

WAYS AND MEANS: Petersen, Chair; Bolkcom and Chapman

SSB 1135

WAYS AND MEANS: McCoy, Chair; Bolkcom and Feenstra

SSB 1136

WAYS AND MEANS: Hogg, Chair; Behn and Black

SSB 1137

WAYS AND MEANS: Dotzler, Chair; Feenstra and Seng

SSB 1138

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Johnson

SSB 1139

COMMERCE: McCoy, Chair; Anderson and Seng

SSB 1140

COMMERCE: Mathis, Chair; Chapman and Wilhelm

FINAL COMMITTEE REPORTS OF BILL ACTION**ECONOMIC GROWTH/REBUILD IOWA**

Bill Title: *SENATE FILE 170 (formerly SF 15), a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sodders, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Taylor, and Wilhelm. Nays, 3: Behn, Schneider, and Whitver. Absent, 3: Chapman, Chelgren, and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth/Rebuild Iowa Committee on Senate File 170, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 4, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE RESOLUTION 5, a resolution relating to permanent rules of the senate for the eighty-fifth general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE CONCURRENT RESOLUTION 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Bertrand and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 12, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Father Mark Ressler, pastor of St. Elizabeth Ann Seton Parish in Hiawatha, Iowa. He was the guest of Senator Mathis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by LSA Page Casey Baumberger.

The Journal of Monday, February 11, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:08 a.m. until 9:00 a.m., Wednesday, February 13, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA PUBLIC INFORMATION BOARD

2012 Annual Report, pursuant to 2012 Iowa Acts, chapter 1115.9. Report received on February 12, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Elizabeth Baird – For her work as legislative liaison to the Iowa Legislature and her 36 years of overall service to the Iowa Department of Transportation. Senator Quirmbach.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 5, 2013, 11:30 a.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Presentation from the Department of Natural Resources.

Adjourned: 12:30 p.m.

COMMERCE

Convened: Tuesday, February 12, 2013, 2:05 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Approved SSBs 1052, 1079, 1128, and 1139.

Adjourned: 2:25 p.m.

RULES AND ADMINISTRATION

Convened: Monday, February 11, 2013, 5:40 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Courtney, Dearden, Dvorsky, Ragan, Rozenboom, and Soddors.

Members Absent: Bertrand and Ernst (both excused).

Committee Business: Approved SCR 4 and SR 5. Passed HCR 5.

Adjourned: 5:45 p.m.

TRANSPORTATION

Convened: Monday, February 11, 2013, 4:05 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 5:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 12, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentation by the Board of Regents university presidents.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 7, 2013, 10:00 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; and Bolkcom.

Members Absent: Johnson (excused).

Committee Business: Presentations.

Adjourned: 11:35 a.m.

ALSO:

Convened: Tuesday, February 12, 2013, 10:00 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom and Johnson.

Members Absent: None.

Committee Business: Presentation by Jennifer Vermeer, Director of the Iowa Medicaid Enterprise.

Adjourned: 12:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 12, 2013, 10:15 a.m.

Members Present: Beall, Vice Chair; Kapucian, Ranking Member; Anderson and Bowman.

Members Absent: McCoy, Chair (excused).

Committee Business: Presentations by the Iowa Economic Development Authority and Easter Seals.

Adjourned: 10:55 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 6, by Whitver and Feenstra, a resolution requesting the legislative council to establish an interim study committee to study elimination of the income tax in Iowa.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 171, by Ernst, a bill for an act relating to the issuance of special purple heart vehicle registration plates without fee, and providing an exemption from annual vehicle registration fees for recipients of the purple heart medal.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 172, by Ernst, a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 173, by Danielson, a bill for an act authorizing a county to impose a property tax levy for the operation of cultural and scientific facilities following approval at election.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 174, by Danielson, a bill for an act related to the administration of the national guard educational assistance program.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 175, by Chelgren, Whitver, Zaun, Sinclair, Rozenboom, Guth, Kapucian, Sorenson, Bertrand, Segebart, Zumbach, Breitbach, Chapman, Behn, Feenstra, Anderson, and Smith, a bill for an act relating to verification of social security numbers for public programs under the purview of the department of human services.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 176, by Bolkcom, a bill for an act relating to discharge point signs under the Iowa national pollutant discharge elimination system program and providing a penalty.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

STUDY BILLS RECEIVED

SSB 1141 Education

Authorizing the college student aid commission to organize a nonprofit corporation to provide Iowans with postsecondary educational financial assistance.

SSB 1142 Education

Relating to the Iowa early intervention block grant program by eliminating the future repeal of the chapter establishing the program and including effective date provisions.

SSB 1143 Agriculture

Providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, and motor fuel standards.

SSB 1144 State Government

Relating to absentee voting at the office of the county commissioner of elections.

SSB 1145 State Government

Relating to voter registration deadlines.

SSB 1146 State Government

Requiring that a completed absentee ballot be received in the commissioner's office before the polls close on election day.

SSB 1147 Judiciary

Relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

SSB 1148 Transportation

Relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

SSB 1149 Judiciary

Enhancing the criminal penalty for an assault on a public transit bus operator, and providing penalties.

SSB 1150 Judiciary

Concerning prescription drug or controlled substance medication defenses in operating-while-intoxicated cases.

SSB 1151 Judiciary

Relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer.

SSB 1152 Judiciary

Prohibiting certain agreements for the apportionment of water utility or enterprise charges under the uniform residential landlord and tenant Act and including applicability provisions.

SSB 1153 Local Government

Relating to agreements to access electronic documents or records maintained by the governing board of a county land record information system.

SSB 1154 Transportation

Relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards.

SSB 1155 Transportation

Relating to the enforcement of weight limitations for vehicles with retractable axles.

SSB 1156 Transportation

Relating to the period of validity of driver's licenses and nonoperator's identification cards and to associated fees, and including effective date and applicability provisions.

SSB 1157 Veterans Affairs

Relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts.

SSB 1158 Veterans Affairs

Exempting federal retirement pay of a resident received for military service from the state individual income tax and including retroactive applicability provisions.

SSB 1159 Human Resources

Providing for vision screening for school children.

SSB 1160 State Government

Relating to health care coverage under the state health insurance plan and including effective date provisions.

SSB 1161 State Government

Concerning the reimbursement for personal items of department of public safety employees damaged or destroyed during their employment.

SUBCOMMITTEE ASSIGNMENTS**Senate File 156**

EDUCATION: Hogg, Chair; Beall and Sinclair

Senate File 157

TRANSPORTATION: Brase, Chair; Bowman and Feenstra

Senate File 164

TRANSPORTATION: Bowman, Chair; Dvorsky and Zumbach

Senate File 165

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Black and Breitbach

Senate File 166

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

Senate File 168

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

Senate File 169

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

SSB 1141

EDUCATION: Mathis, Chair; Quirmbach and Sinclair

SSB 1142

EDUCATION: Bowman, Chair; Boettger and Wilhelm

SSB 1143

AGRICULTURE: Sodders, Chair; Brase and Houser

SSB 1144

STATE GOVERNMENT: Danielson, Chair; Bowman and Smith

SSB 1145

STATE GOVERNMENT: Danielson, Chair; Bowman and Whitver

SSB 1146

STATE GOVERNMENT: Danielson, Chair; Horn and Whitver

SSB 1147

JUDICIARY: Petersen, Chair; Schneider and Taylor

SSB 1148

TRANSPORTATION: Danielson, Chair; Behn and Taylor

SSB 1149

JUDICIARY: Hogg, Chair; Courtney and Zaun

SSB 1150

JUDICIARY: Hogg, Chair; Taylor and Whitver

SSB 1151

JUDICIARY: Taylor, Chair; Petersen and Schneider

SSB 1152

JUDICIARY: Horn, Chair; Dvorsky and Zaun

SSB 1153

LOCAL GOVERNMENT: Wilhelm, Chair; Guth and Taylor

SSB 1154

TRANSPORTATION: Taylor, Chair; Bowman and Feenstra

SSB 1155

TRANSPORTATION: Beall, Chair; Breitbach and Taylor

SSB 1156

TRANSPORTATION: Bowman, Chair; Kapucian and McCoy

SSB 1157

VETERANS AFFAIRS: Soddors, Chair; Hart and Rozenboom

SSB 1158

VETERANS AFFAIRS: Horn, Chair; Black and Rozenboom

SSB 1159

HUMAN RESOURCES: Wilhelm, Chair; Ernst and Ragan

SSB 1160

STATE GOVERNMENT: Petersen, Chair; Bowman and Whitver

SSB 1161

STATE GOVERNMENT: Courtney, Chair; Horn and Chapman

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of February, 2013.

Senate File 106.

MICHAEL E. MARSHALL
Secretary of the Senate

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committee for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Elaine Sanders – Child Advocacy Board

Shirley Daniels – Commission on Tobacco Use Prevention and Control

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 13, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page William Thomas.

The Journal of Tuesday, February 12, 2013, was approved.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:58 a.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:59 a.m. until 9:00 a.m., Thursday, February 14, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 12, 2013, 12:30 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Bowman, Brase, Greiner, Guth, Hart, Kapucian, and Soddors.

Members Absent: Black and Houser (both excused).

Committee Business: Presentation. Approval of governor's appointee.

Adjourned: 12:55 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, February 5, 2013, 4:00 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Chelgren, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Danielson (excused).

Committee Business: Presentation on the Iowa Innovation Corporation.

Adjourned: 4:40 p.m.

ALSO:

Convened: Thursday, February 7, 2013, 1:30 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Behn, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Chapman, Ranking Member; Chelgren, and Houser (all excused).

Committee Business: Discussion on SF 15.

Adjourned: 2:10 p.m.

EDUCATION

Convened: Wednesday, February 13, 2013, 1:00 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: Ernst, Ranking Member (excused).

Committee Business: Approval of governor's appointees. Presentations.

Adjourned: 2:00 p.m.

ETHICS

Convened: Wednesday, February 13, 2013, 12:05 p.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Greiner, Ranking Member; Behn, Seng, and Whitver.

Members Absent: None.

Committee Business: Discussion of complaint and response.

Adjourned: 12:25 p.m.

JUDICIARY

Convened: Tuesday, February 12, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirnbach, Sodders, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: None.

Committee Business: Approved SSBs 1094, 1095, and 1097. Approved governor's appointees.

Adjourned: 3:15 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, February 13, 2013, 2:00 p.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Dvorsky, Guth, Quirnbach, Schoenjahn, and Taylor.

Members Absent: Chelgren, Hart, and Zaun (all excused).

Committee Business: Approved governor's appointee.

Adjourned: 2:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 12, 2013, 4:05 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Approved governor's appointees. Presentation by the Department of Natural Resources.

Adjourned: 4:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, February 12, 2013, 10:10 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:35 p.m.

ALSO:

Convened: Wednesday, February 13, 2013, 10:10 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 13, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 13, 2013, 10:00 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom and Johnson.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 12:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 13, 2013, 10:05 a.m.

Members Present: Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: McCoy, Chair; and Anderson (both excused).

Committee Business: Presentations.

Adjourned: 11:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 4, by Taylor, a joint resolution relating to the location and exhibition of the statue of James Harlan, currently on display in the United States capitol.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 177, by Beall, Bolkcom, Hogg, Dvorsky, Dotzler, Seng, Petersen, Hart, Horn, Dearden, Ragan, McCoy, and Quirmbach, a bill for an act relating to domestic abuse protective orders and pets or companion animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in a domestic abuse case.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 178, by Beall, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 179, by Hogg, a bill for an act providing for an annual adjustment to the amount of value used to calculate the homestead credit and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 180, by Zaun, a bill for an act providing for annual review of pensions by the public retirement systems committee.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 181, by committee on Commerce, a bill for an act relating to matters under the purview of the banking division of the department of commerce.

Read first time under Rule 28 and **placed on calendar**.

Senate File 182, by committee on Commerce, a bill for an act relating to credit for reinsurance, including transition, applicability, and effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 183, by committee on Commerce, a bill for an act relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 184, by committee on Human Resources, a bill for an act relating to programs and services under the purview of the department on aging.

Read first time under Rule 28 and **placed on calendar**.

Senate File 185, by committee on Ways and Means, a bill for an act relating to the administration of the streamlined sales and use tax agreement by the department of revenue.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 186, by committee on Judiciary, a bill for an act relating to funds transfers under the uniform commercial code, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 187, by committee on Judiciary, a bill for an act relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

Read first time under Rule 28 and **placed on calendar**.

Senate File 188, by committee on Judiciary, a bill for an act relating to an application for the immediate return of seized property.

Read first time under Rule 28 and **placed on calendar**.

Senate File 189, by committee on Commerce, a bill for an act relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 190, by Danielson, a bill for an act creating a task force to provide a statewide assessment of veterans' and military service members' needs.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 191, by Dotzler, Bolkcom, Dvorsky, Gronstal, Jochum, Black, McCoy, Quirmbach, Mathis, Schoenjahn, Hatch, Hart, Ragan, Soddors, Petersen, Taylor, Horn, Wilhelm, Brase, Dearden, and Courtney, a bill for an act relating to wage payment

collection issues arising between employers and individuals who provide services to employers, providing penalties and remedies, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 192, by Bowman, a bill for an act relating to flood prevention by providing for the alteration of a water channel in connection with a project for highway construction or improvement.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 193, by Mathis, a bill for an act relating to state requirements for county and multicounty juvenile detention homes.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 194, by Bolkcom, a bill for an act requiring consumer labeling information for food, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 195, by Anderson and Feenstra, a bill for an act relating to requirements for state purchasing from prison industries.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1162 **Human Resources**

Relating to prescription authority for certain psychologists and making penalties applicable.

SSB 1163 State Government

Relating to the activities and duties of the state board of regents and the board's administrative office.

SSB 1164 Human Resources

Requiring the development and use of a standard form for prior authorization of prescription drug benefits.

SSB 1165 Judiciary

Relating to the issuance of a search warrant to authorize the placement, tracking, monitoring, and removal of a global positioning device.

SSB 1166 Judiciary

Relating to interrogations of students in public and nonpublic schools.

SSB 1167 Judiciary

Relating to the service of notice of no-contact orders and protective orders.

SSB 1168 Judiciary

Relating to the duties and responsibilities of insurance producers under insurance policies or contracts.

SSB 1169 Judiciary

Relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions.

SSB 1170 Commerce

Relating to insurance holding company systems.

SSB 1171 Commerce

Requiring every insurer offering certain individual or group health insurance policies to provide coverage for treatment of certain inborn errors of metabolism with a dietary restriction.

SSB 1172 Ways and Means

Relating to enhanced E911 emergency communication systems, and providing penalties.

SSB 1173 Ways and Means

Relating to certain fees collected by the county sheriff.

SSB 1174 Ways and Means

Creating a tax credit for certain small businesses offering wellness programs to employees and including effective date and applicability provisions.

SSB 1175 Ways and Means

Modifying provisions relating to solar energy system income tax credits and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 163**

JUDICIARY: Quirnbach, Chair; Courtney and Schneider

Senate File 167

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 172

TRANSPORTATION: Beall, Chair; Brase and Zumbach

Senate File 173

LOCAL GOVERNMENT: Brase, Chair; Sinclair and Wilhelm

Senate File 175

HUMAN RESOURCES: Bolkcom, Chair; Hatch and Segebart

SSB 1162

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Mathis

SSB 1163

STATE GOVERNMENT: Danielson, Chair; Courtney and Whitver

SSB 1164

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Johnson

SSB 1165

JUDICIARY: Sodders, Chair; Horn and Schneider

SSB 1166

JUDICIARY: Quirmbach, Chair; Taylor and Zaun

SSB 1167

JUDICIARY: Petersen, Chair; Boettger and Taylor

SSB 1168

JUDICIARY: Hogg, Chair; Horn and Schneider

SSB 1169

JUDICIARY: Schneider, Chair; Hogg and Horn

SSB 1170

COMMERCE: Petersen, Chair; Anderson and McCoy

SSB 1171

COMMERCE: McCoy, Chair; Petersen and Schneider

SSB 1172

WAYS AND MEANS: Petersen, Chair; Hogg and Smith

SSB 1173

WAYS AND MEANS: Dotzler, Chair; Bertrand and Seng

SSB 1174

WAYS AND MEANS: Dotzler, Chair; Black and Schneider

SSB 1175

WAYS AND MEANS: Hogg, Chair; Behn and Bolkcom

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 181 (SSB 1139), a bill for an act relating to matters under the purview of the banking division of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 182 (SSB 1052), a bill for an act relating to credit for reinsurance, including transition, applicability, and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 183 (SSB 1128), a bill for an act relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 189 (SSB 1079), a bill for an act relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 184 (SSB 1056), a bill for an act relating to programs and services under the purview of the department on aging.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 184, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 186 (SSB 1094), a bill for an act relating to funds transfers under the uniform commercial code, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 187 (SSB 1097), a bill for an act relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 188 (SSB 1095), a bill for an act relating to an application for the immediate return of seized property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 185 (SSB 1046), a bill for an act relating to the administration of the streamlined sales and use tax agreement by the department of revenue.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Steven Ferguson – Executive Director of the Agricultural Development Authority

ECONOMIC GROWTH/REBUILD IOWA

Thomas Bernau – Iowa Capital Investment Board

Donna Walter – Iowa Capital Investment Board

EDUCATION

Andrew Waldschmitt – Iowa Autism Council

Brenda Garcia-Van Auken – Board of Educational Examiners

Hannah Walsh – State Board of Regents

JUDICIARY

Tom Conley – Iowa State Civil Rights Commission

LOCAL GOVERNMENT

Stewart Iverson – Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Joanne Stockdale – Environmental Protection Commission

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Duane Magee – Executive Director of the Educational Examiners

JUDICIARY

Steve Lukan – Drug Policy Coordinator

LOCAL GOVERNMENT

Stewart Iverson – Chair of the Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Chuck Gipp – Director of the Department of Natural Resources

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 14, 2013

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Father Larry Hoffmann, pastor of St. Luke's Catholic Church in Ankeny, Iowa. He was the guest of Senator Hart.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grant Smith.

The Journal of Wednesday, February 13, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 110, a bill for an act relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

ALSO: That the House has on February 13, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 119, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

Read first time and referred to committee on **Judiciary**.

House File 133, a bill for an act relating to the discharge of a firearm near buildings or feedlots by certified law enforcement officers for training purposes, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 152, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

House File 158, a bill for an act providing for an exception to municipal tort liability for claims arising from sledding or tubing on municipality-controlled property.

Read first time and referred to committee on **Judiciary**.

House File 160, a bill for an act relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions.

Read first time and referred to committee on **Appropriations**.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:24 a.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Ernst and Houser, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 162 and 161.

Senate File 162

On motion of Senator Quirmbach, **Senate File 162**, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 162), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Kapucian	Sorenson
Behn	Dix	Rozenboom	Whitver
Bertrand	Feenstra	Schneider	Zaun
Boettger	Greiner	Segebart	Zumbach
Breitbach	Guth	Sinclair	
Chapman	Johnson	Smith	

Absent, 2:

Ernst	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 161

On motion of Senator Quirmbach, **Senate File 161**, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 161), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Kapucian	Sorenson
Behn	Dix	Rozenboom	Whitver
Bertrand	Feenstra	Schneider	Zaun
Boettger	Greiner	Segebart	Zumbach
Breitbach	Guth	Sinclair	
Chapman	Johnson	Smith	

Absent, 2:

Ernst	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 4, Senate Resolution 5, and House Concurrent Resolution 5.

Senate Concurrent Resolution 4

On motion of Senator Gronstal, **Senate Concurrent Resolution 4**, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 4, which motion prevailed by a voice vote.

Senate Resolution 5

On motion of Senator Gronstal, **Senate Resolution 5**, a resolution relating to permanent rules of the senate for the eighty-fifth general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 5.

A record roll call was requested.

On the question “Shall the resolution be adopted?” (S.R. 5), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Kapucian	Sorenson
Behn	Dix	Rozenboom	Whitver
Bertrand	Feenstra	Schneider	Zaun
Boettger	Greiner	Segebart	Zumbach
Breitbach	Guth	Sinclair	
Chapman	Johnson	Smith	

Absent, 2:

Ernst	Houser
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The motion prevailed and the resolution was adopted.

House Concurrent Resolution 5

On motion of Senator Gronstal, **House Concurrent Resolution 5**, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fifth General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 4, Senate Files 161 and 162, and House Concurrent Resolution 5** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:30 a.m. until 1:00 p.m., Monday, February 18, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Control of Pathogenic Viruses in Poultry Report, pursuant to Iowa Code section 165B.2(1b). Report received on February 14, 2013.

Loess Hills Alliance Board of Directors Report, pursuant to Iowa Code section 161D.6(6). Report received on February 14, 2013.

State Pseudorabies Advisory Committee Report, pursuant to Iowa Code section 166.D.3(2). Report received on February 14, 2013.

LEGISLATIVE SERVICES AGENCY

Urban Renewal Report-Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 14, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP – Report received on February 14, 2013.

REPORTS OF COMMITTEE MEETINGS

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 14, 2013, 1:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 1:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 14, 2013, 10:40 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 14, 2013, 10:35 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 13, 2013, 10:10 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:35 a.m.

ALSO:

Convened: Thursday, February 14, 2013, 10:40 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 14, 2013, 10:40 a.m.

Members Present: Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: McCoy, Chair; and Anderson (both excused).

Committee Business: Presentation.

Adjourned: 11:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Black, a resolution to commemorate the service and sacrifice of Iowans at the Battle of Wilson's Creek.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 196, by Petersen, Hatch, Dearden, Beall, Dotzler, Dvorsky, Hart, Bolkcom, Ragan, Brase, Mathis, Quirmbach, Soddors, Black, and Jochum, a bill for an act relating to prenatal and postpartum care.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 197, by Wilhelm, a bill for an act relating to the collection of a small claims judgment by the centralized collection unit of the department of revenue, and providing for a fee.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 198, by committee on Human Resources, a bill for an act relating to elderly persons with aggressive or psychiatric behaviors in long-term care facilities.

Read first time under Rule 28 and **placed on calendar**.

Senate File 199, by Mathis, a bill for an act relating to the state comprehensive Alzheimer's disease response strategy.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 200, by Kapucian, a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 201, by Kapucian, a bill for an act relating to the number of children in child care homes.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 202, by committee on Human Resources, a bill for an act relating to programs and services under the purview of the department of public health.

Read first time under Rule 28 and **placed on calendar**.

Senate File 203, by committee on Human Resources, a bill for an act relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 204, by committee on State Government, a bill for an act concerning persons voluntarily excluded from gambling facilities.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1176 State Government

Relating to public cafeterias and the American heart association's dietary guidelines.

SSB 1177 State Government

Providing for charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

SSB 1178 Transportation

Relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home.

SSB 1179 Transportation

Relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee.

SSB 1180 Agriculture

Providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS

Senate File 174

EDUCATION: Beall, Chair; Bowman and Johnson

Senate File 176

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Black and Rozenboom

Senate File 178

EDUCATION: Beall, Chair; Johnson and Mathis

Senate File 180

STATE GOVERNMENT: Danielson, Chair; Courtney and Sorenson

Senate File 192

TRANSPORTATION: Danielson, Chair; Dvorsky and Kapucian

Senate File 193

HUMAN RESOURCES: Mathis, Chair; Hatch and Segebart

House File 160

APPROPRIATIONS: Bolkcom, Chair; Dvorsky, Ernst, Ragan and Segebart

SSB 1176

STATE GOVERNMENT: Petersen, Chair; Anderson and Jochum

SSB 1177

STATE GOVERNMENT: Petersen, Chair; Danielson and Feenstra

SSB 1178

TRANSPORTATION: Bowman, Chair; Brase and Kapucian

SSB 1179

TRANSPORTATION: Bowman, Chair; Breitbach and Taylor

SSB 1180

AGRICULTURE: Seng, Chair; Brase and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: *SENATE FILE 198 (formerly SF 35), a bill for an act relating to elderly persons with aggressive or psychiatric behaviors in long-term care facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 198, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 202 (SSB 1016), a bill for an act relating to programs and services under the purview of the department of public health.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 202, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 203 (SSB 1130), a bill for an act relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 203, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 204 (formerly SF 28), a bill for an act concerning persons voluntarily excluded from gambling facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 14, 2013, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 106 – Updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

AMENDMENT FILED

S-3008 S.F. 115 Tod Bowman

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 18, 2013

The Senate met in regular session at 1:08 p.m., President Jochum presiding.

Prayer was offered by Reverend Nathan Sherrill of St. Paul Lutheran Church in Council Bluffs, Iowa. He was the guest of Senator Houser.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page William Thomas.

The Journal of Thursday, February 14, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:34 p.m. until 9:00 a.m., Tuesday, February 19, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Projects Report, pursuant to Iowa Code section 466A.3(4e). Report received on February 15, 2013.

Watershed Improvement Review Board Report, pursuant to Iowa Code section 466A.3(4e). Report received on February 15, 2013.

DEPARTMENT OF NATURAL RESOURCES

Application of Liquid Manure on Snow-Covered or Frozen Grounds Report, pursuant to Iowa Code section 459.313B(1). Report received on February 18, 2013.

2012 Watershed Successes Report, pursuant to Iowa Code section 466A.3(4e). Report received on February 18, 2013.

DEPARTMENT OF REVENUE

Economic Development Award-Research Activities Credit Report, pursuant to Iowa Code section 15.335(9). Report received on February 15, 2013.

Individual Income Tax-Research Activities Credit Report, pursuant to Iowa Code section 422.10(6). Report received on February 15, 2013.

Corporate Tax-Research Activities Credit Report, pursuant to Iowa Code section 422.33(5h). Report received on February 15, 2013.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 18, 2013, 2:15 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Passed SFs 66 and 87. Approved governor's appointee.

Adjourned: 2:40 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 14, 2013, 2:05 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; and Greiner.

Members Absent: McCoy (excused).

Committee Business: Iowa Ethics and Campaign Disclosure Board update.

Adjourned: 2:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 14, 2013, 10:35 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkcom and Johnson.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Danielson, a resolution encouraging the United States Department of Defense to include the names of the fallen sailors of the destroyer USS Frank E. Evans (DD-754) on the Vietnam Veterans Memorial.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 205, by committee on Economic Growth, a bill for an act relating to the targeted jobs withholding credit pilot project and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 206, by Ernst, a bill for an act relating to property division in dissolution proceedings relating to military disposable retired pay.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 207, by Ernst, Feenstra, Johnson, Segebart, Rozenboom, Greiner, and Chelgren, a bill for an act exempting federal retirement pay received for military service from the state individual income tax and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 208, by Ernst, a bill for an act exempting veterans from the requirement to obtain permits to acquire pistols or revolvers.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 209, by Ernst, a bill for an act relating to property division in dissolution proceedings relating to military disposable retired pay and including remarriage of a party.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 210, by Ernst, a bill for an act prohibiting cities from enforcing certain parking-related ordinances against an owner of a vehicle bearing purple heart plates.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 211, by Ernst, Feenstra, Johnson, Segebart, Greiner, Rozenboom, and Chelgren, a bill for an act providing an exemption from the computation of the state individual income tax of all pay, including retirement pay, received from the federal government for military service and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 212, by Soddors, Bowman, and Brase, a bill for an act concerning the placement of whistle warning signs along railroad tracks, providing a penalty, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 213, by Soddors, a bill for an act authorizing tribal governments to establish a force of reserve peace officers.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 214, by Soddors, a bill for an act relating to the reimbursement of certain attorney fees and court costs of peace officers.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 215, by Soddors, a bill for an act relating to the intentional transmission of a contagious or infectious disease, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 216, by Petersen, Wilhelm, Taylor, Horn, Dearden, Courtney, Bowman, Gronstal, Jochum, Black, Soddors, Quirmbach, Mathis, Brase, Hatch, Ragan, Bolkcom, Hart, Dvorsky, Dotzler, Hogg, and Beall, a bill for an act providing for training on suicide prevention and trauma-informed care for school personnel.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 217, by Danielson, a bill for an act providing private and public employers with military personnel and veteran hiring incentives, making appropriations, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 218, by Zaun, a bill for an act relating to the procedures and practices of the department of revenue by permitting the abatement of assessed interest under certain conditions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILL RECEIVED

SSB 1181 **Economic Growth**

Providing for benefit corporations, and providing for fees.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 4

STATE GOVERNMENT: Courtney, Chair; Bowman and Chapman

Senate File 171

VETERANS AFFAIRS: Ragan, Chair; Ernst and Hart

Senate File 179

WAYS AND MEANS: Hogg, Chair; Quirmbach and Schneider

Senate File 190

VETERANS AFFAIRS: Danielson, Chair; Horn and Rozenboom

Senate File 191

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Dearden

Senate File 195

STATE GOVERNMENT: Danielson, Chair; McCoy and Sorenson

Senate File 196

HUMAN RESOURCES: Bolckcom, Chair; Ernst and Ragan

Senate File 199

HUMAN RESOURCES: Mathis, Chair; Johnson and Quirmbach

Senate File 201

HUMAN RESOURCES: Hatch, Chair; Boettger and Bolckcom

House File 152

AGRICULTURE: Hart, Chair; Brase and Houser

SSB 1180 (Reassigned)

AGRICULTURE: Seng, Chair; Soddors and Zumbach

SSB 1181

ECONOMIC GROWTH: Mathis, Chair; Chapman and Danielson

FINAL COMMITTEE REPORT OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *SENATE FILE 205 (formerly SF 122), a bill for an act relating to the targeted jobs withholding credit pilot project and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, Bowman, Chapman, Behn, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, 1: Chelgren. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 205, and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Mary Overholtzer – Board of Educational Examiners

STATE GOVERNMENT

Emily Forquer – Architectural Examining Board

Sandra Ryan – Commission for the Blind

Frank Bognanno – Board of Medicine

Ann Gales – Board of Medicine

Michael Thompson – Board of Medicine

Travis Carlson – Board of Podiatry

Donald Shurr – Board of Podiatry

Joan Skogstrom – Board of Psychology

Robert Andeweg – Iowa Public Information Board

Anthony Gaughan – Iowa Public Information Board

Jo Martin – Iowa Public Information Board

Andrew McKean – Iowa Public Information Board

Gary Mohr – Iowa Public Information Board
William Monroe – Iowa Public Information Board
Kathleen Richardson – Iowa Public Information Board
Suzan Stewart – Iowa Public Information Board
Peggy Weitzl – Iowa Public Information Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

John Goede – Real Estate Commission

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

STATE GOVERNMENT

Wayne Engle – Electrical Examining Board
John Marino – Electrical Examining Board
Patricia Weese – Electrical Examining Board

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 19, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by The Most Reverend Richard Pates, Bishop of the Diocese of Des Moines. He was the guest of Senators Schneider and Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Celia Ver Ploeg.

The Journal of Monday, February 18, 2013, was approved.

The Senate stood at ease at 9:32 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 10:07 a.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:09 a.m. until 9:00 a.m., Wednesday, February 20, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT ON AGING

Long-term Care Resident's Advocate Report, pursuant to Iowa Code section 231.42(2d). Report received on February 19, 2013.

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on February 19, 2013.

REPORTS OF COMMITTEE MEETINGS

TRANSPORTATION

Convened: Monday, February 18, 2013, 4:00 p.m.

Recessed: 4:05 p.m.

Reconvened: 4:15 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, Taylor, and Zumbach.

Members Absent: McCoy (excused).

Committee Business: Passed SF 73. Approved SSB 1154.

Adjourned: 4:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, February 19, 2013, 10:40 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; and Wilhelm.

Members Absent: Greiner (excused).

Committee Business: Presentation by the Iowa Soybean Association.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, February 19, 2013, 10:45 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 19, 2013, 10:40 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, February 19, 2013, 10:35 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolcom and Johnson.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 12:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 19, 2013, 10:35 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Presentations.

Adjourned: 11:35 a.m.

INTRODUCTION OF BILLS

Senate File 219, by committee on Education, a bill for an act relating to the authorized use of revenues from the physical plant and equipment levy and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 220, by committee on Education, a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 221, by Sodders, a bill for an act providing for an automobile rental surcharge, establishing a public transit assistance fund, making an appropriation, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 222, by Sodders, a bill for an act making an appropriation for implementation and expansion of early head start projects.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 223, by committee on Transportation, a bill for an act providing for the issuance of special electric vehicle registration plates, establishing fees, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 224, by committee on Transportation, a bill for an act relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards.

Read first time under Rule 28 and **placed on calendar**.

Senate File 225, by Brase, a bill for an act relating to the determination of city population for purposes of civil service commissions.

Read first time under Rule 28 and referred to committee on **Local Government**.

STUDY BILLS RECEIVED

SSB 1182 Ways and Means

Increasing the amount of tax credits available for eligible refuse conversion facilities.

SSB 1183 Human Resources

Relating to drug product selection.

SUBCOMMITTEE ASSIGNMENTS

Senate File 197

WAYS AND MEANS: Quirmbach, Chair; Behn and Dotzler

Senate File 200

AGRICULTURE: Kapucian, Chair; Bowman and Sodders

Senate File 210

LOCAL GOVERNMENT: Quirmbach, Chair; Chelgren and Schoenjahn

Senate File 212

TRANSPORTATION: Brase, Chair; Danielson and Zumbach

Senate File 216

EDUCATION: Bowman, Chair; Boettger and Schoenjahn

Senate File 217

VETERANS AFFAIRS: Danielson, Chair; Ragan and Schneider

SSB 1182

WAYS AND MEANS: Hogg, Chair; Bolkcom and Smith

SSB 1183

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION**EDUCATION**

Bill Title: SENATE FILE 219 (formerly SF 87), a bill for an act relating to the authorized use of revenues from the physical plant and equipment levy and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 220 (formerly SF 66), a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 223 (formerly SF 73), a bill for an act providing for the issuance of special electric vehicle registration plates, establishing fees, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bowman, Beall, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, and Taylor. Nays, 3: Kapucian, Behn, and Zumbach. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 224 (SSB 1154), a bill for an act relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, Taylor, and Zumbach. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From 78 citizens of Johnson County supporting legislation to provide protection for adult breeding dogs in Iowa puppy mills.
Senator Dvorsky.

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

JUDICIARY

Jason Carlstrom – Chairperson of the Board of Parole

Jason Carlstrom – Board of Parole

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar without recommendation for confirmation:

JUDICIARY

Scott Bailey – State Judicial Nominating Commission

John Bloom – State Judicial Nominating Commission

Elizabeth Doll – State Judicial Nominating Commission

Kathy Pearson – State Judicial Nominating Commission

Patricia (Trish) Roberts – State Judicial Nominating Commission

Helen Sinclair – State Judicial Nominating Commission

Steve Sukup – State Judicial Nominating Commission

John (Jerry) Welter – State Judicial Nominating Commission

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 20, 2013

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Reverend Nathan Liedtke, representing Wartburg College, pastor of New Life Lutheran Church in Norwalk, Iowa. He was the guest of Senators Dix and Mathis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Tuesday, February 19, 2013, was approved.

SPECIAL GUEST

President Jochum welcomed to the Senate chamber U.S. Congressman Dave Loebsack.

The Senate rose and expressed its welcome.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 205** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:18 a.m. until 11:45 a.m.

RECONVENED

The Senate reconvened at 11:54 a.m., President Jochum presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate Resolution 3 and Senate Concurrent Resolution 3.

Senate Resolution 3

On motion of Senator Horn, **Senate Resolution 3**, a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-fifth General Assembly, was taken up for consideration.

Senator Horn moved the adoption of Senate Resolution 3, which motion prevailed by a voice vote.

Senate Concurrent Resolution 3

On motion of Senator Horn, **Senate Concurrent Resolution 3**, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly, was taken up for consideration.

Senator Horn asked and received unanimous consent that **House Concurrent Resolution 4** be substituted for **Senate Concurrent Resolution 3**.

House Concurrent Resolution 4

On motion of Senator Horn, **House Concurrent Resolution 4**, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-fifth General Assembly, was taken up for consideration.

Senator Horn moved the adoption of House Concurrent Resolution 4, which motion prevailed by a voice vote.

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate Concurrent Resolution 3** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 4** be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Courtney, until he arrives, on request of Senator Gronstal; and Senators Anderson, Feenstra, Guth, and Zaun, until they arrive, on request of Senator Dix.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Steven Ferguson – Executive Director of the Agricultural Development Authority

Emily Forquer – Architectural Examining Board

Andrew Waldschmitt – Iowa Autism Council

Sandra Ryan – Commission for the Blind

Thomas Bernau – Iowa Capital Investment Board

Donna Walter – Iowa Capital Investment Board

Elaine Sanders – Child Advocacy Board

Tom Conley – Iowa State Civil Rights Commission

Brenda Garcia-Van Auken – Board of Educational Examiners

Mary Overholtzer – Board of Educational Examiners

Ramon Rodriguez – Commission of Latino Affairs

Frank Bognanno – Board of Medicine
Ann Gales – Board of Medicine
Michael Thompson – Board of Medicine

Timothy Gartin – Iowa Comprehensive Petroleum Underground
Storage Tank Fund Board
N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum
Underground Storage Tank Fund Board

Susan Pleva – Plumbing and Mechanical Systems Examining
Board

Travis Carlson – Board of Podiatry
Donald Shurr – Board of Podiatry

Joan Skogstrom – Board of Psychology

Robert Andeweg – Iowa Public Information Board
Anthony Gaughan – Iowa Public Information Board
Jo Martin – Iowa Public Information Board
Andrew McKean – Iowa Public Information Board
Gary Mohr – Iowa Public Information Board
William Monroe – Iowa Public Information Board
Kathleen Richardson – Iowa Public Information Board
Suzan Stewart – Iowa Public Information Board
Peggy Weitzl – Iowa Public Information Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

John Goede – Real Estate Commission

Hannah Walsh – State Board of Regents

Timothy Palmer – State Soil Conservation Committee

Mary Sellers – Iowa Telecommunications and Technology
Commission

Shirley Daniels – Commission on Tobacco Use Prevention and
Control
Chad Jensen – Commission on Tobacco Use Prevention and
Control

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 45:

Beall	Dearden	Jochum	Seng
Behn	Dix	Johnson	Sinclair
Bertrand	Dotzler	Kapucian	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Ernst	McCoy	Sorenson
Bolkcom	Greiner	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Hart	Ragan	Wilhelm
Breitbach	Hatch	Rozenboom	Zumbach
Chapman	Hogg	Schneider	
Chelgren	Horn	Schoenjahn	
Danielson	Houser	Segebart	

Nays, none.

Absent, 5:

Anderson	Feenstra	Zaun
Courtney	Guth	

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 91, a bill for an act increasing civil penalties applicable to specified pipeline safety violations.

ALSO: That the House has on February 19, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 185, a bill for an act relating to the title of the office of citizens' aide.

Read first time and attached to **companion Senate File 153**.

House File 199, a bill for an act relating to the administration of the streamlined sales and use tax agreement by the department of revenue.

Read first time and attached to **companion Senate File 185**.

House File 215, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

Read first time and referred to committee on **Education**.

House File 225, a bill for an act relating to pollution prevention and waste management assistance.

Read first time and attached to **similar Senate File 144**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:06 p.m. until 9:00 a.m., Thursday, February 21, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Tuesday, February 12, 2013, 4:00 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Houser (excused).

Committee Business: Presentation by Iowa Economic Development. Approval of governor's appointees.

Adjourned: 5:00 p.m.

ALSO:

Convened: Thursday, February 14, 2013, 1:00 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Houser (excused).

Committee Business: Passed SF 122, as amended.

Adjourned: 1:25 p.m.

ALSO:

Convened: Tuesday, February 19, 2013, 4:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Danielson, Dotzler, Hart, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Chelgren and Hatch (both excused).

Committee Business: Presentations by the Technology Association of Iowa.

Adjourned: 4:55 p.m.

EDUCATION

Convened: Wednesday, February 20, 2013, 1:10 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Approved SSB 1141.

Adjourned: 1:30 p.m.

JUDICIARY

Convened: Tuesday, February 19, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair (excused).

Committee Business: Approved SSBs 1032 and 1124. Approved governor's appointees.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: Wednesday, February 20, 2013, 2:00 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Taylor, and Zumbach.

Members Absent: Feenstra and McCoy (both excused).

Committee Business: Passed SF 27. Approved SSB 1155.

Recessed: 2:05 p.m.

Reconvened: 2:20 p.m.

Adjourned: 2:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, January 29, 2013, 10:00 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase and Ernst.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:30 a.m.

ALSO:

Convened: Wednesday, January 30, 2013, 10:20 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase and Ernst.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, February 7, 2013, 10:10 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; and Brase.

Members Absent: Ernst (excused).

Committee Business: Presentations.

Adjourned: 10:50 a.m.

ALSO:

Convened: Tuesday, February 12, 2013, 10:15 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; and Guth, Ranking Member.

Members Absent: Brase and Ernst (both excused).

Committee Business: Presentations.

Adjourned: 11:15 a.m.

ALSO:

Convened: Wednesday, February 13, 2013, 10:05 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; and Brase.

Members Absent: Ernst (excused).

Committee Business: Presentations.

Adjourned: 11:20 a.m.

ALSO:

Convened: Tuesday, February 19, 2013, 10:35 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase and Ernst.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 20, 2013, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentation.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 20, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 10:50 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 20, 2013, 10:15 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Presentation.

Adjourned: 11:20 a.m.

INTRODUCTION OF BILLS

Senate File 226, by Seng, Johnson, Danielson, Horn, Ernst, Dearden, Gronstal, Feenstra, Kapucian, Quirmbach, Schoenjahn, Dotzler, Mathis, Beall, Brase, Soddors, Greiner, Anderson, Zaun, Bolkcom, Hatch, McCoy, Smith, Boettger, Houser, Zumbach, Petersen, Rozenboom, Segebart, Chelgren, Taylor, Hart, Hogg, Bowman, Sinclair, Sorenson, Courtney, and Bertrand, a bill for an act

making an appropriation for tourism marketing and promotion to the economic development authority.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 227, by Wilhelm, a bill for an act establishing an emergency medical services task force.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 228, by Soddors, a bill for an act relating to the use of a false or secret compartment in a motor vehicle, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 229, by Chapman, Anderson, Chelgren, Bertrand, Sorenson, and Johnson, a bill for an act relating to bass fishing in the state.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 230, by committee on Judiciary, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law.

Read first time under Rule 28 and **placed on calendar**.

Senate File 231, by committee on Judiciary, a bill for an act relating to the requirement that creditors provide notice of the availability of counseling and mediation services to homeowners facing foreclosure.

Read first time under Rule 28 and **placed on calendar**.

Senate File 232, by Hatch, Mathis, and Jochum, a bill for an act relating to direct care professionals, including the establishment of a board of direct care professionals, providing for implementation, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 233, by Hatch, Dotzler, Mathis, Soddors, and Beall, a bill for an act concerning public safety in schools and communities including certain provisions relating to firearms and mental health, providing penalties, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 234, by Danielson, a bill for an act providing for an exemption from child labor requirements for seasonal work for certain nonprofit organizations.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 235, by Mathis, Dvorsky, Bolkcom, and McCoy, a bill for an act requiring that motor fuel pumps be accessible to persons with disabilities, including by the establishment of standards, requiring inspections, providing for the issuance of cease and desist orders, requiring the submission of annual reports, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 236, by McCoy, a bill for an act providing for zoos keeping dangerous wild animals, making penalties applicable, and including applicability and effective date provisions.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 237, by Brase, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 238, by McCoy and Kapucian, a bill for an act relating to an electric or natural gas vehicle facility tax credit and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1184 Economic Growth

Providing for a tax credit for the repayment of certain student loan debt and including applicability provisions.

SSB 1185 Judiciary

Relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property.

SSB 1186 Human Resources

Creating a licensed social worker loan repayment program and revolving fund.

SSB 1187 State Government

Establishing the support of the Iowa Senate, on behalf of the people of Iowa, of an amendment to the United States Constitution restricting corporate participation and contributions in election campaigns.

SSB 1188 Judiciary

Relating to nonsubstantive Code corrections.

SSB 1189 State Government

Making modifications to the sex offender registry and the statute of limitations for sex abuse offenses, creating a missing children safety fund, and making appropriations.

SSB 1190 State Government

Relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals and making penalties applicable.

SSB 1191 Agriculture

Relating to the licensure of persons owning or operating pet cemeteries and pet crematoriums, establishing standards and fees, making an appropriation, and providing for criminal penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 206**

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

Senate File 209

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

Senate File 213

JUDICIARY: Sodders, Chair; Boettger and Hogg

Senate File 214

JUDICIARY: Hogg, Chair; Horn and Schneider

Senate File 221

TRANSPORTATION: McCoy, Chair; Behn and Dearden

House File 119

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

House File 133

JUDICIARY: Hogg, Chair; Sodders and Sorenson

House File 158

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

SSB 1184

ECONOMIC GROWTH: Sodders, Chair; Hatch and Schneider

SSB 1185

JUDICIARY: Hogg, Chair; Quirmbach and Whitver

SSB 1186

HUMAN RESOURCES: Jochum, Chair; Ragan and Segebart

SSB 1187

STATE GOVERNMENT: Danielson, Chair; Chapman and Jochum

SSB 1188

JUDICIARY: Schneider, Chair; Hogg and Horn

SSB 1189

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

SSB 1190

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

SSB 1191

AGRICULTURE: Seng, Chair; Taylor and Greiner

FINAL COMMITTEE REPORTS OF BILL ACTION**JUDICIARY**

Bill Title: *SENATE FILE 230 (SSB 1124), a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 230, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 231 (SSB 1032), a bill for an act relating to the requirement that creditors provide notice of the availability of counseling and mediation services to homeowners facing foreclosure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

Stewart Iverson – Property Assessment Appeal Board

MATT McCOY

GOVERNOR’S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Robert S. von Wolfradt as Chief Information Officer, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Leann Jacobsen as a member of the Technology Advisory Council, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Timothy Peterson as a member of the Technology Advisory Council, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, James Davidson as a member of the Vision Iowa Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Kelly Reilly as a member of the Vision Iowa Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Carrie Tedore as a member of the Vision Iowa Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the Transportation committee having failed to file its report within the prescribed time, the nominee, K. Brian London as the Commissioner of Public Safety, is now automatically placed, without recommendation, upon the individual confirmation calendar.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 21, 2013

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

The Journal of Wednesday, February 20, 2013, was approved.

ADJOURNMENT

On motion of Senator Sodders, the Senate adjourned at 9:02 a.m. until 1:00 p.m., Monday, February 25, 2013.

APPENDIX

INTRODUCTION OF BILLS

Senate File 239, by committee on Transportation, a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

Read first time under Rule 28 and **placed on calendar**.

Senate File 240, by committee on Education, a bill for an act authorizing the college student aid commission to organize a nonprofit corporation to provide Iowans with postsecondary educational financial assistance.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1192 Judiciary

Relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of a mental health advocate division in the department of inspections and appeals and including effective date provisions.

SSB 1193 Judiciary

Relating to right to cure provisions applicable to a closed credit card account.

SSB 1194 Judiciary

Relating to immunity from liability for certain recreational activities on school grounds.

SSB 1195 Judiciary

Relating to strip searches of simple misdemeanants at a jail or municipal holding facility.

SSB 1196 Judiciary

Relating to marital agreements, and including effective date and applicability provisions.

SSB 1197 Judiciary

Relating to obscene material by modifying the definition of material and authorizing local regulation of certain live acts, performances, and exhibitions.

SSB 1198 Judiciary

Expanding the definition of the term “sex act” in the criminal code and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 177

JUDICIARY: Petersen, Chair; Dvorsky and Sorenson

Senate File 215

JUDICIARY: Sodders, Chair; Petersen and Schneider

Senate File 228

TRANSPORTATION: Brase, Chair; Behn and Danielson

SSB 1192

JUDICIARY: Hogg, Chair; Schneider and Taylor

SSB 1193

JUDICIARY: Sodders, Chair; Petersen and Zaun

SSB 1194

JUDICIARY: Hogg, Chair; Boettger and Petersen

SSB 1195

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

SSB 1196

JUDICIARY: Horn, Chair; Taylor and Whitver

SSB 1197

JUDICIARY: Hogg, Chair; Dvorsky and Whitver

SSB 1198

JUDICIARY: Hogg, Chair; Sodders and Whitver

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: SENATE FILE 240 (SSB 1141), a bill for an act authorizing the college student aid commission to organize a nonprofit corporation to provide Iowans with postsecondary educational financial assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 239 (SSB 1155), a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Taylor, and Zumbach. Nays, none. Absent, 2: Feenstra and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 25, 2013

The Senate met in regular session at 1:07 p.m., President Jochum presiding.

Prayer was offered by Pastor Damian Epps of the Mt. Zion Baptist Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hanna Zinn.

The Journal of Thursday, February 21, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced K. Brian London, the governor's appointee to be the Commissioner of Public Safety. He was the guest of Senator Bowman and the committee on Transportation.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:29 p.m. until 9:00 a.m., Tuesday, February 26, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Avery Hubbard, Mason City – For achieving the rank of Eagle Scout, Troop 1012. Senator Ragan.

Colin Hubbard, Mason City – For achieving the rank of Eagle Scout, Troop 1012. Senator Ragan.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 20, 2013, 12:30 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Hart, Houser, Kapucian, and Sadders.

Members Absent: Guth (excused).

Committee Business: Approved SSBs 1115, 1143, and 1183.

Adjourned: 1:05 p.m.

EDUCATION

Convened: Monday, February 25, 2013, 2:10 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 5, by Guth, Segebart, Chapman, Sinclair, Anderson, Chelgren, Whitver, Boettger, Johnson, Behn, Rozenboom, Feenstra, Sorenson, Smith, Bertrand, Ernst, Greiner, and Houser, a joint resolution proposing an amendment to the

Constitution of the State of Iowa specifying marriage between one man and one woman as the only legal union that is valid or recognized in the state.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 241, by committee on Transportation, a bill for an act relating to requirements for the use of headlights, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 242, by Hogg, a bill for an act relating to the sales tax exemption for certain wastewater treatment or effluent treatment services.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 243, by Zaun, Chapman, and Schneider, a bill for an act abolishing county compensation boards.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 244, by Ernst, a bill for an act relating to county commissions of veteran affairs.

Read first time under Rule 28 and referred to committee on **Veterans Affairs**.

Senate File 245, by Jochum and Johnson, a bill for an act relating to sponsor projects under the water resource restoration sponsor program.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

Senate File 246, by committee on Agriculture, a bill for an act providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards.

Read first time under Rule 28 and **placed on calendar**.

Senate File 247, by committee on Agriculture, a bill for an act providing for the possession of cats classified as bengals and savannahs.

Read first time under Rule 28 and **placed on calendar**.

Senate File 248, by Quirmbach, a bill for an act relating to the regulation of tanning facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 249, by Quirmbach, a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 250, by Quirmbach, a bill for an act relating to consent to and notification of individuals regarding HIV-related tests and test results.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 251, by Sorenson, Guth, Anderson, Bertrand, Ernst, Segebart, Behn, and Chapman, a bill for an act relating to the carrying of weapons on school grounds.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 252, by Sorenson, Bertrand, Anderson, Chelgren, Guth, and Ernst, a bill for an act relating to the carrying and possession of weapons and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 253, by Sorenson, Feenstra, and Segebart, a bill for an act relating to the prohibition of terminations of pregnancy and abortions, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 254, by Sorenson, Bertrand, Guth, and Ernst, a bill for an act relating to firearms including the ownership and manufacture of firearms, firearm accessories, and ammunition, providing for a penalty, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 255, by Sorenson, Feenstra, Segebart, Sinclair, Anderson, Chelgren, Smith, Ernst, and Behn, a bill for an act modifying the conditions of the use of justifiable reasonable force and providing a remedy.

Read first time under Rule 28 and referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

SSB 1199 Human Resources

Relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

SSB 1200 Commerce

Concerning the authority of a micro-distilled spirits permit holder to sell and serve alcohol on the premises of the micro-distillery.

SSB 1201 State Government

Concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions.

SSB 1202 Ways and Means

Relating to the assessment and taxation of telecommunications company property and including effective date and applicability provisions.

SSB 1203 Education

Relating to workforce training programs and making appropriations.

SUBCOMMITTEE ASSIGNMENTS**Senate File 163**
(Reassigned)

JUDICIARY: Quirnbach, Chair; Schneider and Taylor

Senate File 207

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Feenstra

Senate File 211

WAYS AND MEANS: Quirnbach, Chair; Bolcom and Chapman

Senate File 218

WAYS AND MEANS: Quirnbach, Chair; Bolcom and Schneider

Senate File 225

LOCAL GOVERNMENT: Brase, Chair; Dvorsky and Zaun

Senate File 227

HUMAN RESOURCES: Wilhelm, Chair; Dotzler and Johnson

Senate File 229

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

Senate File 234

LABOR AND BUSINESS RELATIONS: Brase, Chair; Chapman and Sodders

Senate File 235

AGRICULTURE: Bowman, Chair; Taylor and Zumbach

Senate File 236

AGRICULTURE: Beall, Chair; Sodders and Zumbach

Senate File 245

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Hogg and Johnson

House File 14

TRANSPORTATION: Beall, Chair; Breitbach and Taylor

House File 215

EDUCATION: Quirmbach, Chair; Ernst and Schoenjahn

SSB 1199

HUMAN RESOURCES: Hatch, Chair; Bolkcom, Ernst, Johnson, and Ragan

SSB 1200

COMMERCE: Mathis, Chair; Chapman and Wilhelm

SSB 1201

STATE GOVERNMENT: Danielson, Chair; Anderson and Horn

SSB 1202

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

SSB 1203

EDUCATION: Schoenjahn, Chair; Behn and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 246 (SSB 1143), a bill for an act providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Seng, Taylor, Zumbach, Beall, Black, Brase, Greiner, Hart, Houser, Kapucian, and Sodders. Nays, none. Absent, 2: Bowman and Guth.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 246, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 247 (SSB 1115), a bill for an act providing for the possession of cats classified as bengals and savannahs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Seng, Taylor, Zumbach, Beall, Black, Brase, Greiner, Hart, Houser, Kapucian, and Sodders. Nays, 1: Bowman. Absent, 1: Guth.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 247, and they were attached to the committee report.

TRANSPORTATION

Bill Title: SENATE FILE 241 (formerly SF 27), a bill for an act relating to requirements for the use of headlights, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Bowman, Beall, Brase, Danielson, Dearden, Dvorsky, and Taylor. Nays, 4: Kapucian, Behn, Breitbach, and Zumbach. Absent, 2: Feenstra and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of February, 2013.

Senate Files 91 and 110.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENT FILED

S—3009 S.F. 230 Janet Petersen

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 26, 2013

The Senate met in regular session at 9:09 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Michelle Aberle.

The Journal of Monday, February 25, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Wednesday, February 27, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE

Banking Division—Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, HF 2465, section 7(4)(b). Report received on February 26, 2013.

LEGISLATIVE SERVICES AGENCY

Fiscal Services Division Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on February 26, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Elizabeth Baird – For her outstanding service to the Senate Transportation Committee. Senator Bowman.

Joshua Hill, Clinton – For being awarded the Lifesaving Certificate of Merit for his life-saving actions. Senator Hart.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, February 25, 2013, 4:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Hatch (excused).

Committee Business: Passed SFs 36 and 199, as amended. Approved SSB 1116.

Adjourned: 4:40 p.m.

JUDICIARY

Convened: Tuesday, February 26, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair; and Boettger (both excused).

Committee Business: Nominees for the Judicial Nominating Commission.

Adjourned: 3:30 p.m.

TRANSPORTATION

Convened: Monday, February 25, 2013, 4:00 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach.

Members Absent: Feenstra (excused).

Committee Business: Passed HF 14. Approved SSB 1103.

Adjourned: 4:10 p.m.

WAYS AND MEANS

Convened: Tuesday, February 19, 2013, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Chapman, Hogg, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Black, Dotzler, Jochum, and McCoy (all excused).

Committee Business: Presentation.

Adjourned: 1:50 p.m.

ALSO:

Convened: Tuesday, February 26, 2013, 1:05 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Behn (excused).

Committee Business: Presentation.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 21, 2013, 10:05 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider and Seng.

Members Absent: None.

Committee Business: Presentations.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 26, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; and Sinclair.

Members Absent: Quirmbach (excused).

Committee Business: Presentations.

Adjourned: 10:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Tuesday, February 26, 2013, 10:10 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Presentations.

Adjourned: 11:20 a.m.

INTRODUCTION OF BILLS

Senate File 256, by Sodders and Bolkcom, a bill for an act relating to the carrying of weapons including eligibility and training requirements and private establishment regulations.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 257, by committee on Transportation, a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 258, by committee on Human Resources, a bill for an act relating to the long-term care resident's advocate program and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 259, by committee on Human Resources, a bill for an act relating to third-party payment of services provided by a physical therapist.

Read first time under Rule 28 and **placed on calendar**.

Senate File 260, by Chelgren, Whitver, Zaun, Rozenboom, Guth, Kapucian, Sorenson, Segebart, Zumbach, Breitbach, Chapman, Behn, Feenstra, and Anderson, a bill for an act relating to the corporate income tax rates imposed on corporations and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 261, by Chelgren, Sorenson, Smith, and Bertrand, a bill for an act requiring bills designed to amend, revise, enact, codify, or repeal a law to include a statement specifying the authority under the Iowa constitution for enactment of the bill.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate File 262, by Chelgren, Whitver, Zaun, Sinclair, Rozenboom, Guth, Kapucian, Sorenson, Bertrand, Segebart, Zumbach, Breitbach, Chapman, Behn, Feenstra, and Anderson, a bill for an act creating an exemption from the computation of the state individual income tax of net capital gains from the sale of an equity investment in a qualified Iowa business and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 263, by Chelgren, a bill for an act relating to exemptions from the prohibitions of the smokefree air Act for some bars.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 264, by Chelgren, a bill for an act providing for the production and marketing of industrial hemp, and providing for penalties.

Read first time under Rule 28 and referred to committee on **Agriculture**.

Senate File 265, by Chelgren, a bill for an act providing education savings grants for pupils attending a public school or an accredited nonpublic school or receiving competent private instruction, establishing an education savings grant fund, providing for the establishment of education achievement standards, making appropriations, providing penalties, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 266, by Petersen, a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 267, by Seng, a bill for an act creating a tax credit available for the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1204 Transportation

Concerning vehicle registration fees, including matters relating to evasion of fees and to fees for electric vehicles, providing penalties, and including applicability provisions.

SSB 1205 Education

Relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable.

SSB 1206 Education

Relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, eliminating a reporting requirement relating to vocational education funds, creating a task force to review the reporting required of school districts, and including applicability provisions.

SSB 1207 Agriculture

Relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, the administration of programs by the board, the implementation of law by the board, and including effective date provisions.

SSB 1208 Agriculture

Making an appropriation to support soil and water conservation by the department of agriculture and land stewardship.

SSB 1208 State Government

Authorizing lottery games to benefit special olympics programs.

SSB 1210 Commerce

Extending the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions.

SSB 1211 Natural Resources and Environment

Relating to alternate energy by extending renewable energy tax credit eligibility dates, expanding membership of the Iowa energy center advisory council, and establishing specified grant and loan funds.

SUBCOMMITTEE ASSIGNMENTS

Senate File 232

STATE GOVERNMENT: Sodders, Chair; Dearden and Smith

Senate File 237

TRANSPORTATION: Brase, Chair; Danielson and Feenstra

Senate File 243

LOCAL GOVERNMENT: Quirmbach, Chair; Dvorsky and Sinclair

Senate File 248

HUMAN RESOURCES: Quirmbach, Chair; Boettger and Bolkcom

Senate File 249

JUDICIARY: Quirmbach, Chair; Hogg and Schneider

Senate File 250

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Quirmbach

Senate File 251

JUDICIARY: Hogg, Chair; Quirmbach and Sorenson

Senate File 252

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 253

HUMAN RESOURCES: Bolkcom, Chair; Ernst and Hatch

Senate File 254

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 255

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 265

EDUCATION: Dvorsky, Chair; Behn and Hogg

Senate File 266

EDUCATION: Beall, Chair; Boettger and Hart

SSB 1037
(Reassigned)

JUDICIARY: Taylor, Chair; Petersen and Sorenson

SSB 1039
(Reassigned)

JUDICIARY: Hogg, Chair; Schneider and Taylor

SSB 1066
(Reassigned)

STATE GOVERNMENT: Dearden, Chair; Smith and Soddors

SSB 1074
(Reassigned)

STATE GOVERNMENT: Dearden, Chair; Chapman and Petersen

SSB 1093
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Dearden and Whitver

SSB 1121
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Dearden and Sorenson

SSB 1149
(Reassigned)

JUDICIARY: Petersen, Chair; Dvorsky and Zaun

SSB 1163
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; McCoy and Whitver

SSB 1204

TRANSPORTATION: Bowman, Chair; Behn and Danielson

SSB 1205

EDUCATION: Bowman, Chair; Beall and Johnson

SSB 1206

EDUCATION: Bowman, Chair; Boettger and Mathis

SSB 1207

AGRICULTURE: Seng, Chair; Kapucian and Soddors

SSB 1208

AGRICULTURE: Seng, Chair; Black and Greiner

SSB 1209

STATE GOVERNMENT: Horn, Chair; Feenstra and McCoy

SSB 1210

COMMERCE: McCoy, Chair; Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Petersen, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm

SSB 1211

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Bolkcom and Rozenboom

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: SENATE FILE 258 (formerly SF 36), a bill for an act relating to the long-term care resident's advocate program and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Ragan, Wilhelm, Bolkcom, Dotzler, Jochum, Mathis, and Quirmbach. Nays, 5: Johnson, Boettger, Ernst, Segebart, and Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 259 (SSB 1116), a bill for an act relating to third-party payment of services provided by a physical therapist.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirmbach, and Segebart. Nays, 1: Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 257 (SSB 1103), a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 14, a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 27, 2013

The Senate met in regular session at 9:00 a.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jennifer Brookhart.

The Journal of Tuesday, February 26, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:07 a.m. until 9:00 a.m., Thursday, February 28, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF HUMAN RIGHTS

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139(5). Report received on February 27, 2013.

DEPARTMENT OF INSPECTIONS AND APPEALS

Iowa Child Advocacy Board Annual Report, pursuant to Iowa Code section 237.18(7)(d). Report received on February 27, 2013.

STATE RACING AND GAMING COMMISSION

2012 Annual Report, pursuant to Iowa Code section 99D.21. Report received on February 27, 2013.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 26, 2013, 2:00 p.m.

Recessed: 2:05 p.m.

Reconvened: 2:20 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Hatch (excused).

Committee Business: Passed SF 22. Approved SSB 1118.

Adjourned: 2:55 p.m.

ECONOMIC GROWTH

Convened: Tuesday, February 26, 2013, 4:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Chelgren, Danielson, Dotzler, Hart, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Behn and Hatch (both excused).

Committee Business: Approved SSB 1120.

Adjourned: 4:25 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 26, 2013, 4:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Approved SSB 1003. Presentations.

Adjourned: 4:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 6, by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa to provide home rule for school districts.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 268, by Dearden, a bill for an act relating to the natural resources and outdoor recreation trust fund by increasing the sales and use tax rates and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 269, by committee on Human Resources, a bill for an act relating to the state comprehensive Alzheimer's disease response strategy.

Read first time under Rule 28 and **placed on calendar**.

Senate File 270, by committee on Commerce, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

Read first time under Rule 28 and **placed on calendar**.

Senate File 271, by committee on Commerce, a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 272, by committee on Natural Resources and Environment, a bill for an act relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands.

Read first time under Rule 28 and **placed on calendar**.

Senate File 273, by Schneider, a bill for an act modifying qualification requirements for classroom driver education instructors.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 274, by Hatch, Mathis, Soddors, Beall, and Dotzler, a bill for an act creating a technology prairie by promoting an environment to foster the growth of technology, start-up, and small businesses and to attract a skilled workforce by providing incentives and financial assistance to businesses and certain employees, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Economic Growth**.

Senate File 275, by committee on Economic Growth, a bill for an act creating the manufactured housing program fund.

Read first time under Rule 28 and **placed on calendar**.

Senate File 276, by Sorenson, Bertrand, Guth, Zaun, Greiner, and Boettger, a bill for an act relating to the use of an unmanned aircraft system by a state or local law enforcement agency.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 277, by Sorenson, Guth, Zaun, Boettger, and Ernst, a bill for an act relating to an exemption to the compulsory education and competent private instruction provisions for certain persons.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 278, by Ernst, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1212 State Government

Relating to licensure of professionals practicing addiction counseling or providing addiction prevention services by the behavioral science board, making penalties applicable, and including effective date provisions.

SSB 1213 State Government

Concerning the categorization and reporting of compensation provided to executive branch employees.

SSB 1214 Judiciary

Relating to estates and trusts and including retroactive and other applicability provisions.

SSB 1215 Judiciary

Relating to the sealing of juvenile delinquency records.

SSB 1216 Economic Growth

Relating to offers of suitable work made to certain injured employees and including applicability provisions.

SSB 1217 Economic Growth

Relating to the Iowa finance authority and making an appropriation.

SSB 1218 State Government

Concerning the allocation of adjusted gross receipts from gambling games at certain licensed gambling facilities for horse purses.

SSB 1219 Natural Resources and Environment

Relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 205**

WAYS AND MEANS: Dotzler, Chair; Bertrand and Seng

Senate File 233

EDUCATION: Quirmbach, Chair; Dvorsky and Ernst

Senate File 238

WAYS AND MEANS: Hogg, Chair; Behn and Bolkcom

Senate File 242

WAYS AND MEANS: Bolkcom, Chair; Bertrand and Hogg

Senate File 260

WAYS AND MEANS: Dotzler, Chair; Feenstra and McCoy

Senate File 262

WAYS AND MEANS: Quirmbach, Chair; Feenstra and Petersen

Senate File 263

STATE GOVERNMENT: Soddors, Chair; Dearden and Feenstra

Senate File 267

WAYS AND MEANS: Quirmbach, Chair; Chapman and Hogg

Senate File 276

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

SSB 1212

STATE GOVERNMENT: Bowman, Chair; Soddors and Whitver

SSB 1213

STATE GOVERNMENT: Danielson, Chair; Jochum and Smith

SSB 1214

JUDICIARY: Hogg, Chair; Horn and Whitver

SSB 1215

JUDICIARY: Dvorsky, Chair; Petersen and Schneider

SSB 1216

ECONOMIC GROWTH: Dotzler, Chair; Chapman and Taylor

SSB 1217

ECONOMIC GROWTH: Sodders, Chair; Chapman and Danielson

SSB 1218

STATE GOVERNMENT: McCoy, Chair; Anderson and Dearden

SSB 1219

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Rozenboom and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE FILE 270 (formerly SF 22), a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkom, Breitbach, Chapman, Mathis, Schneider, Schoenjahn, Sinclair, and Wilhelm. Nays, 1: Seng. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 271 (SSB 1118), a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkom, Breitbach, Chapman, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: SENATE FILE 275 (SSB 1120), a bill for an act creating the manufactured housing program fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Soddors, Bowman, Chapman, Danielson, Dotzler, Hart, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, 1: Chelgren. Absent, 2: Behn and Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 269 (formerly SF 199), a bill for an act relating to the state comprehensive Alzheimer's disease response strategy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirmbach, and Segebart. Nays, 1: Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 269, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT:

Bill Title: SENATE FILE 272 (SSB 1003), a bill for an act relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the Commerce committee having failed to file its report within the prescribed time, the nominee, Nicholas Gerhart as Commissioner of Insurance, is now automatically placed, without recommendation, upon the individual confirmation calendar.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Stan Johnson of the Evangelical Free Church in Britt, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Detrick.

The Journal of Wednesday, February 27, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 131, a bill for an act authorizing charitable giving payroll deductions for community college employees.

Read first time and referred to committee on **State Government**.

House File 159, a bill for an act relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 197, a bill for an act relating to certification of adult day services programs.

Read first time and referred to committee on **Human Resources**.

House File 198, a bill for an act relating to the inclusion of reasonable training costs in the direct costs considered reimbursable for Medicaid home and community-based services programs.

Read first time and referred to committee on **Human Resources**.

House File 212, a bill for an act relating to conducting condemnation proceedings.

Read first time and referred to committee on **Judiciary**.

House File 223, a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives.

Read first time and referred to committee on **Judiciary**.

House File 246, a bill for an act relating to the technical administration of election and voter registration laws, including by making modifications to certain filing deadlines, preservation of certain records, elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries.

Read first time and referred to committee on **State Government**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:16 a.m. until 12:45 p.m., Monday, March 4, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, February 28, 2013, 12:30 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Consideration of SF 200, as amended, and SSBs 1083 and 1180, both as amended.

Adjourned: 12:50 p.m.

COMMERCE

Convened: Thursday, February 28, 2013, 1:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bolkcom, Breitbach, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Bertrand and Chapman (both excused).

Committee Business: Presentations.

Adjourned: 1:50 p.m.

ECONOMIC GROWTH

Convened: Thursday, February 28, 2013, 2:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Chelgren and Houser (both excused).

Committee Business: Approved SSBs 1025 and 1073, both as amended, and 1184.

Adjourned: 2:15 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 27, 2013, 2:05 p.m.

Recessed: 2:10 p.m.

Reconvened: 2:30 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Passed SF 71, as amended.

Adjourned: 3:20 p.m.

JUDICIARY

Convened: Wednesday, February 27, 2013, 3:30 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, and Whitver.

Members Absent: Courtney, Vice Chair; and Zaun (both excused).

Committee Business: Passed SF 152. Approved SSB 1033, as amended; and approved SSBs 1110 and 1151.

Adjourned: 3:40 p.m.

ALSO:

Convened: Thursday, February 28, 2013, 3:00 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Zaun.

Members Absent: Courtney, Vice Chair; Sorenson, and Whitver (all excused).

Committee Business: Passed SF 133 and HF 133. Approved SSB 1188. Consideration of SSBs 1039 and 1198.

Adjourned: 3:50 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 28, 2013, 2:05 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None (excused).

Committee Business: Passed SFs 7 and 165, both as amended. Approved SSB 1138.

Adjourned: 2:40 p.m.

TRANSPORTATION

Convened: Wednesday, February 27, 2013, 2:00 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach.

Members Absent: Feenstra (excused).

Committee Business: Presentations.

Adjourned: 2:55 p.m.

WAYS AND MEANS

Convened: Thursday, February 28, 2013, 11:35 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: None.

Committee Business: Approved SSBs 1135 and 1137.

Adjourned: 12:00 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Thursday, February 28, 2013, 10:05 a.m.

Members Present: McCoy, Chair; Beall, Vice Chair; Kapucian, Ranking Member; and Bowman.

Members Absent: Anderson (excused).

Committee Business: Consideration of Transportation Appropriations bill. Presentation.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 7, by Zaun, Whitver, Sinclair, Feenstra, Ernst, Greiner, Johnson, and Boettger, a joint resolution expressing the Iowa General Assembly's refusal to recognize or support any statutes, presidential directives, or other regulations and proclamations which conflict with the Second Amendment of the

Constitution of the United States and which are expressly preempted by the rulings of the United States Supreme Court.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 279, by Jochum, a bill for an act relating to school breakfast programs.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 280, by Bolkcom, a bill for an act requiring new electrical installations on farms to be subject to inspection.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 281, by Petersen, a bill for an act requiring the state building code commissioner to adopt standards and requirements for window fall prevention devices for windows installed in certain multifamily dwellings, hotels, and motels, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 282, by committee on Judiciary, a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Read first time under Rule 28 and **placed on calendar**.

Senate File 283, by McCoy, a bill for an act concerning the issuance of limited driver's licenses and nonoperator's identification cards to certain foreign nationals.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 284, by Schoenjahn, a bill for an act relating to agreements between counties and certain cities for the provision of law enforcement services by limiting contribution and payment rates.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 285, by Schoenjahn, a bill for an act relating to the operations of certain common interest communities.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 286, by Schoenjahn, a bill for an act relating to insurance coverage for dental care services.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 287, by Segebart, a bill for an act concerning the sale of wine by manufacturers of beer.

Read first time under Rule 28 and referred to committee on **Commerce**.

STUDY BILLS RECEIVED

SSB 1220 Judiciary

Concerning title to real estate.

SSB 1221 State Government

Relating to pari-mutuel wagering on horse racing and providing for fees and penalties.

SSB 1222 State Government

Establishing an independent office of the chief information officer within the department of management, providing penalties, and including transition provisions.

SSB 1223 Natural Resources and Environment

Relating to hunter safety and ethics education course requirements.

SSB 1224 Transportation

Relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

SSB 1225 Commerce

Relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

SSB 1226 Education

Requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

SUBCOMMITTEE ASSIGNMENTS**Senate File 268**

WAYS AND MEANS: Hogg, Chair; Black and Feenstra

Senate File 273

TRANSPORTATION: Danielson, Chair; Breitbach and Dvorsky

Senate File 274

ECONOMIC GROWTH: Hatch, Chair; Schneider and Sodders

Senate File 277

EDUCATION: Quirnbach, Chair; Dvorsky and Ernst

Senate File 283

TRANSPORTATION: McCoy, Chair; Behn and Dvorsky

House File 131

STATE GOVERNMENT: Dearden, Chair; Anderson and Sodders

House File 246

STATE GOVERNMENT: Danielson, Chair; Jochum and Smith

SSB 1220

JUDICIARY: Hogg, Chair; Horn and Schneider

SSB 1221

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

SSB 1222

STATE GOVERNMENT: Danielson, Chair; Bowman and Feenstra

SSB 1223

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

SSB 1224

TRANSPORTATION: Bowman, Chair; Danielson and Kapucian

SSB 1225

COMMERCE: McCoy, Chair; Anderson and Wilhelm

SSB 1226

EDUCATION: Quirmbach, Chair; Dvorsky and Ernst

FINAL COMMITTEE REPORT OF BILL ACTION**JUDICIARY**

Bill Title: SENATE FILE 282 (formerly SF 152), a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Sodders, Sorenson, Taylor, and Whitver. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 28, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 91 – Increasing civil penalties applicable to specified pipeline safety violations.

Senate File 110 – Relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

AMENDMENT FILED

S-3010 S.F. 144 Amanda Ragan

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 4, 2013

The Senate met in regular session at 12:51 p.m., President Jochum presiding.

Prayer was offered by Reverend Keith McDonald, pastor of First Presbyterian Church in State Center, Iowa. He was the guest of Senator Dix.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashley Green.

The Journal of Thursday, February 28, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Nicholas Gerhart, the governor's appointee to be the Commissioner of Insurance. He was the guest of Senator McCoy and the committee on Commerce.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 211, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law and including effective date provisions.

Read first time and attached to **similar Senate File 230**.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 258** be referred from the Regular Calendar to the committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:59 p.m. until 9:00 a.m., Tuesday, March 5, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2(8). Report received on March 1, 2013.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, March 4, 2013, 2:10 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Approved SSB 1205. Consideration of SFs 48, 120, 174, 178, 216, 266 and SSBs 1142, 1206, and 1226.

Adjourned: 3:30 p.m.

INTRODUCTION OF BILLS

Senate File 288, by committee on Judiciary, a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer.

Read first time under Rule 28 and **placed on calendar**.

Senate File 289, by committee on Judiciary, a bill for an act establishing the department of homeland security and emergency management.

Read first time under Rule 28 and **placed on calendar**.

Senate File 290, by committee on Judiciary, a bill for an act relating to the boards of directors of public corporations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 291, by committee on Education, a bill for an act relating to workforce training programs and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 292, by committee on Economic Growth, a bill for an act providing for a tax credit for the repayment of certain student loan debt and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 293, by committee on State Government, a bill for an act relating to the sale of services by an official, a state employee, a member of the general assembly, or a legislative employee.

Read first time under Rule 28 and **placed on calendar**.

Senate File 294, by committee on State Government, a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 295, by committee on Ways and Means, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 296, by committee on Human Resources, a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 297, by committee on Economic Growth, a bill for an act relating to the administration of duties and programs by the economic development authority.

Read first time under Rule 28 and **placed on calendar**.

Senate File 298, by committee on Judiciary, a bill for an act expanding the definition of the term “sex act” in the criminal code and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 299, by Greiner, a bill for an act concerning boiler inspections.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 300, by committee on Ways and Means, a bill for an act increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and eliminating the use of wagering tax revenues for the credit, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 301, by committee on Veterans Affairs, a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 302, by committee on Veterans Affairs, a bill for an act creating the hire a hero tax credit and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 303, by committee on Veterans Affairs, a bill for an act exempting federal retirement pay of a resident received for military service from the state individual income tax and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 304, by committee on Judiciary, a bill for an act concerning public safety by establishing a public safety training and equipment trust fund, making appropriations to the fund, providing for a public safety training and facilities task force, and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 305, by committee on Economic Growth, a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 306, by committee on Natural Resources and Environment, a bill for an act providing for the reduction and recovery of excess food items by the department of natural resources.

Read first time under Rule 28 and **placed on calendar**.

Senate File 307, by committee on Natural Resources and Environment, a bill for an act relating to water usage and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 308, by Brase, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Local Government**.

Senate File 309, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time under Rule 28 and **placed on calendar**.

Senate File 310, by committee on Agriculture, a bill for an act relating to the corn promotion board by providing for its governance, providing for an assessed checkoff on corn, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 311, by Sorenson, a bill for an act to prohibit any state department, agency, or political subdivision of this state or employee thereof acting in the employee's official capacity, and any member of the Iowa national guard on official state duty from assisting an agency of the armed forces of the United States in the investigation, prosecution, or detainment of any citizen of the United States under certain circumstances.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 312, by Mathis, a bill for an act relating to breast cancer screening and treatment under the Medicaid program.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 313, by Mathis, a bill for an act providing for the licensure of music therapists and providing for fees.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 314, by McCoy and Zaun, a bill for an act providing an income tax checkoff for type 1 diabetes research and making an appropriation.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILLS RECEIVED

SSB 1227 Human Resources

Relating to child, adult, and family services under the purview of the department of human services, making penalties applicable, and including effective date provisions.

SSB 1228 Education

Relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date provisions.

SSB 1229 Judiciary

Relating to mechanic's liens and the mechanics' notice and lien registry.

SSB 1230 Judiciary

Establishing the criminal offense of sexual abuse in the fourth degree, making related changes to sexual abuse in the third degree and the sex offender registry, providing penalties, and including retroactive and other applicability provisions.

SSB 1231 Judiciary

Establishing the crime of home repair fraud and providing penalties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 256

JUDICIARY: Hogg, Chair; Dvorsky and Sorenson

Senate File 278

WAYS AND MEANS: Dotzler, Chair; Hogg and Smith

Senate File 280

STATE GOVERNMENT: Danielson, Chair; Dearden and Sorenson

Senate File 281

STATE GOVERNMENT: Petersen, Chair; Anderson and Sodders

Senate File 284

LOCAL GOVERNMENT: Schoenjahn, Chair; Sinclair and Wilhelm

Senate File 285

JUDICIARY: Horn, Chair; Quirmbach and Zaun

Senate File 308

LOCAL GOVERNMENT: Brase, Chair; Chelgren and Wilhelm

House File 159

JUDICIARY: Taylor, Chair; Courtney and Zaun

House File 197

HUMAN RESOURCES: Ragan, Chair; Segebart and Wilhelm

House File 198

HUMAN RESOURCES: Hatch, Chair; Whitver and Wilhelm

House File 212

JUDICIARY: Quirmbach, Chair; Horn and Whitver

House File 223

JUDICIARY: Sodders, Chair; Sorenson and Taylor

SSB 1171
(Reassigned)

COMMERCE: Petersen, Chair; McCoy and Schneider

SSB 1227

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Ragan

SSB 1228

EDUCATION: Quirmbach, Chair; Ernst and Schoenjahn

SSB 1229

JUDICIARY: Hogg, Chair; Horn and Whitver

SSB 1230

JUDICIARY: Hogg, Chair; Boettger and Dvorsky

SSB 1231

JUDICIARY: Taylor, Chair; Boettger and Soddors

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 310 (SSB 1083), a bill for an act relating to the corn promotion board by providing for its governance, providing for an assessed checkoff on corn, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 310, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 292 (SSB 1184), a bill for an act providing for a tax credit for the repayment of certain student loan debt and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Sodders, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, 2: Chapman and Behn. Absent, 2: Chelgren and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 297 (SSB 1025), a bill for an act relating to the administration of duties and programs by the economic development authority.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sodders, Bowman, Chapman, Behn, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 2: Chelgren and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 297, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 305 (SSB 1073), a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sodders, Bowman, Chapman, Behn, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 2: Chelgren and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 305, and they were attached to the committee report.

EDUCATION

Bill Title: *SENATE FILE 291 (SSB 1203), a bill for an act relating to workforce training programs and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 291, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 296 (formerly SF 71), a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ragan, Wilhelm, Bolcom, Dotzler, Hatch, Jochum, Mathis, and Quirmbach. Nays, 5: Johnson, Boettger, Ernst, Segebart, and Whitver. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 296, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 288 (SSB 1151), a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, and Whitver. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 289 (SSB 1033), a bill for an act establishing the department of homeland security and emergency management.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, and Whitver. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 289, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 290 (SSB 1110), a bill for an act relating to the boards of directors of public corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, and Whitver. Nays, none. Absent, 2: Courtney and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 298 (SSB 1198), a bill for an act expanding the definition of the term "sex act" in the criminal code and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Zaun. Nays, none. Absent, 3: Courtney, Sorenson, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 304 (formerly SF 133), a bill for an act concerning public safety by establishing a public safety training and equipment trust fund, making appropriations to the fund, providing for a public safety training and facilities task force, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hogg, Dvorsky, Horn, Petersen, Quirmbach, Soddors, and Taylor. Nays, 3: Schneider, Boettger, and Zaun. Absent, 3: Courtney, Sorenson, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 304, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 309 (SSB 1188), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3011.

Final Vote: Ayes, 10: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Zaun. Nays, none. Absent, 3: Courtney, Sorenson, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 133, a bill for an act relating to the discharge of a firearm near buildings or feedlots by certified law enforcement officers for training purposes, providing penalties, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Zaun. Nays, none. Absent, 3: Courtney, Sorenson, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 306 (SSB 1138), a bill for an act providing for the reduction and recovery of excess food items by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Black, Bolkcom, Brase, Breitbach, Hogg, Ragan, Schoenjahn, and Seng. Nays, 4: Greiner, Johnson, Rozenboom, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 306, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 307 (formerly SF 165), a bill for an act relating to water usage, making appropriations, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Dearden, Black, Brase, Hogg, Ragan, Schoenjahn, and Seng. Nays, 5: Greiner, Breitbach, Johnson, Rozenboom, and Zumbach. Present, 1: Bolkcom. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 307, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 293 (SSB 1101), a bill for an act relating to the sale of services by an official, a state employee, a member of the general assembly, or a legislative employee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Danielson, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 2: Jochum and Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 294 (formerly SF 150), a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Danielson, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 2: Jochum and Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: SENATE FILE 301 (SSB 1157), a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Beall, Danielson, Rozenboom, Ernst, Hart, Horn, Ragan, Schneider, and Soddors. Nays, none. Absent, 2: Black and Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 302 (SSB 1064), a bill for an act creating the hire a hero tax credit and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Beall, Danielson, Rozenboom, Ernst, Hart, Horn, Ragan, Schneider, and Soddors. Nays, none. Absent, 2: Black and Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 303 (SSB 1158), a bill for an act exempting federal retirement pay of a resident received for military service from the state individual income tax and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Beall, Danielson, Rozenboom, Hart, Horn, Schneider, and Soddors. Nays, none. Present, 2: Ernst and Ragan. Absent, 2: Black and Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 295 (SSB 1135), a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bolcom, Seng, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, and Quirnbach. Nays, 6: Feenstra, Behn, Bertrand, Chapman, Schneider, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 300 (SSB 1137), a bill for an act increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and eliminating the use of wagering tax revenues for the credit, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 300, and they were attached to the committee report.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 2013

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor Josh Armendariz of the Cornerstone Baptist Church in Ankeny, Iowa. He was the guest of Senator Whitver.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jacob Ihnen.

The Journal of Monday, March 4, 2013, was approved.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:51 a.m., President Jochum presiding.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F. 291	Appropriations
S.F. 292	Ways and Means
S.F. 295	Appropriations
S.F. 302	Ways and Means
S.F. 303	Ways and Means
S.F. 305	Ways and Means
S.F. 307	Appropriations

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:52 a.m. until 9:00 a.m., Wednesday, March 6, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Irma Rae Harris, Mason City – For celebrating her 90th birthday. Senator Ragan.

Tiffany's Tipton Bakery, Tipton – In celebration of the crescent's 85th birthday. Senator Dvorsky.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, March 5, 2013, 10:05 a.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Approved SSBs 1210 and 1225.

Adjourned: 10:25 a.m.

ECONOMIC GROWTH

Convened: Tuesday, March 5, 2013, 2:35 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Chelgren (excused).

Committee Business: Consideration of SF 70 and SSB 1023.

Adjourned: 3:10 p.m.

HUMAN RESOURCES

Convened: Monday, March 4, 2013, 5:10 p.m.

Recessed: 5:15 p.m.

Reconvened: 5:35 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Passed SF 227. Approved SSBs 1082, 1127, 1131, 1132, 1133, and 1159, all as amended; and SSB 1186.

Adjourned: 6:00 p.m.

JUDICIARY

Convened: Tuesday, March 5, 2013, 1:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair (excused).

Committee Business: Consideration of bills.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: Monday, March 4, 2013, 5:15 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Passed SF 172. Approved SSBs 1020, 1148, 1156, and 1179.

Adjourned: 5:30 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 8, by Smith, Dix, Feenstra, Anderson, Ernst, Chelgren, Bertrand, Schneider, Breitbach, Chapman, Zumbach, Greiner, Segebart, Johnson, Houser, Kapucian, Guth, Sinclair, Rozenboom, Whitver, Boettger, Zaun, Sorenson, and Behn, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by creating a state general fund expenditure limitation, providing for a taxpayers trust fund,

requiring authorization for certain bonds, and restricting certain state revenue changes.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 315, by Beall, Houser, Seng, and Bolkcom, a bill for an act establishing farm-owned distributed generation facility purchase requirements applicable to specified utilities, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

Senate File 316, by committee on Agriculture, a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination.

Read first time under Rule 28 and **placed on calendar**.

Senate File 317, by committee on Natural Resources and Environment, a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 318, by committee on Judiciary, a bill for an act relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 319, by committee on Education, a bill for an act relating to the Iowa early intervention block grant program by eliminating the future repeal of the chapter establishing the program and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 320, by committee on Education, a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

Read first time under Rule 28 and **placed on calendar**.

Senate File 321, by committee on Education, a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

Read first time under Rule 28 and **placed on calendar**.

Senate File 322, by Bertrand, Chelgren, Smith, and Sorenson, a bill for an act requiring bills designed to amend, revise, enact, codify, or repeal a law to include a statement specifying the purpose for enactment of the bill.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate File 323, by Behn, Boettger, Johnson, Zaun, Houser, Kapucian, Greiner, Chapman, Chelgren, Sorenson, Bertrand, Ernst, Anderson, Feenstra, Sinclair, and Rozenboom, a bill for an act providing education savings grants for pupils attending a nonpublic school or receiving competent private instruction, establishing an education savings grant fund, making appropriations, providing penalties, and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 324, by Chapman, Anderson, Chelgren, Bertrand, Sorenson, and Whitver, a bill for an act to establish a future repeal date for all administrative rules.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate File 325, by Chapman, Ernst, Johnson, Guth, and Anderson, a bill for an act relating to the rights of members of a residential cooperative or owners of a condominium.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 326, by committee on State Government, a bill for an act making modifications to the sex offender registry and the statute of limitations for sex abuse offenses, creating a missing children safety fund, and making appropriations.

Read first time under Rule 28 and **placed on calendar**.

Senate File 327, by committee on State Government, a bill for an act concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 328, by committee on State Government, a bill for an act authorizing lottery games to benefit special olympics programs.

Read first time under Rule 28 and **placed on calendar**.

Senate File 329, by committee on State Government, a bill for an act making changes to the campaign finance laws relating to independent expenditures.

Read first time under Rule 28 and **placed on calendar**.

Senate File 330, by committee on Human Resources, a bill for an act creating a licensed social worker loan repayment program and revolving fund.

Read first time under Rule 28 and **placed on calendar**.

Senate File 331, by committee on Transportation, a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 332, by committee on Education, a bill for an act related to the administration of the national guard educational assistance program.

Read first time under Rule 28 and **placed on calendar**.

Senate File 333, by Ernst, a bill for an act establishing a civil cause of action for physical injury or emotional distress resulting from an abortion.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 334, by Courtney, a bill for an act to increase the state minimum hourly wage.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

Senate File 335, by Taylor, a bill for an act concerning matters relating to the transportation of railroad workers and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

Senate File 336, by Zaun, Rozenboom, and Chapman, a bill for an act relating to education by abolishing the department of education and the state board of education, modifying the duties and authority of certain state and local governmental entities, establishing an education savings grant program and fund, making appropriations, providing penalties, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

STUDY BILLS RECEIVED

SSB 1232 Natural Resources and Environment

Related to the liability of a land holder for the public use of private lands and waters.

SSB 1233 Local Government

Eliminating a restriction on a person associated with a county agricultural extension district from engaging in certain activities affecting legislation.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 1

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Resolution 2

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Resolution 7

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Resolution 8

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Concurrent Resolution 2

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Joint Resolution 3

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Joint Resolution 5

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Joint Resolution 6

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Joint Resolution 7

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Joint Resolution 8

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate File 42

COMMERCE: McCoy, Chair; Anderson and Petersen

Senate File 60

COMMERCE: McCoy, Chair; Anderson and Petersen

Senate File 132

COMMERCE: McCoy, Chair; Anderson and Schoenjahn

Senate File 135

COMMERCE: McCoy, Chair; Anderson and Schoenjahn

Senate File 137

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate File 208

VETERANS AFFAIRS: Beall, Chair; Danielson and Rozenboom

Senate File 244

VETERANS AFFAIRS: Beall, Chair; Danielson and Rozenboom

Senate File 261

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate File 286

COMMERCE: McCoy, Chair; Anderson and Petersen

Senate File 287

COMMERCE: McCoy, Chair; Anderson and Petersen

Senate File 279

EDUCATION: Wilhelm, Chair; Hart and Sinclair

Senate File 299

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Seng

Senate File 311

STATE GOVERNMENT: Danielson, Chair; Courtney and Sorenson

Senate File 312

HUMAN RESOURCES: Mathis, Chair; Ernst and Wilhelm

Senate File 313

STATE GOVERNMENT: Danielson, Chair; Anderson and Bowman

Senate File 315

COMMERCE: McCoy, Chair; Anderson and Mathis

Senate File 322

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate File 324

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

SSB 1040

(Reassigned)

JUDICIARY: Hogg, Chair; Taylor and Zaun

SSB 1232

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Breitbach

SSB 1233

LOCAL GOVERNMENT: Schoenjahn, Chair; Guth and Wilhelm

FINAL COMMITTEE REPORTS OF BILL ACTION**AGRICULTURE**

Bill Title: SENATE FILE 316 (formerly SF 200), a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: SENATE FILE 319 (SSB 1142), a bill for an act relating to the Iowa early intervention block grant program by eliminating the future repeal of the chapter establishing the program and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 320 (SSB 1226), a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 321 (formerly SF 120), a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 332 (formerly SF 174), a bill for an act related to the administration of the national guard educational assistance program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: SENATE FILE 330 (SSB 1186), a bill for an act creating a licensed social worker loan repayment program and revolving fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Ragan, Wilhelm, Bolkcom, Dotzler, Jochum, Mathis, Quirmbach, and Segebart. Nays, 4: Johnson, Boettger, Ernst, and Whitver. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: *SENATE FILE 318 (SSB 1039), a bill for an act relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Zaun. Nays, none. Absent, 3: Courtney, Sorenson, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 318, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 317 (formerly SF 7), a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 317, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: SENATE FILE 326 (SSB 1189), a bill for an act making modifications to the sex offender registry and the statute of limitations for sex abuse offenses, creating a missing children safety fund, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 327 (SSB 1201), a bill for an act concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 328 (SSB 1209), a bill for an act authorizing lottery games to benefit special olympics programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 329 (SSB 1114), a bill for an act making changes to the campaign finance laws relating to independent expenditures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: SENATE FILE 331 (SSB 1020), a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3011 S.F. 309 Judiciary

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 6, 2013

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor Bob Anderson of the Sunnyside Bible Chapel in Anita, Iowa. He was the guest of Senator Chapman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brett Ofstein.

The Journal of Tuesday, March 5, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Thursday, March 7, 2013.

APPENDIX

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF MANAGEMENT – Report received on March 6, 2013.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, March 6, 2013, 10:40 a.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair (excused).

Committee Business: Consideration of bills.

Adjourned: 11:20 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 6, 2013, 1:05 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Dearden, Dvorsky, Ernst, Ragan, and Rozenboom.

Members Absent: Courtney and Soddors (both excused).

Committee Business: Governor's appointees.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 9, by committee on Commerce, a joint resolution to extend the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

Senate File 337, by committee on Education, a bill for an act providing for training on suicide prevention and trauma-informed care for school personnel.

Read first time under Rule 28 and **placed on calendar**.

Senate File 338, by committee on Education, a bill for an act requiring background checks for school employees.

Read first time under Rule 28 and **placed on calendar**.

Senate File 339, by committee on Education, a bill for an act relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 340, by committee on Transportation, a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 341, by committee on State Government, a bill for an act modifying provisions applicable to the propane education and research council.

Read first time under Rule 28 and **placed on calendar**.

Senate File 342, by committee on Judiciary, a bill for an act relating to donations and charitable contributions in a criminal proceeding.

Read first time under Rule 28 and **placed on calendar**.

Senate File 343, by committee on Judiciary, a bill for an act authorizing tribal governments to establish a force of reserve peace officers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 344, by Zaun, a bill for an act relating to the grounds for termination of parental rights.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 345, by committee on Judiciary, a bill for an act relating to right to cure provisions applicable to a closed credit card account.

Read first time under Rule 28 and **placed on calendar**.

Senate File 346, by committee on Human Resources, a bill for an act establishing an emergency medical services task force.

Read first time under Rule 28 and **placed on calendar**.

Senate File 347, by committee on Human Resources, a bill for an act relating to record checks of prospective and current health care employees and certain students.

Read first time under Rule 28 and **placed on calendar**.

Senate File 348, by committee on Transportation, a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards and to associated fees, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 349, by committee on Transportation, a bill for an act relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 350, by committee on Education, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 351, by committee on Human Resources, a bill for an act relating to service providers under Medicaid home and community-based services waivers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 352, by Hatch, a bill for an act relating to employment discrimination on the basis of sex.

Read first time under Rule 28 and referred to committee on **Judiciary**.

Senate File 353, by committee on Human Resources, a bill for an act relating to vaccine administration by licensed pharmacists.

Read first time under Rule 28 and **placed on calendar**.

Senate File 354, by committee on State Government, a bill for an act relating to public cafeterias concerning local purchasing preferences and the American heart association's dietary guidelines.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED**SSB 1234 Agriculture**

Establishing an incentive program applicable to specified wind energy production facilities.

SSB 1235 State Government

Relating to envelopes provided to absentee voters.

SSB 1236 Judiciary

Relating to medical malpractice actions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 292**

WAYS AND MEANS: Quirmbach, Chair; Behn and Bolkcom

Senate File 302

WAYS AND MEANS: Bolkcom, Chair; Bertrand and Dotzler

Senate File 303

WAYS AND MEANS: Quirmbach, Chair; Dotzler and Feenstra

Senate File 305

WAYS AND MEANS: Dotzler, Chair; Hogg and Schneider

Senate File 314

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

Senate File 323

EDUCATION: Quirmbach, Chair; Behn and Dvorsky

Senate File 325

JUDICIARY: Dvorsky, Chair; Courtney and Zaun

Senate File 333

JUDICIARY: Quirmbach, Chair; Boettger and Petersen

Senate File 336

EDUCATION: Quirmbach, Chair; Dvorsky and Zaun

Senate File 344

JUDICIARY: Hogg, Chair; Petersen and Zaun

SSB 1234

AGRICULTURE: Seng, Chair; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, Soddors, Taylor and Zumbach

SSB 1235

STATE GOVERNMENT: Danielson, Chair; Horn and Smith

SSB 1236

JUDICIARY: Hogg, Chair; Petersen and Schneider

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: SENATE JOINT RESOLUTION 9 (SSB 1210), a joint resolution to extend the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: *SENATE FILE 337 (formerly SF 216), a bill for an act providing for training on suicide prevention and trauma-informed care for school personnel.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 337, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 338 (formerly SF 48), a bill for an act requiring background checks for school employees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirnbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 338, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 339 (SSB 1205), a bill for an act relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirnbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 339, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 350 (formerly SF 178), a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirnbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 350, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 346 (formerly SF 227), a bill for an act establishing an emergency medical services task force.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 346, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 347 (SSB 1131), a bill for an act relating to record checks of prospective and current health care employees and certain students.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 347, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 351 (SSB 1133), a bill for an act relating to service providers under Medicaid home and community-based services waivers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 351, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 353 (SSB 1082), a bill for an act relating to vaccine administration by licensed pharmacists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 353, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 342 (SSB 1037), a bill for an act relating to donations and charitable contributions in a criminal proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 343 (formerly SF 213), a bill for an act authorizing tribal governments to establish a force of reserve peace officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 345 (SSB 1193), a bill for an act relating to right to cure provisions applicable to a closed credit card account.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 341 (SSB 1087), a bill for an act modifying provisions applicable to the propane education and research council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Danielson, Jochum, Bowman, Dearden, Feenstra, Horn, McCoy, Petersen, and Soddors. Nays, 5: Sorenson, Anderson, Chapman, Smith, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 341, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 354 (SSB 1176), a bill for an act relating to public cafeterias concerning local purchasing preferences and the American heart association's dietary guidelines.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Danielson, Jochum, Bowman, Dearden, Horn, McCoy, Petersen, and Soddors. Nays, 6: Sorenson, Anderson, Chapman, Feenstra, Smith, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 354, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 340 (formerly SF 172), a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 340, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 348 (SSB 1156), a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards and to associated fees, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 348, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 349 (SSB 1179), a bill for an act relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 349, and they were attached to the committee report.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4)

David Loy, Cedar Falls	05/01/2013 – 04/30/2016
Ying Sa, Des Moines	05/01/2013 – 04/30/2016
Laura Walker, Newhall	05/01/2013 – 04/30/2016

ADJUTANT GENERAL, STATE OF IOWA (Sec. 29A.11)

Timothy Orr, Johnston	05/01/2013 – Pleasure of the Governor
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AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)

Rita Davenport, Boone	05/01/2013 – 04/30/2017
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AGING, COMMISSION ON (Sec. 231.11)

Quentin Hart, Waterloo	05/01/2013 – 04/30/2017
G. Willard Jenkins, Waterloo	05/01/2013 – 04/30/2017
Neil Wubben, Osage	05/01/2013 – 04/30/2017

ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5)

Jason Wilson, Johnston	05/01/2013 – 04/30/2018
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ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1)

Kolby DeWitt, Sioux City	05/01/2013 – 04/30/2016
Emily Forquer, Afton	05/01/2013 – 4/30/2016

ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF (Sec. 216A.152)

Steve Hou, Des Moines	03/01/2013 – 04/30/2014
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ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(r))

Shaun McCarthy, Iowa City	05/01/2013 – 04/30/2016
Christopher Wiedmann, Des Moines	05/01/2013 – 04/30/2016

AUTISM COUNCIL, IOWA (Sec. 256.35A)

Alyson Beytien, Dubuque	05/01/2013 – 04/30/2016
James Curry, Des Moines	05/01/2013 – 04/30/2016
Steve Johnson, West Des Moines	05/01/2013 – 04/30/2016
Matthew O'Brien, Davenport	05/01/2013 – 04/30/2016

BANKING, SUPERINTENDENT OF (Sec. 524.201)

James Schipper, Osceola	05/01/2013 – 04/30/2017
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BARBERING, BOARD OF (Sec. 147.14(1)(a))

Charles Wubbena, Waterloo	05/01/2013 – 04/30/2016
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BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(m))

Erik Oostenink, Des Moines	05/01/2013 – 04/30/2016
Jill Struyk, Des Moines	05/01/2013 – 04/30/2016
Sarah Thomas, Nevada	05/01/2013 – 04/30/2016

BLIND, COMMISSION FOR THE (Sec. 216B.2)

Joseph Van Lent, Des Moines	05/01/2013 – 04/30/2016
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BOILER AND PRESSURE VESSEL BOARD (Sec. 89.14)

Robert Brecke, Cedar Rapids	05/01/2013 – 04/30/2017
Timothy Fehr, Iowa City	05/01/2013 – 04/30/2017
Amy Iles, Hastings	05/01/2013 – 04/30/2017

CAPITAL INVESTMENT BOARD, IOWA (Sec. 15E.63)

Natalie Lischer, Des Moines	05/01/2013 – 04/30/2018
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CHILD ADVOCACY BOARD (Sec. 237.16)

Elaine Sanders, Sioux City	05/01/2013 – 04/30/2017
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Wayne Schellhammer, Urbandale	05/01/2013 – 04/30/2017
Jeanne Sorensen, Lake View	05/01/2013 – 04/30/2017
Shannon Unternahrer, Washington	05/01/2013 – 04/30/2017
CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(h))	
Jason Wall, Dyersville	05/01/2013 – 04/30/2016
CIVIL RIGHTS COMMISSION, IOWA STATE (Sec. 216.3)	
Tom Conley, Urbandale	05/01/2013 – 04/30/2017
Lawrence Cunningham, Urbandale	05/01/2013 – 04/30/2017
Lily Lijun Hou, Urbandale	05/01/2013 – 04/30/2017
Douglas Oelschlaeger, Cedar Rapids	05/01/2013 – 04/30/2017
COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)	
John Johnson, Marshalltown	05/01/2013 – 04/30/2016
Brian Lauterbach, Alden	05/01/2013 – 04/30/2016
Robyn Ormsby, Ankeny	05/01/2013 – 04/30/2016
CORRECTIONS, BOARD OF (Sec. 904.104)	
Richard LaMere, Jr., Anamosa	05/01/2013 – 04/30/2017
Rebecca Williams, Cedar Rapids	05/01/2013 – 04/30/2017
COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(n))	
Richard Sheriff, Des Moines	05/01/2013 – 04/30/2016
COUNTY FINANCE COMMITTEE (Sec. 333A.2)	
Janine Sulzner, Anamosa	05/01/2013 – 04/30/2017
Patricia Wright, Mason City	05/01/2013 – 04/30/2017
CREDIT UNION REVIEW BOARD (Sec. 533.107)	
Jeffrey Hayes, Cherokee	05/01/2013 – 04/30/2016
Tahira Hira, Ames	05/01/2013 – 04/30/2016
Scott Zahnle, Ames	05/01/2013 – 04/30/2016
DEAF SERVICES, COMMISSION OF (Sec. 216A.113)	
Mark Hersch, Dallas Center	05/01/2013 – 04/30/2017
Robert Vizzini, Cedar Rapids	05/01/2013 – 04/30/2017
DENTISTRY, BOARD OF (Sec. 147.14(1)(d))	
Steven Bradley, Cascade	05/01/2013 – 04/30/2016
Thomas Jeneary, Le Mars	05/01/2013 – 04/30/2016
Kaaren Vargas, North Liberty	05/01/2013 – 04/30/2016
DIETETICS, BOARD OF (Sec. 147.14(1)(k))	
Janet Johnson, Cedar Rapids	05/01/2013 – 04/30/2016
DISABILITIES, COMMISSION OF PERSONS WITH (Sec. 216A.74)	
Matt Connolly, Des Moines	03/01/2013 – 04/30/2016

DISABILITIES POLICY COUNCIL, PREVENTION OF (Sec. 225B.3)

Craig Cretsinger, Spencer	03/01/2013 – 04/30/2014
Scott Lindgren, Solon	05/01/2013 – 04/30/2016
Maggie Tinsman, Bettendorf	05/01/2013 – 04/30/2016
Steven Wolfe, Coralville	05/01/2013 – 04/30/2016

DRUG POLICY ADVISORY COUNCIL, IOWA (Sec. 80E.2)

Jennifer Miller, Marshalltown	05/01/2013 – 04/30/2017
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EARLY CHILDHOOD IOWA STATE BOARD (Sec. 256I.3)

David Arens, Windsor Heights	03/01/2013 – 04/30/2014
Alice Atkinson, Iowa City	05/01/2013 – 04/30/2016
Richard Clewell, Davenport	05/01/2013 – 04/30/2016
Tracy Erlandson, Onawa	05/01/2013 – 04/30/2016

ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)

Theodore Crosbie, Earlham	05/01/2013 – 04/30/2017
Larry Den Herder, Sioux Center	05/01/2013 – 04/30/2017
Delia Meier, Eldridge	05/01/2013 – 04/30/2017

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Dan Dutcher, Waukee	03/01/2013 – 04/30/2015
Ann Lebo, Grundy Center	05/01/2013 – 04/30/2017
Mary Overholtzer, Tingley	05/01/2013 – 04/30/2017
Andrew Pattee, Charles City	05/01/2013 – 04/30/2017
Jay Prescott, Urbandale	05/01/2013 – 04/30/2016
Anne Sullivan, Cedar Falls	05/01/2013 – 04/30/2016
Richard Wortmann, Bloomfield	05/01/2013 – 04/30/2016

ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Kyle Barnhart, Atalissa	05/01/2013 – 04/30/2016
Kathryn Kunert, Des Moines	05/01/2013 – 04/30/2016
Theodore (TJ) Meiners, Cedar Rapids	05/01/2013 – 04/30/2016
Lisa Petersen, Oto	05/01/2013 – 04/30/2016

ELEVATOR SAFETY BOARD (Sec. 89A.13)

Siobhan Harman, Des Moines	05/01/2013 – 04/30/2017
Kristine Kesterson, Williamsburg	05/01/2013 – 04/30/2017
Wayne Sims, Des Moines	05/01/2013 – 04/30/2017

EMERGENCY RESPONSE COMMISSION, IOWA (Sec. 30.2)

Christopher Enyeart, De Witt	05/01/2013 – 04/30/2016
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ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Bryan Myers, West Des Moines	05/01/2013 – 04/30/2016
Howard Stewart, Marshalltown	05/01/2013 – 04/30/2016

ENVIRONMENTAL PROTECTION COMMISSION (Sec. 455A.6)

Cindy Greiman, Garner	05/01/2013 – 04/30/2017
Alan Koch, Johnston	05/01/2013 – 04/30/2017
Robert Sinclair, Williamsburg	05/01/2013 – 04/30/2017
Joanne Stockdale, Okoboji	05/01/2013 – 04/30/2017
Eugene Ver Steeg, Inwood	05/01/2013 – 04/30/2017

FINANCE AUTHORITY, IOWA (Sec. 16.2(1))

Jeffrey Heil, Haverhill	05/01/2013 – 04/30/2019
Joan Johnson, West Des Moines	05/01/2013 – 04/30/2019
Shaner Magalhaes, Coralville	05/01/2013 – 04/30/2019

FLOOD MITIGATION BOARD (Sec. 418.5)

Lorraine Glover, Waterloo	03/01/2013 – 04/30/2015
Arnold Honkamp, Dubuque	03/01/2013 – 04/30/2014
Amy Kaleita, Ames	03/01/2013 – 04/30/2014
John Torbert, West Des Moines	03/01/2013 – 04/30/2015

GRAIN INDEMNITY FUND BOARD, IOWA (Sec. 203D.4)

Duane Madoerin, Webster City	05/01/2013 – 04/30/2016
Curtis Sindergard, Rolfe	05/01/2013 – 04/30/2016

GREAT PLACES BOARD, IOWA (Sec. 303.3C)

Barbara Determan, Early	05/01/2013 – 04/30/2016
Greg Fisher, West Des Moines	05/01/2013 – 04/30/2016
Emily Meyer, Cedar Rapids	05/01/2013 – 04/30/2016
Linda Washburn, Hastings	05/01/2013 – 04/30/2016

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Roberta Chambers, Corydon	05/01/2013 – 04/30/2019
Connie Schmett, Clive	05/01/2013 – 04/30/2019

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5)

Ruth Evans, Muscatine	05/01/2013 – 04/30/2015
Bob Skow, Dallas Center	05/01/2013 – 04/30/2015

HEARING AID DISPENSERS, BOARD OF (Sec. 154A.2)

Jaime Secory, Urbandale	05/01/2013 – 04/30/2016
Jerry Smith, Boone	05/01/2013 – 04/30/2016

HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.6)

Edward Rogalski, Davenport	03/01/2013 – 04/30/2016
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HUMAN SERVICES, COUNCIL ON (Sec. 217.2)

Arnold Honkamp, Dubuque	05/01/2013 – 04/30/2019
Guy Richardson, Jefferson	03/01/2013 – 04/30/2017
Kim Spading, Coralville	05/01/2013 – 04/30/2019

INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Kevin Clark, Des Moines	05/01/2013 – 04/30/2016
Ann Quebe, Cedar Rapids	05/01/2013 – 04/30/2016

IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8A)

Wayne Walter, Decorah	05/01/2013 – 04/30/2019
Dennis Young, Waukee	05/01/2013 – 04/30/2019

JUDICIAL QUALIFICATIONS, COMMISSION ON (Sec. 602.2102)

Sandra Blodgett, Clear Lake	05/01/2013 – 04/30/2019
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LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Erica Andersen, West Des Moines	05/01/2013 – 04/30/2016
Christopher Seeger, Boone	05/01/2013 – 04/30/2016

LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)

Brian Gardner, Cedar Rapids	05/01/2013 – 04/30/2017
Randy Krukow, Spencer	05/01/2013 – 04/30/2017
Melinda Ruopp, Marshalltown	05/01/2013 – 04/30/2017
Megan Weiss, Des Moines	05/01/2013 – 04/30/2017

LOTTERY AUTHORITY, CHIEF EXECUTIVE OFFICER OF THE IOWA (Sec. 99G.5)

Terry Rich, Urbandale	05/01/2013 – 04/30/2017
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MASSAGE THERAPY, BOARD OF (Sec. 147.14(1)(q))

Christina Michael, Earlham	05/01/2013 – 04/30/2016
Rhonda Reif, Burlington	05/01/2013 – 04/30/2016

MEDICINE, BOARD OF (Sec. 147.14(1)(b))

Robert Bender, Clive	05/01/2013 – 04/30/2016
Julie Carmody, Clive	05/01/2013 – 04/30/2016
Ann Gales, Bode	05/01/2013 – 04/30/2016
Allison Schoenfelder, Akron	05/01/2013 – 04/30/2016

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))

Richard Crouch, Malvern	05/01/2013 – 04/30/2016
Betty King, Cedar Rapids	05/01/2013 – 04/30/2016
Sharon Lambert, Buffalo	05/01/2013 – 04/30/2016
Gary Lippe, Davenport	05/01/2013 – 04/30/2016
Brett McLain, Ames	05/01/2013 – 04/30/2016
Rebecca Peterson, Clive	05/01/2013 – 04/30/2016
Marilyn Seemann, Woodward	05/01/2013 – 04/30/2016

MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2)(c))

Eugene Meiners, Templeton	05/01/2013 – 04/30/2016
Marjorie Pitts, Spencer	05/01/2013 – 04/30/2016

MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(p))

Kimberly Doebrmann, Williamsburg	05/01/2013 – 04/30/2016
Barbara Teahen, Cedar Rapids	05/01/2013 – 04/30/2016

NATIVE AMERICAN AFFAIRS, COMMISSION OF (Sec. 216A.162)

Dawn Buffalo, Tama	05/01/2013 – 04/30/2017
Joe Coulter, Iowa City	05/01/2013 – 04/30/2017
Larry Lasley, Tama	05/01/2013 – 04/30/2017
Karen Mackey, Sioux City	05/01/2013 – 04/30/2017
Kelly Montijo Fink, Hiawatha	03/01/2013 – 04/30/2015
Dirk Whitebreast, Tama	05/01/2013 – 04/30/2017

NATURAL RESOURCE COMMISSION (Sec. 455A.5)

Marcus Branstad, West Des Moines	05/01/2013 – 04/30/2019
Phyllis Reimer, Crescent	05/01/2013 – 04/30/2019

NURSING, BOARD OF (Sec. 147.14(1)(c))

Nancy Kramer, Independence	05/01/2013 – 04/30/2016
James Seymour, Woodbine	03/01/2013 – 04/30/2013
James Seymour, Woodbine	05/01/2013 – 04/30/2016
Chad Ware, Walker	05/01/2013 – 04/30/2016

NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 155.2)

Karol Dammann, Manning	05/01/2013 – 04/30/2016
Patricia Hoffman-Simanek, Cedar Rapids	03/01/2013 – 04/30/2015
Michael Jenison, Ankeny	03/01/2013 – 04/30/2014
Lanny Ward, Indianola	05/01/2013 – 04/30/2016

OPTOMETRY, BOARD OF (Sec. 147.14(1)(f))

Thomas Hayden, Newton	05/01/2013 – 04/30/2016
Tamie Stahl, Cedar Falls	05/01/2013 – 04/30/2016

PAROLE, BOARD OF (Sec. 904A.1)

James Felker, Hiawatha	05/01/2013 – 04/30/2017
Sheila Wilson, West Des Moines	05/01/2013 – 04/30/2017

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD,

IOWA COMPREHENSIVE (Sec. 455G.4)

Timothy Gartin, Ames	05/01/2013 – 04/30/2017
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PHARMACY, BOARD OF (Sec. 147.14(1)(e))

Sharon Meyer, Urbandale	05/01/2013 – 04/30/2016
Judith Trumpy, Ames	05/01/2013 – 04/30/2016

PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(j))

Denise Behrends, West Des Moines	05/01/2013 – 04/30/2016
Todd Bradley, Oelwein	05/01/2013 – 04/30/2016
Erin Hytrek, Merville	05/01/2013 – 04/30/2016

PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(l))

Melissa Gentry, Ollie	05/01/2013 – 04/30/2016
Keith Guess, Keokuk	05/01/2013 – 04/30/2016
Susan Koehler, Des Moines	05/01/2013 – 04/30/2016
Joseph Molnar, Charles City	05/01/2013 – 04/30/2016

PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)

Michele Chalfant, Webster City	05/01/2013 – 04/30/2016
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PODIATRY, BOARD OF (Sec. 147.14(1)(s))

Tara Decker-Brock, Dubuque	05/01/2013 – 04/30/2016
Gregory Lantz, Cedar Falls	05/01/2013 – 04/30/2016
Denise Mandi, Winterset	05/01/2013 – 04/30/2016

PROPERTY ASSESSMENT APPEAL BOARD, CHAIR OF THE (Sec. 421.1A(2))

Stewart Iverson, Clarion	05/01/2013 – 04/30/2015
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PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(g))

Melinda Green, Solon	05/01/2013 – 04/30/2016
Joan Skogstrom, Urbandale	05/01/2013 – 04/30/2016

RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)

Richard Arnold, Russell	05/01/2013 – 04/30/2016
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REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Vernon (Fred) Greder, Mason City	05/01/2013 – 04/30/2016
Greg Harms, Grundy Center	05/01/2013 – 04/30/2016

REAL ESTATE COMMISSION (Sec. 543B.8)

Dennis Stolk, Riverdale	05/01/2013 – 04/30/2016
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REGENTS, STATE BOARD OF (Sec. 262.1)

Robert Cramer, Grimes	05/01/2013 – 04/30/2019
Craig Lang, Brooklyn	05/01/2013 – 04/30/2019
Subhash Sahai, Webster City	05/01/2013 – 04/30/2019

RESPIRATORY CARE, BOARD OF (Sec. 147.14(1)(o))

Lawrence (Gene) Lilla, Ames	05/01/2013 – 04/30/2016
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SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Gina Primmer, Council Bluffs	05/01/2013 – 04/30/2016
Leland Tack, Johnston	05/01/2013 – 04/30/2016

SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS,
BOARD OF (Sec. 147.14(1)(u))

Bill Ainsley, Des Moines	05/01/2013 – 04/30/2016
Susan Tyrrell, Hiawatha	05/01/2013 – 04/30/2016

SOCIAL WORK, BOARD OF (Sec. 147.14(1)(t))

Amy Courneya, Ames	05/01/2013 – 04/30/2016
Valerie Huntley, Saint Charles	05/01/2013 – 04/30/2016
Jody Weigel, Cedar Rapids	05/01/2013 – 04/30/2016

SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)

Paula Ellis, Donnellson	05/01/2013 – 04/30/2019
Susan Vance Hjelm, Lake Park	05/01/2013 – 04/30/2019

SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(i))

Diana Hanson, Johnston	05/01/2013 – 04/30/2016
Kent Weaver, Clive	05/01/2013 – 04/30/2016

TAX REVIEW, STATE BOARD OF (Sec. 421.1)

Jill Sanchez, Le Claire	05/01/2013 – 04/30/2019
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TECHNOLOGY ADVISORY COUNCIL (Sec. 8A.204)

Timothy Peterson, Des Moines	05/01/2013 – 04/30/2015
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TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION,
CHAIRPERSON OF THE IOWA (Sec. 8D.3(2))

Richard Bruner, Ventura	05/01/2013 – 04/30/2019
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TELECOMMUNICATIONS AND TECHNOLOGY
COMMISSION, IOWA (Sec. 8D.3(2))

Richard Bruner, Ventura	05/01/2013 – 04/30/2019
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TITLE GUARANTY DIVISION BOARD (Sec. 16.2A)

Patricia Schneider, Des Moines	05/01/2013 – 04/30/2019
Daniel Seufferlein, North Liberty	05/01/2013 – 04/30/2019

TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Robbyn Graves, Dyersville	05/01/2013 – 04/30/2016
David Vander Horst, Pella	05/01/2013 – 04/30/2016

TRANSPORTATION COMMISSION, STATE (Sec. 307.3)

Loree Miles, Dallas Center	05/01/2013 – 04/30/2017
Tom Rielly, Oskaloosa	05/01/2013 – 04/30/2017

UTILITIES BOARD, CHAIR OF THE (Sec. 474.1)

Libby Jacobs, West Des Moines	05/01/2013 – 04/30/2015
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UTILITIES BOARD (Sec. 474.1)

Nick Wagner, Marion	05/01/2013 – 04/30/2019
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VETERINARY MEDICINE, IOWA BOARD OF (Sec. 169.5)

Dewayne Rahe, Dyersville	05/01/2013 – 04/30/2016
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VISION IOWA BOARD (Sec. 15F.102)

James Davidson, Burlington

05/01/2013 – 04/30/2016

Mark Murphy, Cherokee

05/01/2013 – 04/30/2016

Carrie Tedore, Dubuque

05/01/2013 – 04/30/2016

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 6, 2013:

AGRICULTURE

Duane Madoerin – Iowa Grain Indemnity Fund Board

Curtis Sindergard – Iowa Grain Indemnity Fund Board

Paula Ellis – State Soil Conservation Committee

Susan Vance Hjelm – State Soil Conservation Committee

COMMERCE

James Schipper – Superintendent of Banking

Jeffrey Hayes – Credit Union Review Board

Tahira Hira – Credit Union Review Board

Scott Zahnle – Credit Union Review Board

Richard Bruner – Chairperson of the Iowa Telecommunications and Technology Commission

Richard Bruner – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board

Daniel Seufferlein – Title Guaranty Division Board

Libby Jacobs – Chair of the Utilities Board

Nick Wagner – Utilities Board

ECONOMIC GROWTH/REBUILD IOWA

Natalie Lischer – Iowa Capital Investment Board

Theodore Crosbie – Economic Development Authority
Larry Den Herder – Economic Development Authority
Delia Meier – Economic Development Authority

Jeffrey Heil – Iowa Finance Authority
Joan Johnson – Iowa Finance Authority
Shaner Magalhaes – Iowa Finance Authority

Barbara Determan – Iowa Great Place Board
Greg Fisher – Iowa Great Place Board
Emily Meyer – Iowa Great Place Board
Linda Washburn – Iowa Great Place Board

EDUCATION

Alyson Beytien – Iowa Autism Council
James Curry – Iowa Autism Council
Steve Johnson – Iowa Autism Council
Matthew O'Brien – Iowa Autism Council

David Arens – Early Childhood Iowa State Board
Alice Atkinson – Early Childhood Iowa State Board
Richard Clewell – Early Childhood Iowa State Board
Tracy Erlandson – Early Childhood Iowa State Board

Dan Dutcher – Board of Educational Examiners
Ann Lebo – Board of Educational Examiners
Mary Overholtzer – Board of Educational Examiners
Andrew Pattee – Board of Educational Examiners
Jay Prescott – Board of Educational Examiners
Anne Sullivan – Board of Educational Examiners
Richard Wortmann – Board of Educational Examiners

Edward Rogalski – Iowa Higher Education Loan Authority

Robert Cramer – State Board of Regents
Craig Lang – State Board of Regents
Subhash Sahai – State Board of Regents

Gina Primmer – School Budget Review Committee
Leland Tack – School Budget Review Committee

HUMAN RESOURCES

Quentin Hart – Commission on Aging
G. Willard Jenkin – Commission on Aging
Neil Wubben – Commission on Aging

Shaun McCarthy – Board of Athletic Training
Christopher Wiedmann – Board of Athletic Training

Erik Oostenink – Board of Behavioral Science
Jill Struyk – Board of Behavioral Science
Sarah Thomas – Board of Behavioral Science

Elaine Sanders – Child Advocacy Board
Wayne Schellhammer – Child Advocacy Board
Jeanne Sorensen – Child Advocacy Board
Shannon Unternahrer – Child Advocacy Board

Matt Connolly – Commission of Persons with Disabilities

Craig Cretsinger – Prevention of Disabilities Council
Scott Lindgren – Prevention of Disabilities Council
Maggie Tinsman – Prevention of Disabilities Council
Steven Wolfe – Prevention of Disabilities Council

Roberta Chambers – Health Facilities Council
Connie Schmett – Health Facilities Council

Ruth Evans – Healthy and Well Kids in Iowa (HAWK-I) Board
Bob Skow – Healthy and Well Kids in Iowa (HAWK-I) Board

Arnold Honkamp – Council on Human Services
Guy Richardson – Council on Human Services
Kim Spading – Council on Human Services

Richard Crouch – Mental Health and Disability Services Commission
Betty King – Mental Health and Disability Services Commission
Sharon Lambert – Mental Health and Disability Services Commission
Gary Lippe – Mental Health and Disability Services Commission
Brett McLain – Mental Health and Disability Services Commission
Rebecca Peterson – Mental Health and Disability Services Commission
Marilyn Seemann – Mental Health and Disability Services Commission

Bill Ainsley – Board of Sign Language Interpreters and Translitterators
Susan Tyrrell – Board of Sign Language Interpreters and Translitterators

Robbyn Graves – Commission on Tobacco Use Prevention and Control
David Vander Horst – Commission on Tobacco Use Prevention and Control

JUDICIARY

Tom Conley – Iowa State Civil Rights Commission
Lawrence Cunningham – Iowa State Civil Rights Commission
Lily Lijun Hou – Iowa State Civil Rights Commission
Douglas Oelschlaeger – Iowa State Civil Rights Commission

Richard LaMere, Jr.—Board of Corrections
Rebecca Williams – Board of Corrections

Jennifer Miller – Iowa Drug Policy Advisory Council

Sandra Blodgett – Commission on Judicial Qualifications

Brian Gardner – Iowa Law Enforcement Academy Council
Randy Krukow – Iowa Law Enforcement Academy Council
Melinda Ruopp – Iowa Law Enforcement Academy Council
Megan Weiss – Iowa Law Enforcement Academy Council

James Felker – Board of Parole
Sheila Wilson – Board of Parole

LABOR AND BUSINESS RELATIONS

Michele Chalfant – Plumbing and Mechanical Systems Examining Board

LOCAL GOVERNMENT

Janine Sulzner – County Finance Committee
Patricia Wright – County Finance Committee

Eugene Meiners – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

Stewart Iverson – Chair of the Property Assessment Appeal Board

NATURAL RESOURCES AND ENVIRONMENT

Cindy Greiman – Environmental Protection Commission
Alan Koch – Environmental Protection Commission
Robert Sinclair – Environmental Protection Commission
Joanne Stockdale – Environmental Protection Commission
Eugene Ver Steeg – Environmental Protection Commission

Lorraine Glover – Flood Mitigation Board
Arnold Honkamp – Flood Mitigation Board
Amy Kaleita – Flood Mitigation Board
John Torbert – Flood Mitigation Board

Marcus Branstad – Natural Resource Commission
Phyllis Reimer – Natural Resource Commission

Timothy Gartin – Iowa Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

David Loy – Accountancy Examining Board

Ying Sa – Accountancy Examining Board

Laura Walker – Accountancy Examining Board

Rita Davenport – Commission on the Status of African Americans

Jason Wilson – Alcoholic Beverages Division

Kolby DeWitt – Architectural Examining Board

Emily Forquer – Architectural Examining Board

Steve Hou – Commission of Asian and Pacific Islander Affairs

Charles Wubbena – Board of Barbering

Joseph Van Lent – Commission for the Blind

Robert Brecke – Boiler and Pressure Vessel Board

Timothy Fehr – Boiler and Pressure Vessel Board

Amy Iles – Boiler and Pressure Vessel Board

Jason Wall – Board of Chiropractic

John Johnson – Commission on Community Action Agencies

Brian Lauterbach – Commission on Community Action Agencies

Robyn Ormsby – Commission on Community Action Agencies

Richard Sheriff – Board of Cosmetology Arts and Sciences

Mark Hersch – Commission of Deaf Services

Robert Vizzini – Commission of Deaf Services

Steven Bradley – Board of Dentistry

Thomas Jeneary – Board of Dentistry

Kaaren Vargas – Board of Dentistry

Janet Johnson – Board of Dietetics

Kyle Barnhart – Electrical Examining Board

Kathryn Kunert – Electrical Examining Board

Theodore (TJ) Meiners – Electrical Examining Board

Lisa Petersen – Electrical Examining Board

Siobhan Harman – Elevator Safety Board

Kristine Kesterson – Elevator Safety Board

Wayne Sims – Elevator Safety Board

Christopher Enyeart – Iowa Emergency Response Commission

Bryan Myers – Engineering and Land Surveying Examining Board

Howard Stewart – Engineering and Land Surveying Examining Board

Jaime Secory – Board of Hearing Aid Dispensers

Jerry Smith – Board of Hearing Aid Dispensers

Kevin Clark – Interior Design Examining Board

Ann Quebe – Interior Design Examining Board

Wayne Walter – Investment Board of the IPERS

Dennis Young – Investment Board of the IPERS

Erica Andersen – Landscape Architectural Examining Board

Christopher Seeger – Landscape Architectural Examining Board

Terry Rich – Chief Executive Officer of the Iowa Lottery Authority

Christina Michael – Board of Massage Therapy

Rhonda Reif – Board of Massage Therapy

Robert Bender – Board of Medicine

Julie Carmody – Board of Medicine

Ann Gales – Board of Medicine

Allison Schoenfelder – Board of Medicine

Kimberly Doehrmann – Board of Mortuary Sciences

Barbara Teahen – Board of Mortuary Sciences

Dawn Buffalo – Commission of Native American Affairs

Joe Coulter – Commission of Native American Affairs

Larry Lasley – Commission of Native American Affairs

Karen Mackey – Commission of Native American Affairs

Kelly Montijo Fink – Commission of Native American Affairs

Dirk Whitebreast – Commission of Native American Affairs

Nancy Kramer – Board of Nursing

James Seymour (appointment) – Board of Nursing

James Seymour (reappointment) – Board of Nursing

Chad Ware – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators

Patricia Hoffman-Simanek – Board of Nursing Home Administrators

Michael Jenison – Board of Nursing Home Administrators
Lanny Ward – Board of Nursing Home Administrators

Thomas Hayden – Board of Optometry
Tamie Stahl – Board of Optometry

Sharon Meyer – Board of Pharmacy
Judith Trumpy – Board of Pharmacy

Denise Behrends – Board of Physical and Occupational Therapy
Todd Bradley – Board of Physical and Occupational Therapy
Erin Hytrek – Board of Physical and Occupational Therapy

Melissa Gentry – Board of Physician Assistants
Keith Guess – Board of Physician Assistants
Susan Koehler – Board of Physician Assistants
Joseph Molnar – Board of Physician Assistants

Tara Decker-Brock – Board of Podiatry
Gregory Lantz – Board of Podiatry
Denise Mandi – Board of Podiatry

Melinda Green – Board of Psychology
Joan Skogstrom – Board of Psychology

Richard Arnold – Racing and Gaming Commission

Vernon (Fred) Greder – Real Estate Appraiser Examining Board
Greg Harms – Real Estate Appraiser Examining Board

Dennis Stolk – Real Estate Commission

Lawrence (Gene) Lilla – Board of Respiratory Care

Amy Courneya – Board of Social Work
Valerie Huntley – Board of Social Work
Jody Weigel – Board of Social Work

Diana Hanson – Board of Speech Pathology and Audiology
Kent Weaver – Board of Speech Pathology and Audiology

Timothy Peterson – Technology Advisory Council

Dewayne Rahe – Iowa Board of Veterinary Medicine

James Davidson – Vision Iowa

Mark Murphy – Vision Iowa

Carrie Tedore – Vision Iowa

TRANSPORTATION

Loree Miles – State Transportation Commission

Tom Rielly – State Transportation Commission

VETERANS AFFAIRS

Timothy Orr – State of Iowa Adjutant General

WAYS AND MEANS

Jill Sanchez – State Board of Tax Review

GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on March 01, 2013:

Pursuant to Iowa Code section 421C.1, please accept this letter as the notice of deferment of the appointment of a State Debt Coordinator. This appointment has been deferred because our Administration has determined to not fill this position at this time.

Pursuant to Iowa Code section 175.3, please accept this letter as the notice of deferment of the appointment to the Agricultural Development Authority, formerly held by Cheryl Adam. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 16.191, please accept this letter as the notice of deferment of the appointment to the Iowa Jobs Board, formerly held by Patrick Baird. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 16.191, please accept this letter as the notice of deferment of the appointment to the Iowa Jobs Board, formerly held by Kate Gronstal. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 16.191, please accept this letter as the notice of deferment of the appointment to the Iowa Jobs Board, formerly held by Jeffrey Pomeranz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 16.191, please accept this letter as the notice of deferment of the appointment to the Iowa Jobs Board, formerly held by Toi Sullivan. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 147.14(1)(q), please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by Luella Rodemeyer. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 216A.162, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Judy Allen. This appointment has been deferred because the Ponca Tribe has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 105.3, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Examining Board, formerly held by Charles Thomas. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 105.3, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Examining Board, formerly held by Brita Van Horne. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 421.1A, please accept this letter as the notice of deferment of the appointment to the Property Assessment Appeal Board, formerly held by Jacqueline Rypma. This appointment has been deferred because of uncertainty regarding the future existence of this board, which currently sunsets on June 30, 2013.

Pursuant to Iowa Code section 84A.1A, please accept this letter as the notice of deferment of the appointment to the Iowa Workforce Development Board formerly held by Rita Grimm. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
TERRY E. BRANSTAD
Governor

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 7, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Reverend John Rabb of the Trinity United Methodist Church in Keokuk, Iowa. He was the guest of Senator Taylor.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Levi Price.

The Journal of Wednesday, March 6, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, March 11, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lloyd and Mary Crumly, Oskaloosa – For celebrating their 75th wedding anniversary. Senator Rozenboom.

Samantha Dilocker, Red Oak – For winning the Prudential Spirit of Community Award. Senator Ernst.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, March 6, 2013, 1:40 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: Passed SF 235. Approved SSBs 1208 and 1234.

Adjourned: 2:50 p.m.

COMMERCE

Convened: Thursday, March 7, 2013, 11:25 a.m.

Recessed: 11:30 a.m.

Reconvened: 12:10 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Passed SF 72. Approved SSBs 1078 and 1140.

Adjourned: 12:35 p.m.

EDUCATION

Convened: Thursday, March 7, 2013, 2:35 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Consideration of SFs 266, 279, and SSB 1228.

Adjourned: 12:35 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 6, 2013, 3:05 p.m.

Recessed: 3:10 p.m.

Reconvened: 3:55 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Passed SF 12. Approved SSBs 1001, 1105, 1199, and 1227, all as amended; and SSB 1183.

Adjourned: 4:25 p.m.

LOCAL GOVERNMENT

Convened: Thursday, March 7, 2013, 9:45 a.m.

Recessed: 9:50 a.m.

Reconvened: 10:20 a.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Chelgren, Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun.

Members Absent: None.

Committee Business: Consideration of SF 308 and SSB 1233.

Adjourned: 10:45 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 7, 2013, 1:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Governor's appointees. Passed SF 245. Approved SSBs 1211 and 1232, both as amended; and SSBs 1219 and 1223.

Adjourned: 1:50 p.m.

TRANSPORTATION

Convened: Wednesday, March 6, 2013, 3:00 p.m.

Recessed: 3:05 p.m.

Reconvened: 3:40 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Passed SF 237. Approved SSBs 1178, 1204, and 1224.

Adjourned: 4:00 p.m.

INTRODUCTION OF BILLS

Senate File 355, by committee on Transportation, a bill for an act relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 356, by committee on Economic Growth, a bill for an act relating to the termination of the targeted small business financial assistance program and transferring funds for assistance to targeted small businesses.

Read first time under Rule 28 and **placed on calendar**.

Senate File 357, by committee on Human Resources, a bill for an act relating to Medicaid program integrity, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 358, by committee on Judiciary, a bill for an act concerning title to real estate.

Read first time under Rule 28 and **placed on calendar**.

Senate File 359, by committee on Judiciary, a bill for an act relating to an assault that occurs between persons in an intimate relationship and the crime of domestic abuse assault and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 360, by committee on Judiciary, a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry.

Read first time under Rule 28 and **placed on calendar**.

Senate File 361, by committee on Judiciary, a bill for an act relating to estates and trusts and including retroactive and other applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 362, by committee on Judiciary, a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

Read first time under Rule 28 and **placed on calendar**.

Senate File 363, by committee on Judiciary, a bill for an act relating to the intentional transmission of a contagious or infectious disease, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 364, by committee on Transportation, a bill for an act concerning vehicle registration fees, including matters relating to evasion of fees and to fees for electric vehicles, providing penalties, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 365, by committee on Transportation, a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home.

Read first time under Rule 28 and **placed on calendar**.

Senate File 366, by committee on State Government, a bill for an act relating to radon control and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 367, by committee on State Government, a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 368, by committee on Judiciary, a bill for an act relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act.

Read first time under Rule 28 and **placed on calendar**.

Senate File 369, by committee on Judiciary, a bill for an act relating to marital agreements, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 370, by committee on Judiciary, a bill for an act relating to the service of notice of no-contact orders and protective orders, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 371, by committee on Transportation, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1237 Government Oversight

Allowing the office of citizens' aide and the Iowa public information board access to the minutes and audio recording of a closed session in the performance of their duties.

SUBCOMMITTEE ASSIGNMENTS

Senate File 352

JUDICIARY: Hogg, Chair; Horn and Schneider

SSB 1237

GOVERNMENT OVERSIGHT: Petersen, Chair; Greiner, McCoy, Schoenjahn, and Sorenson

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *SENATE FILE 356 (SSB 1023), a bill for an act relating to the termination of the targeted small business financial assistance program and transferring funds for assistance to targeted small businesses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Soddors, Bowman, Chapman, Behn, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 1: Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 356, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 357 (SSB 1127), a bill for an act relating to Medicaid program integrity, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 357, and they were attached to the committee report.

JUDICIARY

Bill Title: SENATE FILE 358 (SSB 1220), a bill for an act concerning title to real estate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 359 (formerly SF 163), a bill for an act relating to an assault that occurs between persons in an intimate relationship and the crime of domestic abuse assault and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 360 (SSB 1229), a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 361 (SSB 1214), a bill for an act relating to estates and trusts and including retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 362 (formerly SF 249), a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 363 (formerly SF 215), a bill for an act relating to the intentional transmission of a contagious or infectious disease, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 368 (SSB 1040), a bill for an act relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 368, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 369 (SSB 1196), a bill for an act relating to marital agreements, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 369, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 370 (SSB 1167), a bill for an act relating to the service of notice of no-contact orders and protective orders, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirnbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 370, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 366 (formerly SF 49), a bill for an act relating to radon control and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Danielson, Jochum, Bowman, Dearden, Horn, McCoy, Petersen, and Soddors. Nays, 6: Sorenson, Anderson, Chapman, Feenstra, Smith, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 366, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 367 (SSB 1177), a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Danielson, Jochum, Bowman, Dearden, Horn, McCoy, Petersen, and Soddors. Nays, 6: Sorenson, Anderson, Chapman, Feenstra, Smith, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 367, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 355 (SSB 1148), a bill for an act relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 355, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 364 (SSB 1204), a bill for an act concerning vehicle registration fees, including matters relating to evasion of fees and to fees for electric vehicles, providing penalties, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, 1: Feenstra. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 365 (SSB 1178), a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 371 (formerly SF 237), a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: SENATE FILE 308, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Wilhelm, Brase, Dvorsky, Hart, Quirmbach, Schoenjahn, and Taylor. Nays, 4: Sinclair, Chelgren, Guth, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on March 7, 2013, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

Duane Madoerin – Taylor, Chair; Beall and Guth
Curtis Sindergard – Bowman, Chair; Hart and Houser

As members of the State Soil Conservation Committee:

Paula Ellis – Black, Chair; Brase and Kapucian
Susan Vance Hjelm – Soddors, Chair; Brase and Greiner

COMMERCE

As the Superintendent of Banking:

James Schipper – McCoy, Chair; Sinclair and Wilhelm

As members of the Credit Union Review Board:

Jeffrey Hayes – Bolkcom, Chair; Anderson and Hatch
Tahira Hira – Bolkcom, Chair; Breitbach and Hatch
Scott Zahnle – Bolkcom, Chair; Bertrand and Hatch

As Chairperson of the Telecommunications and Technology Commission:

Richard Bruner – Mathis, Chair; Chapman and Schoenjahn

As a member of the Iowa Telecommunications and Technology Commission:

Richard Bruner – Mathis, Chair; Chapman and Schoenjahn

As members of the Title Guaranty Division Board:

Patricia Schneider – McCoy, Chair; Bertrand and Wilhelm
Daniel Seufferlein – Wilhelm, Chair; Bertrand and Seng

As the Chair of the Utilities Board:

Libby Jacobs – McCoy, Chair; Anderson and Hatch

As a member of the Utilities Board:

Nick Wagner – McCoy, Chair; Anderson and Hatch

ECONOMIC GROWTH

As a member of the Iowa Capital Investment Board:

Natalie Lischer – Hatch, Chair; Schneider and Whitver

As members of the Economic Development Authority:

Theodore Crosbie – Soddors, Chair; Chapman and Dotzler
Larry Den Herder – Soddors, Chair; Chapman and Dotzler
Delia Meier – Soddors, Chair; Chapman and Dotzler

As members of the Iowa Finance Authority:

Jeffrey Heil – Hart, Chair; Behn and Houser
Joan Johnson – Hart, Chair; Behn and Houser
Shaner Magalhaes – Hart, Chair; Behn and Houser

As members of the Iowa Great Place Board:

Barbara Determan – Schneider, Chair; Chelgren and Danielson
Greg Fisher – Schneider, Chair; Chelgren and Danielson
Emily Meyer – Schneider, Chair; Chelgren and Danielson
Linda Washburn – Schneider, Chair; Chelgren and Danielson

EDUCATION

As members of the Iowa Autism Council:

Alyson Beytien – Beall, Chair; Johnson and Mathis
James Curry – Beall, Chair; Johnson and Mathis
Steve Johnson – Beall, Chair; Johnson and Mathis
Matthew O'Brien – Beall, Chair; Johnson and Mathis

As members of the Early Childhood Iowa State Board:

David Arens – Mathis, Chair; Sinclair and Wilhelm
Alice Atkinson – Mathis, Chair; Sinclair and Wilhelm
Richard Clewell – Mathis, Chair; Sinclair and Wilhelm
Tracy Erlandson – Mathis, Chair; Sinclair and Wilhelm

As members of the Board of Educational Examiners:

Dan Dutcher – Hart, Chair; Boettger and Hogg
Ann Lebo – Hart, Chair; Boettger and Hogg
Mary Overholtzer – Schoenjahn, Chair; Dvorsky and Ernst
Andrew Pattee – Hart, Chair; Hogg and Zaun
Jay Prescott – Hart, Chair; Hogg and Zaun
Anne Sullivan – Hart, Chair; Hogg and Zaun
Richard Wortmann – Hart, Chair; Hogg and Zaun

As a member of the Iowa Higher Education Loan Authority:

Edward Rogalski – Quirmbach, Chair; Boettger and Schoenjahn

As members of the State Board of Regents

Robert Cramer – Quirmbach, Chair; Dvorsky and Ernst
Craig Lang – Quirmbach, Chair; Dvorsky and Ernst
Subhash Sahai – Quirmbach, Chair; Dvorsky and Ernst

As members of the School Budget Review Committee:

Gina Primmer – Wilhelm, Chair; Behn and Hart
Leland Tack – Wilhelm, Chair; Behn and Hart

HUMAN RESOURCES

As members of the Commission on Aging:

Quentin Hart – Dotzler, Chair; Bolkcom and Johnson
G. Willard Jenkins – Dotzler, Chair; Johnson and Quirmbach
Neil Wubben – Wilhelm, Chair; Johnson and Ragan

As members of the Board of Athletic Training:

Shaun McCarthy – Bolkcom, Chair; Dotzler and Whitver
Christopher Wiedmann – Whitver, Chair; Dotzler and Hatch

As members of the Board of Behavioral Science:

Erik Oostenink – Hatch, Chair; Quirmbach and Whitver
Jill Struyk – Whitver, Chair; Hatch and Mathis
Sarah Thomas – Quirmbach, Chair; Johnson and Mathis

As members of the Child Advocacy Board:

Elaine Sanders – Boettger, Chair; Mathis and Quirmbach
Wayne Schellhammer – Mathis, Chair; Whitver and Wilhelm
Jeanne Sorensen – Segebart, Chair; Hatch and Wilhelm
Shannon Unternahrer – Dotzler, Chair; Boettger and Mathis

As a member of the Commission of Persons with Disabilities:

Matt Connolly – Whitver, Chair; Bolkcom and Dotzler

As members of the Prevention of Disabilities Council:

Craig Cretsinger – Johnson, Chair; Ragan and Wilhelm
Scott Lindgren – Bolkcom, Chair; Jochum and Johnson
Maggie Tinsman – Johnson, Chair; Quirmbach and Ragan
Steven Wolfe – Johnson, Chair; Mathis and Wilhelm

As members of the Health Facilities Council:

Roberta Chambers – Ernst, Chair; Dotzler and Mathis
Connie Schmett – Whitver, Chair; Dotzler and Hatch

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Ruth Evans – Ragan, Chair; Hatch and Johnson
Bob Skow – Ragan, Chair; Johnson and Wilhelm

As members of the Council on Human Services:

Arnold Honkamp – Jochum, Chair; Mathis and Segebart
Guy Richardson – Boettger, Chair; Quirmbach and Wilhelm
Kim Spading – Wilhelm, Chair; Johnson and Ragan

As members of the Mental Health and Disability Services Commission:

Richard Crouch – Ernst, Chair; Bolkcom and Ragan
Betty King – Mathis, Chair; Dotzler and Johnson
Sharon Lambert – Bolkcom, Chair; Ernst and Hatch
Gary Lippe – Jochum, Chair; Ernst and Ragan
Brett McLain – Quirmbach, Chair; Ernst and Ragan
Rebecca Peterson – Ragan, Chair; Bolkcom and Whitver
Marilyn Seemann – Quirmbach, Chair; Bolkcom and Johnson

As members of the Board of Sign Language Interpreters and Transliterators:

Bill Ainsley – Hatch, Chair; Whitver and Wilhelm
Susan Tyrrell – Mathis, Chair; Hatch and Segebart

As members of the Commission on Tobacco Use Prevention and Control:

Robbyn Graves – Wilhelm, Chair; Quirmbach and Segebart
David Vander Horst – Ernst, Chair; Mathis and Quirmbach

JUDICIARY

As members of the Iowa State Civil Rights Commission:

Tom Conley – Quirmbach, Chair; Boettger and Petersen
Lawrence Cunningham – Quirmbach, Chair; Boettger and Petersen
Lily Lijun Hou – Quirmbach, Chair; Boettger and Petersen
Douglas Oelschlaeger – Quirmbach, Chair; Boettger and Petersen

As members of the Board of Corrections:

Richard LaMere, Jr. – Taylor, Chair; Hogg and Whitver
Rebecca Williams – Taylor, Chair; Hogg and Whitver

As a member of the Iowa Drug Policy Advisory Council:

Jennifer Miller – Sodders, Chair; Horn and Zaun

As a member of the Commission on Judicial Qualifications:

Sandra Blodgett – Hogg, Chair; Dvorsky and Schneider

As members of the Iowa Law Enforcement Academy Council:

Brian Gardner – Horn, Chair; Hogg and Schneider
Randy Krukow – Sodders, Chair; Schneider and Taylor
Melinda Ruopp – Sodders, Chair; Schneider and Taylor
Megan Weiss – Sodders, Chair; Schneider and Taylor

As members of the Board of Parole:

James Felker – Taylor, Chair; Hogg and Whitver
Sheila Wilson – Taylor, Chair; Hogg and Whitver

LABOR AND BUSINESS RELATIONS

As a member of the Plumbing and Mechanical Systems Examining Board:

Michele Chalfant – Sodders, Chair; Dotzler and Houser

LOCAL GOVERNMENT

As members of the County Finance Committee:

Janine Sulzner – Zaun, Chair; Taylor and Wilhelm
Patricia Wright – Wilhelm, Chair; Brase and Guth

As members of the Mental Health Risk Pool Board:

Eugene Meiners – Sinclair, Chair; Quirmbach and Taylor
Marjorie Pitts – Sinclair, Chair; Brase and Taylor

As the Chair of the Property Assessment Appeal Board:

Stewart Iverson – Quirmbach, Chair; Brase and Chelgren

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission

Cindy Greiman – Black, Chair; Greiner and Hogg
Alan Koch – Black, Chair; Greiner and Hogg
Robert Sinclair – Black, Chair; Greiner and Hogg
Joanne Stockdale – Black, Chair; Greiner and Hogg
Eugene Ver Steeg – Black, Chair; Greiner and Hogg

As members of the Flood Mitigation Board:

Lorraine Glover – Hogg, Chair; Bolkom and Breitbach
Arnold Honkamp – Hogg, Chair; Bolkom and Breitbach
Amy Kaleita – Hogg, Chair; Bolkom and Breitbach
John Torbert – Hogg, Chair; Bolkom and Breitbach

As members of the Natural Resources Commission:

Marcus Branstad – Dearden, Chair; Greiner and Ragan
Phyllis Reimer – Dearden, Chair; Breitbach and Ragan

As a member of the Iowa Petroleum Underground Storage Tank Fund Board:

Timothy Gartin – Dearden, Chair; Breitbach and Ragan

STATE GOVERNMENT

As members of the Accountancy Examining Board:

David Loy – Danielson, Chair; Anderson and McCoy
Ying Sa – Danielson, Chair; Anderson and McCoy
Laura Walker – Danielson, Chair; Anderson and McCoy

As a member of the Commission on the Status of African Americans:

Rita Davenport – Dearden, Chair; Anderson and Bowman

As a member of the Alcoholic Beverages Division:

Jason Wilson – Horn, Chair; Anderson and Soddors

As members of the Architectural Examining Board:

Kolby DeWitt – Soddors, Chair; Dearden and Feenstra

Emily Forquer – Soddors, Chair; Dearden and Feenstra

As a member of the Commission of Asian and Pacific Islander Affairs:

Steve Hou – Soddors, Chair; Bowman and Feenstra

As a member of the Board of Barbering:

Charles Wubbena – Danielson, Chair; Bowman and Feenstra

As a member of the Commission for the Blind:

Joseph Van Lent – Soddors, Chair; Dearden and Feenstra

As members of the Boiler and Pressure Vessel Board:

Robert Brecke – Dearden, Chair; Feenstra and Jochum

Timothy Fehr – Dearden, Chair; Feenstra and Jochum

Amy Iles – Dearden, Chair; Feenstra and Jochum

As a member of the Board of Chiropractic:

Jason Wall – Soddors, Chair; Dearden and Smith

As members of the Commission on Community Action Agencies:

John Johnson – Jochum, Chair; Petersen and Smith

Brian Lauterbach – Jochum, Chair; Petersen and Smith

Robyn Ormsby – Jochum, Chair; Petersen and Smith

As a member of the Board of Cosmetology Arts and Sciences:

Richard Sheriff – McCoy, Chair; Dearden and Smith

As members of the Commission of Deaf Services:

Mark Hersch – Bowman, Chair; McCoy and Smith

Robert Vizzini – Bowman, Chair; McCoy and Smith

As members of the Board of Dentistry:

Steven Bradley – Petersen, Chair; Smith and Sodders
Thomas Jeneary – Petersen, Chair; Smith and Sodders
Kaaren Vargas – Petersen, Chair; Smith and Sodders

As a member of the Board of Dietetics:

Janet Johnson – Petersen, Chair; Smith and Sodders

As members of the Electrical Examining Board:

Kyle Barnhart – Danielson, Chair; Dearden and Whitver
Kathryn Kunert – Danielson, Chair; Dearden and Whitver
Theodore (TJ) Meiners – Danielson, Chair; Dearden and Whitver
Lisa Petersen – Danielson, Chair; Dearden and Whitver

As members of the Elevator Safety Board:

Siobhan Harman – Sodders, Chair; Bowman and Chapman
Kristine Kesterson – Sodders, Chair; Bowman and Chapman
Wayne Sims – Sodders, Chair; Bowman and Chapman

As a member of the Iowa Emergency Response Commission:

Christopher Enyeart – McCoy, Chair; Chapman and Sodders

As members of the Engineering and Land Surveying Examining Board:

Bryan Myers – Horn, Chair; Chapman and McCoy
Howard Stewart – Horn, Chair; Chapman and McCoy

As members of the Board of Hearing Aid Dispensers:

Jaime Secory – Sodders, Chair; Chapman and Dearden
Jerry Smith – Sodders, Chair; Chapman and Dearden

As members of the Interior Design Examining Board:

Kevin Clark – Sodders, Chair; Chapman and Dearden
Ann Quebe – Sodders, Chair; Dearden and Sorenson

As members of the Investment Board of the IPERS:

Wayne Walter – McCoy, Chair; Danielson and Sorenson
Dennis Young – McCoy, Chair; Danielson and Sorenson

As members of the Landscape Architectural Examining Board:

Erica Andersen – Horn, Chair; McCoy and Sorenson
Christopher Seeger – Horn, Chair; McCoy and Sorenson

As the Chief Executive Officer of the Iowa Lottery Authority:

Terry Rich – Danielson, Chair; Horn and Sorenson

As members of the Board of Massage Therapy:

Christina Michael – Sodders, Chair; Anderson and Dearden
Rhonda Reif – Sodders, Chair; Anderson and Dearden

As members of the Board of Medicine

Robert Bender – Horn, Chair; Anderson and Bowman
Julie Carmody – Horn, Chair; Anderson and Bowman
Ann Gales – Horn, Chair; Anderson and Bowman
Allison Schoenfelder – Horn, Chair; Anderson and Bowman

As members of the Board of Mortuary Sciences:

Kimberly Doehrmann – Sodders, Chair; Dearden and Smith
Barbara Teahen – Sodders, Chair; Horn and Smith

As members of the Commission of Native American Affairs:

Dawn Buffalo – Sodders, Chair; Bowman and Smith
Joe Coulter – Sodders, Chair; Bowman and Smith
Larry Lasley – Sodders, Chair; Bowman and Smith
Karen Mackey – Sodders, Chair; Bowman and Smith
Kelly Montijo Fink – Sodders, Chair; Bowman and Smith
Dirk Whitebreast – Sodders, Chair; Bowman and Smith

As members of the Board of Nursing:

Nancy Kramer – Jochum, Chair; Horn and Whitver
James Seymour (appointment) – Jochum, Chair; Horn and Whitver

James Seymour (reappointment) – Jochum, Chair; Horn and Whitver
Chad Ware – Jochum, Chair; Horn and Whitver

As members of the Board of Nursing Home Administrators:

Karol Dammann – Petersen, Chair; Horn and Whitver
Patricia Hoffman-Simanek – Petersen, Chair; Horn and Whitver
Michael Jenison – Petersen, Chair; Horn and Whitver
Lanny Ward – Petersen, Chair; Horn and Whitver

As members of the Board of Optometry:

Thomas Hayden – Bowman, Chair; Soddors and Whitver
Tamie Stahl – Bowman, Chair; Soddors and Whitver

As members of the Board of Pharmacy:

Sharon Meyer – Danielson, Chair; Jochum and Whitver
Judith Trumpy – Danielson, Chair; Jochum and Whitver

As members of the Board of Physical and Occupational Therapy:

Denise Behrends – Petersen, Chair; Soddors and Sorenson
Todd Bradley – Petersen, Chair; Soddors and Sorenson
Erin Hytrek – Petersen, Chair; Soddors and Sorenson

As members of the Board of Physician Assistants:

Melissa Gentry – Petersen, Chair; Soddors and Sorenson
Keith Guess – Petersen, Chair; Soddors and Sorenson
Susan Koehler – Petersen, Chair; Soddors and Sorenson
Joseph Molnar – Petersen, Chair; Soddors and Sorenson

As members of the Board of Podiatry:

Tara Decker-Brock – Soddors, Chair; Dearden and Feenstra
Gregory Lantz – Soddors, Chair; Dearden and Feenstra
Denise Mandi – Soddors, Chair; Dearden and Feenstra

As members of the Board of Psychology:

Melinda Green – Soddors, Chair; Dearden and Feenstra
Joan Skogstrom – Soddors, Chair; Dearden and Feenstra

As a member of the Racing and Gaming Commission:

Richard Arnold – Danielson, Chair; Feenstra and McCoy

As members of the Real Estate Appraiser Examining Board:

Vernon (Fred) Greder – McCoy, Chair; Feenstra and Jochum

Greg Harms – McCoy, Chair; Feenstra and Jochum

As a member of the Real Estate Commission:

Dennis Stolk – McCoy, Chair; Feenstra and Jochum

As a member of the Board of Respiratory Care:

Lawrence (Gene) Lilla – Bowman, Chair; Chapman and Horn

As members of the Board of Social Work:

Amy Courneya – Bowman, Chair; Chapman and Horn

Valerie Huntley – Bowman, Chair; Chapman and Horn

Jody Weigel – Bowman, Chair; Chapman and Horn

As members of the Board of Speech Pathology and Audiology:

Diana Hanson – Bowman, Chair; Chapman and Horn

Kent Weaver – Bowman, Chair; Chapman and Horn

As a member of the Technology Advisory Council:

Timothy Peterson – Danielson, Chair; Chapman and Petersen

As a member of the Iowa Board of Veterinary Medicine:

Dewayne Rahe – Bowman, Chair; Chapman and Horn

As members of Vision Iowa:

James Davidson – McCoy, Chair; Bowman and Chapman

Mark Murphy – McCoy, Chair; Bowman and Chapman

Carrie Tedore – McCoy, Chair; Bowman and Chapman

TRANSPORTATION

As members of the State Transportation Commission:

Loree Miles – Brase, Chair; Behn and Dearden
Tom Rielly – Danielson, Chair; Bowman and Kapucian

VETERANS AFFAIRS

As the State of Iowa Adjutant General:

Timothy Orr – Beall, Chair; Ragan and Rozenboom

WAYS AND MEANS

As a member of the State Board of Tax Review:

Jill Sanchez – Petersen, Chair; Chapman and Seng

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 11, 2013

The Senate met in regular session at 1:04 p.m., President Jochum presiding.

Prayer was offered by Reverend Scott Lothe, pastor of Hope United Methodist Church in Marshalltown, Iowa. He was the guest of Senator Sodders.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Laura Prindle.

The Journal of Thursday, March 7, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:09 p.m. until 4:00 p.m. or until the completion of a meeting of the committee on Ways and Means.

APPENDIX—1

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Comprehensive Annual Financial Report, pursuant to Iowa Code section 8A.502(8). Report received on March 8, 2013.

2012 IowaAccess Revolving Fund Report, pursuant to Iowa Code section 8A.224(2). Report received on March 8, 2013.

FY2012 Salary Report, pursuant to Iowa Code section 8A.341(2). Report received on March 8, 2013.

DEPARTMENT OF COMMERCE

Banking Division—2012 Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, HF 2465, section 7(4)(b). Report received on March 8, 2013.

OFFICE OF THE GOVERNOR

2012 Executive Clemency Report, pursuant to the Constitution of the State of Iowa, Article IV, section 16. Report received on March 11, 2013.

REPORT OF COMMITTEE MEETING

ECONOMIC GROWTH

Convened: Thursday, March 7, 2013, 1:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Houser, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Houser (excused).

Committee Business: Passed SFs 159 and 274. Approved SSBs 1012, 1075, 1112, 1216, and 1217.

Adjourned: 2:20 p.m.

INTRODUCTION OF BILLS

Senate File 372, by committee on Agriculture, a bill for an act establishing an incentive program applicable to specified wind energy production facilities.

Read first time under Rule 28 and **placed on calendar**.

Senate File 373, by committee on Human Resources, a bill for an act relating to licensure identification and display requirements and professional title and abbreviation restrictions for certain health-related professions and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 374, by committee on Human Resources, a bill for an act relating to drug product selection.

Read first time under Rule 28 and **placed on calendar**.

Senate File 375, by committee on Commerce, a bill for an act providing for the establishment of the Iowa health benefit marketplace and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 376, by committee on Commerce, a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances.

Read first time under Rule 28 and **placed on calendar**.

Senate File 377, by committee on Human Resources, a bill for an act relating to area health education centers, creating an area health education centers fund, and providing an appropriation.

Read first time under Rule 28 and **placed on calendar**.

Senate File 378, by committee on State Government, a bill for an act providing for appropriations to the statewide fire and police retirement system and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 379, by committee on State Government, a bill for an act relating to disciplinary procedures before the board of medicine and providing a penalty.

Read first time under Rule 28 and **placed on calendar**.

Senate File 380, by committee on State Government, a bill for an act authorizing charitable auctions for alcoholic spirits.

Read first time under Rule 28 and **placed on calendar**.

Senate File 381, by committee on State Government, a bill for an act requiring the state building code commissioner to adopt standards and requirements for window fall prevention devices for windows installed in certain multifamily dwellings, hotels, and motels, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 382, by committee on Judiciary, a bill for an act relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 383, by committee on Judiciary, a bill for an act relating to the sealing of juvenile delinquency records.

Read first time under Rule 28 and **placed on calendar**.

Senate File 384, by committee on Judiciary, a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

Senate File 385, by committee on Judiciary, a bill for an act establishing the criminal offense of sexual abuse in the fourth degree, making related changes to sexual abuse in the third degree and the sex offender registry, providing penalties, and including retroactive and other applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 386, by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial

vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

Read first time under Rule 28 and **placed on calendar**.

Senate File 387, by committee on State Government, a bill for an act relating to a city's authority to issue debt, including authorization to use city reserve funds as a loan payable from the debt service fund for certain general obligation bond projects.

Read first time under Rule 28 and **placed on calendar**.

Senate File 388, by committee on Natural Resources and Environment, a bill for an act relating to sponsor projects under the water resource restoration sponsor program.

Read first time under Rule 28 and **placed on calendar**.

Senate File 389, by committee on Natural Resources and Environment, a bill for an act relating to hunter safety and ethics education course requirements.

Read first time under Rule 28 and **placed on calendar**.

Senate File 390, by committee on Natural Resources and Environment, a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 391, by committee on Economic Growth, a bill for an act relating to offers of suitable work made to certain injured employees and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 392, by committee on Education, a bill for an act relating to school breakfast programs.

Read first time under Rule 28 and **placed on calendar**.

Senate File 393, by committee on Human Resources, a bill for an act relating to prenatal care including required critical congenital heart disease screening for newborns as part of the state's newborn screening panel and the convening of a task force on prenatal care.

Read first time under Rule 28 and **placed on calendar**.

Senate File 394, by committee on Human Resources, a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 395, by committee on Human Resources, a bill for an act relating to child, adult, and family services under the purview of the department of human services, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 396, by committee on State Government, a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 397, by committee on State Government, a bill for an act relating to pari-mutuel wagering on horse racing.

Read first time under Rule 28 and **placed on calendar**.

Senate File 398, by committee on Judiciary, a bill for an act relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 399, by committee on Judiciary, a bill for an act relating to maternal health care policies for inmates and detainees and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 400, by committee on Agriculture, a bill for an act making an appropriation to support soil and water conservation by the department of agriculture and land stewardship.

Read first time under Rule 28 and **placed on calendar**.

Senate File 401, by committee on Agriculture, a bill for an act requiring that motor fuel dealers comply with standards and practices to assist disabled individuals obtaining motor fuel from motor fuel pumps, providing for enforcement by the department of agriculture and land stewardship or the office of attorney general, providing for the issuance of cease and desist orders, providing for penalties, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 402, by committee on Commerce, a bill for an act relating to insurance coverage for dental care services.

Read first time under Rule 28 and **placed on calendar**.

Senate File 403, by committee on Local Government, a bill for an act eliminating a restriction on a person associated with a county agricultural extension district from engaging in certain activities affecting legislation.

Read first time under Rule 28 and **placed on calendar**.

Senate File 404, by committee on Education, a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: SENATE FILE 372 (SSB 1234), a bill for an act establishing an incentive program applicable to specified wind energy production facilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 400 (SSB 1208), a bill for an act making an appropriation to support soil and water conservation by the department of agriculture and land stewardship.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Guth, Hart, Houser, Kapucian, and Soddors. Nays, 1: Greiner. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 400, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 401 (formerly SF 235), a bill for an act requiring that motor fuel dealers comply with standards and practices to assist disabled individuals obtaining motor fuel from motor fuel pumps, providing for enforcement by the department of agriculture and land stewardship or the office of attorney general, providing for the issuance of cease and desist orders, providing for penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 401, and they were attached to the committee report.

COMMERCE

Bill Title: SENATE FILE 375 (formerly SF 72), a bill for an act providing for the establishment of the Iowa health benefit marketplace and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: McCoy, Petersen, Beall, Bolkcom, Hatch, Mathis, Schoenjahn, Seng, and Wilhelm. Nays, 6: Anderson, Bertrand, Breitbach, Chapman, Schneider, and Sinclair. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 376 (SSB 1140), a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: McCoy, Anderson, Bertrand, Breitbach, Chapman, Mathis, Schneider, Schoenjahn, Seng, and Sinclair. Nays, 5: Petersen, Beall, Bolkcom, Hatch, and Wilhelm. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 402 (SSB 1078), a bill for an act relating to insurance coverage for dental care services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 402, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: SENATE FILE 391 (SSB 1216), a bill for an act relating to offers of suitable work made to certain injured employees and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Soddors, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Taylor, and Wilhelm. Nays, 5: Chapman, Behn, Chelgren, Schneider, and Whitver. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: SENATE FILE 392 (formerly SF 279), a bill for an act relating to school breakfast programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 404 (formerly SF 266), a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 404, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 373 (SSB 1132), a bill for an act relating to licensure identification and display requirements and professional title and abbreviation restrictions for certain health-related professions and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 373, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 374 (SSB 1183), a bill for an act relating to drug product selection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Hatch, Jochum, Mathis, Quirmbach, and Segebart. Nays, 2: Ernst and Whitver. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 377 (formerly SF 12), a bill for an act relating to area health education centers, creating an area health education centers fund, and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, and Segebart. Nays, 1: Whitver. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 393 (SSB 1001), a bill for an act relating to prenatal care including required critical congenital heart disease screening for newborns as part of the state's newborn screening panel and the convening of a task force on prenatal care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 393, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 394 (SSB 1105), a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 394, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 395 (SSB 1227), a bill for an act relating to child, adult, and family services under the purview of the department of human services, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 395, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 382 (SSB 1147), a bill for an act relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 382, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 383 (SSB 1215), a bill for an act relating to the sealing of juvenile delinquency records.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 383, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 384 (formerly SF 151), a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 384, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 385 (SSB 1230), a bill for an act establishing the criminal offense of sexual abuse in the fourth degree, making related changes to sexual abuse in the third degree and the sex offender registry, providing penalties, and including retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, Whitver, and Zaun. Nays, 1: Sorenson. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 385, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 398 (SSB 1169), a bill for an act relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 398, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 399 (formerly SF 134), a bill for an act relating to maternal health care policies for inmates and detainees and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 399, and they were attached to the committee report.

LOCAL GOVERNMENT

Bill Title: *SENATE FILE 403 (SSB 1233), a bill for an act eliminating a restriction on a person associated with a county agricultural extension district from engaging in certain activities affecting legislation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Wilhelm, Brase, Dvorsky, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun. Nays, 3: Sinclair, Chelgren, and Guth. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Local Government Committee on Senate File 403, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: SENATE FILE 388 (formerly SF 245), a bill for an act relating to sponsor projects under the water resource restoration sponsor program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 389 (SSB 1223), a bill for an act relating to hunter safety and ethics education course requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Black, Greiner, Brase, Breitbach, Hogg, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, 2: Bolkcom and Johnson. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 390 (SSB 1219), a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: SENATE FILE 378 (SSB 1121), a bill for an act providing for appropriations to the statewide fire and police retirement system and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Danielson, Jochum, Sorenson, Anderson, Bowman, Dearden, Horn, McCoy, Petersen, Smith, and Sodders. Nays, 3: Chapman, Feenstra, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 379 (SSB 1085), a bill for an act relating to disciplinary procedures before the board of medicine and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Sodders, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 379, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 380 (SSB 1067), a bill for an act authorizing charitable auctions for alcoholic spirits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Sodders, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 381 (formerly SF 281), a bill for an act requiring the state building code commissioner to adopt standards and requirements for window fall prevention devices for windows installed in certain multifamily dwellings, hotels, and motels, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Sodders, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 387 (SSB 1092), a bill for an act relating to a city's authority to issue debt, including authorization to use city reserve funds as a loan payable from the debt service fund for certain general obligation bond projects.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 387, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 396 (SSB 1106), a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 396, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 397 (SSB 1221), a bill for an act relating to pari-mutuel wagering on horse racing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 397, and they were attached to the committee report.

TRANSPORTATION

Bill Title: *SENATE FILE 386 (SSB 1224), a bill for an act relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for

disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on Senate File 386, and they were attached to the committee report.

EVENING SESSION

The Senate reconvened at 4:28 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Courtney, for the day; and Senator Danielson, until he returns, on request of Senator Gronstal; and Senators Anderson, Bertrand, and Houser, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 188, 187, 186, 184, and 183.

Senate File 188

On motion of Senator Schneider, **Senate File 188**, a bill for an act relating to an application for the immediate return of seized property, was taken up for consideration.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 188), the vote was:

Yeas, 45:

Beall	Dotzler	Johnson	Sinclair
Behn	Dvorsky	Kapucian	Smith
Black	Ernst	Mathis	Sodders
Boettger	Feenstra	McCoy	Sorenson
Bolkcom	Greiner	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hatch	Schneider	Zumbach
Chelgren	Hogg	Schoenjahn	
Dearden	Horn	Segebart	
Dix	Jochum	Seng	

Nays, none.

Absent, 5:

Anderson	Courtney	Houser
Bertrand	Danielson	

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

Senate File 187

On motion of Senator Taylor, **Senate File 187**, a bill for an act relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 187), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor

Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 186

On motion of Senator Whitver, **Senate File 186**, a bill for an act relating to funds transfers under the uniform commercial code, and including effective date provisions, was taken up for consideration.

Senator Whitver moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 186), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 184

On motion of Senator Ragan, **Senate File 184**, a bill for an act relating to programs and services under the purview of the department on aging, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 184), the vote was:

Yeas, 45:

Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Seng	

Nays, none.

Present, 1:

Segebart

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 183

On motion of Senator Beall, **Senate File 183**, a bill for an act relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 183), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 183, 184, 186, 187, and 188** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 182, 181, 153, 146, and 145.

Senate File 182

On motion of Senator Petersen, **Senate File 182**, a bill for an act relating to credit for reinsurance, including transition, applicability, and effective date provisions, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 182), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 181

On motion of Senator McCoy, **Senate File 181**, a bill for an act relating to matters under the purview of the banking division of the department of commerce, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 181), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 153

On motion of Senator Dearden, **Senate File 153**, a bill for an act relating to the title of the office of citizens' aide, was taken up for consideration.

Senator Dearden asked and received unanimous consent that **House File 185** be **substituted** for **Senate File 153**.

House File 185

On motion of Senator Dearden, **House File 185**, a bill for an act relating to the title of the office of citizens' aide, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 185), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Dearden asked and received unanimous consent that **Senate File 153** be **withdrawn** from further consideration of the Senate.

Senate File 146

On motion of Senator Johnson, **Senate File 146**, a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 146), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith

Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 145

On motion of Senator Sodders, **Senate File 145**, a bill for an act relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 145), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson

Bertrand

Courtney

Houser

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 145, 146, 181, and 182** and **House File 185** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 144, 143, 142, and 121, and House File 133.

Senate File 144

On motion of Senator Ragan, **Senate File 144**, a bill for an act relating to pollution prevention and waste management assistance, was taken up for consideration.

Senator Ragan offered amendment S-3010, filed by her on February 28, 2013, to page 2 of the bill, and moved its adoption.

Amendment S-3010 was adopted by a voice vote.

Senator Ragan asked and received unanimous consent that **House File 225** be **substituted** for **Senate File 144**.

House File 225

On motion of Senator Ragan, **House File 225**, a bill for an act relating to pollution prevention and waste management assistance, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 225), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Ragan asked and received unanimous consent that **Senate File 144** be **withdrawn** from further consideration of the Senate.

Senate File 143

On motion of Senator Seng, **Senate File 143**, a bill for an act concerning applications for liquor control licenses and micro-distilled spirits, beer, and wine permits, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 143), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 142

On motion of Senator Petersen, **Senate File 142**, a bill for an act providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 142), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver

Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 121

On motion of Senator Danielson, **Senate File 121**, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable, was taken up for consideration.

Senator Danielson offered amendment S-3005, filed by him on February 4, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3005 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 121), the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson

Bertrand

Courtney

Houser

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

House File 133

On motion of Senator Hogg, **House File 133**, a bill for an act relating to the discharge of a firearm near buildings or feedlots by certified law enforcement officers for training purposes, providing penalties, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 133), the vote was:

Yeas, 45:

Beall

Dotzler

Johnson

Sinclair

Behn

Dvorsky

Kapucian

Smith

Black

Ernst

Mathis

Sodders

Boettger

Feenstra

McCoy

Sorenson

Bolkcom

Greiner

Petersen

Taylor

Bowman

Gronstal

Quirnbach

Whitver

Brase

Guth

Ragan

Wilhelm

Breitbach

Hart

Rozenboom

Zaun

Chapman

Hatch

Schneider

Zumbach

Danielson

Hogg

Schoenjahn

Dearden

Horn

Segebart

Dix

Jochum

Seng

Nays, 1:

Chelgren

Absent, 4:

Anderson

Bertrand

Courtney

Houser

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 121, 142, and 143** and **House Files 133 and 225** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment and reappointment of Nicholas Gerhart as Commissioner of Insurance, placed on the Individual Confirmation Calendar on February 27, 2013, found on page 343 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Leann Jacobsen as a member of the Technology Advisory Council, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 310 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Timothy Peterson as a member of the Technology Advisory Council, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 310 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver

Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of James Davidson as a member of the Vision Iowa Board, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 311 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Kelly Reilly as a member of the Vision Iowa Board, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 311 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Carrie Tedore as a member of the Vision Iowa Board, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 311 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders

Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Steve Lukan as Drug Policy Coordinator, placed on the Individual Confirmation Calendar on February 13, 2013, found on page 266 of the Senate Journal.

Senator Sodders moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Robert S. von Wolffradt as Chief Information Officer, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 310 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Chuck Gipp as Director of the Department Natural Resources, placed on the Individual Confirmation Calendar on February 13, 2013, found on page 266 of the Senate Journal.

Senator Dearden moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson	Bertrand	Courtney	Houser
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Jason Carlstrom as a member and Chairperson of the Board of Parole, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	Zumbach
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Segebart	

Nays, none.

Absent, 4:

Anderson

Bertrand

Courtney

Houser

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointee on the En Bloc Confirmation Calendar:

Joanne Stockdale, Environmental Protection Commission

Senator Gronstal moved that the foregoing appointee be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Beall

Dix

Jochum

Seng

Behn

Dotzler

Johnson

Sinclair

Black

Dvorsky

Kapucian

Smith

Boettger

Ernst

Mathis

Sodders

Bolkcom

Feenstra

McCoy

Sorenson

Bowman

Greiner

Petersen

Taylor

Brase

Gronstal

Quirmbach

Whitver

Breitbach

Guth

Ragan

Wilhelm

Chapman

Hart

Rozenboom

Zaun

Chelgren

Hatch

Schneider

Zumbach

Danielson

Hogg

Schoenjahn

Dearden

Horn

Segebart

Nays, none.

Absent, 4:

Anderson

Bertrand

Courtney

Houser

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:09 p.m. until 9:00 a.m., Tuesday, March 12, 2013.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, March 11, 2013, 2:30 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Courtney (excused).

Committee Business: Passed HF 160.

Adjourned: 2:35 p.m.

WAYS AND MEANS

Convened: Monday, March 11, 2013, 3:30 p.m.

Recessed: 3:35 p.m.

Reconvened: 4:00 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Bertrand (excused).

Committee Business: Passed SF 88 and approved SSB 1172.

Adjourned: 4:25 p.m.

INTRODUCTION OF BILLS

Senate File 405, by Seng, a bill for an act making a transfer of revenue to the road use tax fund and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 406, by committee on Judiciary, a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 407, by committee on State Government, a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office.

Read first time under Rule 28 and **placed on calendar**.

Senate File 408, by committee on Economic Growth, a bill for an act relating to the Iowa finance authority and making an appropriation.

Read first time under Rule 28 and **placed on calendar**.

Senate File 409, by committee on Economic Growth, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs, making an appropriation, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 410, by committee on Economic Growth, a bill for an act modifying the innovation fund investment tax credit and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 411, by committee on Economic Growth, a bill for an act to maintain a permanent Juneteenth exhibit in the state historical building.

Read first time under Rule 28 and **placed on calendar**.

Senate File 412, by committee on Economic Growth, a bill for an act providing for a small employer health insurance tax credit for individual and corporate income taxpayers and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 413, by committee on Natural Resources and Environment, a bill for an act related to the liability of a land holder for the public use of private lands and waters.

Read first time under Rule 28 and **placed on calendar**.

Senate File 414, by committee on Natural Resources and Environment, a bill for an act relating to alternate energy by extending renewable energy tax credit eligibility dates, expanding membership of the Iowa energy center advisory council, and establishing specified grant and loan funds.

Read first time under Rule 28 and **placed on calendar**.

Senate File 415, by committee on Human Resources, a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

Read first time under Rule 28 and **placed on calendar**.

Senate File 416, by committee on Judiciary, a bill for an act relating to authorization procedures for certain county projects involving real property.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

SSB 1238 Ways and Means

Exempting from the state sales tax certain private security and detective services furnished by peace officers.

SSB 1239 Ways and Means

Relating to an exemption from sales tax for the sales price from furnishing certain environmental testing services.

SSB 1240 Ways and Means

Increasing the total amount of historic preservation and cultural and entertainment district tax credits that may be issued.

SSB 1241 Ways and Means

Providing a sales tax exemption for hydroelectricity conversion property.

SUBCOMMITTEE ASSIGNMENTS**SSB 1238**

WAYS AND MEANS: Quirmbach, Chair; Bertrand and Dotzler

SSB 1239

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Smith

SSB 1240

WAYS AND MEANS: Dotzler, Chair; Bertrand and Seng

SSB 1241

WAYS AND MEANS: Dotzler, Chair; Behn and Black

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 160, a bill for an act relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 408 (SSB 1217), a bill for an act relating to the Iowa finance authority and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, Bowman, Chapman, Behn, Chelgren, Danielson, Dotzler, Hart, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Present, 1: Hatch. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 408, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 409 (SSB 1075), a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs, making an appropriation, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, Bowman, Chapman, Behn, Chelgren, Danielson, Dotzler, Hart, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Present, 1: Hatch. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 409, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 410 (SSB 1112), a bill for an act modifying the innovation fund investment tax credit and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Soddors, Bowman, Chapman, Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 410, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 411 (formerly SF 159), a bill for an act to maintain a permanent Juneteenth exhibit in the state historical building.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, Bowman, Chapman, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, 1: Behn. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 411, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 412 (SSB 1024), a bill for an act providing for a small employer health insurance tax credit for individual and corporate income taxpayers and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Soddors, Bowman, Chapman, Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 412, and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *SENATE FILE 415 (SSB 1199), a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 415, and they were attached to the committee report.

JUDICIARY

Bill Title: *SENATE FILE 406 (SSB 1192), a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 406, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 416 (SSB 1031), a bill for an act relating to authorization procedures for certain county projects involving real property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hogg, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 416, and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *SENATE FILE 413 (SSB 1232), a bill for an act related to the liability of a land holder for the public use of private lands and waters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Dearden, Black, Greiner, Brase, Breitbach, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, 1: Bolkom. Present, 1: Hogg. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 413, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 414 (SSB 1211), a bill for an act relating to alternate energy by extending renewable energy tax credit eligibility dates, expanding membership of the Iowa energy center advisory council, and establishing specified grant and loan funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Schoenjahn, Seng, and Zumbach. Nays, 1: Rozenboom. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 414, and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *SENATE FILE 407 (SSB 1163), a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Danielson, Jochum, Bowman, Dearden, Horn, McCoy, Petersen, and Soddors. Nays, 6: Sorenson, Anderson, Chapman, Feenstra, Smith, and Whitver. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 407, and they were attached to the committee report.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 11, 2013, when the vote was taken on Senate File 188. Had I been present, I would have voted "Aye."

JEFF DANIELSON

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 12, 2013

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor Ron Wheeler of Community Chapel in Lakota, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

The Journal of Monday, March 11, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 2013, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

ALSO: That the House has on March 11, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 168, a bill for an act relating to the controlled substance of marijuana, providing a penalty, and including an effective date provision.

Read first time and referred to committee on **Judiciary**.

House File 210, a bill for an act relating to the practices and procedures of the state public defender.

Read first time and referred to committee on **Judiciary**.

House File 219, a bill for an act relating to eminent domain authority and procedures and including effective date, retroactive applicability, and other applicability provisions.

Read first time and referred to committee on **Judiciary**.

House File 236, a bill for an act relating to the operation of golf carts on the streets of an established community within an unincorporated area and making a penalty applicable.

Read first time and referred to committee on **Transportation**.

House File 245, a bill for an act appropriating moneys in the cigarette fire safety standard fund and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Appropriations**.

House File 308, a bill for an act modifying certain duties of the county commissioner of elections and voter registration deadlines.

Read first time and referred to committee on **State Government**.

House File 311, a bill for an act relating to water quality.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 324, a bill for an act relating to the termination of the targeted small business financial assistance program and transferring funds for assistance to targeted small businesses.

Read first time and attached to **companion Senate File 356**.

House File 350, a bill for an act relating to absentee voting at the office of the county commissioner of elections.

Read first time and referred to committee on **State Government**.

House File 351, a bill for an act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age.

Read first time and referred to committee on **Education**.

House File 357, a bill for an act relating to the nomination and appointment of district judges.

Read first time and referred to committee on **Judiciary**.

House File 358, a bill for an act relating to the boards of directors of public corporations.

Read first time and attached to **companion Senate File 290**.

House File 359, a bill for an act relating to obscene material by modifying the definition of material and authorizing local regulation of certain live acts, performances, and exhibitions.

Read first time and referred to committee on **Judiciary**.

House File 394, a bill for an act establishing a lifetime fur harvester license for residents who are sixty-five years of age or older.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 398, a bill for an act relating to the duties and responsibilities of insurance producers under insurance policies or contracts.

Read first time and referred to committee on **Judiciary**.

House File 417, a bill for an act relating to nonsubstantive Code corrections.

Read first time and attached to **similar Senate File 309**.

House File 458, a bill for an act providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards, and including effective date provisions.

Read first time and attached to **similar Senate File 246**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:27 a.m. until 1:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Jacob Burmeister Walsh, Davenport – For achieving the rank of Eagle Scout, Troop 6. Senator Seng.

Marcella Corcoran-Kennedy, member of the Irish Parliament – For being an honored guest of the people of Iowa and for her presentation to the Iowa Senate. Senator Beall.

Don Ellis, Solon – For 20 years of public address announcing at Solon High School sporting events and for receiving the Mo Kelley Award for public address announcing from the IHSA. Senator Dvorsky.

Iowa City West High School boys' basketball team – For their second consecutive state championship and undefeated season. Senator Dvorsky.

Winstein & Marriett – For opening their law office. Senator Seng.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Tuesday, March 12, 2013, 10:15 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner, and Wilhelm.

Members Absent: None.

Committee Business: Legislative Fiscal Bureau reviewed budget.

Adjourned: 11:00 a.m.

INTRODUCTION OF BILLS

Senate File 417, by committee on Economic Growth, a bill for an act creating a technology prairie by promoting an environment to foster the growth of technology, start-up, and small businesses and to attract a skilled workforce by providing incentives and financial assistance to businesses.

Read first time under Rule 28 and **placed on calendar**.

Senate File 418, by committee on Agriculture, a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

Senate File 419, by committee on Human Resources, a bill for an act providing for vision screening for school children.

Read first time under Rule 28 and **placed on calendar**.

Senate File 420, by committee on Economic Growth, a bill for an act requiring American products to be used for public improvements, providing a penalty, and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 334

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Anderson and Dotzler

House File 311

NATURAL RESOURCES AND ENVIRONMENT: Schoenjahn, Chair; Greiner and Seng

House File 394

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *SENATE FILE 418 (SSB 1180), a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Guth, Hart, Houser, Kapucian, and Sodders. Nays, 1: Greiner. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 418, and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: *SENATE FILE 417 (formerly SF 274), a bill for an act creating a technology prairie by promoting an environment to foster the growth of technology, start-up, and small businesses and to attract a skilled workforce by providing incentives and financial assistance to businesses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Sodders, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, and Wilhelm. Nays, 4: Chapman, Behn, Chelgren, and Whitver. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 417, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 420 (formerly SF 70), a bill for an act requiring American products to be used for public improvements, providing a penalty, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Sodders, Bowman, Danielson, Dotzler, Hart, Hatch, Mathis, Taylor, and Wilhelm. Nays, 5: Chapman, Behn, Houser, Schneider, and Whitver. Absent, 1: Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *SENATE FILE 419 (SSB 1159), a bill for an act providing for vision screening for school children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on Senate File 419, and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:08 p.m., President Jochum presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 317, 316, 309, 300, and 290.

Senate File 317

On motion of Senator Hogg, **Senate File 317**, a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable, was taken up for consideration.

(Senate File 317 was deferred.)

The Senate stood at ease at 1:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:59 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 317, previously deferred.

Senator Hogg asked and received unanimous consent that action on **Senate File 317** be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:01 p.m. until the completion of a meeting of the committee on Judiciary.

RECONVENED

The Senate reconvened at 3:42 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Greiner, until she returns, on request of Senator Chelgren; and Senator Courtney, for the day, on request of Senator Gronstal.

BUSINESS PENDING

Senate File 317

The Senate resumed consideration of **Senate File 317**, a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable, previously deferred.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 317), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver

Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney	Greiner
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 316

On motion of Senator Kapucian, **Senate File 316**, a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination, was taken up for consideration.

Senator Kapucian moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 316), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney	Greiner
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 309

On motion of Senator Schneider, **Senate File 309**, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schneider offered amendment S-3011, filed by the committee on Judiciary on March 5, 2013, to pages 57–58 of the bill, and moved its adoption.

Amendment S-3011 was adopted by a voice vote.

Senator Schneider asked and received unanimous consent that **House File 417** be **substituted** for **Senate File 309**.

House File 417

On motion of Senator Schneider, **House File 417**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 417), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Greiner

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

WITHDRAWN

Senator Schneider asked and received unanimous consent that **Senate File 309** be **withdrawn** from further consideration of the Senate.

Senate File 300

On motion of Senator Dotzler, **Senate File 300**, a bill for an act increasing the annual aggregate tax credit authorization limit for the endow Iowa tax credit and eliminating the use of wagering tax revenues for the credit, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 300), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney

Greiner

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

Senate File 290

On motion of Senator Hogg, **Senate File 290**, a bill for an act relating to the boards of directors of public corporations, was taken up for consideration.

Senator Hogg asked and received unanimous consent that **House File 358** be **substituted** for **Senate File 290**.

House File 358

On motion of Senator Hogg, **House File 358**, a bill for an act relating to the boards of directors of public corporations, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 358), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney

Greiner

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

WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 290** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 300, 316, and 317** and **House Files 358 and 417** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 288, 282, 246, 231, and 224.

Senate File 288

On motion of Senator Taylor, **Senate File 288**, a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 288), the vote was:

Yeas, 48:

Anderson
Beall
Behn
Bertrand
Black

Danielson
Dearden
Dix
Dotzler
Dvorsky

Horn
Houser
Jochum
Johnson
Kapucian

Schoenjahn
Segebart
Seng
Sinclair
Smith

Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Greiner

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

Senate File 282

On motion of Senator Whitver, **Senate File 282**, a bill for an act relating to procedural requirements in in rem forfeiture proceedings, was taken up for consideration.

Senator Whitver moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 282), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Greiner

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

Senate File 246

On motion of Senator Soddors, **Senate File 246**, a bill for an act providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards, was taken up for consideration.

Senator Soddors offered amendment S-3012, filed by him from the floor to pages 2 and 4 and amending the title page of the bill, and moved its adoption.

Amendment S-3012 was adopted by a voice vote.

Senator Soddors asked and received unanimous consent that **House File 458** be **substituted** for **Senate File 246**.

House File 458

On motion of Senator Soddors, **House File 458**, a bill for an act providing for the department of agriculture and land stewardship's administration of programs regarding a conservation practices revolving loan fund, the state metrologist, pesticide regulation, and motor fuel standards, was taken up for consideration.

Senator Soddors moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 458), the vote was:

Yeas, 47:

Anderson	Dearden	Houser	Segebart
Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Bertrand	Dvorsky	Kapucian	Smith
Black	Ernst	Mathis	Soddors
Boettger	Feenstra	McCoy	Sorenson
Bolkcom	Gronstal	Petersen	Taylor
Bowman	Guth	Quirmbach	Whitver
Brase	Hart	Ragan	Wilhelm
Breitbach	Hatch	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Danielson	Horn	Schoenjahn	

Nays, 1:

Chelgren

Absent, 2:

Courtney

Greiner

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

WITHDRAWN

Senator Sodders asked and received unanimous consent that **Senate File 246** be **withdrawn** from further consideration of the Senate.

Senate File 231

On motion of Senator Dvorsky, **Senate File 231**, a bill for an act relating to the requirement that creditors provide notice of the availability of counseling and mediation services to homeowners facing foreclosure, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 231), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Greiner

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

Senate File 224

On motion of Senator Taylor, **Senate File 224**, a bill for an act relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards, was taken up for consideration.

Senator Chelgren offered amendment S-3016, filed by Senator Chelgren, et al., from the floor to page 1 and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment S-3016 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3016 out of order.

(Senate File 224 was deferred.)

The Senate stood at ease at 4:41 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:39 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ernst, until she returns, on request of Senator Dix.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 224), the vote was:

Yeas, 37:

Beall	Dotzler	Jochum	Schoenjahn
Behn	Dvorsky	Johnson	Segebart
Black	Feenstra	Kapucian	Seng
Boettger	Greiner	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor
Bowman	Hart	Petersen	Wilhelm
Brase	Hatch	Quirmbach	Zumbach
Breitbach	Hogg	Ragan	
Danielson	Horn	Rozenboom	
Dearden	Houser	Schneider	

Nays, 11:

Anderson	Chelgren	Sinclair	Whitver
Bertrand	Dix	Smith	Zaun
Chapman	Guth	Sorenson	

Absent, 2:

Courtney	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 224, 231, 282, and 288** and **House File 458** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 220, 219, 203, 198, and 189.

Senate File 220

On motion of Senator Beall, **Senate File 220**, a bill for an act relating to funding for retirement incentive programs offered by school districts and including applicability provisions, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 220), the vote was:

Yeas, 46:

Anderson	Dix	Jochum	Seng
Beall	Dotzler	Johnson	Sinclair
Behn	Dvorsky	Kapucian	Smith
Black	Feenstra	Mathis	Sodders
Boettger	Greiner	McCoy	Sorenson
Bolkcom	Gronstal	Petersen	Taylor
Bowman	Guth	Quirmbach	Whitver
Brase	Hart	Ragan	Wilhelm
Breitbach	Hatch	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Danielson	Horn	Schoenjahn	
Dearden	Houser	Segebart	

Nays, 2:

Bertrand	Chelgren
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Absent, 2:

Courtney	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 219

On motion of Senator Beall, **Senate File 219**, a bill for an act relating to the authorized use of revenues from the physical plant and equipment levy and including applicability provisions, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 219), the vote was:

Yeas, 35:

Beall	Dotzler	Houser	Rozenboom
Behn	Dvorsky	Jochum	Schneider
Black	Feenstra	Johnson	Schoenjahn
Boettger	Greiner	Kapucian	Segebart
Bolkcom	Guth	Mathis	Seng

Bowman	Hart	McCoy	Sinclair
Brase	Hatch	Petersen	Taylor
Danielson	Hogg	Quirmbach	Wilhelm
Dearden	Horn	Ragan	

Nays, 13:

Anderson	Chelgren	Sodders	Zumbach
Bertrand	Dix	Sorenson	
Breitbach	Gronstal	Whitver	
Chapman	Smith	Zaun	

Absent, 2:

Courtney	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 203

On motion of Senator Mathis, **Senate File 203**, a bill for an act relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Mathis offered amendment S-3013, filed by her from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3013 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 203), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson

Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbart	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Ernst

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

Senate File 198

On motion of Senator Mathis, **Senate File 198**, a bill for an act relating to elderly persons with aggressive or psychiatric behaviors in long-term care facilities, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 198), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbart	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Ernst

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

Senate File 189

On motion of Senator McCoy, **Senate File 189**, a bill for an act relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 189), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney	Ernst
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 185.

Senate File 185

On motion of Senator Dotzler, **Senate File 185**, a bill for an act relating to the administration of the streamlined sales and use tax agreement by the department of revenue, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that **House File 199** be **substituted** for **Senate File 185**.

House File 199

On motion of Senator Dotzler, **House File 199**, a bill for an act relating to the administration of the streamlined sales and use tax agreement by the department of revenue, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 199), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Ernst

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 185** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 189, 198, 203, 219, and 220** and **House File 199** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 145, a bill for an act relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

Senate File 181, a bill for an act relating to matters under the purview of the banking division of the department of commerce.

Senate File 183, a bill for an act relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable.

Senate File 187, a bill for an act relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

Senate File 188, a bill for an act relating to an application for the immediate return of seized property.

ALSO: That the House has on March 12, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 279, a bill for an act relating to complaints filed with the board of educational examiners.

Read first time and referred to committee on **Education**.

House File 312, a bill for an act providing for certification requirements by persons involved in the management of manure, and including provisions for contingent implementation.

Read first time and referred to committee on **Agriculture**.

House File 381, a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races.

Read first time and referred to committee on **State Government**.

House File 396, a bill for an act concerning the review, approval, and establishment of county supervisor districting plans.

Read first time and referred to committee on **Local Government**.

House File 397, a bill for an act relating to the administration of duties and programs by the economic development authority.

Read first time and attached to **similar Senate File 297**.

House File 475, a bill for an act relating to the issuance of a search warrant to authorize the placement, tracking, monitoring, and removal of a global positioning device.

Read first time and referred to committee on **Judiciary**.

House File 477, a bill for an act relating to the sale, operation, and possession of speed detection jamming devices, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 488, a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

Read first time and attached to **companion Senate File 271**.

House File 489, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions.

Read first time and referred to committee on **Commerce**.

House File 496, a bill for an act relating to the service of notice of no-contact orders and protective orders, and including effective date provisions.

Read first time and attached to **companion Senate File 370**.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F. 326	Appropriations
S.F. 367	Ways and Means
S.F. 377	Appropriations
S.F. 378	Appropriations
S.F. 400	Appropriations
S.F. 408	Ways and Means
S.F. 409	Ways and Means
S.F. 410	Ways and Means
S.F. 412	Ways and Means
S.F. 413	Judiciary
S.F. 414	Appropriations
S.F. 415	Appropriations

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:19 p.m. until 9:00 a.m., Wednesday, March 13, 2013.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Tuesday, March 12, 2013, 2:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Behn, Chelgren, Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Houser (excused).

Committee Business: Presentation.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: Tuesday, March 12, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: Courtney, Vice Chair; and Soddors (both excused).

Committee Business: Presentation. Governor's appointees.

Adjourned: 3:35 p.m.

INTRODUCTION OF BILLS

Senate File 421, by committee on Ways and Means, a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 422, by committee on Ways and Means, a bill for an act relating to the amount of the earned income tax credit and including retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 423, by committee on Education, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

Senate File 424, by Anderson and Bertrand, a bill for an act increasing the amount of the exclusion from the computation of net income for purposes of the individual income tax of governmental or other pension or retirement pay, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 425, by Johnson, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled persons who are veterans or who are serving in the military.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

SUBCOMMITTEE ASSIGNMENTS

House File 308

STATE GOVERNMENT: Danielson, Chair; Horn and Smith

House File 350

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

House File 351

EDUCATION: Wilhelm, Chair; Hart and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *SENATE FILE 423 (SSB 1228), a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 423, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *SENATE FILE 421 (SSB 1172), a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bolkcom, Feenstra, Behn, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, and Schneider. Nays, 3: Seng, Chapman, and Smith. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 421, and they were attached to the committee report.

ALSO:

Bill Title: SENATE FILE 422 (formerly SF 88), a bill for an act relating to the amount of the earned income tax credit and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bolkcom, Seng, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, and Quirmbach. Nays, 5: Feenstra, Behn, Chapman, Schneider, and Smith. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE DIRECTOR OF THE LEGISLATIVE SERVICES AGENCY

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 4, Glen P. Dickinson, Legislative Services Agency, submits the following list of position classifications in the Office of the Legislative Services Agency and the following list of the names, positions, and grades and steps of the employees in the Legislative Services Agency:

POSITION CLASSIFICATIONS

<u>Position Classification</u>	<u>Pay Grade</u>
Senior Administrative Services Officer	35
Administrative Services Officer 3	32
Administrative Services Officer 2	29
Administrative Services Officer 1	26
Administrative Services Officer	23
Administrative Services Assistant	20
Capitol Tour Guide Supervisor 2	25
Capitol Tour Guide Supervisor 1	22
Capitol Tour Guide	18
Director	00
Division Director	43
Senior Finance Officer 2	35
Senior Finance Officer	31
Finance Officer 2	27
Finance Officer 1	24
LIO Director 3	38
LIO Director 2	35
LIO Director 1	32
LIO Officer 3	30
LIO Officer 2	27
LIO Officer 1	24
LSA Page	9
CSD Division Editor/Supervisor	36
Senior Computer Systems Analyst	35
Computer Systems Analyst 3	32
Computer Systems Analyst 2	29
Computer Systems Analyst 1	27
Computer Systems Analyst	24
Senior Computer Systems Engineer	35
Computer Systems Engineer 2	32
Computer Systems Engineer 1	29
Division Administrator 2	41
Division Administrator 1	38
Session Technology Floor Asst.	17
Senior Legislative Analyst	38
Legislative Analyst 3	35
Legislative Analyst 2	32
Legislative Analyst 1	29

Legislative Analyst	27
Assistant Editor 3	30
Assistant Editor 2	27
Assistant Editor 1	24
Code Editor	41
Deputy Code Editor	35
Division Editor/Supervisor	39
Senior Legal Counsel	38
Legal Counsel 2	35
Legal Counsel 1	32
Legal Counsel	30
Publications Assistant	21
Senior Research Analyst	38
Research Analyst 3	35
Research Analyst 2	32
Research Analyst 1	29
Research Analyst	27

NAMES POSITIONS, GRADES, AND STEPS OF EMPLOYEES

GRADE and STEP

D. Ackerman	Senior Research Analyst	38-7
J. Acton	Senior Legislative Analyst	38-5
D. Adkisson	Senior Legal Counsel	38-7
M. Anfinson	Capitol Tour Guide	18-3
J. Arnett	Capitol Tour Guide Supervisor 2	25-7
J. Bellizzi	Computer Systems Analyst 2	29-7
J. Benson	Legislative Analyst 3	35-4
M. Bray	Capitol Tour Guide	18-3
A. Bridges	Capitol Tour Guide	18-2
A. Broich	Legislative Analyst	27-2
J. Clark	Assistant Editor 2	27-5
E. Cook	Senior Legal Counsel	38-7
C. Coppock	Capitol Tour Guide	18-2
D. Craft	Administrative Services Officer 1	26-5
J. Croatt	Administrative Services Officer 1	26-4
C. Cronbaugh	LIO Director 1	32-7
S. Crowley	Division Editor/Supervisor	39-7
T. Culbertson	Administrative Services Assistant	20-5
D. DeRaad	Administrative Services Assistant	20-1
A. DeSmet	Legal Counsel	30-2
G. Dickinson	Director	\$132,600.00
J. Douglas	Administrative Services Officer 1	26-7
M. Duster	Legal Counsel 2	35-3
M. Eaton	Division Administrator 1	38-7
J. Ellenwood	Administrative Services Officer 1	26-4
E. Eller	Computer Systems Analyst 1	27-2
A. Erazo	Administrative Services Officer	23-6
J. Ewing	Legal Counsel 1	32-2
D. Ferguson	Senior Legislative Analyst	38-7
M. Fisher	Capitol Tour Guide	18-3

P. Funaro	Senior Legal Counsel	38-7
G. Garrett	Administrative Services Officer 2	29-6
M. Hagen	Administrative Services Officer	23-4
K. Hanlon	Senior Research Analyst	38-7
L. Henschel	Computer Systems Analyst 2	29-2
N. Herselius	Capitol Tour Guide	18-1
D. Heuton	Senior Legislative Analyst	38-1
L. Hickey	Iowa Code Editor	41-7
R. Hjelmaas	Senior Legal Counsel	38-7
S. Hoff	Division Administrator 1	38-5
N. Hoffman	Division Editor/Supervisor	39-7
J. Ihm	Computer Systems Analyst 2	29-2
J. Jess	Capitol Tour Guide	18-2
R. Johnson	Division Director	43-7
T. Johnson	Capitol Tour Guide	18-1
D. Kair	Division Administrator 1	38-7
J. Karns	Computer Systems Analyst	24-2
R. Karns	Administrative Services Officer 2	29-7
D. Kirk	Administrative Services Officer	23-3
J. Koth	Senior Computer Systems Engineer	35-7
D. Kozel	Senior Legislative Analyst	38-7
J. Kroes	Senior Computer Systems Engineer	35-7
M. Kruse	Senior Finance Officer 2	35-7
B. Lamberti	LIO Officer 2	27-6
S. Laust	Administrative Services Officer	23-7
B. Lenstra	Senior Legislative Analyst	38-7
A. Lynch	Administrative Services Assistant	20-4
H. Lyons	Division Director	43-7
R. Madison	Senior Legislative Analyst	38-5
T. McDermott	Senior Legal Counsel	38-7
J. McEniry	Senior Legal Counsel	38-7
M. Mertens	Legal Counsel	30-2
E. Meyer	Computer Systems Analyst 1	27-6
E. Montgomery	Legislative Analyst 1	29-2
L. Morford	Administrative Services Officer	23-7
L. Mortens	Capitol Tour Guide	18-1
S. Nabholz	Administrative Services Officer	23-7
N. Navara	Administrative Services Officer	23-7
K. Nelson	Administrative Services Officer	23-5
R. Nelson	Senior Legal Counsel	38-7
K. Ohms	Legislative Analyst 1	29-2
M. Olson	Capitol Tour Guide	18-1
J. Parker	Legislative Analyst 1	29-2
W. Paxson	Capitol Tour Guide	18-2
S. Person	Capitol Tour Guide	18-4
J. Pollak	Division Administrator 2	41-7
J. Powell	Administrative Services Officer	23-7
D. Reynolds	Senior Legislative Analyst	38-7
J. Robinson	Senior Legislative Analyst	38-7
R. Robinson	Senior Legislative Analyst	38-7
B. Rodenkirk	Senior Computer Systems Engineer	35-4
J. Royce	Senior Legal Counsel	38-7

G. Rudicil	Senior Computer Systems Analyst	35-7
M. Rykhoek	Computer Systems Analyst 1	27-4
R. Schulze	Administrative Services Officer 2	29-7
M. Shipman	Division Editor/Supervisor	39-7
S. Snyder	Division Administrator 2	41-7
T. Souer	Administrative Services Officer 2	29-7
M. Tannian	Legislative Analyst 3	35-2
M. Thompson	Administrative Services Officer	23-7
C. Thurmond	Administrative Services Officer	23-7
J. Van Engelenhoven	Division Administrator 1	38-7
V. Van Vlair Hansen	Senior Computer Systems Analyst	35-7
T. Vander Linden	Assistant Editor 3	30-7
A. Ver Heul	Senior Legal Counsel	38-6
A. Ward	Legal Counsel 1	32-2
J. Warner	Assistant Editor 2	27-7
M. Weiford	Administrative Services Officer	23-7
K. Wesely	Senior Finance Officer 2	35-6
N. Westbrook	Assistant Editor 3	30-6
J. Wood	Capitol Tour Guide	18-3

AMENDMENTS FILED

S-3012	S.F.	246	Steve Soddors
S-3013	S.F.	203	Liz Mathis
S-3014	S.F.	393	David Johnson
S-3015	S.F.	366	Matt McCoy
S-3016	S.F.	224	Mark Chelgren
			Kent Sorenson
			Brad Zaun
			Jack Whitver
S-3017	S.F.	298	Robert M. Hogg

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 13, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Father Ken Gehling of Spiritual Care at Mercy North in Mason City, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grant Smith.

The Journal of Tuesday, March 12, 2013, was approved.

SPECIAL GUESTS

Senator Johnson introduced to the Senate chamber the Honorable Deputy Marcella Corcoran-Kennedy, TD, accompanied by her sister, Maria. Deputy Corcoran-Kennedy is a Fine Gael member of the Irish Parliament and is in Iowa to celebrate St. Patrick's Day in Emmetsburg.

Deputy Corcoran-Kennedy addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

Senator Beall presented Deputy Corcoran-Kennedy with gifts on behalf of the Iowa Senate and the International Relations Committee.

Senator Johnson introduced to the Senate chamber Irish Miss, Kayla Joyce, accompanied by her friend, Sarah Simington; and the Chairman of the Emmetsburg St. Patrick's Association, Andy Joyce and his wife, Kim Joyce.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:47 a.m. until 2:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:05 p.m., President Pro Tempore Soddors presiding.

The Senate stood at ease at 2:06 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:10 p.m., President Pro Tempore Soddors presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Courtney, for the day, on request of Senator Dvorsky.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 337, 332, 321, 320, and 318.

Senate File 337

On motion of Senator Bowman, **Senate File 337**, a bill for an act providing for training on suicide prevention and trauma-informed care for school personnel, was taken up for consideration.

Senator Bowman offered amendment S-3021, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3021 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 337), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 332

On motion of Senator Beall, **Senate File 332**, a bill for an act related to the administration of the national guard educational assistance program, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 332), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 321

On motion of Senator Mathis, **Senate File 321**, a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 321), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor

Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 320

On motion of Senator Quirmbach, **Senate File 320**, a bill for an act requiring the board of directors of a school district to develop and implement a comprehensive emergency management plan, was taken up for consideration.

Ernst asked and received unanimous consent that action on **Senate File 320** be **deferred**.

Senate File 318

On motion of Senator Hogg, **Senate File 318**, a bill for an act relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, and making appropriations, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 318), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders

Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 318, 321, 332, and 337** be **immediately messaged** to the House.

President Jochum took the chair at 3:45 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 298 and 293.

Senate File 298

On motion of Senator Hogg, **Senate File 298**, a bill for an act expanding the definition of the term “sex act” in the criminal code and providing penalties, was taken up for consideration.

Senator Hogg withdrew amendment S-3017, filed by him on March 12, 2013, to page 1 and amending the title page of the bill.

Senator Hogg offered amendment S-3018, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S–3018 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 298), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 293

On motion of Senator Petersen, **Senate File 293**, a bill for an act relating to the sale of services by an official, a state employee, a member of the general assembly, or a legislative employee, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 293), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 160.

House File 160

On motion of Senator Bolkcom, **House File 160**, a bill for an act relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 160), the vote was:

Yeas, 44:

Anderson	Chelgren	Hogg	Schoenjahn
Beall	Danielson	Horn	Segebart
Behn	Dix	Houser	Seng
Bertrand	Dotzler	Jochum	Sinclair
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Greiner	Mathis	Sorenson
Bowman	Gronstal	Quirmbach	Taylor
Brase	Guth	Ragan	Whitver
Breitbach	Hart	Rozenboom	Wilhelm
Chapman	Hatch	Schneider	Zumbach

Nays, 5:

Dearden	McCoy	Zaun
Feenstra	Petersen	

Absent, 1:

Courtney

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 370.

Senate File 370

On motion of Senator Petersen, **Senate File 370**, a bill for an act relating to the service of notice of no-contact orders and protective orders, and including effective date provisions, was taken up for consideration.

Senator Petersen asked and received unanimous consent that **House File 496** be **substituted** for **Senate File 370**.

House File 496

On motion of Senator Petersen, **House File 496**, a bill for an act relating to the service of notice of no-contact orders and protective orders, and including effective date provisions, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 496), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

WITHDRAWN

Senator Petersen asked and received unanimous consent that **Senate File 370** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 293 and 298 and House Files 160 and 496** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 327, 368, 362, 357, 356, and 355.

Senate File 327

On motion of Senator Danielson, **Senate File 327**, a bill for an act concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 327), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 368

On motion of Senator Hogg, **Senate File 368**, a bill for an act relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 368), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 362

On motion of Senator Quirmbach, **Senate File 362**, a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 362), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 357

On motion of Senator Wilhelm, **Senate File 357**, a bill for an act relating to Medicaid program integrity, and providing penalties, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 357), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders

Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 356

On motion of Senator Soddors, **Senate File 356**, a bill for an act relating to the termination of the targeted small business financial assistance program and transferring funds for assistance to targeted small businesses, was taken up for consideration.

Senator Soddors asked and received unanimous consent that **House File 324** be **substituted** for **Senate File 356**.

House File 324

On motion of Senator Soddors, **House File 324**, a bill for an act relating to the termination of the targeted small business financial assistance program and transferring funds for assistance to targeted small businesses, was taken up for consideration.

Senator Soddors moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 324), the vote was:

Yeas, 48:

Anderson	Dearden	Horn	Schoenjahn
Beall	Dix	Houser	Segebart
Behn	Dotzler	Jochum	Seng

Bertrand	Dvorsky	Johnson	Sinclair
Black	Ernst	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zaun
Danielson	Hogg	Schneider	Zumbach

Nays, 1:

Chelgren

Absent, 1:

Courtney

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

WITHDRAWN

Senator Sodders asked and received unanimous consent that **Senate File 356** be **withdrawn** from further consideration of the Senate.

Senate File 355

On motion of Senator Danielson, **Senate File 355**, a bill for an act relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 355), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson

Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 327, 355, 357, 362, and 368** and **House File 324** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 353, 351, 350, 349, 348, and 347.

Senate File 353

On motion of Senator Wilhelm, **Senate File 353**, a bill for an act relating to vaccine administration by licensed pharmacists, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 353), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders

Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 351

On motion of Senator Bolkcom, **Senate File 351**, a bill for an act relating to service providers under Medicaid home and community-based services waivers, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 351), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 350

On motion of Senator Beall, **Senate File 350**, a bill for an act relating to mandatory child abuse and dependent adult abuse reporter training, and including applicability provisions, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 350), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 349

On motion of Senator Bowman, **Senate File 349**, a bill for an act relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee, and including effective date provisions, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 349), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

Senate File 348

On motion of Senator Bowman, **Senate File 348**, a bill for an act relating to the period of validity of driver's licenses and nonoperator's identification cards and to associated fees, and including effective date and applicability provisions, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 348), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Behn	Dotzler	Johnson	Smith
Bertrand	Dvorsky	Kapucian	Sodders
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 1:

Courtney

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Gronstal.

Senate File 347

On motion of Senator Dotzler, **Senate File 347**, a bill for an act relating to record checks of prospective and current health care employees and certain students, was taken up for consideration.

Senator Dotzler offered amendment S-3020, filed by him from the floor to page 3 and amending the title page of the bill, and moved its adoption.

Amendment S–3020 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 347), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 347, 348, 349, 350, 351, and 353** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 345, 343, 342, 339, and 338.

Senate File 345

On motion of Senator Sodders, **Senate File 345**, a bill for an act relating to right to cure provisions applicable to a closed credit card account, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 345), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney	Hatch
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 343

On motion of Senator Sodders, **Senate File 343**, a bill for an act authorizing tribal governments to establish a force of reserve peace officers, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 343), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

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

Senate File 342

On motion of Senator Taylor, **Senate File 342**, a bill for an act relating to donations and charitable contributions in a criminal proceeding, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 342), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor

Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney	Hatch
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 339

On motion of Senator Bowman, **Senate File 339**, a bill for an act relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable, was taken up for consideration.

Senator Bowman offered amendment S-3019, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3019 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 339), the vote was:

Yeas, 46:

Anderson	Danielson	Houser	Segebart
Beall	Dearden	Jochum	Seng
Behn	Dix	Johnson	Sinclair
Bertrand	Dotzler	Kapucian	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Ernst	McCoy	Sorenson
Bolkcom	Feenstra	Petersen	Taylor
Bowman	Greiner	Quirmbach	Whitver
Brase	Gronstal	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hogg	Schneider	
Chelgren	Horn	Schoenjahn	

Nays, 2:

Guth Zaun

Absent, 2:

Courtney Hatch

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

Senate File 338

On motion of Senator Dvorsky, **Senate File 338**, a bill for an act requiring background checks for school employees, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 338), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Hogg called up the appointment of Scott Bailey as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 45:

Anderson	Dearden	Jochum	Seng
Beall	Dix	Johnson	Sinclair
Behn	Dotzler	Kapucian	Smith
Bertrand	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hogg	Schneider	
Chelgren	Horn	Schoenjahn	
Danielson	Houser	Segebart	

Nays, 3:

Black	Dvorsky	Sodders
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Absent, 2:

Courtney	Hatch
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of John Bloom as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of Elizabeth Doll as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of Kathy Pearson as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of Patricia (Trish) Roberts as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of Helen Sinclair as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson

Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of Steve Sukup as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Hogg called up the appointment of John (Jerry) Welter as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on February 19, 2013, found on page 294 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Courtney Hatch

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 338, 339, 342, 343, and 345** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 184, a bill for an act relating to programs and services under the purview of the department on aging.

ALSO: I am directed to inform your honorable body that the House has on March 13, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 307, a bill for an act establishing the department of homeland security and emergency management.

Read first time and attached to **similar Senate File 289**.

House File 352, a bill for an act relating to school instructional hours and school instructional days and including effective date provisions.

Read first time and referred to committee on **Education**.

House File 355, a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions.

Read first time and attached to **companion Senate File 331**.

House File 361, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans and disabled members of the armed forces serving on active federal service.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 453, a bill for an act relating to veterans preferences in certain appointments made by counties and cities and making penalties applicable.

Read first time and referred to committee on **Veterans Affairs**.

House File 469, a bill for an act relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions.

Read first time and attached to **similar Senate File 398**.

House File 472, a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies.

Read first time and referred to committee on **Education**.

ALSO: I am directed to inform your honorable body that the House has on March 13, 2013, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Joint Resolution 13, a joint resolution relating to the location and exhibition of the statue of James Harlan, currently on display in the United States capitol.

Read first time and referred to committee on **State Government**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:12 p.m. until 9:00 a.m., Thursday, March 14, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Thursday, February 28, 2013, 4:05 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; and Greiner.

Members Absent: Sorenson, Ranking Member; and McCoy (both excused).

Committee Business: Presentations.

Adjourned: 4:35 p.m.

ALSO:

Convened: Wednesday, March 13, 2013, 1:05 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Presentation from DAS.

Adjourned: 1:50 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 13, 2013, 6:15 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors.

Members Absent: Courtney (excused).

Committee Business: Passed SR 9, Write Women Back into History.

Adjourned: 6:20 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Hart, Quirmbach, and Whitver, a resolution recognizing March 2013 as Iowa Women's History Month.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 426, by committee on Commerce, a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Read first time under Rule 28 and **placed on calendar**.

Senate File 427, by committee on State Government, a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 413

JUDICIARY: Hogg, Chair; Petersen and Schneider

Senate File 425

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Johnson

House File 168

JUDICIARY: Quirnbach, Chair; Boettger and Courtney

House File 210

JUDICIARY: Taylor, Chair; Dvorsky and Whitver

House File 236

TRANSPORTATION: Brase, Chair; Behn and McCoy

House File 279

EDUCATION: Hogg, Chair; Dvorsky and Sinclair

House File 357

JUDICIARY: Hogg, Chair; Dvorsky and Schneider

House File 359

JUDICIARY: Hogg, Chair; Dvorsky and Whitver

House File 396

LOCAL GOVERNMENT: Wilhelm, Chair; Brase and Sinclair

House File 398

JUDICIARY: Hogg, Chair; Horn and Schneider

House File 475

JUDICIARY: Sodders, Chair; Horn and Schneider

House File 489

COMMERCE: McCoy, Chair; Breitbach and Petersen

FINAL COMMITTEE REPORT OF BILL ACTION

COMMERCE

Bill Title: *SENATE FILE 426 (SSB 1225), a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on Senate File 426, and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: SENATE RESOLUTION 9, a resolution recognizing March 2013 as Iowa Women's History Month.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Jochum, Dix, Bertrand, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *SENATE FILE 427 (SSB 1190), a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on Senate File 427, and they were attached to the committee report.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committee for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

JUDICIARY

Tom Conley – Iowa State Civil Rights Commission

Brian Gardner – Iowa Law Enforcement Academy Council

AMENDMENTS FILED

S-3018	S.F.	298	Robert M. Hogg
S-3019	S.F.	339	Tod Bowman
S-3020	S.F.	347	William A. Dotzler
S-3021	S.F.	337	Tod Bowman
S-3022	S.F.	304	Steven Soddors

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 14, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by the Honorable Nancy J. Boettger, member of the Senate from Shelby County, Harlan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page William Thomas.

The Journal of Wednesday, March 13, 2013, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 478, a bill for an act relating to revenue and taxation by modifying the transfer of moneys from the Iowa economic emergency fund to the taxpayers trust fund, creating an Iowa taxpayers trust fund tax credit and fund and providing for the transfer of moneys for purposes of the credit, creating an alternative base income tax and an alternative cumulative income surtax imposed at the election of the taxpayer and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 9.

Senate Resolution 9

On motion of Senator Hart, **Senate Resolution 9**, a resolution recognizing March 2013 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Whitver moved the adoption of Senate Resolution 9, which motion prevailed by a voice vote.

SPECIAL GUESTS

In celebration of Women's History Month, Senators Hart, Quirnbach, and Whitver welcomed student winners of the 28th Annual "Write Women Back into History" Essay Contest to the Senate chamber.

The contest is sponsored by the Iowa Commission on the Status of Women, the Iowa Department of Education, and the State Historical Society of Iowa.

Sixth and Seventh Grades:

First Place: Grace Denner of New Hampton Middle School in New Hampton

Second Place: Sophia Xiao of Pleasant Valley Junior High in LeClaire

Third Place: Carolyn Frank homeschooled in Ames

Eighth and Ninth Grades:

First Place: Dakota Lucht of Northview Middle School in Ankeny

Second Place: Laci Droll of Iowa City West High School in Iowa City

Third Place: Caleb Mark Gipple of North Mahaska Junio High in New Sharon

The Senate rose and expressed its welcome.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.F. 230 and attached H.F. 211
S.F. 271 and attached H.F. 488
S.F. 289 and attached H.F. 307
S.F. 297 and attached H.F. 397
S.F. 331 and attached H.F. 355
S.F. 398 and attached H.F. 469
H.F. 14

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:22 a.m. until 1:00 p.m., Monday, March 18, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Grace Denner, New Hampton – For winning the Write Women Back into History Essay Contest. Senator Wilhelm.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, March 14, 2013, 1:00 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Beall, Bolkcom, Breitbach, Chapman, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: Anderson, Ranking Member; Bertrand, and Hatch (all excused).

Committee Business: Governor's appointees.

Adjourned: 1:15 p.m.

HUMAN RESOURCES

Convened: Thursday, March 14, 2013, 12:05 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Boettger, Bolcom, Ernst, Hatch, Jochum, Mathis, Quirmbach, and Segebart.

Members Absent: Johnson, Ranking Member; Dotzler, and Whitver (all excused).

Committee Business: Passed HF 197, as amended. Governor's appointees.

Adjourned: 12:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, March 14, 2013, 10:10 a.m.

Members Present: Black, Chair; Dearden, Vice Chair; Rozenboom, Ranking Member; Greiner, and Wilhelm.

Members Absent: None.

Committee Business: Passed draft Senate Appropriations Subcommittee on Agriculture and Natural Resources bill.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, March 13, 2013, 10:15 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; and Schneider.

Members Absent: Seng (excused).

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, March 14, 2013, 10:05 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; Boettger, Ranking Member; Schneider, and Seng.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, March 14, 2013, 10:00 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; and Bolkcom.

Members Absent: Johnson (excused).

Committee Business: Budget discussion.

Adjourned: 10:15 a.m.

INTRODUCTION OF BILL

Senate File 428, by Segebart, Guth, Rozenboom, Johnson, Breitbach, Greiner, Kapucian, and Sinclair, a bill for an act establishing a public building rehabilitation income tax credit.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

STUDY BILL RECEIVED**SSB 1242 Ways and Means**

Relating to the policy administration of the tax and related laws and related programs by the department of revenue, including administration of income taxes, sales and use taxes, the orderly wind-up and eventual repeal of the Iowa fund of funds program, the replacement taxes task force, a study report related to administrative appeals processes for tax matters, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 367**

WAYS AND MEANS: Petersen, Chair; Behn and McCoy

Senate File 424

WAYS AND MEANS: Quirmbach, Chair; Bertrand and Dotzler

House File 131

STATE GOVERNMENT: Dearden, Chair; Anderson and Sadders

House File 352

EDUCATION: Quirmbach, Chair; Johnson and Schoenjahn

House File 361

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Johnson and Ragan

House File 472

EDUCATION: Schoenjahn, Chair; Boettger and Hart

SSB 1242

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Feenstra

FINAL COMMITTEE REPORT OF BILL ACTION**HUMAN RESOURCES**

Bill Title: HOUSE FILE 197, a bill for an act relating to certification of adult day services programs.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3023.

Final Vote: Ayes, 10: Ragan, Wilhelm, Boettger, Bolkcom, Ernst, Hatch, Jochum, Mathis, Quirmbach, and Segebart. Nays, none. Absent, 3: Johnson, Dotzler, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Duane Madoerin—Iowa Grain Indemnity Fund Board

Paula Ellis – State Soil Conservation Committee

Susan Vance Hjelm – State Soil Conservation Committee

COMMERCE

James Schipper – Superintendent of Banking

Jeffrey Hayes – Credit Union Review Board

Tahira Hira – Credit Union Review Board

Scott Zahnle – Credit Union Review Board

Richard Bruner – Chairperson of the Iowa Telecommunications and Technology Commission

Richard Bruner – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board

Daniel Seufferlein – Title Guaranty Division Board

Libby Jacobs – Chair of the Utilities Board

AMENDMENT FILED

S-3023 H.F. 197 Human Resources

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 18, 2013

The Senate met in regular session at 1:07 p.m., President Jochum presiding.

Prayer was offered by the Honorable Dave Mulder, former member of the Senate from Sioux County, Sioux Center, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Celia Ver Ploeg.

The Journal of Thursday, March 14, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced James Schipper, the governor's appointee to be the Superintendent of Banking. He was the guest of Senator McCoy and the committee on Commerce.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:35 p.m. until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:25 p.m., President Jochum presiding.

The Senate stood at ease at 3:26 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:02 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Sinclair, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 419, 402, 395, 394, and 404.

Senate File 419

On motion of Senator Wilhelm, **Senate File 419**, a bill for an act providing for vision screening for school children, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 419), the vote was:

Yeas, 44:

Anderson	Danielson	Horn	Schneider
Beall	Dearden	Houser	Schoenjahn
Behn	Dix	Jochum	Segebart
Bertrand	Dotzler	Johnson	Seng
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Greiner	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Hart	Quirnbach	Whitver
Breitbach	Hatch	Ragan	Wilhelm
Courtney	Hogg	Rozenboom	Zumbach

Nays, 4:

Chapman	Feenstra	Guth	Zaun
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Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 402

On motion of Senator McCoy, **Senate File 402**, a bill for an act relating to insurance coverage for dental care services, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 402), the vote was:

Yeas, 38:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Feenstra	Kapucian	Sodders
Bolkcom	Greiner	Mathis	Sorenson
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Chapman	Hatch	Quirmbach	
Courtney	Hogg	Ragan	

Nays, 10:

Behn	Ernst	Schneider	Zumbach
Breitbach	Guth	Whitver	
Dix	Rozenboom	Zaun	

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 395

On motion of Senator Bolkcom, **Senate File 395**, a bill for an act relating to child, adult, and family services under the purview of the department of human services, making penalties applicable, and including effective date provisions, was taken up for consideration.

Senator Bolkcom offered amendment S-3029, filed by him from the floor to pages 3 and 6 of the bill, and moved its adoption.

Amendment S-3029 was adopted by a voice vote.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 395), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren Sinclair

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

Senate File 394

On motion of Senator Dotzler, **Senate File 394**, a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 394), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren Sinclair

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

Senate File 404

On motion of Senator Beall, **Senate File 404**, a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions, was taken up for consideration.

Senator Boettger offered amendment S–3035, filed by her from the floor to pages 1–2 of the bill.

Senator Boettger asked and received unanimous consent that action on amendment S–3035 and **Senate File 404** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 394, 395, 402, and 419** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 390, 388, 386, 383, 381, and 379.

Senate File 390

On motion of Senator Hogg, **Senate File 390**, a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 390), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 388

On motion of Senator Johnson, **Senate File 388**, a bill for an act relating to sponsor projects under the water resource restoration sponsor program, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 388), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 386

On motion of Senator Bowman, **Senate File 386**, a bill for an act relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 386), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 383

On motion of Senator Dvorsky, **Senate File 383**, a bill for an act relating to the sealing of juvenile delinquency records, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 383), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart

Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren Sinclair

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

Senate File 381

On motion of Senator Petersen, **Senate File 381**, a bill for an act requiring the state building code commissioner to adopt standards and requirements for window fall prevention devices for windows installed in certain multifamily dwellings, hotels, and motels, making penalties applicable, and including effective date provisions, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 381), the vote was:

Yeas, 35:

Anderson	Courtney	Hatch	Ragan
Beall	Danielson	Hogg	Schneider
Behn	Dearden	Horn	Schoenjahn
Bertrand	Dix	Jochum	Seng
Black	Dotzler	Johnson	Smith
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Wilhelm
Breitbach	Hart	Quirmbach	

Nays, 13:

Boettger	Guth	Segebart	Zumbach
Chapman	Houser	Sorenson	
Ernst	Kapucian	Whitver	
Feenstra	Rozenboom	Zaun	

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 379

On motion of Senator Horn, **Senate File 379**, a bill for an act relating to disciplinary procedures before the board of medicine and providing a penalty, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 379), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 379, 381, 383, 386, 388, and 390** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 404

The Senate resumed consideration of **Senate File 404**, a bill for an act relating to supplementary weighting for limited English proficient students and including effective date provisions, and amendment S-3035, previously deferred.

Senator Boettger called for the following division of amendment S-3035:

Division S-3035A: Page 1, lines 2-7; and

Division S-3035B: Page 1, lines 8-22.

Senator Boettger withdrew division S-3035A.

Senator Boettger moved the adoption of division S-3035B.

Division S-3035B was adopted by a voice vote.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 404), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver

Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 371, 366, 364, and 359.

Senate File 371

On motion of Senator Brase, **Senate File 371**, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions, was taken up for consideration.

Senator Brase withdrew amendment S-3024, filed by him from the floor to pages 2 and 3 of the bill.

Senator Zaun asked and received unanimous consent that action on **Senate File 371** be **deferred**.

Senate File 366

On motion of Senator McCoy, **Senate File 366**, a bill for an act relating to radon control and making penalties applicable, was taken up for consideration.

Senator McCoy offered amendment S-3030, filed by him from the floor to pages 1-4 of the bill.

Senator Chapman asked and received unanimous consent that action on amendment S-3030 and **Senate File 366** be **deferred**.

Senate File 364

On motion of Senator Bowman, **Senate File 364**, a bill for an act concerning vehicle registration fees, including matters relating to evasion of fees and to fees for electric vehicles, providing penalties, and including applicability provisions, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 364), the vote was:

Yeas, 46:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Taylor
Bolkcom	Greiner	McCoy	Whitver
Bowman	Gronstal	Petersen	Wilhelm
Brase	Guth	Quirmbach	Zaun
Breitbach	Hart	Ragan	Zumbach
Chapman	Hatch	Rozenboom	
Courtney	Hogg	Schneider	

Nays, 2:

Feenstra	Sorenson
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Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 359

On motion of Senator Quirnbach, **Senate File 359**, a bill for an act relating to an assault that occurs between persons in an intimate relationship and the crime of domestic abuse assault and making penalties applicable, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 359), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirnbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 359, 364, and 404** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 202 and 170.

Senate File 202

On motion of Senator Wilhelm, **Senate File 202**, a bill for an act relating to programs and services under the purview of the department of public health, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 202), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 170

On motion of Senator Mathis, **Senate File 170**, a bill for an act relating to bidding for purchases through a competitive bidding process by the state, was taken up for consideration.

Senator Schneider withdrew amendment S-3031, filed by him from the floor to pages 1 and 2 of the bill.

Senator Schneider asked and received unanimous consent that action on **Senate File 170** be **deferred**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Joint Resolution 9.

Senate Joint Resolution 9

On motion of Senator McCoy, **Senate Joint Resolution 9**, a joint resolution to extend the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator McCoy moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 9), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	Mathis	Sorenson
Bowman	Greiner	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Chelgren Sinclair

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolution 9** and **Senate File 202** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 346, 319, and 247.

Senate File 346

On motion of Senator Wilhelm, **Senate File 346**, a bill for an act establishing an emergency medical services task force, was taken up for consideration.

Senator Wilhelm offered amendment S-3027, filed by her from the floor to page 2 of the bill, and moved its adoption.

Amendment S-3027 was adopted by a voice vote.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 346), the vote was:

Yeas, 31:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Mathis	Smith
Bolkcom	Greiner	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Hart	Quirmbach	Wilhelm
Courtney	Hatch	Ragan	

Nays, 17:

Behn	Ernst	Kapucian	Zaun
Boettger	Feenstra	Rozenboom	Zumbach

Breitbach	Guth	Segebart
Chapman	Houser	Sorenson
Dix	Johnson	Whitver

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 319

On motion of Senator Bowman, **Senate File 319**, a bill for an act relating to the Iowa early intervention block grant program by eliminating the future repeal of the chapter establishing the program and including effective date provisions, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 319), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Dix	Johnson	Sorenson
Behn	Ernst	Kapucian	Whitver
Bertrand	Feenstra	Rozenboom	Zaun
Boettger	Greiner	Schneider	Zumbach
Breitbach	Guth	Segebart	
Chapman	Houser	Smith	

Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 247

On motion of Senator Seng, **Senate File 247**, a bill for an act providing for the possession of cats classified as bengals and savannahs, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 247), the vote was:

Yeas, 46:

Anderson	Dearden	Horn	Segebart
Beall	Dix	Houser	Seng
Behn	Dotzler	Jochum	Smith
Bertrand	Dvorsky	Johnson	Sodders
Black	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Mathis	Taylor
Bolkcom	Greiner	McCoy	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Courtney	Hatch	Schneider	
Danielson	Hogg	Schoenjahn	

Nays, 2:

Bowman	Petersen
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Absent, 2:

Chelgren	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 247, 319, and 346** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 327, a bill for an act concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions.

Senate File 353, a bill for an act relating to vaccine administration by licensed pharmacists.

ALSO: That the House has on March 18, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 395, a bill for an act relating to the alteration of the community of a motor vehicle franchisee.

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

House File 457, a bill for an act providing for the leasing of agricultural land by the department of natural resources to beginning farmers.

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

House File 500, a bill for an act relating to early childhood Iowa initiative requirements for area boards.

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

House File 518, a bill for an act creating the manufactured housing program fund.

Read first time and attached to **companion Senate File 275**.

House File 522, a bill for an act relating to the prevention and control of aquatic invasive species in the state and providing penalties.

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

House File 524, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to commercial rental property.

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

House File 530, a bill for an act relating to the governor's office of drug control policy and certain advisory councils.

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

House File 535, a bill for an act relating to firearms, including certain confidentiality and purchasing provisions, providing penalties, and including effective date and applicability provisions.

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

House File 541, a bill for an act relating to dam reconstruction standards.

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

House File 547, a bill for an act relating to the use of child labor in laundry occupations.

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

House File 556, 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.

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

House File 574, a bill for an act repealing a requirement that taxpayers indicate on their tax returns the presence or absence of health care coverage for their dependent children and apply for certain public health care coverage, and including effective date and retroactive applicability provisions.

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

House File 575, a bill for an act relating to the technical administration of state financial and regulatory matters, including administration of income taxes, sales and use taxes, currency exchange licenses, and the wireless surcharge for enhanced 911 emergency telephone systems, and including effective date and retroactive applicability provisions.

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

House File 586, a bill for an act relating to the rulemaking process and state agency decision making.

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

House File 591, a bill for an act relating to estates and trusts and including retroactive and other applicability provisions.

Read first time and attached to **companion Senate File 361**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:01 p.m. until 9:00 a.m., Tuesday, March 19, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Condition of Education Annual Report, pursuant to Iowa Code section 256.7(32)(c)(3). Report received on March 18, 2013.

BOARD OF REGENTS

Annual Report on Span of Control, pursuant to Iowa Code section 262.9C(5). Report received on March 15, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Betty Carter, Princeton – For receiving the Genesis Health System’s “Legend Award”.
Senator Hart.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: Monday, March 18, 2013, 2:10 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Introduced Craig Lang, Board of Regents nominee.

Adjourned: 3:15 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 10, by Johnson and Hart, a resolution honoring the life and work of Pope Emeritus Benedict XVI.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED

SSB 1243 Ways and Means

Relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes.

SSB 1244 Ways and Means

Relating to the technical administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use taxes, and the wireless surcharge for enhanced 911 emergency telephone systems, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 291**

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Smith

Senate File 408

WAYS AND MEANS: McCoy, Chair; Bolkcom and Smith

Senate File 409

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Feenstra

Senate File 410

WAYS AND MEANS: Dotzler, Chair; Quirmbach and Schneider

Senate File 412

WAYS AND MEANS: McCoy, Chair; Behn and Seng

Senate File 428

WAYS AND MEANS: Quirmbach, Chair; Bertrand and Black

House Joint Resolution 13

STATE GOVERNMENT: Courtney, Chair; Anderson and Bowman

House File 245

APPROPRIATIONS: Danielson, Chair; Dvorsky and Whitver

House File 478

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Feenstra

SSB 1243

WAYS AND MEANS: Petersen, Chair; Chapman and Jochum

SSB 1244

WAYS AND MEANS: Petersen, Chair; Bertrand and Jochum

EXPLANATION OF VOTE

MADAM PRESIDENT: I was present in the Senate chamber on March 18, 2013, when the vote was taken on Senate File 364. I was present and I voted "Nay". My vote Nay represented an inadvertent and accidental use of the red button (Nay), when in fact I had intended to utilize the green button (Yea) in the vote. The President of the Senate had closed the voting system prior to my being able to change my vote. Let it herein be noted that I favored final passage of Senate File 364.

KENT SORENSON

AMENDMENTS FILED

S-3024	S.F.	371	Chris Brase
S-3025	S.F.	272	Chris Brase
S-3026	S.F.	304	Steven J. Soddors
S-3027	S.F.	346	Mary Jo Wilhelm
S-3028	S.F.	399	Nancy J. Boettger
S-3029	S.F.	395	Joe Bolkcom
S-3030	S.F.	366	Matt McCoy
S-3031	S.F.	170	Charles Schneider
S-3032	S.F.	427	Jeff Danielson
S-3033	S.F.	380	Jeff Danielson
S-3034	S.F.	387	Jeff Danielson
S-3035	S.F.	404	Nancy J. Boettger
S-3036	S.F.	385	Nancy J. Boettger
			Robert M. Hogg
S-3037	S.F.	384	Robert M. Hogg
S-3038	S.F.	399	Steven J. Soddors

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 19, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor A.J. Potter of the Pleasantville Baptist Church in Pleasantville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Monday, March 18, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:20 a.m. until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:39 a.m., President Jochum presiding.

The Senate stood at ease at 11:40 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 12:11 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bolkcom and Dearden, until they return, on request of Senator Gronstal.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 369, 340, and 204.

Senate File 369

On motion of Senator Horn, **Senate File 369**, a bill for an act relating to marital agreements, and including effective date and applicability provisions, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 369), the vote was:

Yeas, 48:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dix	Houser	Segebart
Behn	Dotzler	Jochum	Seng
Bertrand	Dvorsky	Johnson	Sinclair
Black	Ernst	Kapucian	Smith
Boettger	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hatch	Rozenboom	Zaun
Courtney	Hogg	Schneider	Zumbach

Nays, none.

Absent, 2:

Bolkcom	Dearden
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 340

On motion of Senator Beall, **Senate File 340**, a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 340), the vote was:

Yeas, 46:

Anderson	Dix	Jochum	Seng
Beall	Dotzler	Johnson	Sinclair
Behn	Dvorsky	Kapucian	Smith
Bertrand	Ernst	Mathis	Sodders
Black	Greiner	McCoy	Sorenson
Boettger	Gronstal	Petersen	Taylor
Bowman	Guth	Quirnbach	Whitver
Brase	Hart	Ragan	Wilhelm
Breitbach	Hatch	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Courtney	Horn	Schoenjahn	
Danielson	Houser	Segebart	

Nays, 2:

Chapman	Feenstra
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Absent, 2:

Bolkcom	Dearden
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 204

On motion of Senator Courtney, **Senate File 204**, a bill for an act concerning persons voluntarily excluded from gambling facilities, was taken up for consideration.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 204), the vote was:

Yeas, 46:

Anderson	Danielson	Houser	Segebart
Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Bertrand	Dvorsky	Kapucian	Smith

Black	Ernst	Mathis	Sodders
Boettger	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Courtney	Horn	Schoenjahn	

Nays, 2:

Hatch	Zaun
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Absent, 2:

Bolkcom	Dearden
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 204, 340, and 369** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:30 p.m. until 3:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Pro Tempore Sodders presiding.

UNFINISHED BUSINESS (Deferred March 18, 2013)

Senate File 170

The Senate resumed consideration of **Senate File 170**, a bill for an act relating to bidding for purchases through a competitive bidding process by the state, deferred March 18, 2013.

Senator Schneider offered amendment S-3040, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3040 be adopted?" (S.F. 170), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3040 lost.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 170), the vote was:

Yeas, 34:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Jochum	Smith
Bertrand	Dotzler	Mathis	Sodders
Black	Dvorsky	McCoy	Sorenson
Boettger	Feenstra	Petersen	Taylor
Bolkcom	Gronstal	Quirmbach	Wilhelm
Bowman	Hart	Ragan	Zumbach
Brase	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, 16:

Behn	Dix	Houser	Schneider
Breitbach	Ernst	Johnson	Sinclair
Chapman	Greiner	Kapucian	Whitver
Chelgren	Guth	Rozenboom	Zaun

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 269.

Senate File 269

On motion of Senator Mathis, **Senate File 269**, a bill for an act relating to the state comprehensive Alzheimer's disease response strategy, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 269), the vote was:

Yeas, 42:

Anderson	Chelgren	Hatch	Schoenjahn
Beall	Courtney	Hogg	Segebart
Behn	Danielson	Horn	Seng
Bertrand	Dearden	Jochum	Smith
Black	Dix	Kapucian	Sodders
Boettger	Dotzler	Mathis	Sorenson
Bolkcom	Dvorsky	McCoy	Taylor
Bowman	Feenstra	Petersen	Wilhelm
Brase	Greiner	Quirnbach	Zaun
Breitbach	Gronstal	Ragan	
Chapman	Hart	Schneider	

Nays, 8:

Ernst	Houser	Rozenboom	Whitver
Guth	Johnson	Sinclair	Zumbach

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 170 and 269** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 18, 2013)

Senate File 366

The Senate resumed consideration of **Senate File 366**, a bill for an act relating to radon control and making penalties applicable, and amendment S-3030, deferred March 18, 2013.

Senator McCoy asked and received unanimous consent that action on amendment S-3030 be deferred.

Senator Chapman offered amendment S-3041, filed by him from the floor to pages 1-2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3041 be adopted?" (S.F. 366), the vote was:

Yeas, 23:

Anderson	Chelgren	Houser	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zaun
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Sinclair	

Nays, 27:

Beall	Dearden	Horn	Ragan
Black	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Johnson	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hatch	Petersen	Wilhelm
Danielson	Hogg	Quirmbach	

Absent, none.

Amendment S–3041 lost.

The Senate resumed consideration of amendment S–3030, previously deferred.

Senator McCoy moved the adoption of amendment S–3030.

Amendment S–3030 was adopted by a voice vote.

With the adoption of amendment S–3030, the Chair ruled amendment S–3015, filed by Senator McCoy on March 12, 2013, to pages 2 and 3 of the bill, out of order.

Senator Chelgren asked and received unanimous consent that action on **Senate File 366** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 385 and 403.

Senate File 385

On motion of Senator Hogg, **Senate File 385**, a bill for an act establishing the criminal offense of sexual abuse in the fourth degree, making related changes to sexual abuse in the third degree and the sex offender registry, providing penalties, and including retroactive and other applicability provisions, was taken up for consideration.

Senator Boettger asked and received unanimous consent to withdraw amendment S–3036, filed by Senators Boettger and Hogg on March 18, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Boettger offered amendment S-3048, filed by Senators Boettger and Hogg from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3048 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 385), the vote was:

Yeas, 39:

Behn	Dvorsky	Houser	Segebart
Boettger	Ernst	Jochum	Seng
Bolkcom	Feenstra	Johnson	Sinclair
Brase	Greiner	Kapucian	Sodders
Breitbach	Gronstal	McCoy	Taylor
Chelgren	Guth	Petersen	Whitver
Courtney	Hart	Quirmbach	Wilhelm
Danielson	Hatch	Rozenboom	Zaun
Dearden	Hogg	Schneider	Zumbach
Dotzler	Horn	Schoenjahn	

Nays, 11:

Anderson	Black	Dix	Smith
Beall	Bowman	Mathis	Sorenson
Bertrand	Chapman	Ragan	

Absent, none.

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

Senate File 403

On motion of Senator Schoenjahn, **Senate File 403**, a bill for an act eliminating a restriction on a person associated with a county agricultural extension district from engaging in certain activities affecting legislation, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 403), the vote was:

Yeas, 35:

Beall	Danielson	Horn	Schoenjahn
Behn	Dearden	Houser	Segebart
Black	Dotzler	Jochum	Seng
Boettger	Dvorsky	Mathis	Sodders
Bolkcom	Ernst	McCoy	Sorenson
Bowman	Gronstal	Petersen	Taylor
Brase	Hart	Quirnbach	Wilhelm
Chelgren	Hatch	Ragan	Zaun
Courtney	Hogg	Schneider	

Nays, 15:

Anderson	Dix	Johnson	Smith
Bertrand	Feenstra	Kapucian	Whitver
Breitbach	Greiner	Rozenboom	Zumbach
Chapman	Guth	Sinclair	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 385 and 403** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 203, a bill for an act relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

Senate File 349, a bill for an act relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee, and including effective date provisions.

ALSO: That the House has on March 19, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 487, a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home.

Read first time and attached to **similar Senate File 365**.

House File 514, a bill for an act relating to and requiring the return of stolen merchandise in the possession of a pawn shop owner or operator, and providing penalties.

Read first time and referred to committee on **Commerce**.

House File 532, a bill for an act to provide that peace officers and retired peace officers qualify as classroom driver education instructors.

Read first time and referred to committee on **Education**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:41 p.m. until 9:00 a.m., Wednesday, March 20, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Louise Huff, Waterloo – For celebrating her 100th birthday. Senator Dotzler.

BILLS ASSIGNED TO COMMITTEE

President Jochum announced the assignment of the following bills to committee:

H.F.	395	Transportation
H.F.	457	Agriculture
H.F.	500	Education
H.F.	522	Natural Resources and Environment
H.F.	524	Local Government
H.F.	530	Judiciary
H.F.	535	Judiciary
H.F.	541	Local Government
H.F.	547	Labor and Business Relations
H.F.	556	Judiciary
H.F.	574	Ways and Means
H.F.	575	Ways and Means
H.F.	586	State Government

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, March 19, 2013, 2:10 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Presentations by Dr. Subhash Sahai and Mr. Robert Cramer, Board of Regents nominees.

Adjourned: 3:30 p.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, March 19, 2013, 1:10 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Presentation by Dennis Britson, Director of the Regulated Industries Unit, Iowa Insurance Division.

Adjourned: 1:35 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 19, 2013, 4:40 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors.

Members Absent: None.

Committee Business: Passed Senate Resolution 11, opposing the decision of the International Olympic Committee to end wrestling as an Olympic event.

Adjourned: 4:45 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 11, by Bowman, Zaun, Soddors, Hart, Wilhelm, Hogg, Horn, Dearden, Brase, Seng, Hatch, Ragan, Dvorsky, Beall, Dotzler, Dix, Chelgren, Segebart, Feenstra, Whitver, Ernst, Zumbach, Breitbach, Houser, Behn, Boettger, Kapucian, Guth, Rozenboom, Smith, Sinclair, Bolkcom, McCoy, Schoenjahn, Mathis, Taylor, Black, Petersen, Danielson, Jochum, Schneider, Chapman, Johnson, Quirnbach, Sorenson, Bertrand, Anderson, Greiner, Courtney, and Gronstal, a resolution opposing the decision of the International Olympic Committee to end wrestling as an Olympic event.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Resolution 12, by Johnson and Hart, a resolution to honor and commemorate the election of Pope Francis.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

STUDY BILLS RECEIVED**SSB 1245 Appropriations**

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

SSB 1246 Appropriations

Relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 10**

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

Senate Resolution 12

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

House File 219

JUDICIARY: Hogg, Chair; Petersen and Schneider

House File 312

AGRICULTURE: Taylor, Chair; Black and Greiner

House File 453

VETERANS AFFAIRS: Horn, Chair; Ragan and Rozenboom

House File 457

AGRICULTURE: Hart, Chair; Brase and Kapucian

House File 477

JUDICIARY: Taylor, Chair; Schneider and Sodders

House File 522

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Brase and Johnson

House File 524

LOCAL GOVERNMENT: Hart, Chair; Brase and Zaun

House File 530

JUDICIARY: Taylor, Chair; Sodders and Whitver

House File 535

JUDICIARY: Hogg, Chair; Petersen and Sorenson

House File 541

LOCAL GOVERNMENT: Wilhelm, Chair; Brase and Chelgren

House File 556

JUDICIARY: Schneider, Chair; Hogg and Horn

SSB 1245

APPROPRIATIONS: Black, Chair; Dvorsky and Rozenboom

SSB 1246

APPROPRIATIONS: Dotzler, Chair; Boettger and Dvorsky

FINAL COMMITTEE REPORT OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: **Senate Resolution 11**, a resolution opposing the decision of the International Olympic Committee to end wrestling as an Olympic event.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sodders. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3039	S.F.	391	Jake Chapman
S-3040	S.F.	170	Charles Schneider
S-3041	S.F.	366	Jake Chapman
S-3042	S.F.	371	Mark Chelgren
			Jack Whitver
			Rick Bertrand
			Kent Sorenson
			Joni K. Ernst
			Bill Anderson
			Randy Feenstra
			Roby Smith
			David Johnson
			Mark Segebart
			Charles Schneider
			Michael Breitbach
			Sandra Greiner
			Tim L. Kapucian
			Dan Zumbach
			Nancy J. Boettger
S-3043	S.F.	422	Randy Feenstra
S-3044	S.F.	399	Kent Sorenson
			Rick Bertrand
			Mark Segebart
			Dennis Guth
			Bill Anderson
			Ken Rozenboom
			Randy Feenstra
			Tim L. Kapucian
			Roby Smith
			Jake Chapman
			David Johnson
			Brad Zaun
			Joe Seng
			Charles Schneider
			Jack Whitver
			Joni K. Ernst
			Michael Breitbach
			Mark Chelgren
			Amy Sinclair
			Nancy J. Boettger

			Hubert Houser
			Bill Dix
			Jerry Behn
			Dan Zumbach
			Sandra Greiner
S-3045	S.F.	391	Jake Chapman
S-3046	S.F.	363	Steve Soddors
S-3047	S.F.	363	Charles Schneider
S-3048	S.F.	385	Nancy J. Boettger
			Robert M. Hogg
S-3049	S.F.	289	Robert M. Hogg
S-3050	S.F.	366	Mark Chelgren

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 20, 2013

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by the Oskaloosa String Ensemble; Caleb Fisher, Johannes Hartmann, Emily Allee, Naomi Cochran, Morgan Barrett, Jakob Hartl, Bob Leonard, Hanna Sampsel, and Natalie Whitis, led by Director Bruce McLellan. They performed “God Bless America”. They were guests of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eden Moore and Caleb Moore, grandchildren of Senator Nancy J. Boettger and her husband Dave.

The Journal of Tuesday, March 19, 2013, was approved.

SPECIAL GUESTS

President Jochum welcomed to the Senate chamber the Honorable Tom Rielly, former member of the Senate from Mahaska County, Oskaloosa, Iowa.

The Senate rose and expressed its welcome.

Senator Johnson introduced to the Senate chamber the Honorable Robert D. Ray, former Iowa governor; Jerry Fleagle, executive director of the Hoover Presidential Library Association; Charles Becker, president of the Hoover Association board of directors; and Darlene McConnaha, the Hoover Association Promotions and Academic Programs manager.

The Senate rose and expressed its welcome.

President Jochum announced the 2013 Herbert Hoover Uncommon Public Service Award recipient, Senator Amanda Ragan.

The Senate rose and expressed its congratulations.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 304.

Senate File 304

On motion of Senator Sodders, **Senate File 304**, a bill for an act concerning public safety by establishing a public safety training and equipment trust fund, making appropriations to the fund, providing for a public safety training and facilities task force, and making appropriations, was taken up for consideration.

Senator Sodders withdrew amendment S-3022, filed by him on March 13, 2013, to pages 2-4 of the bill.

Senator Sodders offered amendment S-3026, filed by him on March 18, 2013, to pages 2-4 of the bill.

(Senate File 304 and amendment S-3026 were deferred.)

The Senate stood at ease at 9:41 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:49 a.m., President Jochum presiding.

The Senate resumed consideration of Senate File 304 and amendment S-3026, previously deferred.

Senator Sodders moved the adoption of amendment S-3026.

Amendment S-3026 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 304), the vote was:

Yeas, 41:

Beall	Dearden	Jochum	Sinclair
Bertrand	Dotzler	Kapucian	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Feenstra	McCoy	Sorenson
Bolkcom	Greiner	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Hart	Ragan	Wilhelm
Breitbach	Hatch	Rozenboom	Zumbach
Chelgren	Hogg	Schoenjahn	
Courtney	Horn	Segebart	
Danielson	Houser	Seng	

Nays, 9:

Anderson	Dix	Johnson
Behn	Ernst	Schneider
Chapman	Guth	Zaun

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 304** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 422.

Senate File 422

On motion of Senator Bolkcom, **Senate File 422**, a bill for an act relating to the amount of the earned income tax credit and including retroactive applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment S-3043, filed by him on March 19, 2013, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3043 be adopted?" (S.F. 422), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3043 lost.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 422), the vote was:

Yeas, 35:

Anderson	Danielson	Houser	Schoenjahn
Beall	Dearden	Jochum	Seng
Bertrand	Dotzler	Johnson	Smith

Black	Dvorsky	Kapucian	Sodders
Bolkcom	Gronstal	Mathis	Sorenson
Bowman	Hart	McCoy	Taylor
Brase	Hatch	Petersen	Wilhelm
Chelgren	Hogg	Quirnbach	Zaun
Courtney	Horn	Ragan	

Nays, 15:

Behn	Dix	Guth	Sinclair
Boettger	Ernst	Rozenboom	Whitver
Breitbart	Feenstra	Schneider	Zumbach
Chapman	Greiner	Segebart	

Absent, none.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 398.

Senate File 398

On motion of Senator Schneider, **Senate File 398**, a bill for an act relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Schneider offered amendment S-3051, filed by him from the floor to pages 18 and 56-57 of the bill, and moved its adoption.

Amendment S-3051 was adopted by a voice vote.

Senator Schneider asked and received unanimous consent that **House File 469** be substituted for **Senate File 398**.

House File 469

On motion of Senator Schneider, **House File 469**, a bill for an act relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions, was taken up for consideration.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 469), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Schneider asked and received unanimous consent that **Senate File 398** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 19, 2013)

Senate File 366

The Senate resumed consideration of **Senate File 366**, a bill for an act relating to radon control and making penalties applicable, deferred March 19, 2013.

Senator Chelgren withdrew amendment S-3050, filed by him on March 19, 2013, to pages 4 and 6 and amending the title page of the bill.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 366), the vote was:

Yeas, 37:

Anderson	Dearden	Jochum	Smith
Beall	Dix	Mathis	Sodders
Bertrand	Dotzler	McCoy	Sorenson
Black	Dvorsky	Petersen	Taylor
Bolkcom	Ernst	Quirmbach	Whitver
Bowman	Gronstal	Ragan	Wilhelm
Brase	Hart	Schneider	Zumbach
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	
Danielson	Horn	Seng	

Nays, 13:

Behn	Feenstra	Johnson	Zaun
Boettger	Greiner	Kapucian	
Breitbach	Guth	Rozenboom	
Chapman	Houser	Sinclair	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 366 and 422** and **House File 469** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 271.

Senate File 271

On motion of Senator Mathis, **Senate File 271**, a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Mathis asked and received unanimous consent that **House File 488** be **substituted** for **Senate File 271**.

House File 488

On motion of Senator Mathis, **House File 488**, a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable, was taken up for consideration.

Senator Mathis offered amendment S-3052, filed by her from the floor to page 16 of the bill, and moved its adoption.

Amendment S-3052 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 488), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Mathis asked and received unanimous consent that **Senate File 271** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 488** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 387 and 380.

Senate File 387

On motion of Senator Danielson, **Senate File 387**, a bill for an act relating to a city’s authority to issue debt, including authorization to

use city reserve funds as a loan payable from the debt service fund for certain general obligation bond projects, was taken up for consideration.

Senator Danielson offered amendment S-3034, filed by him on March 18, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3034 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 387), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 380

On motion of Senator Danielson, **Senate File 380**, a bill for an act authorizing charitable auctions for alcoholic spirits, was taken up for consideration.

Senator Danielson offered amendment S-3033, filed by him on March 18, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3033 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 380), the vote was:

Yeas, 49:

Anderson	Danielson	Houser	Seng
Beall	Dearden	Jochum	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Horn	Segebart	

Nays, 1:

Hogg

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 380 and 387** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 351, a bill for an act relating to service providers under Medicaid home and community-based services waivers.

Senate File 357, a bill for an act relating to Medicaid program integrity, and providing penalties.

ALSO: That the House has on March 19, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 533, a bill for an act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

House File 537, a bill for an act relating to consideration of the educational setting of a minor child in a child custody proceeding.

Read first time and referred to committee on **Judiciary**.

House File 539, a bill for an act providing for immunity from civil liability for registered architects and professional engineers providing disaster emergency assistance under specified circumstances.

Read first time and attached to **companion Senate File 376**.

House File 540, a bill for an act allowing criminal history and abuse registry background checks for certain food vendors.

Read first time and referred to committee on **Commerce**.

House File 545, a bill for an act creating a new category of allowable expenditures from the veterans trust fund.

Read first time and referred to committee on **Veterans Affairs**.

House File 598, a bill for an act exempting the sales price of all-terrain vehicles and off-road utility vehicles used primarily in agricultural production from the sales and use tax.

Read first time and referred to committee on **Ways and Means**.

House File 599, a bill for an act relating to beginning farmers by modifying the agricultural assets transfer tax credit, providing a custom farming contract tax credit, and terminating the agricultural loan assistance program, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Agriculture**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:25 p.m. until 9:00 a.m., Thursday, March 21, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Senator Amanda Ragan, Cerro Gordo County, Iowa – For receiving the Herbert Hoover Uncommon Public Service Award. Senators Johnson and Jochum.

Thomas Stackhouse – For achieving the rank of Eagle Scout, Troop 127. Senator Brase.

Herman and Blanche Wyngarden, Pella – For celebrating their 65th wedding anniversary. Senator Rozenboom.

REPORTS OF COMMITTEE MEETINGS

ECONOMIC GROWTH

Convened: Wednesday, March 20, 2013, 8:30 a.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Danielson, Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, Whitver, and Wilhelm.

Members Absent: Behn, Chelgren, and Houser (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 8:45 a.m.

EDUCATION

Convened: Wednesday, March 20, 2013, 2:05 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 2:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, March 20, 2013, 2:05 p.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Houser, Ranking Member; Chapman, Dix, Dotzler, Seng, and Soddors.

Members Absent: Anderson, Brase, and Hatch (all excused).

Committee Business: Approved governor appointee, Michele Chalfant for the Plumbing and Mechanical Systems Examining Board.

Adjourned: 2:10 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, March 20, 2013, 1:05 p.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun.

Members Absent: Chelgren (excused).

Committee Business: Presentation. Governor's appointees.

Adjourned: 2:05 p.m.

WAYS AND MEANS

Convened: Wednesday, March 20, 2013, 3:45 p.m.

Members Present: Bolcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Bertrand, Black, Chapman, and McCoy (all excused).

Committee Business: Governor's appointee.

Adjourned: 3:50 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 395

TRANSPORTATION: Bowman, Chair; Brase and Breitbach

House File 500

EDUCATION: Mathis, Chair; Beall and Boettger

House File 532

EDUCATION: Dvorsky, Chair; Ernst and Wilhelm

House File 574

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Seng

House File 575

WAYS AND MEANS: Petersen, Chair; Jochum and Smith

House File 586

STATE GOVERNMENT: Danielson, Chair; Feenstra and Jochum

FINAL COMMITTEE REPORT OF BILL ACTION

STATE GOVERNMENT

Bill Title: HOUSE FILE 131, a bill for an act authorizing charitable giving payroll deductions for community college employees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Dearden, Feenstra, Horn, McCoy, Petersen, Smith, Soddors, and Whitver. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

ECONOMIC GROWTH

Natalie Lischer – Iowa Capital Investment Board

Theodore Crosbie – Economic Development Authority
Larry Den Herder – Economic Development Authority
Delia Meier – Economic Development Authority

Jeffrey Heil – Iowa Finance Authority
Joan Johnson – Iowa Finance Authority
Shaner Magalhaes – Iowa Finance Authority

Barbara Determan – Iowa Great Place Board
Greg Fisher – Iowa Great Place Board
Emily Meyer – Iowa Great Place Board
Linda Washburn – Iowa Great Place Board

EDUCATION

Alyson Beytien – Iowa Autism Council
James Curry – Iowa Autism Council
Steve Johnson – Iowa Autism Council
Matthew O'Brien – Iowa Autism Council

David Arens – Early Childhood Iowa State Board
Alice Atkinson – Early Childhood Iowa State Board
Richard Clewell – Early Childhood Iowa State Board
Tracy Erlandson – Early Childhood Iowa State Board

Dan Dutcher – Board of Educational Examiners
Ann Lebo – Board of Educational Examiners
Mary Overholtzer – Board of Educational Examiners
Andrew Pattee – Board of Educational Examiners
Jay Prescott – Board of Educational Examiners
Anne Sullivan – Board of Educational Examiners
Richard Wortmann – Board of Educational Examiners

Edward Rogalski – Iowa Higher Education Loan Authority

Gina Primmer – School Budget Review Committee
Leland Tack – School Budget Review Committee

HUMAN RESOURCES

Neil Wubben – Commission on Aging

Shaun McCarthy – Board of Athletic Training

Erik Oostenink – Board of Behavioral Science
Sarah Thomas – Board of Behavioral Science

Elaine Sanders – Child Advocacy Board
Wayne Schellhammer – Child Advocacy Board
Jeanne Sorensen – Child Advocacy Board

Scott Lindgren – Prevention of Disabilities Council

Roberta Chambers – Health Facilities Council

Ruth Evans – Healthy and Well Kids in Iowa (HAWK-I) Board
Bob Skow – Healthy and Well Kids in Iowa (HAWK-I) Board

Arnold Honkamp – Council on Human Services
Guy Richardson – Council on Human Services

Richard Crouch – Mental Health and Disability Services Commission
Betty King – Mental Health and Disability Services Commission
Sharon Lambert – Mental Health and Disability Services Commission
Gary Lippe – Mental Health and Disability Services Commission
Brett McLain – Mental Health and Disability Services Commission
Rebecca Peterson – Mental Health and Disability Services Commission

Bill Ainsley – Board of Sign Language Interpreters and Translitterators
Susan Tyrrell – Board of Sign Language Interpreters and Translitterators

JUDICIARY

Lawrence Cunningham – Iowa State Civil Rights Commission
Lily Lijun Hou – Iowa State Civil Rights Commission
Douglas Oelschlaeger – Iowa State Civil Rights Commission

Richard LaMere, Jr. – Board of Corrections
Rebecca Williams – Board of Corrections

Jennifer Miller – Iowa Drug Policy Advisory Council

Sandra Blodgett – Commission on Judicial Qualifications

Randy Krukow – Iowa Law Enforcement Academy Council
Melinda Ruopp – Iowa Law Enforcement Academy Council
Megan Weiss – Iowa Law Enforcement Academy Council

James Felker – Board of Parole
Sheila Wilson – Board of Parole

LOCAL GOVERNMENT

Janine Sulzner – County Finance Committee
Patricia Wright – County Finance Committee

Eugene Meiners – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

**GOVERNOR’S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Subhash Sahai – State Board of Regents

LOCAL GOVERNMENT

Stewart Iverson – Chair of the Property Assessment Appeal Board

**GOVERNOR’S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar without recommendation for confirmation:

EDUCATION

Robert Cramer – State Board of Regents
Craig Lang – State Board of Regents

AMENDMENTS FILED

S-3051	S.F.	398	Charles Schneider
S-3052	H.F.	488	Liz Mathis
S-3053	S.F.	427	Jeff Danielson

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 21, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hanna Zinn.

The Journal of Wednesday, March 20, 2013, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 11.

Senate Resolution 11

On motion of Senator Bowman, **Senate Resolution 11**, a resolution opposing the decision of the International Olympic Committee to end wrestling as an Olympic event, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved the adoption of Senate Resolution 11, which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Bowman introduced to the Senate chamber Dan Gable, legendary wrestler and former wrestling coach of the University of Iowa Hawkeyes.

Coach Gable addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F. 341	Ways and Means
S.F. 426	Appropriations

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 347, a bill for an act relating to record checks of prospective and current health care employees and certain students.

ALSO: That the House has on March 20, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 486, a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions.

Read first time and attached to **companion Senate File 294**.

House File 531, a bill for an act relating to programs and accounts administered by the college student aid commission.

Read first time and referred to committee on **Education**.

House File 565, a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry.

Read first time and attached to **similar Senate File 360**.

House File 602, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Read first time and referred to committee on **Appropriations**.

House File 603, 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.

Read first time and referred to committee on **Appropriations**.

House File 604, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

Read first time and referred to committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:25 a.m. until 1:00 p.m., Monday, March 25, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Report on Special Investigation of the City of Muscatine 7/01/08–3/08/12, pursuant to Iowa Code section 11.6. Report received on March 21, 2013.

DEPARTMENT OF HUMAN SERVICES

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on March 21, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Coach Dan Gable – For his leadership in promoting the State of Iowa and the sport of wrestling. Senator Bowman.

Jenny Reisen – For taking the “Step of a Lifetime”. Senator Jochum.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, March 14, 2013, 12:30 p.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: Black (excused).

Committee Business: Governor’s appointees.

Adjourned: 12:40 p.m.

HUMAN RESOURCES

Convened: Thursday, March 21, 2013, 10:10 a.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Mathis, Quirnbach, Segebart, and Whitver.

Members Absent: Hatch and Jochum (both excused).

Committee Business: Governor’s appointees.

Adjourned: 10:20 a.m.

JUDICIARY

Convened: Wednesday, March 20, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Whitver.

Members Absent: Courtney, Vice Chair; Sorenson and Zaun (all excused).

Committee Business: Governor's appointees.

Adjourned: 3:10 p.m.

TRANSPORTATION

Convened: Thursday, March 21, 2013, 10:15 a.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Governor's appointee.

Adjourned: 11:05 a.m.

ALSO:

Convened: Thursday, March 21, 2013, 11:50 a.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Dvorsky, Feenstra, and Zumbach.

Members Absent: Danielson, Dearden, McCoy, and Taylor (all excused).

Committee Business: Governor's appointees.

Adjourned: 11:55 a.m.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 5, by Beall, Zumbach, Hart, Houser, Soddors, Boettger, Courtney, Breitbach, Dearden, Segebart, Horn, Johnson, Taylor, Kapucian, Brase, Greiner, Bowman, Anderson, Wilhelm, Ernst, Petersen, Bertrand, Seng, Dix, Dotzler, Rozenboom, Dvorsky, Sinclair, Quirmbach, Chapman, Ragan, Whitver, Mathis, Feenstra, Schoenjahn, Bolkcom, Danielson, Hatch, McCoy, Jochum, Gronstal, Black, and Hogg, a concurrent resolution urging the United States government to renew its commitment to this nation's energy security.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

SUBCOMMITTEE ASSIGNMENT

House File 533

EDUCATION: Wilhelm, Chair; Hart and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 311, a bill for an act relating to water quality.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 394, a bill for an act establishing a lifetime fur harvester license for residents who are sixty-five years of age or older.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Curtis Sindergard – Iowa Grain Indemnity Fund Board

HUMAN RESOURCES

Quentin Hart – Commission on Aging

G. Willard Jenkins – Commission on Aging

Christopher Wiedmann – Board of Athletic Training

Jill Struyk – Board of Behavioral Science

Shannon Unternahrer – Child Advocacy Board

Matt Connolly – Commission of Persons with Disabilities

Craig Cretsinger – Prevention of Disabilities Council

Maggie Tinsman – Prevention of Disabilities Council

Steven Wolfe – Prevention of Disabilities Council

Connie Schmett – Health Facilities Council

Kim Spading – Council on Human Services

Marilyn Seemann – Mental Health and Disability Services Commission

Robbyn Graves – Commission on Tobacco Use Prevention and Control

David Vander Horst – Commission on Tobacco Use Prevention and Control

LABOR AND BUSINESS RELATIONS

Michele Chalfant – Plumbing and Mechanical Systems Examining Board

NATURAL RESOURCES AND ENVIRONMENT

Cindy Greiman – Environmental Protection Commission

Robert Sinclair – Environmental Protection Commission

Joanne Stockdale – Environmental Protection Commission

Eugene Ver Steeg – Environmental Protection Commission

Lorraine Glover – Flood Mitigation Board

Arnold Honkamp – Flood Mitigation Board

Amy Kaleita – Flood Mitigation Board

John Torbert – Flood Mitigation Board

Marcus Branstad – Natural Resource Commission

Phyllis Reimer – Natural Resource Commission

Timothy Gartin – Iowa Petroleum Underground Storage Tank Fund Board

STATE GOVERNMENT

Rita Davenport – Commission on the Status of African Americans

Jason Wilson – Alcoholic Beverages Division

Kolby DeWitt – Architectural Examining Board
Emily Forquer – Architectural Examining Board

Steve Hou – Commission of Asian and Pacific Islander Affairs

Charles Wubbena – Board of Barbering

Joseph Van Lent – Commission for the Blind

Robert Brecke – Boiler and Pressure Vessel Board
Timothy Fehr – Boiler and Pressure Vessel Board
Amy Iles – Boiler and Pressure Vessel Board

Jason Wall – Board of Chiropractic

John Johnson – Commission on Community Action Agencies
Brian Lauterbach – Commission on Community Action Agencies
Robyn Ormsby – Commission on Community Action Agencies

Richard Sheriff – Board of Cosmetology Arts and Sciences

Mark Hersch – Commission of Deaf Services
Robert Vizzini – Commission of Deaf Services

Steven Bradley – Board of Dentistry
Thomas Jeneary – Board of Dentistry
Kaaren Vargas – Board of Dentistry

Janet Johnson – Board of Dietetics

Siobhan Harman – Elevator Safety Board
Kristine Kesterson – Elevator Safety Board
Wayne Sims – Elevator Safety Board

Christopher Enyeart – Iowa Emergency Response Commission

Bryan Myers – Engineering and Land Surveying Examining Board
Howard Stewart – Engineering and Land Surveying Examining Board

Jaime Secory – Board of Hearing Aid Dispensers
Jerry Smith – Board of Hearing Aid Dispensers

Kevin Clark – Interior Design Examining Board
Ann Quebec – Interior Design Examining Board

Erica Andersen – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Christina Michael – Board of Massage Therapy
Rhonda Reif – Board of Massage Therapy

Robert Bender – Board of Medicine
Julie Carmody – Board of Medicine
Ann Gales – Board of Medicine
Allison Schoenfelder – Board of Medicine

Kimberly Doehrmann – Board of Mortuary Sciences
Barbara Teahen – Board of Mortuary Sciences

Dawn Buffalo – Commission of Native American Affairs
Joe Coulter – Commission of Native American Affairs
Larry Lasley – Commission of Native American Affairs
Karen Mackey – Commission of Native American Affairs
Kelly Montijo Fink – Commission of Native American Affairs
Dirk Whitebreast – Commission of Native American Affairs

Nancy Kramer – Board of Nursing
James Seymour (appointment) – Board of Nursing
James Seymour (reappointment) – Board of Nursing
Chad Ware – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators
Patricia Hoffman-Simanek – Board of Nursing Home Administrators
Michael Jenison – Board of Nursing Home Administrators
Lanny Ward – Board of Nursing Home Administrators

Thomas Hayden – Board of Optometry
Tamie Stahl – Board of Optometry

Denise Behrends – Board of Physical and Occupational Therapy
Todd Bradley – Board of Physical and Occupational Therapy
Erin Hytrek – Board of Physical and Occupational Therapy

Melissa Gentry – Board of Physician Assistants
Keith Guess – Board of Physician Assistants
Susan Koehler – Board of Physician Assistants
Joseph Molnar – Board of Physician Assistants

Tara Decker-Brock – Board of Podiatry
Gregory Lantz – Board of Podiatry
Denise Mandi – Board of Podiatry

Melinda Green – Board of Psychology
Joan Skogstrom – Board of Psychology

Vernon (Fred) Greder – Real Estate Appraiser Examining Board
Greg Harms – Real Estate Appraiser Examining Board

Dennis Stolk – Real Estate Commission

Lawrence (Gene) Lilla – Board of Respiratory Care

Amy Courneya – Board of Social Work
Valerie Huntley – Board of Social Work
Jody Weigel – Board of Social Work

Diana Hanson – Board of Speech Pathology and Audiology
Kent Weaver – Board of Speech Pathology and Audiology

James Davidson – Vision Iowa
Mark Murphy – Vision Iowa
Carrie Tedore – Vision Iowa

WAYS AND MEANS

Jill Sanchez – State Board of Tax Review

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

TRANSPORTATION

Loree Miles – State Transportation Commission
Tom Rielly – State Transportation Commission

VETERANS AFFAIRS

Timothy Orr – State of Iowa Adjutant General

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the Commerce committee having failed to file its report within the prescribed time, the nominee, Nick Wagner as a member of the Utilities Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, David Loy as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Ying Sa as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Laura Walker as a member of the Accountancy Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Kyle Barnhart as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Kathryn Kunert as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Theodore (TJ) Meiners as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Lisa Petersen as a member of the Electrical Examining Board, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Wayne Walter as a member of the Investment Board of the IPERS, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Dennis Young as a member of the Investment Board of the IPERS, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Terry Rich as the Chief Executive Officer of the Iowa Lottery Authority, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Sharon Meyer as a member of the Board of Pharmacy, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Judith Trumpy as a member of the Board of Pharmacy, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Richard Arnold as a member of the Racing and Gaming Commission, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Timothy Peterson as a member of the Technology Advisory Council, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Dewayne Rahe as a member of the Iowa Board of Veterinary Medicine, is now automatically placed, without recommendation, upon the individual confirmation calendar.

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 21, 2013:

I am withdrawing the name of Alan Koch to serve as a member of the Environmental Protection Commission from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3054	S.F.	416	Janet Petersen Charles Schneider
S-3055	S.F.	297	William A. Dotzler

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 25, 2013

The Senate met in regular session at 1:05 p.m., President Jochum presiding.

Prayer was offered by Reverend Michael Willer, pastor of the Trinity United Methodist Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michelle Aberle.

The Journal of Thursday, March 21, 2013, was approved.

SPECIAL GUEST

President Jochum introduced to the Senate chamber Congressman Steve King.

The Senate rose and expressed its welcome.

The Senate stood at ease at 1:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:05 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson and Zaun, until they return, on request of Senator Chelgren.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 406.

Senate File 406

On motion of Senator Hogg, **Senate File 406**, a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 406), the vote was:

Yeas, 48:

Beall	Danielson	Hogg	Schneider
Behn	Dearden	Horn	Schoenjahn
Bertrand	Dix	Houser	Segebart
Black	Dotzler	Jochum	Seng
Boettger	Dvorsky	Johnson	Sinclair
Bolkcom	Ernst	Kapucian	Smith
Bowman	Feenstra	Mathis	Sodders
Brase	Greiner	McCoy	Sorenson
Breitbach	Gronstal	Petersen	Taylor
Chapman	Guth	Quirmbach	Whitver
Chelgren	Hart	Ragan	Wilhelm
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Anderson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 297.

Senate File 297

On motion of Senator Dotzler, **Senate File 297**, a bill for an act relating to the administration of duties and programs by the economic development authority, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Dotzler offered amendment S-3059, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3059 was adopted by a voice vote.

With the adoption of amendment S-3059, the Chair ruled amendment S-3055, filed by Senator Dotzler on March 21, 2013, to page 1 of the bill, out of order.

Senator Dotzler asked and received unanimous consent that **House File 397** be **substituted** for **Senate File 297**.

House File 397

On motion of Senator Dotzler, **House File 397**, a bill for an act relating to the administration of duties and programs by the economic development authority, was taken up for consideration.

Senator Dotzler offered amendment S-3060, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3060 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 397), the vote was:

Yeas, 48:

Beall	Danielson	Hogg	Schneider
Behn	Dearden	Horn	Schoenjahn
Bertrand	Dix	Houser	Segebart
Black	Dotzler	Jochum	Seng
Boettger	Dvorsky	Johnson	Sinclair
Bolkcom	Ernst	Kapucian	Smith
Bowman	Feenstra	Mathis	Sodders
Brase	Greiner	McCoy	Sorenson
Breitbach	Gronstal	Petersen	Taylor
Chapman	Guth	Quirmbach	Whitver
Chelgren	Hart	Ragan	Wilhelm
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Anderson Zaun

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 297** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 406** and **House File 397** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 427.

Senate File 427

On motion of Senator Danielson, **Senate File 427**, a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable, was taken up for consideration.

Senator Danielson withdrew amendment S-3032, filed by him on March 18, 2013, to page 3 of the bill.

Senator Danielson offered amendment S-3053, filed by him on March 20, 2013, to pages 3, 9, and 14 of the bill, and moved its adoption.

Amendment S-3053 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 427), the vote was:

Yeas, 48:

Beall	Danielson	Hogg	Schneider
Behn	Dearden	Horn	Schoenjahn
Bertrand	Dix	Houser	Segebart
Black	Dotzler	Jochum	Seng
Boettger	Dvorsky	Johnson	Sinclair
Bolkcom	Ernst	Kapucian	Smith
Bowman	Feenstra	Mathis	Sodders
Brase	Greiner	McCoy	Sorenson
Breitbach	Gronstal	Petersen	Taylor
Chapman	Guth	Quirmbach	Whitver
Chelgren	Hart	Ragan	Wilhelm
Courtney	Hatch	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Anderson	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 427** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:33 p.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 4:14 p.m., President Pro Tempore Sodders presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of David Loy as a member of the Accountancy Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Wayne Engle as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on February 18, 2013, found on page 287 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of John Marino as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on February 18, 2013, found on page 287 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Patricia Weese as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on February 18, 2013, found on page 287 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair

Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 393, 391, and 358.

Senate File 393

On motion of Senator Bolkcom, **Senate File 393**, a bill for an act relating to prenatal care including required critical congenital heart disease screening for newborns as part of the state's newborn screening panel and the convening of a task force on prenatal care, was taken up for consideration.

Senator Bolkcom offered amendment S-3057, filed by him from the floor to pages 1-2 and amending the title page of the bill, and moved its adoption.

Amendment S-3057 was adopted by a voice vote.

With the adoption of amendment S-3057, the Chair ruled amendment S-3014, filed by Senator Johnson on March 12, 2013, to page 2 of the bill, out of order.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 393), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

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

Senate File 391

On motion of Senator Dotzler, **Senate File 391**, a bill for an act relating to offers of suitable work made to certain injured employees and including applicability provisions, was taken up for consideration.

Senator Chapman withdrew amendment S-3039, filed by him on March 19, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Chapman offered amendment S-3045, filed by him on March 19, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Dotzler asked and received unanimous consent that action on amendment S-3045 and **Senate File 391** be **deferred**.

Senate File 358

On motion of Senator Hogg, **Senate File 358**, a bill for an act concerning title to real estate, was taken up for consideration.

Senator Hogg offered amendment S-3061, filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment S-3061 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 358), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 358 and 393** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 416 and 294.

Senate File 416

On motion of Senator Petersen, **Senate File 416**, a bill for an act relating to authorization procedures for certain county projects involving real property, was taken up for consideration.

Senator Petersen offered amendment S-3054, filed by Senators Petersen and Schneider on March 21, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3054 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 416), the vote was:

Yeas, 40:

Beall	Dearden	Horn	Schneider
Black	Dotzler	Jochum	Schoenjahn
Boettger	Dvorsky	Johnson	Segebart
Bolkcom	Ernst	Kapucian	Seng
Bowman	Greiner	Mathis	Sinclair
Brase	Gronstal	McCoy	Sodders
Breitbach	Guth	Petersen	Taylor
Chapman	Hart	Quirmbach	Whitver
Courtney	Hatch	Ragan	Wilhelm
Danielson	Hogg	Rozenboom	Zumbach

Nays, 9:

Anderson	Chelgren	Houser
Behn	Dix	Smith
Bertrand	Feenstra	Sorenson

Absent, 1:

Zaun

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

Senate File 294

On motion of Senator Petersen, **Senate File 294**, a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions, was taken up for consideration.

Senator Petersen asked and received unanimous consent that **House File 486** be **substituted** for **Senate File 294**.

House File 486

On motion of Senator Petersen, **House File 486**, a bill for an act relating to persons offering orthotic, prosthetic, and pedorthic services to the public, and relating to the scope of orthotic, prosthetic, and pedorthic services which may be ordered by certain health care providers, and including transition provisions, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 486), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair

Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

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

WITHDRAWN

Senator Petersen asked and received unanimous consent that **Senate File 294** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 416** and **House File 486** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 296.

(Senate File 296 was deferred.)

The Senate stood at ease at 5:01 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:36 p.m., President Pro Tempore Sodders presiding.

Senate File 296

On motion of Senator Jochum, **Senate File 296**, a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions, was taken up for consideration.

Senator Jochum offered amendment S-3056, filed by Senators Jochum and Hatch from the floor to pages 5, 12, and 13 of the bill, and moved its adoption.

Amendment S-3056 was adopted by a voice vote.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 296), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 296** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 310 and 354.

Senate File 310

On motion of Senator Black, **Senate File 310**, a bill for an act relating to the corn promotion board by providing for its governance, providing for an assessed checkoff on corn, and including effective date provisions, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 310), the vote was:

Yeas, 27:

Beall	Danielson	Hogg	Ragan
Black	Dearden	Horn	Schoenjahn
Boettger	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	

Nays, 22:

Anderson	Dix	Johnson	Smith
Behn	Ernst	Kapucian	Sorenson
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	
Chelgren	Houser	Sinclair	

Absent, 1:

Zaun

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

Senate File 354

On motion of Senator Petersen, **Senate File 354**, a bill for an act relating to public cafeterias concerning local purchasing preferences and the American heart association's dietary guidelines, was taken up for consideration.

President Jochum took the chair at 8:19 p.m.

Senator Petersen offered amendment S-3058, filed by her from the floor to page 1 of the bill.

Senator Ernst withdrew amendment S-3065, filed by her from the floor to page 1 of amendment S-3058.

Senator Petersen moved the adoption of amendment S-3058.

Amendment S-3058 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 354), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbart	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 310 and 354** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 390, a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions.

Senate File 394, a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

ALSO: That the House has on March 25, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 356, a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent.

Read first time and referred to committee on **Judiciary**.

House File 380, a bill for an act concerning setoff procedures for collection of debts owed a state agency or political subdivision.

Read first time and referred to committee on **State Government**.

House File 521, a bill for an act relating to certain license requirements under the purview of the natural resource commission.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 527, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

House File 534, a bill for an act relating to identity theft, and providing a penalty.

Read first time and referred to committee on **Judiciary**.

House File 572, a bill for an act relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property.

Read first time and referred to committee on **Judiciary**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:29 p.m. until 9:00 a.m., Tuesday, March 26, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Audrey Warren, Mason City – For celebrating her 80th birthday. Senator Ragan.

PRESENTATION OF VISITORS

The Chair welcomed at the request of Senator Feenstra the following visitors who were present in the northwest Senate Gallery:

Orange City Tulip Festival Queen McKenzie Mulder and her Court, Lartin DeHaan, Jessica Giannantonio, Autumn Pluim, and Samantha Wielinga.

The Chair welcomed at the request of Senator Wilhelm the following visitors who were present in the northwest Senate Gallery:

Ambassador Kenneth M. Quinn, Chair of the Dr. Norman E. Borlaug Statue Committee; Department of Cultural Affairs Director Mary Cownie; and Benjamin Victor, the Department of Cultural Affairs Artist.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Monday, March 25, 2013, 3:40 p.m.

Recessed: 3:45 p.m.

Reconvened: 4:00 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Consideration of SF 291.

Adjourned: 4:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 5

RULES AND ADMINISTRATION: Gronstal, Chair; Dix and Jochum

House File 547

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Anderson and Dearden

PETITION

The following petition was presented and placed on file:

From 122 citizens of Johnson County supporting Medicaid Expansion. Senator Dvorsky.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of March, 2013.

Senate Files 145, 181, 187, 188, and 353.

MICHAEL E. MARSHALL
Secretary of the Senate

REPORT OF THE CITIZENS' AIDE/OMBUDSMAN

SECRETARY OF THE SENATE: Pursuant to Senate Concurrent Resolution 4, Ruth H. Cooperrider, Citizens' Aide/Ombudsman, submits the following list of position classifications in the Office of the Citizens' Aide/Ombudsman and the following list of names, positions, and grades and steps of the employees in the Office of the Citizens' Aide/Ombudsman.

POSITION CLASSIFICATIONS

<u>Position Classification</u>	<u>Pay Grade</u>
Citizens' Aide/Ombudsman	45
Deputy	41
Senior Legal Counsel	38
Senior Assistant Ombudsman	38
Legal Counsel 2	35
Assistant Ombudsman 3	35
Senior Finance Officer 2	35
Legal Counsel 1	32
Assistant Ombudsman 2	32
Senior Finance Officer	31
Assistant Ombudsman 1	29
Finance Officer 2	27
Finance Officer 1	24
Executive Secretary	24
Administrative Secretary	21
Citizens' Aide/Ombudsman Secretary/Receptionist	19
Legislative Intern	19

NAMES, POSITIONS, AND GRADES AND STEPS OF EMPLOYEES

<u>Names</u>	<u>Position</u>	<u>Grade and Step</u>
L. Brundies	Assistant Ombudsman 2	32-3
J. Burdick Crane	Senior Finance Officer 2	35-6
J. Burnham	Senior Assistant Ombudsman	38-7

R. Calloway	Assistant Ombudsman 3	35-7
R. Cooperrider	Citizens' Aide/Ombudsman	45-7
B. Dalmer	Assistant Ombudsman 3	35-4
E. Hart	Assistant Ombudsman 2	32-7
K. Hirschman	Senior Assistant Ombudsman	38-7
D. Julien	Citizens' Aide/Ombudsman Secretary/Receptionist	19-5
A. McBride	Assistant Ombudsman 2	32-7
E. Mitchell-Sadler	Assistant Ombudsman 3	35-5
J. Pulliam	Assistant Ombudsman 1	29-2
C. Teas	Legal Counsel	32-4
B. Van Allen	Assistant Ombudsman 3	35-3
K. White	Assistant Ombudsman 3	35-7

AMENDMENTS FILED

S-3056	S.F.	296	Pam Jochum Jack Hatch
S-3057	S.F.	393	Joe Bolkcom
S-3058	S.F.	354	Janet Petersen
S-3059	S.F.	297	William A. Dotzler
S-3060	H.F.	397	William A. Dotzler
S-3061	S.F.	358	Robert M. Hogg
S-3062	S.F.	396	Jeff Danielson
S-3063	S.F.	407	Jeff Danielson
S-3064	S.F.	363	Charles Schneider
S-3065	S.F.	354	Joni K. Ernst
S-3066	S.F.	423	Herman C. Quirmbach
S-3067	S.F.	363	Herman C. Quirmbach

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 26, 2013

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by the Honorable Liz Mathis, member of the Senate from Linn County, Cedar Rapids, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate page Jennifer Brookhart.

The Journal of Monday, March 25, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Terry Rich, the governor's appointee to be the Chief Executive Officer of the Iowa Lottery Authority. He was the guest of Senators Bertrand and Danielson and the committee on State Government.

The Secretary of the Senate introduced Timothy Orr, the governor's appointee to be the State of Iowa Adjutant General. He was the guest of Senators Beall and Rozenboom and the committee on Veterans Affairs.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:56 a.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zaun, until he arrives, on request of Senator Dix; and Senator Hatch, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 289.

Senate File 289

On motion of Senator Hogg, **Senate File 289**, a bill for an act establishing the department of homeland security and emergency management, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Hogg offered amendment S-3049, filed by him on March 19, 2013, to page 6 of the bill, and moved its adoption.

Amendment S-3049 was adopted by a voice vote.

Senator Hogg asked and received unanimous consent that **House File 307** be substituted for **Senate File 289**.

House File 307

On motion of Senator Hogg, **House File 307**, a bill for an act establishing the department of homeland security and emergency management, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 307), the vote was:

Yeas, 48:

Anderson
Beall
Behn
Bertrand

Courtney
Danielson
Dearden
Dix

Hogg
Horn
Houser
Jochum

Schneider
Schoenjahn
Segebart
Seng

Black	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Hatch Zaun

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

WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 289** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 361.

Senate File 361

On motion of Senator Hogg, **Senate File 361**, a bill for an act relating to estates and trusts and including retroactive and other applicability provisions, was taken up for consideration.

Senator Hogg asked and received unanimous consent that **House File 591** be **substituted** for **Senate File 361**.

House File 591

On motion of Senator Hogg, **House File 591**, a bill for an act relating to estates and trusts and including retroactive and other applicability provisions, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 591), the vote was:

Yeas, 48:

Anderson	Courtney	Hogg	Schneider
Beall	Danielson	Horn	Schoenjahn
Behn	Dearden	Houser	Segebart
Bertrand	Dix	Jochum	Seng
Black	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Hatch	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 361** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 307** and **591** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR’S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Terry Rich as Chief Executive Officer of the Iowa Lottery Authority, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed” the vote was:

Yeas, 47:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zumbach
Courtney	Hogg	Schneider	

Nays, 1:

Black

Absent, 2:

Hatch Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

DEFERRAL OF GOVERNOR’S APPOINTEE (Individual Confirmation Calendar)

Senator Danielson called up the appointment of Tom Rielly as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 626 of the Senate Journal.

Senator Dix asked and received unanimous consent that action on the appointment of Tom Rielly be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Johnson, until he returns, on request of Senator Kapucian.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Timothy Orr as State of Iowa Adjutant General, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 626 of the Senate Journal.

Senator Beall moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed" the vote was:

Yeas, 48:

Anderson	Courtney	Hatch	Schneider
Beall	Danielson	Hogg	Schoenjahn
Behn	Dearden	Horn	Segebart
Bertrand	Dix	Houser	Seng
Black	Dotzler	Jochum	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Johnson	Zaun
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Duane Magee as a member of the Executive Director of the Board of Educational Examiners, placed on the Individual Confirmation Calendar on February 13, 2013, found on page 266 of the Senate Journal.

Senator Schoenjahn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed" the vote was:

Yeas, 48:

Anderson	Courtney	Hatch	Schneider
Beall	Danielson	Hogg	Schoenjahn
Behn	Dearden	Horn	Segebart
Bertrand	Dix	Houser	Seng
Black	Dotzler	Jochum	Sinclair
Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Johnson Zaun

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 423.

Senate File 423

On motion of Senator Quirmbach, **Senate File 423**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date and applicability provisions, was taken up for consideration.

(Senate File 423 was deferred.)

The Senate stood at ease at 12:08 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:18 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 423, previously deferred.

Senator Gronstal asked and received unanimous consent that action on **Senate File 423** be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:19 p.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 3:50 p.m., President Jochum presiding.

BUSINESS PENDING

Senate File 423

The Senate resumed consideration of **Senate File 423**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date and applicability provisions, previously deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sorenson, until he returns, on request of Senator Dix.

Senator Dix asked and received unanimous consent to withdraw amendment S-3068, filed by Senator Zaun from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Quirmbach offered amendment S-3072, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3072 be adopted?" (S.F. 423), the vote was:

Yeas, 30:

Beall	Dotzler	Jochum	Schneider
Black	Dvorsky	Johnson	Schoenjahn
Bolkcom	Greiner	Kapucian	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hatch	Petersen	Wilhelm
Danielson	Hogg	Quirmbach	
Dearden	Horn	Ragan	

Nays, 18:

Anderson	Chapman	Guth	Smith
Behn	Chelgren	Houser	Whitver
Bertrand	Dix	Rozenboom	Zumbach
Boettger	Ernst	Segebart	
Breitbach	Feenstra	Sinclair	

Absent, 2:

Sorenson	Zaun
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Amendment S-3072 was adopted.

Senator Quirmbach offered amendment S-3066, filed by him on March 25, 2013, to pages 6-8, 11-14, 16-21, 23-35, and 38 of the bill.

Senator Quirmbach offered amendment S-3069, filed by him from the floor to pages 1-5 and 10-16 of amendment S-3066.

Senator Quirmbach asked and received unanimous consent that action on amendment S-3066 and amendment S-3069 to amendment S-3066 be deferred.

Senator Quirmbach called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-3072 to Senate File 423 was adopted by the Senate on March 26, 2013.

The motion prevailed by a voice vote and amendment S-3072, by Senator Quirmbach to pages 1-3 of the bill, was taken up for reconsideration.

(Amendment S-3072 was deferred.)

Senator Ernst offered amendment S-3084, filed by her from the floor, striking and replacing everything after the enacting clause of the bill.

(Amendment S-3084 and Senate File 423 were deferred.)

The Senate stood at ease at 4:27 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:24 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 423 and amendment S-3084, previously deferred.

Senator Ernst moved the adoption of amendment S-3084.

A record roll call was requested.

On the question "Shall amendment S-3084 be adopted?" (S.F. 423), the vote was:

Yeas, 22:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zumbach
Breitbach	Greiner	Schneider	
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase
Courtney
Danielson

Hart
Hatch
Hogg

Petersen
Quirmbach
Ragan

Wilhelm

Absent, 2:

Sorenson

Zaun

Amendment S-3084 lost.

The Senate resumed consideration of amendment S-3072, previously deferred.

Senator Quirmbach moved the adoption of amendment S-3072.

Amendment S-3072 was adopted by a voice vote.

The Senate resumed consideration of amendment S-3069 to amendment S-3066, previously deferred.

Senator Quirmbach moved the adoption of amendment S-3069 to amendment S-3066.

Amendment S-3069 to amendment S-3066 was adopted by a voice vote.

With the adoption of amendment S-3069 to amendment S-3066, the Chair ruled amendment S-3081, filed by Senators Boettger and Sinclair from the floor, to pages 1-2, 9-12, and 16 of the bill, out of order.

Senator Feenstra offered amendment S-3079, filed by him from the floor to page 5 amendment S-3066, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3079 to amendment S-3066 be adopted?" (S.F. 423), the vote was:

Yeas, 22:

Anderson
Behn
Bertrand

Chelgren
Dix
Ernst

Houser
Johnson
Kapucian

Sinclair
Smith
Whitver

Boettger	Feenstra	Rozenboom	Zumbach
Breitbart	Greiner	Schneider	
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 2:

Sorenson	Zaun
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Amendment S–3079 to amendment S–3066 lost.

The Senate resumed consideration of amendment S–3066.

Senator Quirmbach moved the adoption of amendment S–3066, as amended.

Amendment S–3066, as amended, was adopted by a voice vote.

Senator Chelgren offered amendment S–3083, filed by him from the floor to page 35 of the bill.

Senator Quirmbach raised the point of order that amendment S–3083 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3083 out of order.

Senator Chelgren offered amendment S–3073, filed by Senator Sorenson, et al., from the floor to page 41 of the bill.

Senator Quirmbach raised the point of order that amendment S–3073 was not germane to the bill.

The Chair ruled the point well-taken and amendment S–3073 out of order.

Senator Feenstra offered amendment S-3077, filed by Senator Feenstra, et al., from the floor to pages 42, 44, and 45 and amending the title page of the bill.

Senator Dvorsky raised the point of order that amendment S-3077 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3077 out of order.

Senator Ernst offered amendment S-3071, filed by her from the floor to page 46 of the bill, and moved its adoption.

Amendment S-3071 was adopted by a voice vote.

Senator Chapman offered amendment S-3074, filed by Senator Chapman, et al., from the floor to page 46 of the bill.

Senator Quirmbach raised the point of order that amendment S-3074 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3074 out of order.

Senator Boettger offered amendment S-3075, filed by Senator Boettger, et al., from the floor to page 46 of the bill.

Senator Quirmbach raised the point of order that amendment S-3075 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3075 out of order.

Senator Behn offered amendment S-3076, filed by Senator Behn, et al., from the floor to pages 46 and amending the title page of the bill.

Senator Quirmbach raised the point of order that amendment S-3076 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3076 out of order.

Senator Sinclair offered amendment S-3078, filed by Senator Sinclair, et al., from the floor to pages 46 of the bill.

Senator Dvorsky raised the point of order that amendment S-3078 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3078 out of order.

Senator Anderson offered amendment S-3080, filed by Senator Anderson, et al., from the floor to page 46 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3080 be adopted?" (S.F. 423), the vote was:

Yeas, 22:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zumbach
Breitbach	Greiner	Schneider	
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 2:

Sorenson	Zaun
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Amendment S-3080 lost.

Senator Sinclair offered amendment S-3082, filed by her from the floor to page 46 of the bill.

Senator Quirmbach raised the point of order that amendment S-3082 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3082 in order.

Senator Sinclair moved the adoption of amendment S-3082.

A record roll call was requested.

On the question "Shall amendment S-3082 be adopted?" (S.F. 423), the vote was:

Yeas, 22:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zumbach
Breitbach	Greiner	Schneider	
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 2:

Sorenson	Zaun
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Amendment S-3082 lost.

Senator Guth offered amendment S-3088, filed by him from the floor to page 46 and amending the title page of the bill.

Senator Quirmbach raised the point of order that amendment S-3088 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3088 out of order.

The Senate stood at ease at 7:18 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 7:27 p.m., President Jochum presiding.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 423), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zaun
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Sorenson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 423** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 288, a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer. (S-3086)

Senate File 202, a bill for an act relating to programs and services under the purview of the department of public health. (S-3085)

ALSO: That the House has on March 26, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 471, a bill for an act relating to the payment of reasonable attorney fees in juvenile court or appellate proceedings relating to a termination of parental rights petition.

Read first time and referred to committee on **Judiciary**.

House File 484, a bill for an act relating to boiler inspections and including effective date provisions.

Read first time and referred to committee on **Commerce**.

House File 544, a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts.

Read first time and attached to **companion Senate File 301**.

House File 454, a bill for an act relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, and eliminating a reporting requirement relating to vocational education funds.

Read first time and referred to committee on **Education**.

House File 538, a bill for an act authorizing alternate members of the board of parole.

Read first time and referred to committee on **Judiciary**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:36 p.m. until 9:00 a.m., Wednesday, March 27, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Reverend Michael Willer, Trinity United Methodist Church – For blessing the Iowa House of Representatives and the Iowa Senate with prayer. Senator Beall.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, March 26, 2013, 2:25 p.m.

Recessed: 2:30 p.m.

Reconvened: 3:20 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: HF 602. SSB 1246.

Adjourned: 3:40 p.m.

INTRODUCTION OF BILL

Senate File 429, by committee on Appropriations, a bill for an act relating to workforce training programs and making appropriations.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 1247 Appropriations

Relating to the types of containers included under the beverage container control laws and the reimbursement amount paid by a distributor for empty beverage containers and making an appropriation.

SUBCOMMITTEE ASSIGNMENTS

Senate File 341

WAYS AND MEANS: Hogg, Chair; Feenstra and Quirmbach

House File 521

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

House File 531

EDUCATION: Quirmbach, Chair; Dvorsky and Ernst

House File 598

WAYS AND MEANS: Black, Chair; Behn and Seng

House File 599

AGRICULTURE: Brase, Chair; Bowman and Greiner

SSB 1247

APPROPRIATIONS: Petersen, Chair; Dvorsky, Mathis, Smith, and Whitver

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 429 (formerly SF 291), a bill for an act an act relating to workforce training programs and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 8: Whitver, Boettger, Ernst, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 429, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 602, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3089.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, 1: Guth. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3068	S.F.	423	Brad Zaun
S-3069	S.F.	423	Herman C. Quirmbach
S-3070	S.F.	331	Tod Bowman
S-3071	S.F.	423	Joni K. Ernst
S-3072	S.F.	423	Herman C. Quirmbach
S-3073	S.F.	423	Kent Sorenson
			Rick Bertrand
			Mark Chelgren
			Jack Whitver
			Jake Chapman
			Roby Smith
			Joni K. Ernst
			Mark Segebart
			Jerry Behn
			Tim L. Kapucian
			David Johnson
			Michael Breitbach
			Dan Zumbach

			Nancy J. Boettger
			Ken Rozenboom
			Amy Sinclair
			Dennis Guth
			Bill Anderson
			Randy Feenstra
			Bill Dix
S-3074	S.F.	423	Jake Chapman
			Mark Chelgren
			Rick Bertrand
			Nancy J. Boettger
			Dan Zumbach
			Mark Segebart
			Bill Dix
			Jack Whitver
			Michael Breitbach
			Tim L. Kapucian
			Jerry Behn
			Joni K. Ernst
			David Johnson
			Charles Schneider
			Sandra Greiner
			Dennis Guth
			Bill Anderson
			Kent Sorenson
			Randy Feenstra
S-3075	S.F.	423	Nancy J. Boettger
			Dan Zumbach
			Michael Breitbach
			Tim L. Kapucian
			Jerry Behn
			Randy Feenstra
			Mark Segebart
			Joni K. Ernst
			David Johnson
			Charles Schneider
			Sandra Greiner
			Jake Chapman
			Bill Dix
			Jack Whitver
			Mark Chelgren

S-3076	S.F.	423	Kent Sorenson
			Bill Anderson
			Amy Sinclair
			Ken Rozenboom
			Jerry Behn
			Nancy J. Boettger
			Dan Zumbach
			Michael Breitbach
			David Johnson
			Sandra Greiner
			Jake Chapman
			Rick Bertrand
			Bill Anderson
			Dennis Guth
			Hubert Houser
			Mark Chelgren
			Tim L. Kapucian
			Joni K. Ernst
			Mark Segebart
			Charles Schneider
			Jack Whitver
			Randy Feenstra
			Ken Rozenboom
			Amy Sinclair
S-3077	S.F.	423	Randy Feenstra
			Mark Chelgren
			Dan Zumbach
			Dennis Guth
			Bill Anderson
			Kent Sorenson
			Rick Bertrand
			Bill Dix
			Nancy J. Boettger
			Michael Breitbach
			Tim L. Kapucian
			Jerry Behn
			Joni K. Ernst
			Mark Segebart
			Roby Smith
			Sandra Greiner
			Jake Chapman

			Jack Whitver
			Ken Rozenboom
			Amy Sinclair
S-3078	S.F.	423	Amy Sinclair
			Ken Rozenboom
			Nancy J. Boettger
			Dan Zumbach
			Michael Breitbach
			Jerry Behn
			Mark Segebart
			Joni K. Ernst
			Roby Smith
			David Johnson
			Charles Schneider
			Jake Chapman
			Sandra Greiner
			Jack Whitver
			Mark Chelgren
S-3079	S.F.	423	Randy Feenstra
S-3080	S.F.	423	Bill Anderson
			Dennis Guth
			Mark Chelgren
			Rick Bertrand
			Jack Whitver
			Jake Chapman
			Sandra Greiner
			David Johnson
			Joni K. Ernst
			Mark Segebart
			Michael Breitbach
			Dan Zumbach
			Nancy J. Boettger
			Kent Sorenson
			Jerry Behn
			Bill Dix
			Ken Rozenboom
			Amy Sinclair
S-3081	S.F.	423	Nancy J. Boettger
			Amy Sinclair
S-3082	S.F.	423	Amy Sinclair
S-3083	S.F.	423	Mark Chelgren

S-3084	S.F.	423	Joni K. Ernst
S-3085	S.F.	202	House
S-3086	S.F.	288	House
S-3087	S.F.	275	Thomas G. Courtney
S-3088	S.F.	423	Dennis Guth
S-3089	H.F.	602	Appropriations

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 27, 2013

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by Pastor D.C. Darensbourg, pastor of the Second Baptist Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Celia Ver Ploeg.

The Journal of Tuesday, March 26, 2013, was approved.

SPECIAL GUESTS

Senator Rozenboom welcomed to the Senate chamber Queen Marlee Bokhoven and representatives from Pella's Seventy-eighth Annual Tulip Time Festival. Queen Bokhoven invited the Senate to attend this year's festival on May 2, 3, and 4, 2013.

Queen Bokhoven introduced the following members of her court: Elizabeth De Wolf, Erica Schulte, Kate Roozeboom, and Heather Van Wyk. President Jochum gave Queen Bokhoven a hug, and she in turn presented President Jochum with a package of the famous Pella Dutch pastries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

The Senate stood at ease at 9:33 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:34 p.m., President Jochum presiding.

QUORUM CALL

Senator Horn requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 46 present, 4 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 301 and 272.

Senate File 301

On motion of Senator Soddors, **Senate File 301**, a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts, was taken up for consideration.

Senator Soddors asked and received unanimous consent that **House File 544** be **substituted** for **Senate File 301**.

House File 544

On motion of Senator Soddors, **House File 544**, a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts, was taken up for consideration.

Senator Soddors offered amendment S-3091, filed by him from the floor to pages 1 and 5 of the bill, and moved its adoption.

Amendment S-3091 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 544), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

McCoy

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

WITHDRAWN

Senator Sodders asked and received unanimous consent that **Senate File 301** be **withdrawn** from further consideration of the Senate.

Senate File 272

On motion of Senator Brase, **Senate File 272**, a bill for an act relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands, was taken up for consideration.

Senator Brase offered amendment S-3025, filed by him on March 18, 2013, to page 2 and amending the title page of the bill, and moved its adoption.

Amendment S-3025 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 272), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

McCoy

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

President Pro Tempore Sodders took the chair at 12:57 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Greiner, until she returns, on request of Senator Kapucian.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 14.

House File 14

On motion of Senator Beall, **House File 14**, a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles, placed on the Unfinished Business Calendar on March 14, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 14), the vote was:

Yeas, 49:

Anderson	Danielson	Houser	Seng
Beall	Dearden	Jochum	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Soddors
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Courtney	Horn	Segebart	

Nays, none.

Absent, 1:

Greiner

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

WITHDRAWN

Senator Beall asked and received unanimous consent that **Senate File 239** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 131.

House File 131

On motion of Senator Dearden, **House File 131**, a bill for an act authorizing charitable giving payroll deductions for community college employees, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 131), the vote was:

Yeas, 49:

Anderson	Danielson	Houser	Seng
Beall	Dearden	Jochum	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Courtney	Horn	Segebart	

Nays, none.

Absent, 1:

Greiner

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 272 and House Files 14, 131, and 544** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 329, 306, and 270.

Senate File 329

On motion of Senator Danielson, **Senate File 329**, a bill for an act making changes to the campaign finance laws relating to independent expenditures, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 329), the vote was:

Yeas, 49:

Anderson	Danielson	Houser	Seng
Beall	Dearden	Jochum	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	
Courtney	Horn	Segebart	

Nays, none.

Absent, 1:

Greiner

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he returns, on request of Senator Kapucian.

Senate File 306

On motion of Senator Bolkcom, **Senate File 306**, a bill for an act providing for the reduction and recovery of excess food items by the department of natural resources, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 306), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Kapucian	Sorenson
Behn	Dix	Rozenboom	Whitver
Bertrand	Ernst	Schneider	Zaun
Boettger	Guth	Segebart	Zumbach
Breitbach	Houser	Sinclair	
Chapman	Johnson	Smith	

Absent, 2:

Feenstra	Greiner
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 270

On motion of Senator McCoy, **Senate File 270**, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage, was taken up for consideration.

Senator Dix asked and received unanimous consent that action on **Senate File 270** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 306** and **329** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 115 and 407.

Senate File 115

On motion of Senator Bowman, **Senate File 115**, a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions, was taken up for consideration.

Senator Bowman offered amendment S-3008, filed by him on February 14, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3008 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 115), the vote was:

Yeas, 41:

Anderson	Courtney	Horn	Schoenjahn
Beall	Danielson	Houser	Segebart
Behn	Dearden	Jochum	Seng
Bertrand	Dix	Johnson	Sodders

Black	Dotzler	Kapucian	Sorenson
Boettger	Dvorsky	Mathis	Taylor
Bolkcom	Gronstal	McCoy	Wilhelm
Bowman	Guth	Petersen	Zumbach
Brase	Hart	Quirmbach	
Breitbach	Hatch	Ragan	
Chelgren	Hogg	Schneider	

Nays, 8:

Chapman	Feenstra	Sinclair	Whitver
Ernst	Rozenboom	Smith	Zaun

Absent, 1:

Greiner

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

Senate File 407

On motion of Senator Danielson, **Senate File 407**, a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office, was taken up for consideration.

Senator Danielson offered amendment S-3063, filed by him on March 25, 2013, to pages 1-2 of the bill, and moved its adoption.

Amendment S-3063 was adopted by a voice vote.

Senator Sinclair offered amendment S-3095, filed by her from the floor to pages 2 and 4 of the bill.

Senator Danielson asked and received unanimous consent that action on amendment S-3095 and **Senate File 407** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 427, a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable. (S-3094)

ALSO: That the House has on March 27, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 495, a bill for an act relating to the residential landlord and tenant laws and related forcible entry and detainer laws and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

House File 499, a bill for an act permitting the use of crossbows to hunt deer and providing penalties.

Read first time and referred to committee on **Natural Resources and Environment**.

House File 569, a bill for an act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and including transition, implementation, and effective date provisions.

Read first time and referred to committee on **Human Resources**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:04 p.m. until 9:00 a.m., Thursday, March 28, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Pastor D.C. Darensbourg, Second Baptist Church in Fort Dodge – For blessing the Iowa House of Representatives and the Iowa Senate with prayer. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, March 27, 2013, 2:15 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Passed HF 351 and 472.

Adjourned: 2:50 p.m.

JUDICIARY

Convened: Wednesday, March 27, 2013, 3:05 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: None.

Committee Business: Passed HF 210, as amended; and HF 112, 223, 477, and 530.

Adjourned: 3:20 p.m.

INTRODUCTION OF BILL

Senate File 430, by committee on Appropriations, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 426

APPROPRIATIONS: McCoy, Chair; Dvorsky and Whitver

House File 356

JUDICIARY: Taylor, Chair; Boettger and Horn

House File 380

STATE GOVERNMENT: Horn, Chair; Bowman and Feenstra

House File 527

JUDICIARY: Sodders, Chair; Courtney and Whitver

House File 534

JUDICIARY: Sodders, Chair; Hogg and Zaun

House File 537

JUDICIARY: Hogg, Chair; Boettger and Petersen

House File 572

JUDICIARY: Hogg, Chair; Quirmbach and Whitver

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: *SENATE FILE 430 (SSB 1246), a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 8: Whitver, Boettger, Ernst, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 430, and they were attached to the committee report.

EDUCATION

Bill Title: HOUSE FILE 351, a bill for an act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, and Wilhelm. Nays, 5: Ernst, Behn, Boettger, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 472, a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 112, a bill for an act relating to the forfeiture of bail in a criminal case.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Sorenson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 223, a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Sorenson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 477, a bill for an act relating to the sale, operation, and possession of speed detection jamming devices, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, and Whitver. Nays, 1: Zaun. Absent, 1: Sorenson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 530, a bill for an act relating to the governor's office of drug control policy and certain advisory councils.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Sorenson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 115 passed the Senate on March 27, 2013.

TOD R. BOWMAN

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 115 passed the Senate on March 27, 2013.

BILL DIX

AMENDMENTS FILED

S-3090	S.F.	374	David Johnson
S-3091	H.F.	544	Steve Soddors
S-3092	S.F.	374	Mary Jo Wilhelm
S-3093	S.F.	396	Jeff Danielson
S-3094	S.F.	427	House
S-3095	S.F.	407	Amy Sinclair

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
FORTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 28, 2013

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa, who sang “An Irish Blessing”.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Elizabeth Detrick.

The Journal of Wednesday, March 27, 2013, was approved.

SPECIAL GUESTS

Senators Dotzler, Hatch, and Hogg introduced to the Senate chamber the Boys and Girls Clubs of Iowa Youth of the Year recipients, Brad Cunningham of Des Moines; Jeffrey Chambers of Cedar Rapids; and Mujo Avdic of Waterloo.

The Senate rose and expressed its congratulations.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:22 a.m., President Jochum presiding.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 115

Senator Dix asked and received unanimous consent to withdraw the motion to reconsider **Senate File 115**, a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions, filed by Senator Dix on March 27, 2013, found on page 689 of the Senate Journal.

Senator Bowman asked and received unanimous consent to withdraw the motion to reconsider **Senate File 115**, a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions, filed by Senator Bowman on March 27, 2013, found on page 689 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 115** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:24 a.m. until 1:00 p.m., Monday, April 1, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Thursday, March 28, 2013, 11:00 a.m.

Members Present: Ragan, Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: Wilhelm, Vice Chair (excused).

Committee Business: Passed HF 198.

Adjourned: 11:05 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, March 28, 2013, 1:00 p.m.

Members Present: Dearden, Chair; Black, Vice Chair; Greiner, Ranking Member; Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach.

Members Absent: None.

Committee Business: Passed HF 361, 499, and 522.

Adjourned: 1:15 p.m.

TRANSPORTATION

Convened: Thursday, March 28, 2013, 11:00 a.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Dearden, Dvorsky, McCoy, Taylor, and Zumbach.

Members Absent: Danielson and Feenstra (both excused).

Committee Business: Passed HF 236.

Adjourned: 11:15 a.m.

SUBCOMMITTEE ASSIGNMENTS**House File 454**

EDUCATION: Mathis, Chair; Sinclair and Wilhelm

House File 471

JUDICIARY: Taylor, Chair; Horn and Schneider

House File 484

COMMERCE: McCoy, Chair; Anderson and Mathis

House File 495

JUDICIARY: Soddors, Chair; Petersen and Zaun

House File 499

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Greiner

House File 514

COMMERCE: Wilhelm, Chair; Bolkcom and Chapman

House File 538

JUDICIARY: Hogg, Chair; Taylor and Whitver

House File 540

COMMERCE: McCoy, Chair; Bertrand and Petersen

House File 545

VETERANS AFFAIRS: Beall, Chair; Hart and Rozenboom

House File 569

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION**HUMAN RESOURCES**

Bill Title: HOUSE FILE 198, a bill for an act relating to the inclusion of reasonable training costs in the direct costs considered reimbursable for Medicaid home and community-based services programs.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, 1: Wilhelm.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 210, a bill for an act relating to the practices and procedures of the state public defender.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3097.

Final Vote: Ayes, 12: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Taylor, Whitver, and Zaun. Nays, none. Absent, 1: Sorenson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: HOUSE FILE 361, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans and disabled members of the armed forces serving on active federal service.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

ALSO:

Bill Title: HOUSE FILE 499, a bill for an act permitting the use of crossbows to hunt deer and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 522, a bill for an act relating to the prevention and control of aquatic invasive species in the state and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Black, Greiner, Bolkcom, Brase, Breitbach, Hogg, Johnson, Ragan, Rozenboom, Schoenjahn, Seng, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 236, a bill for an act relating to the operation of golf carts on the streets of an established community within an unincorporated area and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 2: Danielson and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 28, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 145 – Relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

Senate File 181 – Relating to matters under the purview of the banking division of the department of commerce.

Senate File 187 – Relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

Senate File 188 – Relating to an application for the immediate return of seized property.

Senate File 353 – Relating to vaccine administration by licensed pharmacists.

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

Richard LaMere, Jr. – Board of Corrections

ROBERT M. HOGG

AMENDMENTS FILED

S-3096	S.F.	230	Janet Petersen
S-3097	H.F.	210	Judiciary

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 1, 2013

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by Reverend Lucille King, parish associate at Christ Church Presbyterian in Cedar Rapids, Iowa. She was the guest of Senator Horn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashley Green.

The Journal of Thursday, March 28, 2013, was approved.

The Senate stood at ease at 1:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:00 p.m., President Jochum presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of K. Brian London as Commissioner of Public Safety, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 311 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 42:

Anderson	Dearden	Jochum	Sinclair
Beall	Dix	Johnson	Smith
Behn	Ernst	Kapucian	Sodders
Bertrand	Feenstra	Mathis	Sorenson
Black	Greiner	Petersen	Taylor
Boettger	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Segebart	
Courtney	Houser	Seng	

Nays, 8:

Bolkcom	Danielson	Dvorsky	McCoy
Bowman	Dotzler	Hatch	Schoenjahn

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS
(Individual Confirmation Calendar)
(Deferred March 26, 2013)

The Senate resumed consideration of the appointment of Tom Rielly as a member of the State Transportation Commission, previously deferred.

DEFERRAL OF APPOINTEE

Senator Dix asked and received unanimous consent that action on the appointment of Tom Rielly be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 396.

Senate File 396

On motion of Senator Danielson, **Senate File 396**, a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions, was taken up for consideration.

Senator Danielson withdrew amendment S-3062, filed by him on March 25, 2013, to pages 5, 29-33, 38, and 42-45 and amending the title page of the bill.

Senator Danielson withdrew amendment S-3093, filed by him on March 27, 2013, to pages 5, 29-33, 35-43, and 45 and amending the title page of the bill.

Senator Danielson offered amendment S-3098, filed by him from the floor to pages 5, 29-33, 35-43, and 45 and amending the title page of the bill.

Amendment S-3098 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 396), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 427

Senator Danielson called up for consideration **Senate File 427**, a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable, amended by the House in House amendment S-3094, filed March 27, 2013.

Senator Danielson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question “Shall the bill pass?” (S.F. 427), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun

Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 384.

Senate File 384

On motion of Senator Hogg, **Senate File 384**, a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties, was taken up for consideration.

Senator Hogg offered amendment S–3100, filed by Senators Hogg and Schneider from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–3100 was adopted by a voice vote.

With the adoption of amendment S–3100, the Chair ruled amendment S–3037, filed by Senator Hogg on March 18, 2013, to page 1 of the bill, out of order.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 384), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 288

Senator Taylor called up for consideration **Senate File 288**, a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer, amended by the House in House amendment S-3086, filed March 26, 2013.

Senator Taylor moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question "Shall the bill pass?" (S.F. 288), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 288, 384, 396, and 427** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 429.

Senate File 429

On motion of Senator Schoenjahn, **Senate File 429**, a bill for an act relating to workforce training programs and making appropriations, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 429), the vote was:

Yeas, 31:

Beall	Courtney	Hogg	Quirmbach
Bertrand	Danielson	Horn	Ragan
Black	Dearden	Houser	Schoenjahn
Bolkcom	Dotzler	Jochum	Seng
Bowman	Dvorsky	Kapucian	Sodders
Brase	Gronstal	Mathis	Taylor
Breitbach	Hart	McCoy	Wilhelm
Chelgren	Hatch	Petersen	

Nays, 19:

Anderson	Ernst	Rozenboom	Sorenson
Behn	Feenstra	Schneider	Whitver
Boettger	Greiner	Segebart	Zaun
Chapman	Guth	Sinclair	Zumbach
Dix	Johnson	Smith	

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 389.

Senate File 389

On motion of Senator Dearden, **Senate File 389**, a bill for an act relating to hunter safety and ethics education course requirements, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 389), the vote was:

Yeas, 43:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Sodders

Boettger	Ernst	Mathis	Sorenson
Bowman	Feenstra	McCoy	Taylor
Brase	Greiner	Ragan	Whitver
Breitbach	Gronstal	Rozenboom	Wilhelm
Chapman	Guth	Schneider	Zaun
Chelgren	Hart	Schoenjahn	Zumbach
Courtney	Hatch	Segebart	

Nays, 7:

Black	Dvorsky	Jochum	Quirmbach
Bolkcom	Hogg	Petersen	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 389 and 429** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:13 p.m. until 9:00 a.m., Tuesday, April 2, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

CITIZENS' AIDE/OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.18. Report received on April 1, 2013.

IOWA WORKFORCE DEVELOPMENT

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A(7). Report received on April 1, 2013.

Nursing Workforce Data Clearinghouse Report, pursuant to Iowa Code section 84A.11(5). Report received on April 1, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

IOWA WORKFORCE DEVELOPMENT – Report received on April 1, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Lucas Dewitt, Spencer – For being named Iowa Elementary School Principal of the Year. Senator Johnson.

Ryan P. Schupick, Mason City – For achieving the rank of Eagle Scout, Troop 1012. Senator Ragan.

Collin Yeager, Pella – For achieving the rank of Eagle Scout and Eagle Palm, Troop 373. Senator Rozenboom.

Sam Yeager, Pella – For achieving the rank of Eagle Scout, Troop 373. Senator Rozenboom.

REPORT OF COMMITTEE MEETING

ECONOMIC GROWTH

Convened: Thursday, March 28, 2013, 1:05 p.m.

Members Present: Soddors, Chair; Bowman, Vice Chair; Chapman, Ranking Member; Dotzler, Hart, Hatch, Mathis, Schneider, Taylor, and Whitver.

Members Absent: Behn, Chelgren, Danielson, Houser, and Wilhelm (all excused).

Committee Business: Presentation.

Adjourned: 1:35 p.m.

SUBCOMMITTEE ASSIGNMENT

House File 381

STATE GOVERNMENT: Danielson, Chair; Horn and Sorenson

AMENDMENTS FILED

S-3098	S.F.	396	Jeff Danielson
S-3099	S.F.	363	Nancy J. Boettger
S-3100	S.F.	384	Robert M. Hogg Charles Schneider
S-3101	S.F.	371	Chris Brase

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 2, 2013

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by Reverend Terry Chapman, pastor of the Moravian Church of the Nazarene in Moravia, Iowa. He was the guest of Senator Rozenboom.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jacob Ihnen.

The Journal of Monday, April 1, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 512, a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable.

Read first time and attached to **companion Senate File 418**.

House File 558, a bill for an act relating to drug control, including the criminal offense of prohibited acts related to controlled substances and the information program for drug prescribing and dispensing, and providing a penalty.

Read first time and referred to committee on **Judiciary**.

House File 590, a bill for an act relating to child abuse reporting, assessment procedures, and placement on the central registry for child abuse, and including effective date and applicability provisions.

Read first time and referred to committee on **Human Resources**.

House File 592, a bill for an act relating to payments from the indigent defense fund by the state public defender.

Read first time and referred to committee on **Judiciary**.

House File 607, a bill for an act relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, implementation of law by the board, and including effective date provisions.

Read first time and referred to committee on **Agriculture**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:21 a.m. until 10:00 a.m.

RECONVENED

The Senate reconvened at 10:44 a.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 566, a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions.

Read first time and referred to committee on **Judiciary**.

House File 614, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, 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 including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Appropriations**.

The Senate stood at ease at 10:45 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:37 a.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:38 a.m. until 4:00 p.m.

EVENING SESSION

The Senate reconvened at 4:50 p.m., President Jochum presiding.

UNFINISHED BUSINESS
(Deferred March 27, 2013)

Senate File 407

The Senate resumed consideration of **Senate File 407**, a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office, and amendment S-3095, deferred March 27, 2013.

Senator Danielson raised the point of order that amendment S-3095 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3095 out of order.

Senator Zaun asked and received unanimous consent that action on **Senate File 407** be **deferred**.

UNFINISHED BUSINESS
(Deferred March 18, 2013)

Senate File 371

The Senate resumed consideration of **Senate File 371**, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions, deferred March 18, 2013.

Senator Chelgren asked and received unanimous consent to withdraw amendment S-3042, filed by Senator Chelgren, et al., on March 19, 2013, to page 2 of the bill.

Senator Brase offered amendment S-3101, filed by him on April 1, 2013, to pages 2-3 of the bill, and moved its adoption.

Amendment S-3101 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 371), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

BUSINESS PENDING

Senate File 407

The Senate resumed consideration of **Senate File 407**, a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office, previously deferred.

Senator Zaun offered amendment S-3108, filed by him from the floor to page 2 of the bill.

Senator Danielson raised the point of order that amendment S-3108 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3108 out of order.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 407), the vote was:

Yeas, 49:

Anderson	Dearden	Houser	Seng
Beall	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, 1:

Behn

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 371 and 407** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:25 p.m. until 9:00 a.m., Wednesday, April 3, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Trooper Mark Domino, Charles City – For being selected for the TOP COPS award by the National Association of Police Organizations. Senator Wilhelm.

Tristan Moffitt, Pierson – For achieving the rank of Eagle Scout, Troop 259. Senator Anderson.

Velva D. Shea, Remsen – For celebrating her 90th birthday. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Tuesday, April 2, 2013, 10:05 a.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: McCoy (excused).

Committee Business: HF 245. SSB 1245.

Adjourned: 10:35 a.m.

EDUCATION

Convened: Tuesday, April 2, 2013, 2:05 p.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: HF's 215 and 500.

Adjourned: 2:40 p.m.

JUDICIARY

Convened: Tuesday, April 2, 2013, 3:35 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Quirnbach, Soddors, Sorenson, Taylor, Whitver, and Zaun.

Members Absent: None.

Committee Business: HF's 119, 212, 359, 471, and 556.

Adjourned: 4:45 p.m.

WAYS AND MEANS

Convened: Monday, April 1, 2013, 4:15 p.m.

Recessed: 4:20 p.m.

Reconvened: 4:50 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith.

Members Absent: None.

Committee Business: Passed SF's 205, 238, and 367; and HF 575. Approved SSBs 1175, 1240, and 1243.

Adjourned: 5:15 p.m.

INTRODUCTION OF BILLS

Senate File 431, by committee on Ways and Means, a bill for an act modifying provisions relating to solar energy system income tax credits and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 432, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 433, by committee on Ways and Means, a bill for an act relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 434, by committee on Ways and Means, a bill for an act relating to an electric or natural gas vehicle facility tax credit and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 558

JUDICIARY: Hogg, Chair; Quirmbach and Schneider

House File 566

JUDICIARY: Taylor, Chair; Horn and Schneider

House File 590

HUMAN RESOURCES: Dotzler, Chair; Bolkcom and Johnson

House File 592

JUDICIARY: Taylor, Chair; Hogg and Whitver

House File 607

AGRICULTURE: Seng, Chair; Soddors and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 245, a bill for an act appropriating moneys in the cigarette fire safety standard fund and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 215, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3106.

Final Vote: Ayes, 9: Quirmbach, Schoenjahn, Beall, Bowman, Dvorsky, Hart, Hogg, Mathis, and Wilhelm. Nays, 6: Ernst, Behn, Boettger, Johnson, Sinclair, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 500, a bill for an act relating to early childhood Iowa initiative requirements for area boards.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3107.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: HOUSE FILE 119, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3109.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 359, a bill for an act relating to obscene material by modifying the definition of material and authorizing local regulation of certain live acts, performances, and exhibitions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Petersen, Soddors, Sorenson, Whitver, and Zaun. Nays, 2: Quirmbach and Taylor. Present, 1: Horn. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 431 (SSB 1175), a bill for an act modifying provisions relating to solar energy system income tax credits and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *SENATE FILE 432 (SSB 1243), a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 432, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 433 (formerly SF 205), a bill for an act relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 433, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 434 (formerly SF 238), a bill for an act relating to an electric or natural gas vehicle facility tax credit and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 434, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 575, a bill for an act relating to the technical administration of state financial and regulatory matters, including administration of income taxes, sales and use taxes, currency exchange licenses, and the wireless surcharge for enhanced 911 emergency telephone systems, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: HOUSE FILE 453, a bill for an act relating to veterans preferences in certain appointments made by counties and cities and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Beall, Danielson, Rozenboom, Black, Chelgren, Ernst, Hart, Horn, Ragan, Schneider, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 545, a bill for an act creating a new category of allowable expenditures from the veterans trust fund.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Beall, Danielson, Rozenboom, Black, Chelgren, Ernst, Hart, Horn, Ragan, Schneider, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 2nd day of April, 2013.

Senate Files 183, 184, 203, 327, 347, 349, 351, 357, 390, and 394.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3102	S.F.	363	Steven J. Soddors
S-3103	S.F.	374	Michael Breitbach
S-3104	S.F.	363	Steven J. Soddors
S-3105	H.F.	472	Brian Schoenjahn Amy Sinclair
S-3106	H.F.	215	Education
S-3107	H.F.	500	Education
S-3108	S.F.	407	Brad Zaun
S-3109	H.F.	119	Judiciary
S-3110	S.F.	430	William A. Dotzler, Jr.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 3, 2013

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by Thomas Law, executive director of the Baptist Convention of Iowa in Des Moines, Iowa. He was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brett Ofstein.

The Journal of Tuesday, April 2, 2013, was approved.

The Senate stood at ease at 9:24 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:03 a.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:04 a.m. until 3:45 p.m.

APPENDIX—1

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, April 3, 2013, 11:00 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; Chelgren, and Taylor.

Members Absent: None.

Committee Business: Discussed appropriations bills.

Adjourned: 11:40 a.m.

INTRODUCTION OF BILLS

Senate File 435, by committee on Appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

Read first time under Rule 28 and **placed on Appropriations calendar.**

Senate File 436, by committee on Ways and Means, a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

Senate File 437, by committee on Ways and Means, a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar.**

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 435 (SSB 1245), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, Petersen, Schoenjahn, and Smith. Nays, 8: Whitver, Boettger, Ernst, Guth, Kapucian, Ragan, Rozenboom, and Segebart. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 435, and they were attached to the committee report.

JUDICIARY

Bill Title: HOUSE FILE 212, a bill for an act relating to conducting condemnation proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 471, a bill for an act relating to the payment of reasonable attorney fees in juvenile court or appellate proceedings relating to a termination of parental rights petition.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 556, 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.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3113.

Final Vote: Ayes, 13: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Quirmbach, Soddors, Sorenson, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 436 (SSB 1240), a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 436, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 437 (formerly SF 367), a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolkcom, Seng, Bertrand, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, and Quirmbach. Nays, 5: Feenstra, Behn, Chapman, Schneider, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 437, and they were attached to the committee report.

RECONVENED

The Senate reconvened at 3:51 p.m., President Jochum presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 433.

Senate File 433

On motion of Senator Dotzler, **Senate File 433**, a bill for an act relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 433), the vote was:

Yeas, 47:

Anderson	Danielson	Horn	Schoenjahn
Beall	Dearden	Houser	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hatch	Rozenboom	Zumbach
Courtney	Hogg	Schneider	

Nays, 3:

Chelgren	Guth	Zaun
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Absent, none.

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 430.

Senate File 430

On motion of Senator Dotzler, **Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dotzler offered amendment S–3110, filed by him on April 2, 2013, to pages 12, 19, 21, and 23 of the bill, and moved its adoption.

Amendment S–3110 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 430), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 575.

House File 575

On motion of Senator Petersen, **House File 575**, a bill for an act relating to the technical administration of state financial and regulatory matters, including administration of income taxes, sales and use taxes, currency exchange licenses, and the wireless surcharge for enhanced 911 emergency telephone systems, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 575), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 215.

House File 215

On motion of Senator Quirmbach, **House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment S-3106, filed by the committee on Education on April 2, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Zaun offered amendment S-3116, filed by Senators Zaun and Chelgren from the floor to pages 1-39 and amending the title provisions of amendment S-3106.

Senator Quirmbach raised the point of order that amendment S-3116 to amendment S-3106 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3116 to amendment S-3106 out of order.

Senator Bowman offered amendment S-3118, filed by him from the floor to pages 34 and 36 of amendment S-3106, and moved its adoption.

Amendment S–3118 to amendment S–3106 was adopted by a voice vote.

Senator Quirmbach moved the adoption of amendment S–3106, as amended.

Amendment S–3106, as amended, was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 215), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 430 and 433** and **House Files 215 and 575** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 2013, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution relating to Pioneer Lawmakers.

Read first time and referred to committee on **Rules and Administration**.

ALSO: That the House has on April 3, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 615, A bill for an act relating to the innovation fund investment tax credit by modifying the tax credit and the authority and duties of the Iowa innovation corporation relating to the tax credit, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on April 3, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 397, a bill for an act relating to the administration of duties and programs by the economic development authority.

House File 488, a bill for an act concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

House File 544, a bill for an act relating to the Iowa veterans home and providing for the consideration of contributions to support as repayment receipts.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:57 p.m. until 9:00 a.m., Wednesday, April 4, 2013.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, April 3, 2013, 2:30 p.m.

Members Present: Ragan, Chair; Wilhelm, Vice Chair; Johnson, Ranking Member; Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver.

Members Absent: None.

Committee Business: Passed HF 569 and 590.

Adjourned: 2:50 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, April 3, 2013, 1:00 p.m.

Recessed: 1:05 p.m.

Reconvened: 1:30 p.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Chelgren, Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun.

Members Absent: None.

Committee Business: Passed HF 524 and 542.

Adjourned: 1:40 p.m.

TRANSPORTATION

Convened: Wednesday, April 3, 2013, 2:30 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach.

Members Absent: Kapucian, Ranking Member; and Feenstra (both excused).

Committee Business: Passed HF 395.

Adjourned: 2:40 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 194

AGRICULTURE: Seng, Chair; Soddors and Zumbach

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: HOUSE FILE 590, a bill for an act relating to child abuse reporting, assessment procedures, and placement on the central registry for child abuse, and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: HOUSE FILE 524, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to commercial rental property.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Wilhelm, Brase, Sinclair, Chelgren, Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 541, a bill for an act relating to dam reconstruction standards.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Wilhelm, Brase, Sinclair, Chelgren, Dvorsky, Guth, Hart, Quirmbach, Schoenjahn, Taylor, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: HOUSE JOINT RESOLUTION 13, a joint resolution relating to the location and exhibition of the statue of James Harlan, currently on display in the United States capitol.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Horn, Petersen, Smith, and Soddors. Nays, none. Absent, 3: Feenstra, McCoy, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 381, a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3117.

Final Vote: Ayes, 12: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Horn, Petersen, Smith, and Sodders. Nays, none. Absent, 3: Feenstra, McCoy, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 586, a bill for an act relating to the rulemaking process and state agency decision making.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Danielson, Jochum, Sorenson, Anderson, Bowman, Chapman, Courtney, Dearden, Horn, Petersen, Smith, and Sodders. Nays, none. Absent, 3: Feenstra, McCoy, and Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: HOUSE FILE 395, a bill for an act relating to the alteration of the community of a motor vehicle franchisee.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bowman, Beall, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, McCoy, Taylor, and Zumbach. Nays, none. Absent, 2: Kapucian and Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3111	H.F.	545	Jeff Danielson
S-3112	S.F.	363	Nancy J. Boettger
S-3113	H.F.	556	Judiciary
S-3114	H.F.	472	Tod R. Bowman
S-3115	S.F.	418	Dr. Joe M. Seng
S-3116	H.F.	215	Brad Zaun
			Mark Chelgren
S-3117	H.F.	381	State Government
S-3118	H.F.	215	Tod R. Bowman

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FORTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 4, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by Pastor Curt Gordon of Faith Baptist Church in Knoxville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Levi Price.

The Journal of Wednesday, April 3, 2013, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2013, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 215, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

SENATE INSISTS

House File 215

Senator Quirmbach called up for consideration **House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 215** on the part of the Senate: Senators Quirmbach, Chair; Bowman, Ernst, Sinclair, and Wilhelm.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 215** be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to the Unfinished Business Calendar:

S.F. 275 and attached H.F. 518	S.F. 421
S.F. 360 and attached H.F. 565	S.F. 431
S.F. 363	S.F. 432
S.F. 365 and attached H.F. 487	S.F. 434
S.F. 376 and attached H.F. 539	S.F. 435
S.F. 418 and attached H.F. 512	S.F. 436

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 223 to Transportation	S.F. 374 to Human Resources
S.F. 240 to Education	S.F. 375 to Commerce
S.F. 241 to Transportation	S.F. 382 to Judiciary
S.F. 257 to Transportation	S.F. 391 to Economic Growth
S.F. 259 to Human Resources	S.F. 392 to Education
S.F. 270 to Commerce	S.F. 397 to State Government
S.F. 308 to Local Government	S.F. 399 to Judiciary
S.F. 320 to Education	S.F. 401 to Agriculture
S.F. 328 to State Government	S.F. 411 to Economic Growth
S.F. 330 to Human Resources	S.F. 417 to Economic Growth
S.F. 372 to Agriculture	S.F. 420 to Economic Growth
S.F. 373 to Human Resources	S.F. 437 to Appropriations

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2013, appointed the conference committee to **House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions, and the Conference Committee members on the part of the House are: the representative from Woodbury, Representative Jorgenson, Chair; the representative from Ringgold, Representative Dolecheck; the representative from Linn, Representative Stanerson; the representative from Cerro Gordo, Representative Steckman; the representative from Scott, Representative Wood.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, April 8, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Josie Vandermark, Moravia – For being honored with the Golden Apple Award.
Senators Rozenboom and Sinclair.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Thursday, April 4, 2013, 11:00 a.m.

Members Present: Seng, Chair; Taylor, Vice Chair; Zumbach, Ranking Member; Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors.

Members Absent: None.

Committee Business: HF's 152, 312, 457, 599, and 607.

Adjourned: 11:15 a.m.

EDUCATION

Convened: Thursday, April 4, 2013, 10:05 a.m.

Recessed: 10:10 a.m.

Reconvened: 10:25 a.m.

Members Present: Quirmbach, Chair; Schoenjahn, Vice Chair; Ernst, Ranking Member; Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: Passed HF's 454 and 533, as amended.

Adjourned: 10:35 a.m.

JUDICIARY

Convened: Thursday, April 4, 2013, 12:45 p.m.

Members Present: Hogg, Chair; Courtney, Vice Chair; Schneider, Ranking Member; Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver.

Members Absent: Quirmbach, Sorenson, and Zaun (all excused).

Committee Business: Passed SF 413, as amended; passed HF 356, 357, 398, 527, 538, and 566, as amended; and passed HF 495 and 592.

Adjourned: 2:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, April 4, 2013, 11:30 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Chapman, Ranking Member; and Taylor.

Members Absent: Chelgren (excused).

Committee Business: Discussed justice system and judicial branch bills.

Adjourned: 11:40 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 326

APPROPRIATIONS: Hogg, Chair; Dvorsky and Whitver

Senate File 378

APPROPRIATIONS: Danielson, Chair; Dvorsky and Rozenboom

Senate File 415

APPROPRIATIONS: Hatch, Chair; Bolkcom, Ernst, Ragan, and Segebart

House File 615

WAYS AND MEANS: Dotzler, Chair; Quirnbach and Schneider

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: HOUSE FILE 152, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3121.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 312, a bill for an act providing for certification requirements by persons involved in the management of manure, and including provisions for contingent implementation.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 457, a bill for an act providing for the leasing of agricultural land by the department of natural resources to beginning farmers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 599, a bill for an act relating to beginning farmers by modifying the agricultural assets transfer tax credit, providing a custom farming contract tax credit, and terminating the agricultural loan assistance program, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 607, a bill for an act relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, implementation of law by the board, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Seng, Taylor, Zumbach, Beall, Black, Bowman, Brase, Greiner, Guth, Hart, Houser, Kapucian, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: HOUSE FILE 454, a bill for an act relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, and eliminating a reporting requirement relating to vocational education funds.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3120.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 533, a bill for an act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3119.

Final Vote: Ayes, 15: Quirmbach, Schoenjahn, Ernst, Beall, Behn, Boettger, Bowman, Dvorsky, Hart, Hogg, Johnson, Mathis, Sinclair, Wilhelm, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: HOUSE FILE 569, a bill for an act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and including transition, implementation, and effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Wilhelm, Johnson, Boettger, Bolkcom, Dotzler, Ernst, Hatch, Jochum, Mathis, Quirmbach, Segebart, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: SENATE FILE 413, a bill for an act related to the liability of a land holder for the public use of private lands and waters.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3122.

Final Vote: Ayes, 9: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Taylor, and Whitver. Nays, 1: Soddors. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 356, a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3123.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 357, a bill for an act relating to the nomination and appointment of district judges.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3124.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 398, a bill for an act relating to the duties and responsibilities of insurance producers under insurance policies or contracts.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3125.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 495, a bill for an act relating to the residential landlord and tenant laws and related forcible entry and detainer laws and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 527, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3126.

Final Vote: Ayes, 8: Hogg, Courtney, Schneider, Boettger, Petersen, Soddors, Taylor, and Whitver. Nays, 2: Dvorsky and Horn. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 538, a bill for an act authorizing alternate members of the board of parole.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3127.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 566, a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3128.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 592, a bill for an act relating to payments from the indigent defense fund by the state public defender.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hogg, Courtney, Schneider, Boettger, Dvorsky, Horn, Petersen, Soddors, Taylor, and Whitver. Nays, none. Absent, 3: Quirmbach, Sorenson, and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From 331 citizens of Cedar, Johnson, Linn, and Muscatine counties supporting legislation to expand Medicaid. Senator Dvorsky.

AMENDMENTS FILED

S-3119	H.F.	533	Education
S-3120	H.F.	454	Education
S-3121	H.F.	152	Agriculture
S-3122	S.F.	413	Judiciary
S-3123	H.F.	356	Judiciary
S-3124	H.F.	357	Judiciary
S-3125	H.F.	398	Judiciary
S-3126	H.F.	527	Judiciary
S-3127	H.F.	538	Judiciary
S-3128	H.F.	566	Judiciary

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 8, 2013

The Senate met in regular session at 1:06 p.m., President Jochum presiding.

Prayer was offered by Reverend Joe Polzin, executive director of Marion Cares in Marion, Iowa. He was the guest of Senator Mathis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Laura Prindle.

The Journal of Thursday, April 4, 2013, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Libby Jacobs, the governor's appointee to be the Chair of the Utilities Board. She was the guest of Senator McCoy and the committee on Commerce.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 599** be referred from the calendar to the committee on **Ways and Means**; and that **Senate File 413** be referred from the calendar to the committee on **Judiciary**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:23 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 2:23 p.m., President Jochum presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 432.

Senate File 432

On motion of Senator Petersen, **Senate File 432**, a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 432), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Joint Resolution 13.

House Joint Resolution 13

On motion of Senator Courtney, **House Joint Resolution 13**, a joint resolution relating to the location and exhibition of the statue of James Harlan, currently on display in the United States capitol, with report of committee recommending passage, was taken up for consideration.

Senator Courtney moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (H.J.R. 13), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 556 and 472.

House File 556

On motion of Senator Schneider, **House File 556**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schneider offered amendment S-3113, filed by the committee on Judiciary on April 3, 2013, to page 137 of the bill, and moved its adoption.

Amendment S-3113 was adopted by a voice vote.

Senator Schneider moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 556), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 472

On motion of Senator Schoenjahn, **House File 472**, a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies, with report of committee recommending passage, was taken up for consideration.

Senator Schoenjahn offered amendment S-3105, filed by Senators Schoenjahn and Sinclair on April 2, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3105 was adopted by a voice vote.

Senator Bowman withdrew amendment S-3114, filed by him on April 3, 2013, to page 3 and amending the title page of the bill.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 472), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 432, House Joint Resolution 13, and House Files 472 and 556** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Rita Davenport – Commission on the Status of African Americans

Quentin Hart – Commission on Aging

G. Willard Jenkins – Commission on Aging

Neil Wubben – Commission on Aging

Jason Wilson – Alcoholic Beverages Division

Kolby DeWitt – Architectural Examining Board

Emily Forquer – Architectural Examining Board

Steve Hou – Commission of Asian and Pacific Islander Affairs

Shaun McCarthy – Board of Athletic Training

Christopher Wiedmann – Board of Athletic Training

Alyson Beytien – Iowa Autism Council

James Curry – Iowa Autism Council

Steve Johnson – Iowa Autism Council

Matthew O'Brien – Iowa Autism Council

James Schipper – Superintendent of Banking

Charles Wubbena – Board of Barbering

Erik Oostenink – Board of Behavioral Science
Jill Struyk – Board of Behavioral Science
Sarah Thomas – Board of Behavioral Science

Joseph Van Lent – Commission for the Blind

Robert Brecke – Boiler and Pressure Vessel Board
Timothy Fehr – Boiler and Pressure Vessel Board
Amy Iles – Boiler and Pressure Vessel Board

Natalie Lischer – Iowa Capital Investment Board

Elaine Sanders – Child Advocacy Board
Wayne Schellhammer – Child Advocacy Board
Jeanne Sorensen – Child Advocacy Board
Shannon Unternahrer – Child Advocacy Board

Jason Wall – Board of Chiropractic

Tom Conley – Iowa State Civil Rights Commission
Lawrence Cunningham – Iowa State Civil Rights Commission
Lily Lijun Hou – Iowa State Civil Rights Commission
Douglas Oelschlaeger – Iowa State Civil Rights Commission

John Johnson – Commission on Community Action Agencies
Brian Lauterbach – Commission on Community Action Agencies
Robyn Ormsby – Commission on Community Action Agencies

Rebecca Williams – Board of Corrections

Richard Sheriff – Board of Cosmetology Arts and Sciences

Janine Sulzner – County Finance Committee
Patricia Wright – County Finance Committee

Jeffrey Hayes – Credit Union Review Board
Tahira Hira – Credit Union Review Board
Scott Zahnle – Credit Union Review Board

Mark Hersch – Commission of Deaf Services
Robert Vizzini – Commission of Deaf Services

Steven Bradley – Board of Dentistry
Thomas Jeneary – Board of Dentistry
Kaaren Vargas – Board of Dentistry

Janet Johnson – Board of Dietetics

Matt Connolly – Commission of Persons with Disabilities

Craig Cretsinger – Prevention of Disabilities Council

Scott Lindgren – Prevention of Disabilities Council

Maggie Tinsman – Prevention of Disabilities Council

Steven Wolfe – Prevention of Disabilities Council

Jennifer Miller – Iowa Drug Policy Advisory Council

David Arens – Early Childhood Iowa State Board

Alice Atkinson – Early Childhood Iowa State Board

Richard Clewell – Early Childhood Iowa State Board

Tracy Erlandson – Early Childhood Iowa State Board

Theodore Crosbie – Economic Development Authority

Larry Den Herder – Economic Development Authority

Delia Meier – Economic Development Authority

Dan Dutcher – Board of Educational Examiners

Ann Lebo – Board of Educational Examiners

Mary Overholtzer – Board of Educational Examiners

Andrew Pattee – Board of Educational Examiners

Jay Prescott – Board of Educational Examiners

Anne Sullivan – Board of Educational Examiners

Richard Wortmann – Board of Educational Examiners

Siobhan Harman – Elevator Safety Board

Kristine Kesterson – Elevator Safety Board

Wayne Sims – Elevator Safety Board

Christopher Enyeart – Iowa Emergency Response Commission

Bryan Myers – Engineering and Land Surveying Examining Board

Howard Stewart – Engineering and Land Surveying Examining Board

Cindy Greiman – Environmental Protection Commission

Robert Sinclair – Environmental Protection Commission

Joanne Stockdale – Environmental Protection Commission

Eugene Ver Steeg – Environmental Protection Commission

Jeffrey Heil – Iowa Finance Authority
Joan Johnson – Iowa Finance Authority
Shaner Magalhaes – Iowa Finance Authority

Lorraine Glover – Flood Mitigation Board
Arnold Honkamp – Flood Mitigation Board
Amy Kaleita – Flood Mitigation Board
John Torbert – Flood Mitigation Board

Duane Madoerin – Iowa Grain Indemnity Fund Board
Curtis Sindergard – Iowa Grain Indemnity Fund Board

Barbara Determan – Iowa Great Place Board
Greg Fisher – Iowa Great Place Board
Emily Meyer – Iowa Great Place Board
Linda Washburn – Iowa Great Place Board

Roberta Chambers – Health Facilities Council
Connie Schmett – Health Facilities Council

Ruth Evans – Healthy and Well Kids in Iowa (HAWK-I) Board
Bob Skow – Healthy and Well Kids in Iowa (HAWK-I) Board

Jaime Secory – Board of Hearing Aid Dispensers
Jerry Smith – Board of Hearing Aid Dispensers

Edward Rogalski – Iowa Higher Education Loan Authority

Arnold Honkamp – Council on Human Services
Guy Richardson – Council on Human Services
Kim Spading – Council on Human Services

Kevin Clark – Interior Design Examining Board
Ann Quebe – Interior Design Examining Board

Sandra Blodgett – Commission on Judicial Qualifications

Erica Andersen – Landscape Architectural Examining Board
Christopher Seeger – Landscape Architectural Examining Board

Brian Gardner – Iowa Law Enforcement Academy Council
Randy Krukow – Iowa Law Enforcement Academy Council
Melinda Ruopp – Iowa Law Enforcement Academy Council
Megan Weiss – Iowa Law Enforcement Academy Council

Christina Michael – Board of Massage Therapy
Rhonda Reif – Board of Massage Therapy

Robert Bender – Board of Medicine
Julie Carmody – Board of Medicine
Ann Gales – Board of Medicine
Allison Schoenfelder – Board of Medicine

Richard Crouch – Mental Health and Disability Services Commission
Betty King – Mental Health and Disability Services Commission
Sharon Lambert – Mental Health and Disability Services Commission
Gary Lippe – Mental Health and Disability Services Commission
Brett McLain – Mental Health and Disability Services Commission
Rebecca Peterson – Mental Health and Disability Services Commission
Marilyn Seemann – Mental Health and Disability Services Commission

Eugene Meiners – Mental Health Risk Pool Board
Marjorie Pitts – Mental Health Risk Pool Board

Kimberly Doehrmann – Board of Mortuary Sciences
Barbara Teahen – Board of Mortuary Sciences

Dawn Buffalo – Commission of Native American Affairs
Joe Coulter – Commission of Native American Affairs
Larry Lasley – Commission of Native American Affairs
Karen Mackey – Commission of Native American Affairs
Kelly Montijo Fink – Commission of Native American Affairs
Dirk Whitebreast – Commission of Native American Affairs

Marcus Branstad – Natural Resource Commission
Phyllis Reimer – Natural Resource Commission

Nancy Kramer – Board of Nursing
James Seymour (appointment) – Board of Nursing
James Seymour (reappointment) – Board of Nursing
Chad Ware – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators
Patricia Hoffman-Simanek – Board of Nursing Home Administrators
Michael Jenison – Board of Nursing Home Administrators
Lanny Ward – Board of Nursing Home Administrators

Thomas Hayden – Board of Optometry
Tamie Stahl – Board of Optometry

James Felker – Board of Parole
Sheila Wilson – Board of Parole

Timothy Gartin – Iowa Petroleum Underground Storage Tank
Fund Board

Denise Behrends – Board of Physical and Occupational Therapy
Todd Bradley – Board of Physical and Occupational Therapy
Erin Hytrek – Board of Physical and Occupational Therapy

Melissa Gentry – Board of Physician Assistants
Keith Guess – Board of Physician Assistants
Susan Koehler – Board of Physician Assistants
Joseph Molnar – Board of Physician Assistants

Michele Chalfant – Plumbing and Mechanical Systems Examining
Board

Tara Decker-Brock – Board of Podiatry
Gregory Lantz – Board of Podiatry
Denise Mandi – Board of Podiatry

Melinda Green – Board of Psychology
Joan Skogstrom – Board of Psychology

Vernon (Fred) Greder – Real Estate Appraiser Examining Board
Greg Harms – Real Estate Appraiser Examining Board

Dennis Stolk – Real Estate Commission

Lawrence (Gene) Lilla – Board of Respiratory Care

Gina Primmer – School Budget Review Committee
Leland Tack – School Budget Review Committee

Bill Ainsley – Board of Sign Language Interpreters and Translitterators
Susan Tyrrell – Board of Sign Language Interpreters and Translitterators

Amy Courneya – Board of Social Work
Valerie Huntley – Board of Social Work
Jody Weigel – Board of Social Work

Paula Ellis – State Soil Conservation Committee
Susan Vance Hjelm – State Soil Conservation Committee

Diana Hanson – Board of Speech Pathology and Audiology
Kent Weaver – Board of Speech Pathology and Audiology

Jill Sanchez – State Board of Tax Review

Richard Bruner – Chairperson of the Iowa Telecommunications and Technology Commission

Richard Bruner – Iowa Telecommunications and Technology Commission

Patricia Schneider – Title Guaranty Division Board
Daniel Seufferlein – Title Guaranty Division Board

Robbyn Graves – Commission on Tobacco Use Prevention and Control

David Vander Horst – Commission on Tobacco Use Prevention and Control

Libby Jacobs – Chair of the Utilities Board

James Davidson – Vision Iowa
Mark Murphy – Vision Iowa
Carrie Tedore – Vision Iowa

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 395, 394, 223, and 210.

House File 395

On motion of Senator Bowman, **House File 395**, a bill for an act relating to the alteration of the community of a motor vehicle franchisee, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 395), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 394

On motion of Senator Dearden, **House File 394**, a bill for an act establishing a lifetime fur harvester license for residents who are sixty-five years of age or older, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 394), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver

Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 223

On motion of Senator Soddors, **House File 223**, a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives, with report of committee recommending passage, was taken up for consideration.

Senator Chelgren asked and received unanimous consent that action on **House File 223** be **deferred**.

House File 210

On motion of Senator Taylor, **House File 210**, a bill for an act relating to the practices and procedures of the state public defender, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S–3097, filed by the committee on Judiciary on March 28, 2013, to page 1 of the bill, and moved its adoption.

Amendment S–3097 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 210), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith

Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 210, 394, and 395** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 197 and 112.

House File 197

On motion of Senator Ragan, **House File 197**, a bill for an act relating to certification of adult day services programs, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment S-3023, filed by the committee on Human Resources on March 14, 2013, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3023 was adopted by a voice vote.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 197), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Soddors
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 112

On motion of Senator Horn, **House File 112**, a bill for an act relating to the forfeiture of bail in a criminal case, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 112), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith

Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 112 and 197** be **immediately messaged** to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ying Sa as a member of the Accountancy Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun

Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Laura Walker as a member of the Accountancy Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Richard LaMere, Jr. as a member of the Board of Corrections, placed on the Individual Confirmation Calendar on March 20, 2013, found on page 615 of the Senate Journal.

Senator Taylor moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Mathis	Taylor
Bowman	Greiner	Quirnbach	Whitver
Brase	Gronstal	Ragan	Wilhelm
Breitbach	Guth	Rozenboom	Zaun
Chapman	Hart	Schneider	Zumbach
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, 4:

Bolkcom	Dvorsky	McCoy	Petersen
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Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Kyle Barnhart as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith

Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Kathryn Kunert as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Theodore (T.J.) Meiners as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Lisa Petersen as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair

Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Wayne Walter as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 627 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Dennis Young as a member of the Investment Board of the IPERS, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Sharon Meyer as a member of the Board of Pharmacy, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair

Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Judith Trumpy as a member of the Board of Pharmacy, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Stewart Iverson as the Chair and a member of the Property Assessment Appeal Board, placed on the Individual Confirmation Calendar on February 20, 2013, found on page 310 of the Senate Journal; and on March 20, 2013, and found on page 616 of the Senate Journal.

Senator Quirmbach moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Mathis	Taylor
Bolkcom	Greiner	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Guth	Ragan	Zaun
Breitbach	Hart	Rozenboom	Zumbach
Chapman	Hatch	Schneider	
Chelgren	Hogg	Schoenjahn	

Nays, 4:

Courtney	Dvorsky	McCoy	Sodders
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Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Richard Arnold as a member of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Robert Cramer as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 20, 2013, found on page 616 of the Senate Journal.

Senator Quirmbach moved that the foregoing appointment not be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 27:

Anderson	Dearden	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Horn	Seng	

Nays, 23:

Beall	Danielson	Hogg	Ragan
Black	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	

Absent, none.

The appointee, having not received a two-thirds vote, was declared to have failed confirmation by the Senate.

Senator Gronstal called up the appointment of Craig Lang as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 20, 2013, found on page 616 of the Senate Journal.

Senator Quirmbach moved that the foregoing appointment not be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 30:

Anderson	Chapman	Houser	Sinclair
Beall	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Ragan	Taylor
Black	Feenstra	Rozenboom	Whitver
Boettger	Greiner	Schneider	Zumbach
Bowman	Guth	Segebart	
Breitbach	Horn	Seng	

Nays, 20:

Bolkcom	Dotzler	Hogg	Quirmbach
Brase	Dvorsky	Jochum	Schoenjahn
Courtney	Gronstal	Mathis	Sodders
Danielson	Hart	McCoy	Wilhelm
Dearden	Hatch	Petersen	Zaun

Absent, none.

The appointee, having not received a two-thirds vote, was declared to have failed confirmation by the Senate.

Senator Gronstal called up the appointment of Subhash Sahai as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on March 20, 2013, found on page 616 of the Senate Journal.

Senator Quirmbach moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 45:

Anderson	Dearden	Houser	Segebart
Beall	Dix	Jochum	Seng
Behn	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirmbach	Wilhelm
Chapman	Hart	Ragan	Zumbach
Chelgren	Hatch	Rozenboom	
Courtney	Hogg	Schneider	
Danielson	Horn	Schoenjahn	

Nays, 5:

Bertrand	Greiner	Zaun
Bowman	Sorenson	

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Timothy Peterson as a member of the Technology Advisory Council, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Loree Miles as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 626 of the Senate Journal.

Senator Brase moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm

Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Dewayne Rahe as a member of the Iowa Board of Veterinary Medicine, placed on the Individual Confirmation Calendar on March 21, 2013, found on page 628 of the Senate Journal.

Senator Bowman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 8, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 142, a bill for an act providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable.

Senate File 182, a bill for an act relating to credit for reinsurance, including transition, applicability, and effective date provisions.

Senate File 189, a bill for an act relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions.

Senate File 204, a bill for an act concerning persons voluntarily excluded from gambling facilities.

Senate File 298, a bill for an act relating to the definition of the term “sex act” in the criminal code, lascivious acts with a child, and providing penalties.

Senate File 316, a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination.

Senate File 317, a bill for an act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable.

Senate File 318, a bill for an act relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, and making appropriations.

Senate File 332, a bill for an act related to the administration of the national guard educational assistance program.

Senate File 380, a bill for an act authorizing charitable auctions for alcoholic spirits.

Senate File 419, a bill for an act providing for vision screening for school children.

ALSO: That the House has on April 8, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 613, a bill for an act relating to the war orphans educational assistance fund by transferring the moneys in the fund to the veterans trust fund and transferring duties for providing educational assistance to orphaned children of veterans to the commission on veterans affairs.

Read first time and referred to committee on **Appropriations**.

House File 619, a bill for an act relating to the operation of all-terrain vehicles on highways upon registration with the department of transportation, providing a registration fee, and providing penalties.

Read first time and referred to committee on **Transportation**.

House File 621, a bill for an act relating to the protest and appeal of property assessments and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 622, a bill for an act relating to the period of time for completing real property assessments and to the period of time and method for filing property tax assessment protests to the local board of review and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 625, a bill for an act relating to the school tuition organization tax credit by allowing the tax credit for contributions made by certain entities, increasing the amount of total approved tax credits, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:03 p.m. until 9:00 a.m., Tuesday, April 9, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF NATURAL RESOURCES

Groundwater Protection Report, pursuant to Iowa Code section 455B.263(1). Report received on April 5, 2013.

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: Thursday, April 4, 2013, 2:45 p.m.

Recessed: 2:50 p.m.

Reconvened: 3:50 p.m.

Members Present: McCoy, Chair; Petersen, Vice Chair; Anderson, Ranking Member; Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm.

Members Absent: None.

Committee Business: Passed HF's 484 and 489, as amended.

Adjourned: 4:10 p.m.

STUDY BILLS RECEIVED

SSB 1248 Appropriations

Relating to appropriations to the judicial branch.

SSB 1249 Appropriations

Relating to appropriations to the justice system and including effective dates.

SUBCOMMITTEE ASSIGNMENTS

Senate File 295

APPROPRIATIONS: McCoy, Chair; Bolkcom, Dvorsky, Smith, and Whitver

Senate File 437

APPROPRIATIONS: Petersen, Chair; Dvorsky and Whitver

House File 614

APPROPRIATIONS: Ragan, Chair; Boettger and Bolkcom

SSB 1248

APPROPRIATIONS: Hogg, Chair; Dvorsky and Whitver

SSB 1249

APPROPRIATIONS: Courtney, Chair; Dvorsky and Whitver

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: HOUSE FILE 484, a bill for an act relating to boiler inspections and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 489, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3129.

Final Vote: Ayes, 15: McCoy, Petersen, Anderson, Beall, Bertrand, Bolkcom, Breitbach, Chapman, Hatch, Mathis, Schneider, Schoenjahn, Seng, Sinclair, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 5, a concurrent resolution urging the United States government to renew its commitment to this nation's energy security.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE CONCURRENT RESOLUTION 6, a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 5, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 183 – Relating to matters under the purview of the credit union division of the department of commerce, and making penalties applicable.

Senate File 184 – Relating to programs and services under the purview of the department on aging.

Senate File 203 – Relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

Senate File 327 – Concerning the municipal fire and police retirement system and including effective date and retroactive applicability provisions.

Senate File 347 – Relating to record checks of prospective and current health care employees and certain students.

Senate File 349 – Relating to the deadline for obtaining a registration fee credit for a vehicle that is sold, transferred, or junked or for a motor vehicle purchased by a lessee, and including effective date provisions.

Senate File 351 – Relating to service providers under Medicaid home and community-based services waivers.

Senate File 357 – Relating to Medicaid program integrity, and providing penalties.

Senate File 390 – Relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions.

Senate File 394 – Relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions.

WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 8, 2013:

I am withdrawing the name of Tom Rielly to serve as a member of the Transportation Commission from further consideration by the Senate.

I am withdrawing the name of Nick Wagner to serve as a member of the Iowa Utilities Board from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3129	H.F.	489	Commerce
S-3130	H.F.	223	Jake Chapman
			David Johnson
			Mark Segebart
			Bill Anderson
			Rick Bertrand
			Kent Sorenson
			Dennis Guth
			Ken Rozenboom
			Amy Sinclair
			Tim L. Kapucian
			Brad Zaun
			Joni K. Ernst
			Michael Breitbach
			Dan Zumbach
S-3131	H.F.	512	Dr. Joe M. Seng
S-3132	S.F.	431	Robert M. Hogg

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 9, 2013

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by Bishop Julius Calvin Trimble, resident bishop of the Iowa Annual Conference of the United Methodist Church. He was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

Autumn Boettger, granddaughter of Senator Nancy J. Boettger and Dave Boettger, played a violin solo in honor of her grandfather's birthday.

The Journal of Monday, April 8, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:32 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Jochum presiding.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 434, 431, and 230.

Senate File 434

On motion of Senator Hogg, **Senate File 434**, a bill for an act relating to an electric or natural gas vehicle facility tax credit and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 434), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 431

On motion of Senator Hogg, **Senate File 431**, a bill for an act modifying provisions relating to solar energy system income tax credits and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Hogg offered amendment S–3132, filed by him on April 8, 2013, to page 1 of the bill, and moved its adoption.

Amendment S–3132 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 431), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 230

On motion of Senator Petersen, **Senate File 230**, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Petersen offered amendment S–3134, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S–3134 was adopted by a voice vote.

With the adoption of amendment S-3134, the Chair ruled amendment S-3009, filed by Senator Petersen on February 25, 2013, to page 1 of the bill; and amendment S-3096, filed by Senator Petersen on March 28, 2013, to page 1 and amending the title page of the bill, out of order.

Senator Petersen asked and received unanimous consent that **House File 211** be substituted for **Senate File 230**.

House File 211

On motion of Senator Petersen, **House File 211**, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law, was taken up for consideration.

Senator Petersen offered amendment S-3135, filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment S-3135 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 211), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbart	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Petersen asked and received unanimous consent that **Senate File 230** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 602.

House File 602

On motion of Senator McCoy, **House File 602**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-3089, filed by the committee on Appropriations on March 26, 2013, to pages 1 and 4-8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3089 be adopted?” (H.F. 602), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson

Boettger	Feenstra	Rozenboom	Whitver
Breitbart	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

Amendment S-3089 was adopted.

Senator Mathis offered amendment S-3136, filed by her from the floor to page 4 of the bill.

(Amendment S-3136 and House File 602 were deferred.)

The Senate stood at ease at 1:43 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:21 p.m., President Jochum presiding.

The Senate resumed consideration of amendment S-3136 and House File 602, previously deferred.

Senator McCoy asked and received unanimous consent that action on amendment S-3136 and **House File 602** be **deferred**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 569.

House File 569

On motion of Senator Bolkcom, **House File 569**, a bill for an act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and including transition, implementation, and effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 569), the vote was:

Yeas, 39:

Beall	Danielson	Hogg	Ragan
Bertrand	Dearden	Horn	Schneider
Black	Dix	Houser	Schoenjahn
Boettger	Dotzler	Jochum	Segebart
Bolkcom	Dvorsky	Johnson	Seng
Bowman	Ernst	Kapucian	Sodders
Brase	Greiner	Mathis	Taylor
Breitbach	Gronstal	McCoy	Wilhelm
Chelgren	Hart	Petersen	Zumbach
Courtney	Hatch	Quirmbach	

Nays, 11:

Anderson	Feenstra	Sinclair	Whitver
Behn	Guth	Smith	Zaun
Chapman	Rozenboom	Sorenson	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 431 and 434 and House Files 211 and 569 be immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 545, 541, 538, 533, 530, 522, and 500.

House File 545

On motion of Senator Beall, **House File 545**, a bill for an act creating a new category of allowable expenditures from the veterans trust fund, with report of committee recommending passage, was taken up for consideration.

Senator Danielson offered amendment S-3111, filed by him on April 3, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3111 was adopted by a voice vote.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 545), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 541

On motion of Senator Wilhelm, **House File 541**, a bill for an act relating to dam reconstruction standards, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 541), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Present, 1:

Zumbach

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kapucian, until he returns, on request of Senator Dix.

House File 538

On motion of Senator Hogg, **House File 538**, a bill for an act authorizing alternate members of the board of parole, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-3127, filed by the committee on Judiciary on April 4, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3127 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 538), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 533

On motion of Senator Wilhelm, **House File 533**, a bill for an act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wilhelm offered amendment S-3119, filed by the committee on Education on April 4, 2013, to page 3 of the bill, and moved its adoption.

Amendment S-3119 was adopted by a voice vote.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 533), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 530

On motion of Senator Taylor, **House File 530**, a bill for an act relating to the governor's office of drug control policy and certain advisory councils, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 530), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 522

On motion of Senator Hogg, **House File 522**, a bill for an act relating to the prevention and control of aquatic invasive species in the state and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 522), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders

Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 500

On motion of Senator Mathis, **House File 500**, a bill for an act relating to early childhood Iowa initiative requirements for area boards, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment S-3107, filed by the committee on Education on April 2, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3107 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 500), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver

Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbart	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 500, 522, 530, 533, 538, 541, and 545** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 454, 361, 357, 356, 351, and 312.

House File 454

On motion of Senator Mathis, **House File 454**, a bill for an act relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, and eliminating a reporting requirement relating to vocational education funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment S-3120, filed by the committee on Education on April 4, 2013, to page 6 of the bill, and moved its adoption.

Amendment S-3120 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 454), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 361

On motion of Senator Dearden, **House File 361**, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans and disabled members of the armed forces serving on active federal service, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 361), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith

Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 357

On motion of Senator Hogg, **House File 357**, a bill for an act relating to the nomination and appointment of district judges, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-3124, filed by the committee on Judiciary on April 4, 2013, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-3124 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 357), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor

Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

House File 356

On motion of Senator Taylor, **House File 356**, a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S–3123, filed by the committee on Judiciary on April 4, 2013, to page 2 of the bill, and moved its adoption.

Amendment S–3123 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 356), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach

Chapman	Hart	Schneider
Chelgren	Hatch	Schoenjahn
Courtney	Hogg	Segebart

Nays, none.

Absent, 1:

Kapucian

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

House File 351

On motion of Senator Wilhelm, **House File 351**, a bill for an act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 351), the vote was:

Yeas, 32:

Beall	Danielson	Horn	Schneider
Bertrand	Dearden	Jochum	Schoenjahn
Black	Dotzler	Johnson	Segebart
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Breitbach	Hatch	Quirmbach	Wilhelm
Courtney	Hogg	Ragan	Zumbach

Nays, 17:

Anderson	Dix	Houser	Whitver
Behn	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Sinclair	
Chapman	Greiner	Smith	
Chelgren	Guth	Sorenson	

Absent, 1:

Kapucian

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

House File 312

On motion of Senator Taylor, **House File 312**, a bill for an act providing for certification requirements by persons involved in the management of manure, and including provisions for contingent implementation, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 312), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 312, 351, 356, 357, 361, and 454** be **immediately messaged** to the House.

BUSINESS PENDING

House File 602

The Senate resumed consideration of **House File 602**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and amendment S-3136, previously deferred.

Senator Mathis asked and received unanimous consent to withdraw amendment S-3136.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 602), the vote was:

Yeas, 29:

Beall	Dearden	Hogg	Schoenjahn
Black	Dotzler	Horn	Seng
Bolkcom	Dvorsky	Jochum	Sodders
Bowman	Greiner	Mathis	Taylor
Brase	Gronstal	McCoy	Wilhelm
Breitbach	Guth	Petersen	
Courtney	Hart	Quirmbach	
Danielson	Hatch	Ragan	

Nays, 20:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Rozenboom	Sorenson
Bertrand	Ernst	Schneider	Whitver
Boettger	Feenstra	Segebart	Zaun
Chapman	Houser	Sinclair	Zumbach

Absent, 1:

Kapucian

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 311.

House File 311

On motion of Senator Schoenjahn, **House File 311**, a bill for an act relating to water quality, with report of committee without recommendation, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 311), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 245.

House File 245

On motion of Senator Danielson, **House File 245**, a bill for an act appropriating moneys in the cigarette fire safety standard fund and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Danielson asked and received unanimous consent that action on **House File 245** be **deferred**.

UNFINISHED BUSINESS (Deferred April 8, 2013)

House File 223

The Senate resumed consideration of **House File 223**, a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives, deferred April 8, 2013.

Senator Chapman asked and received unanimous consent to withdraw amendment S-3130, filed by Senator Chapman, et al., on April 8, 2013, to pages 1 and 3 and amending the title page of the bill.

Senator Soddors moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 223), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Soddors
Black	Dvorsky	Mathis	Sorenson

Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Kapucian

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolution 6.

House Concurrent Resolution 6

On motion of Senator Gronstal, **House Concurrent Resolution 6**, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 6, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolution 6** and **House Files 223, 311, and 602** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 114, a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

Senate File 146, a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

ALSO: That the House has on April 9, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 197, a bill for an act relating to certification of adult day services programs.

House File 210, a bill for an act relating to the practices and procedures of the state public defender.

House File 472, a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies.

House File 556, 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.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:01 p.m. until 9:00 a.m., Wednesday, April 10, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Mike Earll, Sibley-Ocheyedan High School – For more than 38 years of dedicated service to young people through FFA, including 33 years as FFA adviser. Senator Johnson.

Derek Freiburger, Manchester – For achieving the rank of Eagle Scout, Troop 34. Senator Zumbach.

Alex Zehr, Manchester – For achieving the rank of Eagle Scout, Troop 34. Senator Zumbach.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Tuesday, April 9, 2013, 11:05 a.m.

Recessed: 11:10 a.m.

Reconvened: 11:55 a.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Black (excused).

Committee Business: Discussed SFs 415, 426, and 437.

Adjourned: 12:20 p.m.

STUDY BILL RECEIVED

SSB 1250 Ways and Means

Modifying provisions pertaining to delayed deposit services businesses, including provisions relating to fees.

SUBCOMMITTEE ASSIGNMENT

SSB 1250

WAYS AND MEANS: Bolkcom, Chair; Petersen and Smith

AMENDMENTS FILED

S-3133	H.F.	495	Thomas G. Courtney
S-3134	S.F.	230	Janet Petersen
S-3135	H.F.	211	Janet Petersen
S-3136	H.F.	602	Liz Mathis
S-3137	H.F.	477	Brad Zaun
			Kent Sorenson
S-3138	H.F.	245	Jeff Danielson
S-3139	H.F.	477	Mark Chelgren
S-3140	H.F.	381	Jeff Danielson

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 10, 2013

The Senate met in regular session at 9:04 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Dr. Richard Torgerson, president of Luther College in Decorah, Iowa. He was the guest of Senator Breitbach.

Nationally acclaimed Nordic Choir, directed by Dr. Allen Hightower, sang the “Star Spangled Banner”.

The Journal of Tuesday, April 9, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 224, a bill for an act relating to the fee charged for the issuance of duplicate driver’s licenses and nonoperator’s identification cards. (S–3143)

Senate File 272, a bill for an act relating to matters under the purview of the department of natural resources, including the registration and titling of snowmobiles and all-terrain vehicles, the restore the outdoors program, and protected wetlands. (S–3141)

Senate File 358, a bill for an act concerning title to real estate. (S–3142)

ALSO: That the House has on April 9, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 186, a bill for an act relating to funds transfers under the uniform commercial code, and including effective date provisions.

Senate File 282, a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Senate File 340, a bill for an act relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

Senate File 343, a bill for an act authorizing tribal governments to establish a force of reserve peace officers.

Senate File 355, a bill for an act relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

Senate File 362, a bill for an act relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

Senate File 388, a bill for an act relating to sponsor projects under the water resource restoration sponsor program.

Senate File 389, a bill for an act relating to hunter safety and ethics education course requirements.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:18 a.m. until 1:50 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Dr. Richard Allen Hays, Jr., Cedar Falls – For his retirement after 34 years as the founder and director of University of Northern Iowa's Masters of Public Policy Program. Senator Danielson.

Peter Jacobsen, Treynor – For achieving the rank of Eagle Scout. Senator Houser.

Colonel Tamra Rank, Clarinda – For her retirement upon completion of 30 honorable years of service to the United States Air Force, her state, and her nation. Senator Ernst.

REPORTS OF COMMITTEE MEETINGS

EDUCATION APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, April 10, 2013, 10:05 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach and Sinclair.

Members Absent: None.

Committee Business: Discussed amendment to HF 604.

Adjourned: 10:30 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, April 10, 2013, 10:10 a.m.

Members Present: Hatch, Chair; Ragan, Vice Chair; Segebart, Ranking Member; Bolkom and Johnson.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

Senate File 438, by committee on Appropriations, a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 439, by committee on Appropriations, a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 603

APPROPRIATIONS: Mathis, Chair; Dvorsky and Whitver

House File 613

APPROPRIATIONS: Danielson, Chair; Ernst and Ragan

House File 619

TRANSPORTATION: Bowman, Chair; Behn and Brase

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 438 (formerly SF 426), a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Boettger, Bolcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 438, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 439 (formerly SF 437), a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Black and Ernst.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 439, and they were attached to the committee report.

RECONVENED

The Senate reconvened at 1:53 p.m., President Jochum presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House chamber, in accordance with House Concurrent Resolution 6, in columns of two led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION PIONEER LAWMAKERS

Sixty-second Biennial Session
House Chamber

In accordance with House Concurrent Resolution 6, duly adopted, the joint convention was called to order at 1:59 p.m., President Jochum presiding.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of eight be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote, and the President appointed as such committee Senators Dvorsky, Courtney, Boettger, and Behn, on the part of the Senate and Representatives Dolecheck, Linda Miller, Anderson, and Ourth on the part of the House.

The joint convention stood at ease at 2:05 p.m.

The joint convention resumed at 2:06 p.m.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Jochum presented the Honorable Steven J. Soddors, President Pro Tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Jochum presented the Honorable Kraig Paulsen, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Jochum presented the Honorable Jim Lykam, member of the House and President of the Pioneer Lawmakers Association, who responded to the welcome.

Representative Lykam announced the following 1993 class of Pioneer Lawmakers: Gary Blodgett, Dan Boddicker, Bob Brunkhorst, Mike Cataldo, Steven W. Churchill, Dwight Dinkla, Jack Drake, Joseph L. Ertl, Ed Fallon, Bill Fink, Randall J. Giannetto, John M. Greig, Sandra H. Greiner, Betty Grundberg, Mark Henderson, Hubert M. Houser, Pam Jochum, Patty Judge, Ralph F. Klemme, Keith A. Kreiman, Richard L. Larkin, Chuck Larson, O. Gene Maddox, Mona Martin, Matt McCoy, James A. Meyer, Michael Moreland, Norman Mundie, Linda Nelson, Michael O'Brien, Christopher Rants, Tom Vilsack, Keith W. Weigel, Jerry J. Welter, and William G. Witt.

Honorary members of the 2013 class were the following: Mary Braun, Wes Ehrecke, Jim Henter, Brian Johnson, Sharon Presnall, Joe Romano, Julie Smith, Sandy Smitherman, Frank Stork, and Scott Weiser.

Representative Lykam presented Kathie Obradovich, political columnist for the Des Moines Register, who addressed the joint convention:

Thank you, Rep. Lykam, Mr. Speaker, Madame President and congratulations to the Pioneer lawmakers class of 1993.

You know, I always wondered what it would be like to stand in this spot and speak to all of you people. It's a little scary. After this, I may never sit over there on the west press bench during Condition of the State and make fun of the governor. (Actually, that's probably only half-true. I usually sit on the east side now.)

I'm not much of a historian and my memories of last week are fairly hazy, let alone 20 years ago. So I did some research to refresh my memory and found that the blockbuster movie in 1993 was "Jurassic Park." I thought I'd mention that in case we don't already feel like dinosaurs.

Like many of you, I also came to the Iowa Statehouse for my first session in 1993. Unlike you folks, though, I arrived a month late. The Lee Enterprises newspapers had decided to reconstitute their Des Moines Bureau, which had been dark for a few years. By the time they hired me for the job and I made it to Des Moines, it was February. So much for newspapers being a deadline business.

I was kind of worried about missing so much of the legislative session, so when I arrived I asked Mike Glover, that grizzled veteran from the Associated Press, what I had missed. Nothing, he said. They spent the whole first month arguing about allowable growth. That's great, I said. Meanwhile, I'm writing down on my to-do list: "Find out what allowable growth is." Rep. Art Ollie explained it to me. He really boiled it down in layman's terms—it only took about four hours to explain. It made sense at the time. It's not his fault that I still don't understand it.) That year I also learned the meaning of "non-germane" and "GAAP accounting." I found out that a Pioneer lawmaker didn't necessarily come to Des Moines in a covered wagon.

There is some good news for current legislators: Back in 1993, they eventually finished the allowable growth debate. I guess there's still hope for this year. A lot of other things about 1993 may seem familiar. Terry Branstad was governor. The Legislature was divided, with Republicans in control of the House, Democrats in control of the Senate. There was talk of a death penalty debate, but nothing came of it that year. There was a proposal to put spending limits in the constitution. One of the governor's priorities was cutting property taxes paid by businesses. Medicaid was a concern. The governor referred to the cost of health insurance for poor Iowans as the "Pac-Man of the state budget." One of the hottest political questions at the start of that year: Will Gov. Branstad run for re-election? Some things never change.

Some things were different. Lawmakers that year came into session about \$400 million in the hole, and much of their work revolved around getting back in the black. Probably the most memorable accomplishment that year was welfare reform—again, done with a divided Legislature. The Capitol building was under renovation, and it still needed a lot of work. Back then, the golden dome was mostly green, and the rest of the place was dingy and shabby. These days, there's plenty of green in the state treasury and the dome is gold again.

A little story about the regilding of the dome, replacing the gold leaf. In 1998 or 1999, I can't remember which year; the scaffolding went all the way to the spire on top of the dome. They had a media tour so reporters could climb up there and take pictures. I'm a little afraid of heights, but I climbed up there with Mark Moran, who used to work for WOI public radio. I didn't tell him, I kind of thinking I'd just go up as far as Mark did, and then get the heck back inside. But Mark didn't stop, so we ended up all the way at the top. And the view was spectacular. It was totally worth the climb. But when it came time to climb back down, I was a little nervous. I told Mark to go ahead and I'd follow him.

"You go ahead," he said. "The only reason I climbed all the way up here was because you did."

Many other things have changed since 1993. Most of the people on press row have changed—although even after all of these years I still get mistaken for Kay Henderson from Radio Iowa. The House and Senate didn't get any bigger during the renovation, but there's room for a lot more people in here today. Iowans don't have to read the newspaper or listen to the radio or show up in person to find out what's going on the Legislature. Debate is carried live on the Internet. Iowans can read the bills online, follow the amendments and send legislators emails at their desks to comment on them. That's a change for the better. I hope legislators today will continue working to make it easier for Iowans to participate in their government.

Over the years, people often have asked me how I could stand to spend so much time with so many politicians. And I admit there were times over the years when I wished I could be somewhere else. Like during debates on allowable growth. There are only so many times one can listen to a legislator say, "I'll be brief," and then demonstrate that he or she didn't know the meaning of the word. I always liked those accidental speeches that started, "I didn't mean to speak on this bill."

But when people have asked me about it, I usually told them I loved being at the Statehouse, mostly because of the people. To be sure, there have been a lot of characters. I remember one representative who used to sit right over there by the press bench. He was a casual sort of fellow and liked to take his shoes off during debate. I remember another gentleman who was just too honest for his own good. I was sitting here one day next to a reporter for an eastern Iowa paper when one of her local legislators came up to deliver his press release that he was running for re-election. She got out her notebook and started to interview him on the spot: "What's your biggest accomplishment?" He said, "Well, I haven't done much yet." He wasn't re-elected.

For the most part, though, I've found the vast majority of legislators, staff and yes, dear, even the lobbyists are brighter than average, ambitious, hard-working and motivated by an interest in helping people. Who wouldn't want to spend time with people like that?

One of my predecessors at the Register, Jim Flansberg, put it this way back in 1993:

"If you put all 150 Iowa legislators into a blender, the amalgamation that came out would startle you. It would be a person a lot better educated, a lot smarter and more savvy than the average citizen, a person capable of succeeding in virtually any endeavor, but one who's decided to do something about or to or for government."

I think if I had a blender that big, I'd rather make a giant margarita. But to each his own.

In that same column, Flansberg had this to say:

"A Legislature's duty is impossible. It can't achieve the ideal. It convenes in optimism and adjourns in pessimism. That's because its principal job is to accommodate the competing and conflicting interests that it represents."

“If a Legislature does the best possible job, finds a compromise between those competing interests, most members will still find themselves denounced for compromising. We’ve made a bad word out of the very thing that lawmakers are hired to do.”

That was 20 years ago, folks, and I’d submit the problem is far worse today. People tend to get caught up in their differences and forget about the many things they have in common. But as I think back over two decades of legislators, the things that stand out in my memory have nothing to do with whether they were a D or an R. Maybe this isn’t true for you, but I’m far more likely to remember kindness, a passion for fairness, the ability to admit mistakes and a really wicked sense of humor.

Ultimately, the people who really make a difference in this beautiful building are the ones who understand how to bring people together. Accomplishing great things in the Legislature is kind of like climbing up the outside of the Capitol dome. We will go far higher together than we’d ever dare to go alone.

Thank you and congratulations to the class of 1993.

Representative Upmeyer moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 384, a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

ALSO: That the House has on April 10, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 538, a bill for an act authorizing alternate members of the board of parole.

ALSO: That the House has on April 10, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 617, a bill for an act relating to the licensure of ambulatory surgical centers, providing for fees to be considered repayment receipts, providing penalties, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable John P. Kibbie, former member of the Senate from Palo Alto County; the Honorable William Dieleman, former member of the Senate from Marion County; and the Honorable H. Kay Hedge, former member of the Senate from Mahaska County.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 436 and 435.

Senate File 436

On motion of Senator Dotzler, **Senate File 436**, a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 436), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable Maggie Tinsman, former member of the Senate from Scott County; and the Honorable Sue Yenger, former member of the Senate from Wapello County.

The Senate rose and expressed its welcome.

Senate File 435

On motion of Senator Black, **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Seng offered amendment S–3145, filed by Senators Seng, Black, and Dvorsky from the floor to page 15 of the bill, and moved its adoption.

Amendment S–3145 was adopted by a voice vote.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 484.

House File 484

On motion of Senator McCoy, **House File 484**, a bill for an act relating to boiler inspections and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 484), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 435 and 436** and **House File 484** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 457 and 381.

House File 457

On motion of Senator Hart, **House File 457**, a bill for an act providing for the leasing of agricultural land by the department of natural resources to beginning farmers, with report of committee recommending passage, was taken up for consideration.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 457), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 381

On motion of Senator Danielson, **House File 381**, a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment S-3117, filed by the committee on State Government on April 3, 2013, to page 1 and amending the title page of the bill.

Senator Danielson offered amendment S-3140, filed by on April 9, 2013, to page 1 of amendment S-3117, and moved its adoption.

Amendment S-3140 to S-3117 was adopted by a voice vote.

Senator Danielson moved the adoption of amendment S-3117, as amended.

Amendment S-3117, as amended, was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 381), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Gene Fraise, former member of the Senate from Lee County.

The Senate rose and expressed its welcome.

UNFINISHED BUSINESS (Deferred April 9, 2013)

House File 245

The Senate resumed consideration of **House File 245**, a bill for an act appropriating moneys in the cigarette fire safety standard fund and including effective date and retroactive applicability provisions, deferred April 9, 2013.

Senator Danielson offered amendment S-3138, filed by him on April 9, 2013, to pages 1-2 of the bill, and moved its adoption.

Amendment S-3138 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 245), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Smith.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 212.

House File 212

On motion of Senator Quirmbach, **House File 212**, a bill for an act relating to conducting condemnation proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 212), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Greiner	Petersen	Wilhelm
Brase	Gronstal	Quirmbach	Zaun
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Sinclair

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 212, 245, 381, and 457** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:24 p.m. until 9:00 a.m., Thursday, April 11, 2013.

APPENDIX—2

REPORT OF COMMITTEE MEETING

ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, April 10, 2013, 10:05 a.m.

Members Present: Mathis, Chair; Danielson, Vice Chair; Guth, Ranking Member; Brase, and Ernst.

Members Absent: None.

Committee Business: Discussed HF 603.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILL

Senate File 440, by committee on Appropriations, a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

Read first time under Rule 28 and **placed on Appropriations calendar**.

STUDY BILL RECEIVED

SSB 1251 Appropriations

Relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1251

APPROPRIATIONS: Hatch, Chair; Dvorsky and Segebart

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 440 (formerly SF 415), a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Whitver, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 440, and they were attached to the committee report.

AMENDMENTS FILED

S-3141	S.F.	272	House
S-3142	S.F.	358	House
S-3143	S.F.	224	House
S-3144	H.F.	355	Tod R. Bowman
S-3145	S.F.	435	Dr. Joe M. Seng
			Dennis H. Black
			Robert E. Dvorsky

JOINT MEMORIAL SERVICE

EIGHTY-FIFTH GENERAL ASSEMBLY

SENATE CHAMBER

WEDNESDAY, APRIL 10, 2013

PROGRAM

Senate President Pam Jochum, Presiding

Prelude.....Ombudsman Ruth Cooperrider
 “It Is Well With My Soul”Memorial Choir
 Invocation.....Senator Pam Jochum

MEMORIALS

Readers: Senator Daryl Beall, Representative Tom Sands,
 Senator Steve Soddors, Representative Ruth Ann Gaines,
 Senator Dick Dearden

Hon. Maurice Baringer (H)
 Hon. John Brown (S/H)
 Hon. Don Gettings (S/H)

Hon. Diane Brandt (H)
 Hon. Clarence Carney (S)
 Hon. John Jensen (S)

Hon. Barry Brauns (H)
 Hon. Dorothy Carpenter (H)
 Hon. Charles Korn (H)

“I Then Shall Live”.....Memorial Choir

MEMORIALS

Readers: Representative Josh Byrnes, Representative Todd Taylor,
 Rep. Dawn Pettengill, Rep. Dean Fisher

Hon. Kenneth Logemann (H)
 Hon. Doris Peick (H)
 Hon. Norman Roorda (H)

Hon. Leo Miller (H)
 Hon. Robert Rigler (S)
 Hon. John Soorholtz (S)

Hon. Carl Nielsen (H)
 Hon. Tom Riley (S/H)
 Hon. James Spradling (H)

MEMORIALS

Readers: Representative Dave Heaton, Senator David Johnson,
 Representative Greg Forristall, Senator Dick Dearden

Hon. Patricia Thompson-Woodworth (H)
 Hon. Harlan Van Gerpen (H)
 Hon. Jewell O. Waugh (H)
 Hon. James Wengert (H)

Hon. Philip Eugene Tyrrell (H)
 Hon. Pat Ward (S)
 Hon. Dr. Roger F. Wendt (H)

Responsorial Reading.....Led by Senator Jochum

“Battle Hymn of the Republic”.....Memorial Choir

* Senate – (S) and House – (H)

IN MEMORIAM

SERVED IN THE SENATE

Honorable Clarence Carney (Woodbury) 68th, 69th General Assemblies (1979–1982)

Honorable John Jensen (Bremer) 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, and 79th General Assemblies (1979–2002)

Honorable Robert Rigler (Chickasaw) 56th, 57th, 58th, 59th, 60th, 61st, 62nd, and 63rd General Assemblies (1955–1970)

Honorable John Soorholtz (Marshall) 70th, 71st, 72nd, 73rd, and 74th General Assemblies (1983–1992)

Honorable Petricia (Pat) Ward (Polk) 80th, 81st, 82nd, 83rd, and 84th General Assemblies (2004–2012)

SERVED IN THE SENATE AND THE HOUSE OF REPRESENTATIVES

Honorable John Brown (Palo Alto) 58th, 59th, and 60th General Assemblies (1959–1964).

Honorable Donald Gettings (Wapello) 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, and 77th General Assemblies (1977–1998)

Honorable Tom Riley (Linn) 59th, 60th, 61st, 62nd, 64th, and 65th General Assemblies (1961–1968 and 1971–1974).

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Maurice Baringer (Fayette) 59th, 60th, 61st, and 62nd General Assemblies (1961–1968)

Honorable Diane Brandt (Black Hawk) 66th, 67th, 68th, and 69th General Assemblies (1975–1982)

Honorable Barry Brauns (Muscatine) 75th, 76th, 77th, 78th, and 79th General Assemblies (1993–2002)

Honorable Dorothy Carpenter (Polk) 69th, 70th, 71st, 72nd, 73rd, 74th, and 75th General Assemblies (1981–1994)

Honorable Charles Korn (Harrison) 61st General Assembly (1965–1966)

Honorable Kenneth Logemann (Worth) 63rd and 64th General Assemblies (1969–1972).

Honorable Leo Miller (Woodbury) 70th General Assembly (1983–1984)

Honorable Carl Nielsen (Polk) 65th, 66th, and 67th General Assemblies (1973–1978)

Honorable Doris Peick (Linn) 70th and 71st General Assemblies (1983–1986)

Honorable Norman Roorda (Jasper) 62nd, 63rd, 64th, and 65th General Assemblies (1967–1974)

Honorable James Spradling (Sioux) 66th General Assembly (1975–1976)

Honorable Patricia Thompson-Woodworth (Polk) 67th and 68th General Assemblies (1977–1980)

Honorable Phillip Eugene Tyrrell (Iowa) 68th, 69th, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, and 79th General Assemblies (1979–1982 and 1987–2002)

Honorable Harlan Van Gerpen (Black Hawk) 70th General Assembly (1983–1984)

Honorable Jewell O. Waugh (Monona) 62nd, 63rd, and 64th General Assemblies (1967–1972)

Honorable Dr. Roger F. Wendt (Woodbury) 80th, 81st, 82nd, and 83rd General Assemblies (2003–2010)

Honorable James Wengert (Woodbury) 61st General Assembly (1965–1966)

Senate Memorial Committee/Hosts

Senator Wally Horn, Co-Chair
Senator David Johnson Co-Chair
Senator Nancy Boettger
Senator Tom Courtney
Senator Dick Dearden
Senator Bob Dvorsky
Senator Joni Ernst
Senator Dennis Guth

House Memorial Committee/Hosts

Representative Robert Bacon
Representative Jack Drake
Representative Dean Fisher
Representative Dan Kelley
Representative Vicki Lensing

Hosts

Mr. Dave Boettger
Ms. Nancy Courtney
Ms. Phyllis Peterson
Representative Scott Ourth

Candlelighters

Representative Marti Anderson
Representative Mary Ann Hanusa
Representative Megan Hess
Representative Bruce Hunter
Representative Dan Kelley
Representative Sharon Steckman
Representative Todd Taylor

Planning Co-Coordiators

Ms. Maureen Taylor, Senate
Ms. Meghan Van Wyk, House

Choir Director: Representative Robert Bacon
Accompanist: Ombudsman Ruth Cooperrider
Video photographer: Rory Calloway
Flowers Arranged by Doherty's Flowers
Refreshments provided by Capitol Cafeteria

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 11, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by Mary Kay Borts, worship leader at Lutheran Church of the Cross in Altoona, Iowa. She was the guest of Senator Hart.

The Memorial Choir sang “The Battle Hymn of the Republic”. They performed at the Memorial Service held on Wednesday, April 10, 2013.

The Journal of Wednesday, April 10, 2013, was approved.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

S.C.R. 5	H.F. 489
H.F. 119	H.F. 495
H.F. 152	H.F. 499
H.F. 198	H.F. 524
H.F. 236	H.F. 527
H.F. 359	H.F. 566
H.F. 398	H.F. 586
H.F. 453	H.F. 590
H.F. 471	H.F. 592
H.F. 477	H.F. 607

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, April 15, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

FY 12 Independent Audit Report, pursuant to Iowa Code section 11.4. Report received on April 11, 2013.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, April 10, 2013, 4:30 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Kapucian (excused).

Committee Business: Discussed SF 295. Approved SSB 1248.

Adjourned: 4:45 p.m.

ALSO:

Convened: Thursday, April 11, 2013, 1:00 p.m.

Recessed: 1:05 p.m.

Reconvened: 1:40 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Ernst and Petersen (both excused).

Committee Business: Discussed HF 603 and 614; and SSBs 1249 and 1251.

Adjourned: 4:45 p.m.

WAYS AND MEANS

Convened: Thursday, April 11, 2013, 11:00 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Quirmbach, Schneider, and Smith.

Members Absent: Bertrand and Petersen (both excused).

Committee Business: Passed SF 305; and SF 412, as amended. Approved SSB 1241.

Adjourned: 11:15 a.m.

EDUCATION APPROPRIATIONS SUBCOMMITTEE

Convened: Thursday, April 11, 2013, 10:10 a.m.

Members Present: Schoenjahn, Chair; Horn, Vice Chair; Smith, Ranking Member; Quirmbach, and Sinclair.

Members Absent: None.

Committee Business: Consideration of HF 604.

Adjourned: 10:25 a.m.

INTRODUCTION OF BILLS

Senate File 441, by Petersen, a bill for an act relating to child care by making appropriations for state child care assistance and support for child care.

Read first time under Rule 28 and referred to committee on **Appropriations**.

Senate File 442, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 443, by Feenstra, Anderson, Ernst, Chelgren, Bertrand, Sorenson, Whitver, Chapman, Houser, Smith, Kapucian, Johnson, Boettger, Sinclair, Behn, Rozenboom, Schneider, Zumbach, Dix, Guth, Greiner, Breitbach, Zaun, and Segebart, a bill for an act relating to the individual income tax by providing for reduced tax rates, creating an alternative individual income tax imposed at the election of the taxpayer, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 444, by committee on Ways and Means, a bill for an act providing a sales tax exemption for hydroelectricity conversion property.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 445, by committee on Ways and Means, a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

House File 599

WAYS AND MEANS: Quirmbach, Chair; Behn and Bolkcom

House File 617

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

House File 621

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirmbach

House File 622

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Feenstra

House File 625

WAYS AND MEANS: Hogg, Chair; Feenstra and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 295 (SSB 1135), a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Ernst, Guth, Rozenboom, Segebart, and Smith. Absent, 1: Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 442 (SSB 1248), a bill for an act relating to appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Ernst, Guth, Rozenboom, Segebart, and Smith. Absent, 2: Hatch and Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 444 (SSB 1241), a bill for an act providing a sales tax exemption for hydroelectricity conversion property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Quirmbach, Schneider, and Smith. Nays, none. Absent, 2: Bertrand and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 445 (formerly SF 305), a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Behn, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Quirmbach, Schneider, and Smith. Nays, none. Absent, 2: Bertrand and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3146

H.F.

489

Matt McCoy

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 2013

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by Pastor Tom Buresh of Zalmona and Rossville Presbyterian Churches in Waukon, Iowa. He was the guest of Senator Breitbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grant Smith.

The Journal of Thursday, April 11, 2013, was approved.

The Senate stood at ease at 1:31 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:54 p.m., President Pro Tempore Sodders presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 445.

Senate File 445

On motion of Senator Dotzler, **Senate File 445**, a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 445), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 442.

Senate File 442

On motion of Senator Hogg, **Senate File 442**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 442), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 358

Senator Hogg called up for consideration **Senate File 358**, a bill for an act concerning title to real estate, amended by the House in House amendment S–3142, filed April 10, 2013.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question “Shall the bill pass?” (S.F. 358), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 438.

Senate File 438

On motion of Senator McCoy, **Senate File 438**, a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 438), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

President Jochum took the chair at 3:24 p.m.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 295.

Senate File 295

On motion of Senator McCoy, **Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Feenstra offered amendment S-3153, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McCoy raised the point of order that amendment S-3153 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3153 out of order.

Senator Chelgren offered amendment S-3152, filed by Senator Chelgren, et al., from the floor to pages 8 and 9 and amending the title page of the bill.

Senator McCoy raised the point of order that amendment S-3152 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3152 out of order.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 295), the vote was:

Yeas, 29:

Beall	Dearden	Houser	Seng
Bertrand	Dotzler	Jochum	Sodders
Black	Dvorsky	Mathis	Taylor
Bolkcom	Gronstal	McCoy	Wilhelm
Bowman	Hart	Petersen	Zaun
Brase	Hatch	Quirmbach	
Courtney	Hogg	Ragan	
Danielson	Horn	Schoenjahn	

Nays, 21:

Anderson	Dix	Kapucian	Sorenson
Behn	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	
Chelgren	Johnson	Smith	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 295, 358, 438, 442, and 445** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:23 p.m. until 9:00 a.m., Tuesday, April 16, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

First Presbyterian Church, Green – For celebrating their 150th anniversary. Senator Ragan.

INTRODUCTION OF BILLS

Senate File 446, by committee on Appropriations, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

Senate File 447, by committee on Appropriations, a bill for an act relating to appropriations to the justice system and including effective dates.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENT

House File 604

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 446 (SSB 1251), a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 446, and they were attached to the committee report.

ALSO:

Bill Title: *SENATE FILE 447 (SSB 1249), a bill for an act relating to appropriations to the justice system and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on Senate File 447, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 603, 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.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3148.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 604, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3155.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Ernst, Guth, Rozenboom, Segebart, and Smith. Absent, 1: Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 614, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, 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 including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3147.

Final Vote: Ayes, 19: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Courtney, Dotzler, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3147	H.F.	614	Appropriations
S-3148	H.F.	603	Appropriations
S-3149	H.F.	495	Steven J. Soddors
S-3150	S.F.	440	Jack Hatch
S-3151	S.F.	439	Jerry Behn
S-3152	S.F.	295	Mark Chelgren
			Jack Whitver
			Kent Sorenson
			Rick Bertrand
S-3153	S.F.	295	Randy Feenstra
S-3154	S.F.	440	Jack Whitver
S-3155	H.F.	604	Appropriations
S-3156	S.F.	440	Jack Hatch

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 2013

The Senate met in regular session at 9:05 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Reverend Jessica Peterson-Orwenyo, pastor of the Congregational United Church of Christ in Newton, Iowa. She was the guest of Senator Black.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page William Thomas.

The Journal of Monday, April 15, 2013, was approved.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:27 a.m., President Jochum presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 440.

Senate File 440

On motion of Senator Hatch, **Senate File 440**, a bill for an act relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates, was taken up for consideration.

Senator Whitver offered amendment S–3154, filed by him on April 15, 2013, to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S3154 be adopted?” (S.F. 440), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S–3154 lost.

Senator Hatch offered amendment S–3150, filed by him on April 15, 2013, to pages 6–8, 10, and 15 of the bill.

Senator Hatch offered amendment S–3156, filed by him on April 15, 2013, to page 1 of amendment S–3150, and moved its adoption.

Amendment S–3156 to amendment S–3150 was adopted by a voice vote.

Senator Hatch moved the adoption of amendment S–3150, as amended.

Amendment S–3150, as amended, was adopted by a voice vote.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 440), the vote was:

Yeas, 33:

Beall	Dearden	Jochum	Seng
Bertrand	Dotzler	Mathis	Sinclair
Black	Dvorsky	McCoy	Sodders
Bolkcom	Ernst	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Hart	Ragan	Zaun
Chelgren	Hatch	Rozenboom	
Courtney	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, 17:

Anderson	Dix	Johnson	Whitver
Behn	Feenstra	Kapucian	Zumbach
Boettger	Greiner	Schneider	
Breitbach	Guth	Smith	
Chapman	Houser	Sorenson	

Absent, none.

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

CONSIDERATION OF RESOLUTION (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 5.

Senate Concurrent Resolution 5

On motion of Senator Beall, **Senate Concurrent Resolution 5**, a concurrent resolution urging the United States government to renew its commitment to this nation’s energy security, with report of committee recommending passage, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of Senate Concurrent Resolution 5.

A record roll call was requested.

On the question “Shall the resolution be adopted?” (S.C.R. 5), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 566 and 495.

House File 566

On motion of Senator Taylor, **House File 566**, a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S–3128, filed by the committee on Judiciary on April 4, 2013, to page 4 of the bill, and moved its adoption.

Amendment S–3128 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 566), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbart	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 495

On motion of Senator Sodders, **House File 495**, a bill for an act relating to the residential landlord and tenant laws and related forcible entry and detainer laws and making penalties applicable, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Sodders offered amendment S–3149, filed by him on April 15, 2013, to pages 2–4 of the bill, and moved its adoption.

Amendment S–3149 was adopted by a voice vote.

Senator Courtney withdrew amendment S-3133, filed by him on April 9, 2013, to page 4 of the bill.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 495), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 5, Senate File 440, and House Files 495 and 566** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 439.

Senate File 439

On motion of Senator Petersen, **Senate File 439**, a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions, was taken up for consideration.

Senator Behn offered amendment S–3151, filed by him on April 15, 2013, to pages 1–7 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3151 be adopted?” (S.F. 439), the vote was:

Yeas, 17:

Behn	Guth	Schneider	Zaun
Boettger	Houser	Segebart	Zumbach
Chapman	Johnson	Sinclair	
Feenstra	Kapucian	Smith	
Greiner	Rozenboom	Whitver	

Nays, 33:

Anderson	Courtney	Hatch	Schoenjahn
Beall	Danielson	Hogg	Seng
Bertrand	Dearden	Horn	Sodders
Black	Dix	Jochum	Sorenson
Bolkcom	Dotzler	Mathis	Taylor
Bowman	Dvorsky	McCoy	Wilhelm
Brase	Ernst	Petersen	
Breitbach	Gronstal	Quirmbach	
Chelgren	Hart	Ragan	

Absent, none.

Amendment S–3151 lost.

Senator Behn asked and received unanimous consent that action on **Senate File 439** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 202

Senator Wilhelm called up for consideration **Senate File 202**, a bill for an act relating to programs and services under the purview of the department of public health, amended by the House in House amendment S-3085, filed March 26, 2013.

Senator Wilhelm moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question "Shall the bill pass?" (S.F. 202), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 202** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:09 p.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:18 p.m., President Jochum presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 49 present, 1 absent, and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 2013, **passed** the following bills in which the concurrence of the House was asked:

Senate File 368, a bill for an act relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act.

Senate File 445, a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

ALSO: That the House has on April 16, 2013, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

House File 533, a bill for an act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions.

ALSO: That the House has on April 16, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 627, a bill for an act establishing a property tax exemption for fairgrounds owned by a county or a fair and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 630, a bill for an act providing a sales tax exemption for hydroelectricity conversion property.

Read first time and attached to **companion Senate File 444**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 444.

Senate File 444

On motion of Senator Dotzler, **Senate File 444**, a bill for an act providing a sales tax exemption for hydroelectricity conversion property, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that **House File 630** be **substituted** for **Senate File 444**.

House File 630

On motion of Senator Dotzler, **House File 630**, a bill for an act providing a sales tax exemption for hydroelectricity conversion property, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 630), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith

Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 444** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 630** be **immediately messaged** to the House.

The Senate stood at ease at 1:33 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:12 p.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 224

Senator Taylor called up for consideration **Senate File 224**, a bill for an act relating to the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards, amended by the House in House amendment S-3143, filed April 10, 2013.

Senator Taylor moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question “Shall the bill pass?” (S.F. 224), the vote was:

Yeas, 38:

Beall	Dearden	Houser	Schneider
Behn	Dotzler	Jochum	Schoenjahn
Black	Dvorsky	Johnson	Segebart
Boettger	Ernst	Kapucian	Seng
Bolkcom	Greiner	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Breitbach	Hatch	Quirmbach	Zumbach
Courtney	Hogg	Ragan	
Danielson	Horn	Rozenboom	

Nays, 12:

Anderson	Chelgren	Guth	Sorenson
Bertrand	Dix	Sinclair	Whitver
Chapman	Feenstra	Smith	Zaun

Absent, none.

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

BUSINESS PENDING

Senate File 439

The Senate resumed consideration of **Senate File 439**, a bill for an act relating to charitable food donations to food banks and similar organizations, including by providing for appropriations and a tax credit, and including applicability provisions, previously deferred.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 439), the vote was:

Yeas, 34:

Beall	Dearden	Houser	Schoenjahn
Bertrand	Dotzler	Jochum	Segebart
Black	Dvorsky	Kapucian	Seng
Bolkcom	Greiner	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Chelgren	Hatch	Quirmbach	Zumbach
Courtney	Hogg	Ragan	
Danielson	Horn	Rozenboom	

Nays, 15:

Anderson	Chapman	Johnson	Sorenson
Behn	Ernst	Schneider	Whitver
Boettger	Feenstra	Sinclair	Zaun
Breitbart	Guth	Smith	

Present, 1:

Dix

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 224 and 439** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 592.

House File 592

On motion of Senator Taylor, **House File 592**, a bill for an act relating to payments from the indigent defense fund by the state public defender, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Taylor withdrew amendment S-3157, filed by him from the floor to pages 1-4 of the bill.

Senator Taylor offered amendment S-3160, filed by him from the floor to pages 1-4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3160 be adopted?" (H.F. 592), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

Amendment S-3160 was adopted.

Senator Hogg asked and received unanimous consent that action on **House File 592** be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:10 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 4:38 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 430, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions. (S-3161)

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:39 p.m. until 9:00 a.m., Wednesday, April 17, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on April 16, 2013.

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60. Report received on April 16, 2013.

Returning Dropout and Dropout Prevention Report, pursuant to Iowa Code section 257.40(2). Report received on April 16, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

The City of Anthon – For celebrating their Quasiquicentennial, 125th anniversary. Senator Anderson.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Monday, April 15, 2013, 4:30 p.m.

Recessed: 4:35 p.m.

Reconvened: 4:55 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Kapucian (excused).

Committee Business: Discussed HF 604.

Adjourned: 5:00 p.m.

WAYS AND MEANS

Convened: Tuesday, April 16, 2013, 4:00 p.m.

Recessed: 4:05 p.m.

Reconvened: 4:25 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: McCoy (excused).

Committee Business: Discussed SSB 1250.

Adjourned: 4:40 p.m.

INTRODUCTION OF BILLS

Senate File 448, by Zaun, a bill for an act relating to state taxes by eliminating the individual income tax, increasing the sales and use tax rates, making conforming changes, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

Senate File 449, by committee on Ways and Means, a bill for an act providing for a small employer health insurance tax credit against the individual and corporate income tax, the franchise tax, the insurance premium tax, the county and state mutual insurance associations premium taxes, and the moneys and credits tax, and including retroactive applicability provisions.

Read first time under Rule 28 and placed on **Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENT

House File 625
(Reassigned)

WAYS AND MEANS: Seng, Chair; Feenstra and Hogg

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 449 (formerly SF 412), a bill for an act providing for a small employer health insurance tax credit against the individual and corporate income tax, the franchise tax, the insurance premium tax, the county and state mutual insurance associations premium taxes, and the moneys and credits tax, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3157	H.F.	592	Rich Taylor
S-3158	H.F.	603	Liz Mathis
S-3159	H.F.	603	Jeff Danielson
S-3160	H.F.	592	Rich Taylor
S-3161	S.F.	430	House

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 17, 2013

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Brian Nolder of Christ the Redeemer Church in Pella, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Celia Ver Ploeg.

The Journal of Tuesday, April 16, 2013, was approved.

SPECIAL GUESTS

Senator Beall introduced to the Senate chamber members of the 133rd Iowa Air National Guard Test Squadron, Lieutenant Colonel Jeff Clemons, unit commander; Master Sergeant Jeff Holloway; Captain Luke Ascherl; and Technical Sergeant Lynn Coter; accompanied by Lieutenant Colonel Kerry Gill from the Joint Forces Headquarters at Camp Dodge.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:51 a.m. until 4:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

133rd Air National Guard Test Squadron, Fort Dodge – For playing a critical role in our nation's defense and for earning the prestigious 2012 Air Force Outstanding Unit Award. Senator Beall.

Floyd Foote, Cresco – For celebrating his 100th birthday. Senator Wilhelm.

Travis Konig, Nora Springs – For achieving the rank of Eagle Scout, Troop 22. Senator Wilhelm.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, April 17, 2013, 3:00 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Dotzler, Ernst, Guth, Hatch, Mathis, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Courtney, Hogg, Kapucian, and McCoy (all excused).

Committee Business: Discussed HF 613.

Adjourned: 3:05 p.m.

ETHICS

Convened: Wednesday, April 17, 2013, 11:00 a.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Greiner, Ranking Member; Behn, Seng, and Whitver.

Members Absent: None.

Committee Business: Discussion.

Adjourned: 11:10 a.m.

TRANSPORTATION

Convened: Wednesday, April 17, 2013, 1:00 p.m.

Recessed: 1:05 p.m.

Reconvened: 1:25 p.m.

Members Present: Bowman, Chair; Beall, Vice Chair; Kapucian, Ranking Member; Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach.

Members Absent: None.

Committee Business: Passed HF 619.

Adjourned: 1:40 p.m.

INTRODUCTION OF BILL

Senate File 450, by committee on Ways and Means, a bill for an act modifying provisions pertaining to delayed deposit services businesses, including provisions relating to fees.

Read first time under Rule 28 and placed on **Ways and Means calendar**.

SUBCOMMITTEE ASSIGNMENTS

Senate File 448

WAYS AND MEANS: Quirmbach, Chair; Dotzler and Feenstra

House File 627

WAYS AND MEANS: Black, Chair; Behn and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION

TRANSPORTATION

Bill Title: HOUSE FILE 619, a bill for an act relating to the operation of all-terrain vehicles on highways upon registration with the department of transportation, providing a registration fee, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bowman, Beall, Kapucian, Behn, Brase, Breitbach, Danielson, Dearden, Dvorsky, Feenstra, McCoy, Taylor, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: SENATE FILE 450 (SSB 1250), a bill for an act modifying provisions pertaining to delayed deposit services businesses, including provisions relating to fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bolkcom, Seng, Black, Dotzler, Hogg, Jochum, Petersen, and Quirmbach. Nays, 6: Feenstra, Behn, Bertrand, Chapman, Schneider, and Smith. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 4:06 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he returns, on request of Senator Chelgren.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 614.

House File 614

On motion of Senator Ragan, **House File 614**, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, 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 including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment S–3147, filed by the committee on Appropriations on April 15, 2013, to page 13 of the bill, and moved its adoption.

Amendment S–3147 was adopted by a voice vote.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 614), the vote was:

Yeas, 49:

Anderson
Beall
Behn

Danielson
Dearden
Dix

Horn
Houser
Jochum

Segebart
Seng
Sinclair

Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

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

HOUSE AMENDMENT CONSIDERED

Senate File 430

Senator Dotzler called up for consideration **Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, amended by the House in House amendment S-3161, filed April 16, 2013.

Senator Dotzler moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 447 and House File 603.

Senate File 447

On motion of Senator Courtney, **Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates, was taken up for consideration.

Senator Hart offered amendment S-3163, filed by Senators Hart and Dvorsky from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3163 be adopted?" (S.F. 447), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Zaun

Amendment S-3163 was adopted.

Senate Breitbach offered amendment S-3162, filed by him from the floor to pages 3 and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3162 be adopted?” (S.F. 447), the vote was:

Yeas, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 1:

Zaun

Amendment S–3162 lost.

Senator Courtney offered amendment S–3164, filed by him from the floor to pages 17, 20, 21, and 23 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3164 be adopted?” (S.F. 447), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach

Chapman	Hart	Rozenboom
Chelgren	Hatch	Schneider
Courtney	Hogg	Schoenjahn

Nays, none.

Absent, 1:

Zaun

Amendment S-3164 was adopted.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 447), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbart	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 430 and 447** and **House File 614** be **immediately messaged** to the House.

House File 603

On motion of Senator Mathis, **House File 603**, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment S-3148, filed by the committee on Appropriations on April 15, 2013, striking and replacing everything after the enacting clause of the bill.

Senator Danielson offered amendment S-3159, filed by him on April 16, 2013, to pages 10 and 17 of amendment S-3148, and moved its adoption.

Amendment S-3159 to amendment S-3148 was adopted by a voice vote.

Senator Johnson offered amendment S-3165, filed by him from the floor to page 11 of amendment S-3148, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3165 to amendment S-3148 be adopted?" (H.F. 603), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Segebart
Behn	Dix	Johnson	Sinclair
Bertrand	Ernst	Kapucian	Smith
Boettger	Feenstra	McCoy	Sorenson
Breitbach	Greiner	Rozenboom	Whitver
Chapman	Guth	Schneider	Zumbach

Nays, 25:

Beall	Dearden	Horn	Seng
Black	Dotzler	Jochum	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	Petersen	Wilhelm

Brase	Hart	Quirmbach
Courtney	Hatch	Ragan
Danielson	Hogg	Schoenjahn

Absent, 1:

Zaun

Amendment S-3165 to amendment S-3148 lost.

Senator Mathis offered amendment S-3158, filed by her on April 16, 2013, to page 17 of amendment S-3148, and moved its adoption.

Amendment S-3158 to amendment S-3148 was adopted by a voice vote.

Senator Mathis moved the adoption of amendment S-3148, as amended.

Amendment S-3148, as amended, was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 603), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbart	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 603** be **immediately messaged** to the House.

The Senate stood at ease at 5:28 p.m. until the fall of the gavel.

The Senate resumed session at 5:50 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 115, a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

ALSO: That the House has on April 17, 2013, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

House File 211, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law and including effective date provisions.

ALSO: That the House has on April 17, 2013, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 357, a bill for an act relating to the nomination and appointment of district judges.

ALSO: That the House has on April 17, 2013, **insisted** on its amendment to **Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, and the conference committee members on the part of the House are: the representative from Story, Representative Deyoe, Chair; the representative from Pottawattamie, Representative Hanusa; the representative from Cedar, Representative Kaufmann; the representative from Black Hawk, Representative Kressig; and the representative from Linn, Representative Running-Marquardt.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 430** on the part of the Senate: Senators Dotzler, Chair; Boettger, Hart, Schneider, and Seng.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 430** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:52 p.m. until 9:00 a.m., Thursday, April 18, 2013.

APPENDIX—2

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 613, a bill for an act relating to the war orphans educational assistance fund by transferring the moneys in the fund to the veterans trust fund and transferring duties for providing educational assistance to orphaned children of veterans to the commission on veterans affairs.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Dotzler, Ernst, Guth, Hatch, Mathis, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 4: Courtney, Hogg, Kapucian, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3162	S.F.	447	Michael Breitbach
S-3163	S.F.	447	Rita Hart
			Robert E. Dvorsky
S-3164	S.F.	447	Thomas G. Courtney
S-3165	H.F.	603	David Johnson

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 18, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Pastor Doug Brady of the Living Word Fellowship in Knoxville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Wednesday, April 17, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 295, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions. (S-3166)

ALSO: That the House has on April 17, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 620, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the

aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

House File 634, a bill for an act relating to the policy administration of the tax and related laws and related programs by the department of revenue, including administration of income taxes, sales and use taxes, the orderly wind-up and eventual repeal of the Iowa fund of funds program, the replacement taxes task force, a study report related to administrative appeals processes for tax matters, the distribution of statewide school infrastructure funds, and including effective date and retroactive and other applicability provisions.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 9:27 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:30 a.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Houser and Zaun, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 604.

House File 604

On motion of Senator Schoenjahn, **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the

blind, the department of education, and the state board of regents, and providing for related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schoenjahn offered amendment S-3155, filed by the committee on Appropriations on April 15, 2013, striking and replacing everything after the enacting clause of the bill.

Senator McCoy offered amendment S-3168, filed by him from the floor to pages 25 and 26 of amendment S-3155, and moved its adoption.

Amendment S-3168 to amendment S-3155 was adopted by a voice vote.

Senator Schoenjahn moved the adoption of amendment S-3155, as amended.

A record roll call was requested.

On the question "Shall amendment S-3155 be adopted as amended?" (H.F. 604), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

Houser	Zaun
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Amendment S-3155, as amended, was adopted.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 604), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

Houser	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 604** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bowman, until he returns, on request of Senator Gronstal.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 446.

Senate File 446

On motion of Senator Hatch, **Senate File 446**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions, was taken up for consideration.

Senator Hatch offered amendment S-3169, filed by him from the floor to pages 4-6, 8-20, 23-25, 27, 29, 31, 35, 37-41, 43, 47, 51, 53, 54, 56, 58, 60, 62-66, 68, 72-75, 77-80, 82, 90, 91, 102, 103, and 115 of the bill.

Senator Hatch offered amendment S-3171, filed by him from the floor to page 3 of amendment S-3169, and moved its adoption.

Amendment S-3171 to amendment S-3169 was adopted by a voice vote.

Senator Hatch moved the adoption of amendment S-3169, as amended.

Amendment S-3169, as amended, was adopted by a voice vote.

With the adoption of amendment S-3169, the Chair ruled amendment S-3167, filed by Senator Hatch from the floor to pages 8, 10-12, 16-19, 23-25, 27, 29, 31, 35, 37-41, 43, 47, 51, 53, 54, 56, 58, 60, 62-66, 68, 72, 73, 78-80, 82, 90, 91, 102, 103, and 115 of the bill, out of order.

Senator Sinclair offered amendment S-3172, filed by Senator Sinclair, et al., from the floor to page 31 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3172 be adopted?" (S.F. 446), the vote was:

Yeas, 23:

Anderson	Chelgren	Johnson	Sinclair
Behn	Dix	Kapucian	Smith
Bertrand	Ernst	Rozenboom	Sorenson
Boettger	Feenstra	Schneider	Whitver
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Seng	

Nays, 24:

Beall	Dearden	Hogg	Quirmbach
Black	Dotzler	Horn	Ragan
Bolkcom	Dvorsky	Jochum	Schoenjahn
Brase	Gronstal	Mathis	Sodders
Courtney	Hart	McCoy	Taylor
Danielson	Hatch	Petersen	Wilhelm

Absent, 3:

Bowman	Houser	Zaun
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Amendment S-3172 lost.

Senator Chapman offered amendment S-3170, filed by him from the floor to pages 58-59 of the bill, and moved its adoption.

Amendment S-3170 lost by a voice vote.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 446), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Chelgren	Johnson	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Absent, 2:

Houser	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 446** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:45 p.m. until 1:00 p.m., Monday, April 22, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA LOTTERY AUTHORITY

Quarterly Report, pursuant to Iowa Code section 99G.7(h). Report received on April 18, 2013.

AMENDMENTS FILED

S-3166	S.F.	295	House
S-3167	S.F.	446	Jack Hatch
S-3168	H.F.	604	Matt McCoy
S-3169	S.F.	446	Jack Hatch
S-3170	S.F.	446	Jake Chapman
S-3171	S.F.	446	Jack Hatch
S-3172	S.F.	446	Amy Sinclair
			Joni K. Ernst
			Jack Whitver
			Sandra Greiner
			David Johnson
			Jerry Behn
			Mark Segebart
			Nancy J. Boettger
			Dan Zumbach
			Dr. Joe M. Seng
			Tim L. Kapucian

Michael Breitbach
Mark Chelgren
Bill Anderson
Kent Sorenson
Dennis Guth
Charles Schneider
Ken Rozenboom
Randy Feenstra
Roby Smith
Jake Chapman

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 22, 2013

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by Pastor Dan Gerrietts of Trinity Lutheran Church in Mason City, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hanna Zinn.

The Journal of Thursday, April 18, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:16 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:14 p.m., President Jochum presiding.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 619** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 4:18 p.m. until the fall of the gavel.

The Senate resumed session at 4:44 p.m., President Jochum presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 449.

Senate File 449

On motion of Senator McCoy, **Senate File 449**, a bill for an act providing for a small employer health insurance tax credit against the individual and corporate income tax, the franchise tax, the insurance premium tax, the county and state mutual insurance associations premium taxes, and the moneys and credits tax, and including retroactive applicability provisions, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 613.

House File 613

On motion of Senator Danielson, **House File 613**, a bill for an act relating to the war orphans educational assistance fund by transferring the moneys in the fund to the veterans trust fund and transferring duties for providing educational assistance to orphaned children of veterans to the commission on veterans affairs, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 613), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 524 and 152.

House File 524

On motion of Senator Hart, **House File 524**, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to commercial rental property, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 524), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 152

On motion of Senator Hart, **House File 152**, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions, placed on the

Unfinished Business Calendar on April 11, 2013, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hart offered amendment S-3121, filed by the committee on Agriculture on April 4, 2013, to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment S-3121 was adopted by a voice vote.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 152), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 449** and **House Files 152, 524, and 613** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:14 p.m. until 2:00 p.m., Tuesday, April 23, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Ruby Beckman – For celebrating her 92nd birthday. Senator Courtney.

Tommy and Nancy Bonar, Burlington – For celebrating their 50th wedding anniversary. Senator Courtney.

Betty Dietzman, Burlington – For celebrating her 90th birthday. Senator Courtney.

Ron and Dolores Jackson, Danville – For celebrating their 50th wedding anniversary. Senator Courtney.

Nancy Lazenby, Burlington – For celebrating her 75th birthday. Senator Courtney.

Mel and Mickie Murphy, Burlington – For celebrating their 70th wedding anniversary. Senator Courtney.

Frances Oetken, Burlington – For celebrating her 100th birthday. Senator Courtney.

Jack and Shirley Samuels, Wapello – For celebrating their 60th wedding anniversary. Senator Courtney.

Wendell V. Williams, Danville – For celebrating his 90th birthday. Senator Courtney.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, April 22, 2013, 1:15 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Sadders.

Members Absent: None.

Committee Business: Governor's appointments.

Adjourned: 1:20 p.m.

STUDY BILLS RECEIVED**SSB 1252 Ways and Means**

Relating to the taxation of water utilities by establishing a water utilities replacement tax, imposing a statewide water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and applicability provisions.

SSB 1253 Ways and Means

Authorizing the establishment of reinvestment districts following approval of the economic development authority board, providing for the remittance of certain state sales tax revenues and certain state hotel and motel tax revenues to municipalities, establishing a state reinvestment district fund, and making appropriations.

SUBCOMMITTEE ASSIGNMENTS**House File 619**

WAYS AND MEANS: Bolkcom, Chair; Behn and Quirmbach

House File 620

WAYS AND MEANS: Dotzler, Chair; Bertrand and Bolkcom

House File 634

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Feenstra

SSB 1252

WAYS AND MEANS: Seng, Chair; Hogg and Smith

SSB 1253

WAYS AND MEANS: McCoy, Chair; Bolkcom and Feenstra

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

GREAT PLACES BOARD, IOWA (Sec. 303.3C)	
Brent Matthias, Waverly	03/26/2013 – 04/30/2014
MASSAGE THERAPY, BOARD OF (Sec. 147.14(1)(q))	
Khrystyne Napolitano, Harlan	05/01/2013 – 04/30/2016
PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)	
Robert Kunkel, Clarence	05/01/2013 – 04/30/2016
PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)	
Jacqueline Rypma, Clive	05/01/2013 – 04/30/2019
WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)	
Caroline Hicks, Osceola	03/26/2013 – 04/30/2015

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on April 22, 2013:

ECONOMIC GROWTH

Brent Matthias – Iowa Great Places Board

LABOR AND BUSINESS RELATIONS

Robert Kunkel – Plumbing and Mechanical Systems Examining Board

Caroline Hicks – Iowa Workforce Development Board

LOCAL GOVERNMENT

Jacqueline Rypma – Property Assessment Appeal Board

STATE GOVERNMENT

Khristyne Napolitano – Board of Massage Therapy

APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittee of standing committee on April 22, 2013, to investigate the appointment and reappointment of the following appointee:

ECONOMIC GROWTH

As a member of the Iowa Great Places Board:

Brent Matthias – Mathis, Chair; Behn and Dotzler

LABOR AND BUSINESS RELATIONS

As a member of the Plumbing and Mechanical Systems Examining Board:

Robert Kunkel – Brase, Chair; Dearden and Houser

As a member of the Iowa Workforce Development Board:

Caroline Hicks – Dotzler, Chair; Houser and Sodders

LOCAL GOVERNMENT

As a member of the Property Assessment Appeal Board:

Jacqueline Rypma – Taylor, Chair; Hart and Sinclair

STATE GOVERNMENT

As a member of the Board of Massage Therapy:

Khristyne Napolitano – Sodders, Chair; Anderson and Dearden

AMENDMENT FILED

S-3173 H.F. 527 Steven J. Sodders

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 2013

The Senate met in regular session at 2:13 p.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Occheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Michelle Aberle.

The Journal of Monday, April 22, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 152, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions.

House File 454, a bill for an act relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, and eliminating a reporting requirement relating to vocational education funds.

ALSO: That the House has on April 23, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 631, a bill for an act modifying provisions applicable to the propane education and research council.

Read first time and referred to committee on **Ways and Means**.

House File 638, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

ALSO: That the House has on April 23, 2013, **refused to concur** in the Senate amendment to the following bills in which the concurrence of the House was asked:

House File 603, 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.

House File 604, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

The Senate stood at ease at 2:23 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:54 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren and Zumbach, until they arrive, on request of Senator Bertrand.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 365, 360, and 331.

Senate File 365

On motion of Senator Taylor, **Senate File 365**, a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Taylor offered amendment S-3176, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3176 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that **House File 487** be **substituted** for **Senate File 365**.

House File 487

On motion of Senator Taylor, **House File 487**, a bill for an act relating to a manufactured or mobile home retailer's application to a county treasurer for a certificate of title for a used mobile home or manufactured home, was taken up for consideration.

Senator Taylor offered amendment S-3177, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3177 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 487), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Sinclair
Boettger	Ernst	Kapucian	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Courtney	Hatch	Rozenboom	Zaun

Nays, none.

Absent, 2:

Chelgren Zumbach

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

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate File 365** be **withdrawn** from further consideration of the Senate.

Senate File 360

On motion of Senator Hogg, **Senate File 360**, a bill for an act relating to mechanic’s liens and the mechanics’ notice and lien registry, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Hogg offered amendment S–3174, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S–3174 was adopted by a voice vote.

Senator Hogg asked and received unanimous consent that **House File 565** be **substituted** for **Senate File 360**.

House File 565

On motion of Senator Hogg, **House File 565**, a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **House File 565** be **deferred**.

Senate File 331

On motion of Senator Bowman, **Senate File 331**, a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions, placed on the Unfinished Business Calendar on March 14, 2013, was taken up for consideration.

Senator Bowman withdrew amendment S-3070, filed by him on March 26, 2013, to page 1 and amending the title page of the bill.

Senator Bowman asked and received unanimous consent that **House File 355** be **substituted** for **Senate File 331**.

House File 355

On motion of Senator Bowman, **House File 355**, a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions, was taken up for consideration.

Senator Bowman offered amendment S-3144, filed by him on April 10, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3144 was adopted by a voice vote.

Senator Bowman offered amendment S-3175, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3175 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 355), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schneider
Beall	Dearden	Horn	Schoenjahn
Behn	Dix	Houser	Segebart
Bertrand	Dotzler	Jochum	Seng
Black	Dvorsky	Johnson	Sinclair
Boettger	Ernst	Kapucian	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Greiner	McCoy	Sorenson
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Courtney	Hatch	Rozenboom	Zaun

Nays, none.

Absent, 2:

Chelgren Zumbach

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

WITHDRAWN

Senator Bowman asked and received unanimous consent that **Senate File 331** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 355** and **487** be **immediately messaged** to the House.

SENATE INSISTS

House File 603

Senator Mathis called up for consideration **House File 603**, 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, and moved that the Senate insist on its amendment.

A nonrecord roll call was requested.

The yeas were 25, nays 20.

The motion prevailed and the Senate **insisted** on its amendment.

House File 604

Senator Schoenjahn called up for consideration **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 603** on the part of the Senate: Senators Mathis, Chair; Anderson, Brase, Danielson, and Guth.

The Chair announced the following conference committee on **House File 604** on the part of the Senate: Senators Schoenjahn, Chair; Chelgren, Horn, Quirmbach, and Smith.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 603** and **604** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:18 p.m. until 9:00 a.m., Wednesday, April 14, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on April 23, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Chad Ford, Ankeny – For achieving the rank of Eagle Scout, Troop 188. Senator Whitver.

Josh Woods, Ankeny – For achieving the rank of Eagle Scout, Troop 188. Senator Whitver.

SUBCOMMITTEE ASSIGNMENT

House File 631

WAYS AND MEANS: Hogg, Chair; Feenstra and Quirmbach

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of April, 2013.

Senate Files 114, 142, 146, 182, 186, 189, 204, 282, 288, 298, 316, 317, 318, 332, 340, 343, 355, 362, 380, 384, 388, 389, 419, and 427.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3174	S.F.	360	Robert M. Hogg
S-3175	H.F.	355	Tod R. Bowman
S-3176	S.F.	365	Rich Taylor
S-3177	H.F.	487	Rich Taylor

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 24, 2013

The Senate met in regular session at 9:05 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Pastor Bob Dodge of the United Methodist Church in Britt, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jennifer Brookhart.

The Journal of Tuesday, April 23, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 386, a bill for an act relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts. (S-3180)

Senate File 435, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection. (S-3178)

Senate File 447, a bill for an act relating to appropriations to the justice system and including effective dates. (S-3179)

ALSO: That the House has on April 23, 2013, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

House File 602, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund. (S-3181)

ALSO: That the House has on April 23, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 633, a bill for an act providing an exemption from the computation of net income for the individual income tax of net capital gain from the sale or exchange of qualified capital stock and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on April 23, 2013, appointed the conference committee to **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, and the conference committee members on the part of the House are: the representative from Ringgold, Representative Dolecheck, Chair; the representative from Jefferson, Representative Hanson; the representative from Woodbury, Representative Jorgenson; the representative from Dallas, Representative Taylor, R.; and the representative from Scott, Representative Winckler.

ALSO: That the House has on April 23, 2013, appointed the conference committee to **House File 603**, 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, and the conference committee members on the part of the House are: the representative from Dallas, Representative Watts, Chair; the representative from Winnebago, Representative Gassman; the representative from Polk, Representative Hunter; the representative from Jasper, Representative Kelley; and the representative from Mahaska, Representative Vander Linden.

The Senate stood at ease at 9:41 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:16 a.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Johnson, until he arrives, on request of Senator Dix.

UNFINISHED BUSINESS (Deferred April 23, 2013)

House File 565

The Senate resumed consideration of **House File 565**, a bill for an act relating to mechanic's liens and the mechanics' notice and lien registry, deferred April 23, 2013.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 565), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Kapucian	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirmbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Johnson

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

WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 360** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 607.

House File 607

On motion of Senator Seng, **House File 607**, a bill for an act relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, implementation of law by the board, and including effective date provisions, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 607), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Kapucian	Sodders
Black	Dvorsky	Mathis	Sorenson
Boettger	Ernst	McCoy	Taylor
Bolkcom	Feenstra	Petersen	Whitver
Bowman	Greiner	Quirnbach	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Johnson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 565** and **607** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:33 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:35 p.m., President Jochum presiding.

The Senate stood at ease at 1:36 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:59 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 495, a bill for an act relating to the residential landlord and tenant laws and related forcible entry and detainer laws and making penalties applicable.

ALSO: That the House has on April 24, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 396, a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions. (S-3183)

ALSO: That the House has on April 24, 2013, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

House File 356, a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent. (S-3182)

ALSO: That the House has on April 24, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 641, a bill for an act authorizing the establishment of reinvestment districts following approval of the economic development authority board, providing for the remittance of certain state sales tax revenues and certain state hotel and motel tax revenues to municipalities, establishing a state reinvestment district fund, and making appropriations.

Read first time and referred to committee on **Ways and Means**.

HOUSE AMENDMENT CONSIDERED

Senate File 447

Senator Courtney called up for consideration **Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates, amended by the House in House amendment S-3179, filed April 24, 2013.

Senator Courtney moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 602

Senator McCoy called up for consideration **House File 602**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, amended by the Senate and further amended by the House in House amendment S-3181 to Senate amendment H-1283, filed April 24, 2013.

Senator McCoy moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator McCoy moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 602), the vote was:

Yeas, 46:

Anderson	Courtney	Hogg	Schoenjahn
Beall	Danielson	Horn	Segebart
Behn	Dearden	Houser	Seng
Bertrand	Dix	Jochum	Sinclair
Black	Dotzler	Kapucian	Smith
Boettger	Dvorsky	Mathis	Sodders
Bolkcom	Ernst	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	

Nays, 3:

Feenstra

Sorenson

Zaun

Absent, 1:

Johnson

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 356

Senator Taylor called up for consideration **House File 356**, a bill for an act relating to the statute of limitation periods in bringing suit and executing a judgment in an action on a claim for rent, amended by the Senate and further amended by the House in House amendment S-3182 to Senate amendment H-1280, filed April 24, 2013.

Senator Taylor moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Taylor moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 356), the vote was:

Yeas, 49:

Anderson
Beall
Behn
Bertrand
Black
Boettger
Bolkcom
Bowman
Brase

Danielson
Dearden
Dix
Dotzler
Dvorsky
Ernst
Feenstra
Greiner
Gronstal

Horn
Houser
Jochum
Kapucian
Mathis
McCoy
Petersen
Quirnbach
Ragan

Seng
Sinclair
Smith
Sodders
Sorenson
Taylor
Whitver
Wilhelm
Zaun

Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Johnson

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

The Senate stood at ease at 2:10 p.m. until the fall of the gavel.

The Senate resumed session at 2:29 p.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 435

Senator Black called up for consideration **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, amended by the House in House amendment S-3178, filed April 24, 2013.

Senator Black offered amendment S-3184, filed by him from the floor to pages 1-24 of House amendment S-3178, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3184 to House amendment S-3178 be adopted?" (S.F. 435), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zaun
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Sinclair	

Absent, 1:

Johnson

Amendment S-3184 to amendment S-3178 was adopted.

Senator Black moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

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

On the question "Shall the bill pass?" (S.F. 435), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Smith
Behn	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zaun
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Sinclair	

Absent, 1:

Johnson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 435 and 447 and House File 356** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:47 p.m. until 9:00 a.m., Thursday, April 25, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Arlene Oster, Lowden – For celebrating her 100th birthday. Senators Hart and Dvorsky.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which House File 602 passed the Senate on April 24, 2013.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S-3178	S.F.	435	House
S-3179	S.F.	447	House
S-3180	S.F.	386	House
S-3181	H.F.	602	House
S-3182	H.F.	356	House
S-3183	S.F.	396	House
S-3184	S.F.	435	Dennis H. Black
S-3185	H.F.	198	Jack Hatch
S-3186	S.F.	386	Tod R. Bowman

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 25, 2013

The Senate met in regular session at 9:14 a.m., President Jochum presiding.

Prayer was offered by Reverend Bienvenido Acosta, pastor of the Life and Hope Presbyterian Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Liz Detrick.

The Senate stood at ease at 9:19 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:28 a.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 295

Senator McCoy called up for consideration **Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, amended by the House in House amendment S-3166, filed April 18, 2013.

Senator McCoy moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 295** be **immediately messaged** to the House.

The Journal of Wednesday, April 24, 2013, was approved.

SPECIAL GUEST

Senator Hatch introduced to the Senate chamber Royce White, former Iowa State University basketball player and former NBA basketball player for the Houston Rockets and the Rio Valley Vipers.

The Senate rose and expressed its welcome.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 2013, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 435, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

ALSO: That the House has on April 25, 2013, **insisted** on its amendment to **Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates, and the conference committee members on the part of the House are: the representative from Buena Vista, Representative Worthan, Chair; the representative from Polk, Representative Anderson; the representative from Boone, Representative Baltimore; the representative from Warren, Representative Garrett; and the representative from Linn, Representative Taylor, T.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 447** on the part of the Senate: Senators Courtney, Chair; Chapman, Hogg, Schneider, and Taylor.

SENATE INSISTS

Senate File 435

Senator Black called up for consideration **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 435** on the part of the Senate: Senators Black, Chair; Dearden, Greiner, Rozenboom, and Wilhelm.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 435** and **447** be **immediately messaged** to the House.

The Senate stood at ease at 9:49 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 10:19 a.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 2013, appointed the conference committee to **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and the conference committee members on the part of the House are: the representative from Cass, Representative Drake, Chair; the representative from Fayette, Representative Bearer; the representative from Butler, Representative Grassley; the representative from Washington, Representative Klein; and the representative from Clayton, Representative Ruff.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:20 a.m. until 1:00 p.m., Monday, April 29, 2013.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Reverend Bienvenido Acosta, Life & Hope Presbyterian Church in Fort Dodge – For blessing the Iowa House of Representatives and the Iowa Senate with prayer. Senator Beall.

Thomas Beell, professor of Journalism and Communication at Iowa State University – For a distinguished career of teaching, research, and professional practice in print and electronic journalism. Senator Quirmbach.

Reno Berg – For 36 years of inspired and dedicated service to persons with disabilities as the President and CEO of Mainstream Living, Inc. Senator Quirmbach.

Rabbi Jeff Portman and the Agudas Achim Congregation of Coralville – Upon the opening of their new synagogue. Senator Dvorsky.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, April 25, 2013, 11:05 a.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Discussion.

Adjourned: 11:15 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Thursday, April 25, 2013, 10:25 a.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Houser, Ranking Member; Anderson, Brase, Chapman, Dotzler, Seng, and Soddors.

Members Absent: Dix and Hatch (both excused).

Committee Business: Approved governor's appointees.

Adjourned: 10:30 a.m.

LOCAL GOVERNMENT

Convened: Thursday, April 25, 2013, 10:30 a.m.

Members Present: Wilhelm, Chair; Brase, Vice Chair; Sinclair, Ranking Member; Dvorsky, Hart, Quirnbach, and Taylor.

Members Absent: Chelgren, Guth, Schoenjahn, and Zaun (all excused).

Committee Business: Approved governor's appointee.

Adjourned: 10:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 10, by Guth, Rozenboom, Sorenson, Sinclair, Boettger, Johnson, Chapman, Segebart, Anderson, Ernst, Bertrand, Kapucian, Houser, Whitver, Chelgren, Breitbach, Behn, Zaun, Feenstra, Smith, and Seng, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the inalienable right to life.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 451, by committee on Ways and Means, a bill for an act relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and placed on **Ways and Means calendar**.

Senate File 452, by committee on Appropriations, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Read first time under Rule 28 and placed on **Appropriations calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: SENATE FILE 452, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 8: Whitver, Boettger, Ernst, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *SENATE FILE 451 (SSB 1252), a bill for an act relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Bertrand, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 2: Behn and Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 451, and they were attached to the committee report.

ALSO:

Bill Title: HOUSE FILE 631, a bill for an act modifying provisions applicable to the propane education and research council.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Bertrand, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 2: Behn and Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 634, a bill for an act relating to the policy administration of the tax and related laws and related programs by the department of revenue, including administration of income taxes, sales and use taxes, the orderly wind-up and eventual repeal of the Iowa fund of funds program, the replacement taxes task force, a study report related to administrative appeals processes for tax matters, the distribution of statewide school infrastructure funds, and including effective date and retroactive and other applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3187.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Bertrand, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schneider, and Smith. Nays, none. Absent, 2: Behn and Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 24, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 114 – Relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

Senate File 142 – Providing that certain activities relating to business opportunity promotions are unlawful practices punishable as consumer fraud and making a penalty applicable.

Senate File 182 – Relating to credit for reinsurance, including transition, applicability, and effective date provisions.

Senate File 189 – Relating to a risk management framework for insurers and insurance groups and including penalty and applicability provisions.

Senate File 282 – Relating to procedural requirements in in rem forfeiture proceedings.

Senate File 288 – Relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer.

Senate File 298 – Relating to the definition of the term “sex act” in the criminal code, lascivious acts with a child, and providing penalties.

Senate File 316 – Relating to farm tenancies of less than forty acres by providing procedures for termination.

Senate File 318 – Relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, and making appropriations.

Senate File 332 – Related to the administration of the national guard educational assistance program.

Senate File 340 – Relating to the length of on-duty periods and required rest periods for drivers of rail crew transport vehicles, and providing penalties.

Senate File 343 – Authorizing tribal governments to establish a force of reserve peace officers.

Senate File 355 – Relating to the regulation of vehicles of excessive size and weight, establishing fees, and providing penalties.

Senate File 362 – Relating to the use of the term relative in child in need of assistance and termination of parental rights proceedings.

Senate File 380 – Authorizing charitable auctions for alcoholic spirits.

Senate File 384 – Relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

Senate File 388 – Relating to sponsor projects under the water resource restoration sponsor program.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

ECONOMIC GROWTH

Brent Matthias – Iowa Great Places Board

LABOR AND BUSINESS RELATIONS

Robert Kunkel – Plumbing and Mechanical Systems Examining Board

Caroline Hicks – Iowa Workforce Development Board

LOCAL GOVERNMENT

Jacqueline Rypma – Property Assessment Appeal Board

STATE GOVERNMENT

Khrystyne Napolitano – Board of Massage Therapy

AMENDMENT FILED

S-3187 H.F. 634 Ways and Means

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 29, 2013

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by Pastor Dick Dayton of the Urbandale Baptist Church in Urbandale, Iowa. He was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashley Green.

The Journal of Thursday, April 25, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:22 p.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 3:14 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 2013, **insisted** on its amendment to **Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, and the conference committee members on the part of the House are: the representative from Louisa, Representative Sands, Chair; the representative from Polk, Representative Hagenow; the representative from Polk, Representative Oldson; the representative from Clinton, Representative Olson, S.; and the representative from Clayton, Representative Thomas.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 295** on the part of the Senate: Senators McCoy, Chair; Bolckcom, Dotzler, Dix, and Feenstra.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 295** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 452.

Senate File 452

On motion of Senator Dvorsky, **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Dvorsky offered amendment S-3188, filed by him from the floor to pages 1-5, 17, and 25 of the bill.

Senator Whitver raised the point of order that amendment S-3188 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3188 in order.

The Senate stood at ease at 3:24 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:56 p.m., President Jochum presiding.

Senator Dvorsky asked and received unanimous consent that action on amendment S-3188 and **Senate File 452** be **deferred**.

RECESS

On motion of Senator Dvorsky, the Senate recessed at 4:57 p.m. until the completion of a meeting of the committee on Appropriations.

EVENING SESSION

The Senate reconvened at 6:10 p.m., President Jochum presiding.

The Senate stood at ease at 6:11 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 6:46 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Houser, and Sinclair, until they arrive, on request of Senator Dix.

The Senate resumed consideration of Senate File 452 and amendment S-3188, previously deferred.

Senator Dvorsky offered amendment S-3202, filed by him from the floor to pages 5 and 6 of amendment S-3188, and moved its adoption.

Amendment S-3202 to amendment S-3188 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S-3188, as amended.

Amendment S-3188, as amended, was adopted by a voice vote.

Senator Whitver offered amendment S-3193, filed by Senator Whitver, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3193 be adopted?” (S.F. 452), the vote was:

Yeas, 21:

Anderson	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Smith	
Chelgren	Johnson	Sorenson	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S–3193 lost.

Senator Seng withdrew amendment S–3190, filed by him from the floor to page 4 of the bill.

Senator Mathis offered amendment S–3189, filed by her from the floor to page 5 of the bill, and moved its adoption.

Amendment S–3189 was adopted by a voice vote.

Senator Feenstra offered amendment S–3196, filed by Senators Feenstra and Anderson from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3196 be adopted?” (S.F. 452), the vote was:

Yeas, 21:

Anderson	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Smith	
Chelgren	Johnson	Sorenson	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S–3196 lost.

(Senate File 452 was deferred.)

The Senate stood at ease at 7:02 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 7:13 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 452, previously deferred.

Senator Rozenboom offered amendment S–3199, filed by Senator Rozenboom, et al., from the floor to page 5 of the bill.

Senator Hogg raised the point of order that amendment S–3199 was not germane to the bill.

The Chair ruled the point not well-taken and amendment S-3199 in order.

Senator Rozenboom moved the adoption of amendment S-3199.

A record roll call was requested.

On the question "Shall amendment S-3199 be adopted?" (S.F. 452), the vote was:

Yeas, 21:

Anderson	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Smith	
Chelgren	Johnson	Sorenson	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S-3199 lost.

Senator Dvorsky withdrew amendment S-3201, filed by him from the floor to pages 16 and 17 of the bill.

Senator Dvorsky offered amendment S-3204, filed by Senator Dvorsky, et al., from the floor to pages 16 and 17 of the bill.

Senator Dvorsky asked and received unanimous consent that action on amendment S-3204 be deferred.

Senator Bertrand withdrew amendment S-3191, filed by him from the floor to page 16 of the bill.

Senator Bertrand asked and received unanimous consent to withdraw amendment S-3194, filed by Senator Bertrand, et al., from the floor to page 16 of the bill.

Senator Bertrand asked and received unanimous consent to withdraw amendment S-3197, filed by Senator Bertrand, et al., from the floor to page 16 of the bill.

Senator Dvorsky moved the adoption of amendment S-3204, previously deferred.

A record roll call was requested.

On the question "Shall amendment S-3204 be adopted?" (S.F. 452), the vote was:

Yeas, 41:

Anderson	Dearden	Johnson	Seng
Beall	Dotzler	Kapucian	Smith
Bertrand	Dvorsky	Mathis	Sodders
Black	Ernst	McCoy	Sorenson
Bolkcom	Gronstal	Petersen	Taylor
Bowman	Guth	Quirmbach	Wilhelm
Brase	Hart	Ragan	Zaun
Breitbach	Hatch	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Courtney	Horn	Schoenjahn	
Danielson	Jochum	Segebart	

Nays, 6:

Boettger	Dix	Greiner
Chapman	Feenstra	Whitver

Absent, 3:

Behn	Houser	Sinclair
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Amendment S-3204 was adopted.

Senator Smith offered amendment S-3192, filed by him from the floor to page 25 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3192 be adopted?" (S.F. 452), the vote was:

Yeas, 21:

Anderson	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Smith	
Chelgren	Johnson	Sorenson	

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S-3192 lost.

Senator Kapucian offered amendment S-3195, filed by Senator Kapucian, et al., from the floor to page 25 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3195 be adopted?" (S.F. 452), the vote was:

Yeas, 22:

Anderson	Chelgren	Johnson	Sorenson
Bertrand	Dix	Kapucian	Whitver
Boettger	Ernst	Rozenboom	Zaun
Bowman	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Smith	

Nays, 25:

Beall	Dotzler	Jochum	Seng
Black	Dvorsky	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	
Dearden	Horn	Schoenjahn	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S–3195 lost.

Senator Anderson offered amendment S–3198, filed by Senator Anderson, et al., from the floor to page 25 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3198 be adopted?” (S.F. 452), the vote was:

Yeas, 13:

Anderson	Chelgren	Johnson	Zaun
Bertrand	Feenstra	Rozenboom	
Boettger	Greiner	Segebart	
Chapman	Guth	Sorenson	

Nays, 34:

Beall	Dix	Jochum	Seng
Black	Dotzler	Kapucian	Smith
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Ernst	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Hart	Quirnbach	Wilhelm
Courtney	Hatch	Ragan	Zumbach
Danielson	Hogg	Schneider	
Dearden	Horn	Schoenjahn	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S–3198 lost.

Senator Zaun offered amendment S–3200, filed by Senator Zaun, et al., from the floor to page 25 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3200 be adopted?" (S.F. 452), the vote was:

Yeas, 20:

Anderson	Chelgren	Guth	Smith
Bertrand	Dix	Johnson	Sorenson
Boettger	Ernst	Rozenboom	Whitver
Breitbach	Feenstra	Schneider	Zaun
Chapman	Greiner	Segebart	Zumbach

Nays, 27:

Beall	Dearden	Horn	Ragan
Black	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Kapucian	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hatch	Petersen	Wilhelm
Danielson	Hogg	Quirmbach	

Absent, 3:

Behn	Houser	Sinclair
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Amendment S-3200 lost.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 452), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 21:

Anderson	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach

Breitbach	Greiner	Segebart
Chapman	Guth	Smith
Chelgren	Johnson	Sorenson

Absent, 3:

Behn	Houser	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 452** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:36 p.m. until 9:00 a.m., Tuesday, April 30, 2013.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Monday, April 29, 2013, 5:45 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: None.

Committee Business: Passed HF 638.

Adjourned: 6:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 10

RULES AND ADMINISTRATION: Gronstal, Chair; Dearden and Ernst

House File 633

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirmbach

House File 638

APPROPRIATIONS: McCoy, Chair; Dvorsky and Whitver

FINAL COMMITTEE REPORT OF BILL ACTION**APPROPRIATIONS**

Bill Title: HOUSE FILE 638, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3203.

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 8: Whitver, Boettger, Ernst, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of April, 2013.

Senate Files 115, 202, 224, 358, 368, and 445.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 26, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 146 – Extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Senate File 186 – Relating to funds transfers under the uniform commercial code, and including effective date provisions.

Senate File 317 – Prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable.

Senate File 389 – Relating to hunter safety and ethics education course requirements.

Senate File 419 – Providing for vision screening for school children.

Senate File 427 – Relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable.

SENATE BILL VETOED BY GOVERNOR

Senate File 204

April 26, 2013

The Honorable Pam Jochum
President of the Senate
State Capitol Building
Des Moines, Iowa 50319

Dear President Jochum:

Senate File 204, an Act concerning persons voluntarily excluded from gambling facilities is hereby disapproved and transmitted to you in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

Senate File 204 is hereby disapproved on this date.

I am unable to approve Senate File 204 for the following reasons:

Senate File 204 makes it possible for people with gambling addictions who voluntarily banned themselves from gambling to engage in gambling again after five years. The voluntary lifetime ban was instituted in 2004 so that an individual can choose to be banned from all casinos in Iowa for life. In addition, if someone who has voluntarily banned themselves from gaming has gaming winnings, these monies are forfeited to the Iowa Gambling Treatment Program. Treatment experts have found that addictions tend to be life-long, which is why the voluntary lifetime ban serves a valuable public purpose. This voluntary ban option is an important part of Iowa's laws relating to responsible gaming.

For the above reasons, I respectfully disapprove of Senate File 204, in its entirety, in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

Sincerely,

TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3188	S.F.	452	Robert E. Dvorsky
S-3189	S.F.	452	Liz Mathis
S-3190	S.F.	452	Dr. Joe M. Seng
S-3191	S.F.	452	Rick Bertrand
S-3192	S.F.	452	Roby Smith
S-3193	S.F.	452	Jack Whitver
			Dan Zumbach
			Mark Chelgren
			Rick Bertrand
			Bill Anderson
			Joni K. Ernst
			Roby Smith
			Mark Segebart
			Sandra Greiner
			Charles Schneider
			Michael Breitbach
			Hubert Houser
S-3194	S.F.	452	Rick Bertrand
			Mark Segebart
			Bill Anderson
			Brad Zaun
S-3195	S.F.	452	Tim L. Kapucian
			David Johnson
			Mark Segebart
			Dennis Guth
			Nancy J. Boettger
			Charles Schneider
			Jake Chapman
			Sandra Greiner
			Dan Zumbach
			Michael Breitbach
			Mark Chelgren
			Roby Smith
S-3196	S.F.	452	Randy Feenstra
			Bill Anderson
S-3197	S.F.	452	Rick Bertrand
			Bill Anderson
			Kent Sorenson
			Joni K. Ernst

S-3198	S.F.	452	Charles Schneider
			Brad Zaun
			Mark Chelgren
			Hubert Houser
			Bill Anderson
			Rick Bertrand
			Mark Chelgren
			Nancy J. Boettger
			Kent Sorenson
			Sandra Greiner
			Dennis Guth
			Ken Rozenboom
			Brad Zaun
S-3199	S.F.	452	Hubert Houser
			Ken Rozenboom
			Dan Zumbach
			Michael Breitbach
			Sandra Greiner
			David Johnson
			Jake Chapman
			Dennis Guth
			Jack Whitver
			Nancy J. Boettger
			Hubert Houser
			Rick Bertrand
			Bill Anderson
S-3200	S.F.	452	Kent Sorenson
			Tim L. Kapucian
			Mark Segebart
			Mark Chelgren
			Joni K. Ernst
			Roby Smith
			Charles Schneider
			Brad Zaun
			Jake Chapman
			David Johnson
			Sandra Greiner
			Mark Chelgren
			Joni K. Ernst
			Ken Rozenboom
			Randy Feenstra

			Dennis Guth
			Jack Whitver
			Nancy J. Boettger
			Kent Sorenson
			Bill Anderson
			Mark Segebart
S-3201	S.F.	452	Robert E. Dvorsky
S-3202	S.F.	452	Robert E. Dvorsky
S-3203	H.F.	638	Appropriations
S-3204	S.F.	452	Robert E. Dvorsky
			Rick Bertrand
			Jeff Danielson
			Kent Sorenson

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 30, 2013

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by Pastor Gregory Geier of St. John's Lutheran Church in Creston, Iowa. He was the guest of Senator Bowman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jacob Ihnen.

The Journal of Monday, April 29, 2013, was approved.

SPECIAL GUEST

Senator Beall introduced to the Senate chamber His Excellency Fatih Yildiz, Consul General of Turkey in Chicago.

Consul General Yildiz addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:32 a.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mathis, until she returns, on request of Senator Gronstal; and Senator Chelgren, until he arrives, on request of Senator Dix.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Brent Matthias – Iowa Great Places Board

Khrystyne Napolitano – Board of Massage Therapy

Robert Kunkel – Plumbing and Mechanical Systems Examining Board

Jacqueline Rypma – Property Assessment Appeal Board

Caroline Hicks – Iowa Workforce Development Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schoenjahn
Beall	Dearden	Horn	Segebart
Behn	Dix	Houser	Seng
Bertrand	Dotzler	Jochum	Sinclair
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Courtney	Hatch	Schneider	Zumbach

Nays, none.

Absent, 2:

Chelgren Mathis

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sorenson, until he returns, on request of Senator Dix.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 631 and Senate File 451.

House File 631

On motion of Senator Hogg, **House File 631**, a bill for an act modifying provisions applicable to the propane education and research council, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 631), the vote was:

Yeas, 47:

Anderson	Danielson	Hogg	Schoenjahn
Beall	Dearden	Horn	Segebart
Behn	Dix	Houser	Seng
Bertrand	Dotzler	Jochum	Sinclair
Black	Dvorsky	Johnson	Smith
Boettger	Ernst	Kapucian	Sodders
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Courtney	Hatch	Schneider	

Nays, none.

Absent, 3:

Chelgren	Mathis	Sorenson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 451

On motion of Senator Seng, **Senate File 451**, a bill for an act relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 451), the vote was:

Yeas, 48:

Anderson	Courtney	Hatch	Schneider
Beall	Danielson	Hogg	Schoenjahn
Behn	Dearden	Horn	Segebart
Bertrand	Dix	Houser	Seng
Black	Dotzler	Jochum	Sinclair
Boettger	Dvorsky	Johnson	Smith
Bolkcom	Ernst	Kapucian	Sodders
Bowman	Feenstra	McCoy	Taylor
Brase	Greiner	Petersen	Whitver
Breitbach	Gronstal	Quirnbach	Wilhelm
Chapman	Guth	Ragan	Zaun
Chelgren	Hart	Rozenboom	Zumbach

Nays, none.

Absent, 2:

Mathis	Sorenson
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 451** and **House File 631** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:51 a.m. until 1:30 p.m.

RECONVENED

The Senate reconvened at 1:36 p.m., President Jochum presiding.

The Senate stood at ease at 1:37 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:29 p.m., President Jochum presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 638.

House File 638

On motion of Senator McCoy, **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, with report committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-3203, filed by the committee on Appropriations on April 29, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McCoy offered amendment S-3207, filed by him from the floor to pages 1, 2, 4, 10, 22, and 24 of amendment S-3203.

Senator McCoy asked and received unanimous consent that action on amendment S-3207 be deferred.

Senator Johnson offered amendment S-3208, filed by Senator Johnson, et al., from the floor to page 18 of amendment S-3203, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3208 to amendment S-3203 be adopted?" (H.F. 638), the vote was:

Yeas, 21:

Anderson	Chelgren	Houser	Whitver
Behn	Dix	Johnson	Zaun
Bertrand	Ernst	Kapucian	Zumbach
Boettger	Feenstra	Rozenboom	
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	

Nays, 28:

Beall	Dearden	Horn	Schneider
Black	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Smith
Brase	Hart	Petersen	Sodders
Courtney	Hatch	Quirmbach	Taylor
Danielson	Hogg	Ragan	Wilhelm

Absent, 1:

Sorenson

Amendment S-3208 to amendment S-3203 lost.

The Senate resumed consideration of amendment S-3207, previously deferred.

Senator McCoy moved the adoption of amendment S-3207 to amendment S-3203.

Amendment S-3207 to amendment S-3203 was adopted by a voice vote.

Senator McCoy asked and received unanimous consent that action on **House File 638** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 386

Senator Bowman called up for consideration **Senate File 386**, a bill for an act relating to matters under the purview of the department of transportation, including the use of information

contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts, amended by the House in House amendment S-3180, filed April 24, 2013.

Senator Bowman offered amendment S-3186, filed by him on April 24, 2013, to pages 2 and 3 of House amendment S-3180, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3186 to House amendment S-3180 be adopted?" (S.F. 386), the vote was:

Yeas, 30:

Beall	Danielson	Hogg	Ragan
Behn	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Johnson	Sodders
Bowman	Ernst	Mathis	Taylor
Brase	Gronstal	McCoy	Wilhelm
Breitbach	Hart	Petersen	
Courtney	Hatch	Quirmbach	

Nays, 19:

Anderson	Dix	Kapucian	Smith
Bertrand	Feenstra	Rozenboom	Whitver
Boettger	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Houser	Sinclair	

Absent, 1:

Sorenson

Amendment S-3186 to amendment S-3180 was adopted.

Senator Bowman moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Bowman moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 386), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Greiner	Petersen	Wilhelm
Brase	Gronstal	Quirmbach	Zaun
Breitbach	Guth	Ragan	Zumbach
Chapman	Hart	Rozenboom	
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, 1:

Sorenson

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 527.

House File 527

On motion of Senator Sodders, **House File 527**, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA

sample and including effective date provisions, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dix asked and received unanimous consent that action on **House File 527** be deferred.

The Senate stood at ease at 3:18 p.m. until the fall of the gavel.

The Senate resumed session at 4:21 p.m., President Jochum presiding.

BUSINESS PENDING

House File 638

The Senate resumed consideration of **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, previously deferred.

Senator Bertrand offered amendment S-3209, filed by Senator Bertrand, et al., from the floor to pages 5 and 10 of amendment S-3203, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3209 to amendment S-3203 be adopted?” (H.F. 638), the vote was:

Yeas, 8:

Anderson
Beall

Bertrand
Boettger

Feenstra
Houser

Johnson
Segebart

Nays, 41:

Behn
Black
Bolkcom
Bowman
Brase

Dix
Dotzler
Dvorsky
Ernst
Greiner

Jochum
Kapucian
Mathis
McCoy
Petersen

Sinclair
Smith
Sodders
Taylor
Whitver

Breitbach	Gronstal	Quirmbach	Wilhelm
Chapman	Guth	Ragan	Zaun
Chelgren	Hart	Rozenboom	Zumbach
Courtney	Hatch	Schneider	
Danielson	Hogg	Schoenjahn	
Dearden	Horn	Seng	

Absent, 1:

Sorenson

Amendment S-3209 to amendment S-3203 lost.

Senator McCoy moved the adoption of amendment S-3203, as amended.

Amendment S-3203, as amended, was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 638), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 23:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Whitver
Boettger	Feenstra	Rozenboom	Zaun
Breitbach	Greiner	Schneider	Zumbach
Chapman	Guth	Segebart	

Absent, 1:

Sorenson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 386** and **House File 638** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:36 p.m. until 9:00 a.m., Wednesday, May 1, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF PUBLIC HEALTH

2010 Iowa Child Death Review Team Annual Report, pursuant to Iowa Code section 135.43(3)(a). Report received on April 30, 2013.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Everett and Maryhelen Gates, Oakville – For celebrating their 70th wedding anniversary. Senator Courtney.

Joseph Malanson, Iowa City – For achieving the Governor's Scholar Award. Senator Bolkcom.

Boris Perkhounkov, Iowa City – For achieving the Governor's Scholar Award. Senator Bolkcom.

Cort Pugh, Iowa City – For achieving the Governor's Scholar Award. Senator Bolkcom.

Pastor Jack Vanden Heuvel, Mason City – Upon his retirement from Rolling Acres Christian Reformed Church and his 30 years of service. Senator Ragan.

Zhisen Wang, Iowa City – For achieving the Governor's Scholar Award. Senator Bolkcom.

AMENDMENTS FILED

S-3205	H.F.	471	Bill Anderson Kent Sorenson
S-3206	H.F.	471	Brad Zaun
S-3207	H.F.	638	Matt McCoy
S-3208	H.F.	638	David Johnson Bill Anderson Rick Bertrand Mark Segebart Jake Chapman Dennis Guth Ken Rozenboom Sandra Greiner Nancy J. Boettger Dan Zumbach Hubert Houser Joni K. Ernst Michael Breitbach Mark Chelgren Amy Sinclair Randy Feenstra Tim L. Kapucian Jerry Behn
S-3209	H.F.	638	Rick Bertrand Bill Anderson Mark Segebart Nancy J. Boettger

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 1, 2013

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

Prayer was offered by Pastor Brent Hanna of the Columbia United Methodist Church in Knoxville, Iowa. He was the guest of Senator Sinclair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brett Ofstein.

The Journal of Tuesday, April 30, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 438, a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

ALSO: That the House has on April 30, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 296, a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions. (S-3210)

ALSO: That the House has on April 30, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 487, a bill for an act relating to manufactured and mobile homes, including property taxes, landlord and tenant law, and certificates of title.

House File 545, a bill for an act creating a new category of allowable expenditures from the veterans trust fund.

ALSO: That the House has on April 30, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 632, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

Read first time and attached to **companion Senate File 453**.

ALSO: That the House has on April 30, 2013, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 566, a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions.

The Senate stood at ease at 9:14 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:17 a.m., President Pro Tempore Soddors presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 418.

Senate File 418

On motion of Senator Seng, **Senate File 418**, a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Seng withdrew amendment S-3115, filed by him on April 3, 2013, to page 1 of the bill.

Senator Seng asked and received unanimous consent that **House File 512** be **substituted** for **Senate File 418**.

House File 512

On motion of Senator Seng, **House File 512**, a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable, was taken up for consideration.

Senator Seng offered amendment S-3131, filed by him on April 8, 2013, to page 1 of the bill, and moved its adoption.

Amendment S-3131 was adopted by a voice vote.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 512), the vote was:

Yeas, 43:

Anderson	Courtney	Hogg	Seng
Beall	Danielson	Horn	Sinclair
Behn	Dix	Houser	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bowman	Feenstra	Ragan	Whitver
Brase	Greiner	Rozenboom	Wilhelm
Breitbach	Gronstal	Schneider	Zaun
Chapman	Guth	Schoenjahn	Zumbach
Chelgren	Hart	Segebart	

Nays, 6:

Bolkcom
Dearden

Jochum
McCoy

Petersen
Quirmbach

Absent, 1:

Hatch

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

WITHDRAWN

Senator Seng asked and received unanimous consent that **Senate File 418** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 512** be **immediately messaged** to the House.

The Senate stood at ease at 10:33 a.m. until the fall of the gavel.

The Senate resumed session at 10:42 a.m., President Pro Tempore Soddors presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 296

Senator Jochum called up for consideration **Senate File 296**, a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions, amended by the House in House amendment S-3210, filed May 1, 2013.

Senator Jochum moved that the Senate concur in the House amendment and requested a no vote.

A record roll call was requested.

On the question “Shall the motion to concur” be adopted?” (S.F. 296), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

The motion failed and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 296** be **immediately messaged** to the House.

President Jochum took the chair at 11:06 a.m.

UNFINISHED BUSINESS (Deferred April 30, 2013)

House File 527

The Senate resumed consideration of **House File 527**, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions, deferred April 30, 2013.

Senator Sodders offered amendment S-3126, filed by the committee on Judiciary on April 4, 2013, to page 1 of the bill.

Senator Chelgren offered amendment S-3214, filed by him from the floor to page 1 of amendment S-3126, and moved its adoption.

Amendment S-3214 to amendment S-3126 lost by a voice vote.

Senator Chelgren offered amendment S-3212, filed by him from the floor to page 1 of amendment S-3126, and moved its adoption.

Amendment S-3212 to amendment S-3126 lost by a voice vote.

Senator Sodders offered amendment S-3173, filed by him on April 22, 2013, to page 1 of amendment S-3126, and moved its adoption.

Amendment S-3173 to amendment S-3126 was adopted by a voice vote.

Senator Hogg offered amendment S-3211, filed by him from the floor to page 1 and amending the title provisions of amendment S-3126, and moved its adoption.

Amendment S-3211 to amendment S-3126 was adopted by a voice vote.

Senator Sodders asked and received unanimous consent that action on amendment S-3126 be deferred.

Senator Chelgren offered amendment S-3213, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Dvorsky raised the point of order that amendment S-3213 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3213 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sorenson, until he returns, on request of Senator Dix.

Senator Chelgren offered amendment S-3215, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3215 be adopted?" (H.F. 527), the vote was:

Yeas, 13:

Boettger	Guth	Quirmbach	Zaun
Bolkcom	Houser	Rozenboom	
Chelgren	Johnson	Segebart	
Dvorsky	Petersen	Sinclair	

Nays, 36:

Anderson	Courtney	Hart	Schneider
Beall	Danielson	Hatch	Schoenjahn
Behn	Dearden	Hogg	Seng
Bertrand	Dix	Horn	Smith
Black	Dotzler	Jochum	Sodders
Bowman	Ernst	Kapucian	Taylor
Brase	Feenstra	Mathis	Whitver
Breitbach	Greiner	McCoy	Wilhelm
Chapman	Gronstal	Ragan	Zumbach

Absent, 1:

Sorenson

Amendment S-3215 lost.

The Senate resumed consideration of amendment S-3126, previously deferred.

Senator Sodders moved the adoption of amendment S-3126, as amended.

Amendment S-3126, as amended, was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 527), the vote was:

Yeas, 29:

Beall	Courtney	Hogg	Sodders
Behn	Danielson	Jochum	Whitver
Black	Dearden	Kapucian	Wilhelm
Boettger	Dotzler	Petersen	Zaun
Bowman	Ernst	Ragan	Zumbach
Brase	Gronstal	Schneider	
Breitbach	Hart	Schoenjahn	
Chapman	Hatch	Seng	

Nays, 20:

Anderson	Dvorsky	Houser	Rozenboom
Bertrand	Feenstra	Johnson	Segebart
Bolkcom	Greiner	Mathis	Sinclair
Chelgren	Guth	McCoy	Smith
Dix	Horn	Quirmbach	Taylor

Absent, 1:

Sorenson

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 527** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:04 p.m. until 2:30 p.m.

RECONVENED

The Senate reconvened at 2:33 p.m., President Jochum presiding.

The Senate stood at ease at 2:35 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:12 p.m., President Jochum presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 471.

House File 471

On motion of Senator Taylor, **House File 471**, a bill for an act relating to the payment of reasonable attorney fees in juvenile court or appellate proceedings relating to a termination of parental rights petition, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Dix asked and received unanimous consent to withdraw amendment S-3205, filed by Senators Anderson and Sorenson on April 30, 2013, to page 1 and amending the title page of the bill.

Senator Hogg offered amendment S-3216, filed by Senators Hogg and Anderson from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment S-3216 was adopted by a voice vote.

Senator Zaun withdrew amendment S-3206, filed by him on April 30, 2013, to page 2 and amending the title page of the bill.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 471), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun

Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 471** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:23 p.m. until 9:00 a.m., Thursday, May 2, 2013.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

ETHICS

Convened: Wednesday, May 1, 2013, 1:05 p.m.

Members Present: Horn, Chair; Dearden, Vice Chair; Greiner, Ranking Member; Behn, Seng, and Whitver.

Members Absent: None.

Committee Business: Discussion.

Adjourned: 1:25 p.m.

WAYS AND MEANS

Convened: Wednesday, May 1, 2013, 3:50 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: McCoy (excused).

Committee Business: Passed SF 238 and HF 627.

Adjourned: 4:00 p.m.

INTRODUCTION OF BILL

Senate File 453, by committee on Ways and Means, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 453 (formerly SF 278), a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3210	S.F.	296	House
S-3211	H.F.	527	Robert M. Hogg
S-3212	H.F.	527	Mark Chelgren
S-3213	H.F.	527	Mark Chelgren
S-3214	H.F.	527	Mark Chelgren
S-3215	H.F.	527	Mark Chelgren
S-3216	H.F.	471	Robert M. Hogg Bill Anderson

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 2, 2013

The Senate met in regular session at 9:12 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dan Zumbach, member of the Senate from Delaware County, Ryan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Levi Price.

The Journal of Wednesday, May 1, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 451, a bill for an act relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions.

ALSO: That the House has on May 1, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 446, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions. (S-3217)

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:19 a.m., President Pro Tempore Sodders presiding.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by Senators Gronstal and Dix and President Jochum for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2013 Regular Session of the Eighty-fifth General Assembly were given to the following:

Michelle Aberle, Jennifer Brookhart, Elizabeth Detrick, Ashley Green, Jacob Ihnen, Brett Ofstein, Levi Price, Laura Prindle, Dalton Schmit, Grant Smith, William Thomas, Celia Ver Ploeg, Tucker Watters, and Hanna Zinn.

The Senate rose and expressed its appreciation.

President Jochum took the chair at 10:28 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 446

Senator Hatch called up for consideration **Senate File 446**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions, amended by the House in House amendment S-3217, filed May 2, 2013.

Senator Hatch moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Chelgren, Feenstra, and Houser, until they arrive, on request of Senator Dix.

SENATE RECEDES

House File 566

Senator Taylor called up for consideration **House File 566**, a bill for an act to establish requirements relating to the transfer of an interest in real estate by or on behalf of certain entities formed or organized on a profit, cooperative, or not-for-profit basis, and including warranties and a limitation on actions, amended by the Senate, and moved that the Senate recedes from its amendment.

The motion prevailed by a voice vote and the Senate **receded** from its amendment.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 566), the vote was:

Yeas, 46:

Anderson	Dearden	Jochum	Seng
Beall	Dix	Johnson	Sinclair
Bertrand	Dotzler	Kapucian	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Ernst	McCoy	Sorenson
Bolkcom	Greiner	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbart	Hart	Rozenboom	Zaun

Chapman	Hatch	Schneider	Zumbach
Courtney	Hogg	Schoenjahn	
Danielson	Horn	Segebart	

Nays, none.

Absent, 4:

Behn	Chelgren	Feenstra	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 446** and **House File 566** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:37 a.m. until 10:00 a.m., Monday, May 6, 2013.

APPENDIX

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 627, a bill for an act establishing a property tax exemption for fairgrounds owned by a county or a fair and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 1, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 115 – Relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

Senate File 202 – Relating to programs and services under the purview of the department of public health.

Senate File 224 – Relating to the period of validity of driver's licenses and nonoperator's identification cards, the fee charged for the issuance of duplicate driver's licenses and nonoperator's identification cards, and including effective date provisions.

Senate File 358 – Concerning title to real estate.

Senate File 368 – Relating to the consumer credit code by modifying a reference to the federal Truth in Lending Act.

Senate File 445 – Relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions.

AMENDMENT FILED

S-3217	S.F.	446	House
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JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 6, 2013

The Senate met in regular session at 10:05 a.m., President Jochum presiding.

The Journal of Thursday, May 2, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 442, a bill for an act relating to appropriations to the judicial branch. (S–3219)

Senate File 452, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions. (S–3218)

ALSO: That the House has on May 2, 2013, **insisted** on its amendment to **Senate File 296**, a bill for an act relating to integrated care models for the delivery of health care, including but not limited to required utilization of a medical home by individuals currently and newly eligible for coverage under the Medicaid program and including effective date provisions, and the conference committee members on the part of the House are: the representative from Black Hawk, Representative Rogers, Chair; the representative from Clarke, Representative Fry; the representative from Henry, Representative Heaton; the representative from Linn, Representative Olson, T.; and the representative from Marshall, Representative Smith, M.

ALSO: That the House has on May 2, 2013, **insisted** on its amendment to **Senate File 446**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions, and the conference committee members on the part of the House are: the representative from Henry, Representative Heaton, Chair; the representative from Mills, Representative Costello; the representative from Clarke, Representative Fry; the representative from Story, Representative Heddens; and the representative from Story, Representative Wessel-Kroeschell.

ALSO: That the House has on May 2, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 640, a bill for an act relating to liquids which are flammable or combustible, by providing for the storage, marketing, and distribution of such liquids, providing for the marketing and distribution of liquids classified as motor fuel, including a conventional blendstock for oxygenate blending, and blended and unblended gasoline and diesel fuel, providing for liability, extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, including fees and penalties, and including effective date provisions.

Read first time and referred to committee on **Ways and Means**.

APPOINTMENTS OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **Senate File 296** on the part of the Senate: Senators Jochum, Chair; Boettger, Hatch, Johnson, and Ragan.

The Chair announced the following conference committee on **Senate File 446** on the part of the Senate: Senators Hatch, Chair; Bolkom, Johnson, Ragan, and Segebart.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 296 and 446** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:07 a.m. until 1:00 p.m., Tuesday, May 7, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

PREVENTION OF DISABILITIES POLICY COUNCIL

Iowa Prevention of Disabilities Policy Council 2012 Annual Report, pursuant to Iowa Code section 225B.3(3)(i). Report received on May 3, 2013.

DEPARTMENT OF EDUCATION

2012 Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256H.1(10)(o). Report received on May 3, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

John Enright, Mason City – For achieving the rank of Eagle Scout, Troop 401. Senator Ragan.

STUDY BILL RECEIVED

SSB 1254 Ways and Means

Relating to the assessment and taxation of telecommunications company property, establishing a study, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1254

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

AMENDMENTS FILED

S-3218	S.F.	452	House
S-3219	S.F.	442	House
S-3220	H.F.	632	William A. Dotzler, Jr.

JOURNAL OF THE SENATE

ONE HUNDRED FOURTEENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 7, 2013

The Senate met in regular session at 1:29 p.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Celia Ver Ploeg.

The Journal of Monday, May 6, 2013, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 7, 2013, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

Senate File 386, a bill for an act relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 7, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 433, a bill for an act relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions.

ALSO: That the House has on May 7, 2013, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 338, a bill for an act requiring background checks for school employees. (S-3224)

Senate File 432, a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes. (S-3225)

Senate File 436, a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions. (S-3226)

ALSO: That the House has on May 7, 2013, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 638, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

ALSO: That the House has on May 7, 2013, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

House File 471, a bill for an act relating to the payment of reasonable attorney fees in juvenile court or appellate proceedings relating to a termination of parental rights petition.

House File 512, a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable.

House File 527, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

SENATE INSISTS

House File 638

Senator McCoy called up for consideration **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 638** on the part of the Senate: Senators McCoy, Chair; Anderson, Beall, Bowman, and Kapucian.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 638** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:42 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:54 p.m., President Jochum presiding.

The Senate stood at ease at 4:55 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:47 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 7, 2013, **passed** the following bill in which the concurrence of the House was asked:

Senate File 247, a bill for an act providing for the possession of cats classified as bengals and savannahs.

ALSO: That the House has on May 7, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 371, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions. (S-3233)

ALSO: That the House has on May 7, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 355, a bill for an act relating to the renewal of driver's licenses electronically and including effective date provisions.

ALSO: That the House has on May 7, 2013, **passed** the following bills in which the concurrence of the Senate is asked:

House File 644, a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties.

Read first time and attached to **similar Senate File 421**.

House File 645, a bill for an act relating to the sales tax exemption for certain wastewater treatment or effluent treatment services.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on May 7, 2013, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 381, a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races.

ALSO: That the House has on May 7, 2013, appointed the conference committee to **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, and the conference committee members on the part of the House are: the representative from Cherokee, Representative Huseman, Chair; the representative from Des Moines, Representative Cohoon; the representative from Dubuque, Representative Dunkel; the representative from Muscatine, Representative Lofgren; and the representative from Poweshiek, Representative Maxwell.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 453.

Senate File 453

On motion of Senator Dotzler, **Senate File 453**, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that **House File 632** be **substituted** for **Senate File 453**.

House File 632

On motion of Senator Dotzler, **House File 632**, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Dotzler offered amendment S–3220, filed by him on May 6, 2013, to page 1 of the bill, and moved its adoption.

Amendment S–3220 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 632), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 452

Senator Dvorsky called up for consideration **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, amended by the House in House amendment S–3218, filed May 6, 2013.

Senator Dvorsky offered amendment S-3223, filed by him from the floor to pages 1-60 of House amendment S-3218.

Senator Hatch offered amendment S-3237, filed by him from the floor to page 4 of amendment S-3223 to House amendment S-3218, and moved its adoption.

Amendment S-3237 to amendment S-3223 lost by a voice vote.

Senator Bertrand offered amendment S-3235, filed by Senators Bertrand and Sorenson from the floor to page 4 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3235 to amendment S-3233 be adopted?" (S.F. 452), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3235 to amendment S-3223 lost.

Senator Bowman offered amendment S-3239, filed by Senators Bowman and Smith from the floor to page 4 of amendment S-3223 to House amendment S-3218, and moved its adoption.

Amendment S-3239 to amendment S-3223 was adopted by a voice vote.

Senator Seng withdrew amendment S-3228, filed by him from the floor to page 4 of amendment S-3223 to House amendment S-3218.

Senator Seng withdrew amendment S-3230, filed by him from the floor to page 4 of amendment S-3223 to House amendment S-3218.

Senator Seng offered amendment S-3238, filed by him from the floor to page 4 of amendment S-3223 to House amendment S-3218, and moved its adoption.

Amendment S-3238 to amendment S-3223 was adopted by a voice vote.

Senator Dvorsky offered amendment S-3227, filed by him from the floor to page 60 of amendment S-3223 to House amendment S-3218, and moved its adoption.

Amendment S-3227 to amendment S-3223 was adopted by a voice vote.

Senator Bowman offered amendment S-3229, filed by him from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3229 to amendment S-3223 be adopted?” (S.F. 452), the vote was:

Yeas, 33:

Anderson	Dearden	Johnson	Sinclair
Beall	Dix	Kapucian	Smith
Behn	Ernst	Petersen	Sorenson
Bertrand	Feenstra	Ragan	Taylor
Boettger	Greiner	Rozenboom	Whitver
Bowman	Guth	Schneider	Zumbach
Breitbach	Hart	Schoenjahn	
Chapman	Hatch	Segebart	
Chelgren	Houser	Seng	

Nays, 17:

Black	Dotzler	Jochum	Wilhelm
Bolkcom	Dvorsky	Mathis	Zaun

Brase	Gronstal	McCoy
Courtney	Hogg	Quirmbach
Danielson	Horn	Sodders

Absent, none.

Amendment S-3229 to amendment S-3223 was adopted.

Senator Chelgren offered amendment S-3231, filed by Senator Chelgren, et al., from the floor to page 61 of amendment S-3223 to House amendment S-3218.

Senator Hogg raised the point of order that amendment S-3231 to amendment S-3223 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-3231 out of order.

Senator Chelgren offered amendment S-3232, filed by him from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3232 to amendment S-3223 be adopted?" (S.F. 452), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3232 to amendment S-3223 lost.

Senator Chelgren offered amendment S-3234, filed by Senator Chelgren, et al., from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3234 to amendment S-3223 be adopted?” (S.F. 452), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3234 to amendment S-3223 lost.

Senator Behn offered amendment S-3236, filed by him from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-3236 to amendment S-3223 be adopted?” (S.F. 452), the vote was:

Yeas, 25:

Anderson	Dix	Kapucian	Sorenson
Behn	Ernst	Rozenboom	Whitver
Bertrand	Feenstra	Schneider	Zaun
Boettger	Greiner	Segebart	Zumbach

Breitbach	Guth	Seng
Chapman	Houser	Sinclair
Chelgren	Johnson	Smith

Nays, 25:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3236 to amendment S-3223 lost.

Senator Feenstra offered amendment S-3240, filed by him from the floor to pages 5 of amendment S-3223 to House amendment S-3218.

Senator Feenstra asked and received unanimous consent that action on amendment S-3240 be deferred.

Senator Chelgren offered amendment S-3241, filed by Senator Chelgren, et al., from the floor to page 61 of amendment S-3223 to House amendment S-3218.

Senator Hogg raised the point of order that amendment S-3241 to amendment S-3223 not germane to the bill.

The Chair ruled the point well-taken and amendment S-3241 out of order.

Senator Ernst offered amendment S-3242, filed by Senator Ernst, et al., from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3242 to amendment S-3223 be adopted?" (S.F. 452), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson

Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Absent, none.

Amendment S-3242 to amendment S-3223 lost.

Senator Hogg offered amendment S-3243, filed by him from the floor to page 61 of amendment S-3223 to House amendment S-3218, and moved its adoption.

Amendment S-3243 to amendment S-3223 was adopted by a voice vote.

With the adoption of amendment S-3243 to amendment S-3223, the Chair ruled amendment S-3240, previously deferred, out of order.

Senator Dvorsky moved the adoption of amendment S-3223 to amendment S-3218.

Amendment S-3223 to amendment S-3218 was adopted by a voice vote.

The Senate resumed consideration of House amendment S-3218.

Senator Dvorsky moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Dvorsky moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 452), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 442

Senator Hogg called up for consideration **Senate File 442**, a bill for an act relating to appropriations to the judicial branch, amended by the House in House amendment S-3219, filed May 6, 2013.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Hogg moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 442), the vote was:

Yeas, 46:

Anderson	Courtney	Hogg	Schneider
Beall	Danielson	Horn	Schoenjahn
Behn	Dearden	Houser	Segebart
Bertrand	Dix	Jochum	Seng
Black	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Kapucian	Sodders
Bolkcom	Ernst	Mathis	Taylor
Bowman	Greiner	McCoy	Wilhelm
Brase	Gronstal	Petersen	Zaun
Breitbach	Guth	Quirmbach	Zumbach
Chapman	Hart	Ragan	
Chelgren	Hatch	Rozenboom	

Nays, 4:

Feenstra	Smith	Sorenson	Whitver
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Absent, none.

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that **Senate File 453** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 452** and **House File 632** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 627.

House File 627

On motion of Senator Black, **House File 627**, a bill for an act establishing a property tax exemption for fairgrounds owned by a

county or a fair and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 627), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 590 and 119.

House File 590

On motion of Senator Dotzler, **House File 590**, a bill for an act relating to child abuse reporting, assessment procedures, and placement on the central registry for child abuse, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler offered amendment S-3222, filed by him from the floor to pages 6, 7, and 11 of the bill, and moved its adoption.

Amendment S-3222 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 590), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbart	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

House File 119

On motion of Senator Hogg, **House File 119**, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-3221, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-3221 was adopted by a voice vote.

With the adoption of amendment S-3221, the Chair ruled amendment S-3109, filed by the committee on Judiciary on April 2, 2013, to pages 1-5 and amending the title page of the bill, out of order.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 119), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 119, 590, and 627** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:50 p.m. until 2:30 p.m., Wednesday, May 8, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Iowa Resource for International Service (IRIS) – For 20 years of service promoting international understanding, cross-cultural friendship, leadership development, and citizen diplomacy. The International Relations Committee.

REPORT OF COMMITTEE MEETING

VETERANS AFFAIRS

Convened: Monday, May 6, 2013, 1:30 p.m.

Members Present: Beall, Chair; Danielson, Vice Chair; Rozenboom, Ranking Member; Ernst, Hart, Horn, Ragan, Schneider, and Soddors.

Members Absent: Black and Chelgren (both excused).

Committee Business: Discussed Iowa Veteran's Home.

Adjourned: 3:55 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 640

WAYS AND MEANS: Hogg, Chair; Bertrand and Bolkcom

House File 641

WAYS AND MEANS: McCoy, Chair; Bolkcom and Feenstra

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 442 passed the Senate on May 7, 2013.

MICHAEL E. GRONSTAL

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 7th day of May, 2013.

Senate Files 438 and 451.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3221	H.F.	119	Robert M. Hogg
S-3222	H.F.	590	William A. Dotzler, Jr.
S-3223	S.F.	452	Robert E. Dvorsky
S-3224	S.F.	338	House
S-3225	S.F.	432	House
S-3226	S.F.	436	House
S-3227	S.F.	452	Robert E. Dvorsky
S-3228	S.F.	452	Dr. Joe M. Seng
S-3229	S.F.	452	Tod R. Bowman
S-3230	S.F.	452	Dr. Joe M. Seng
S-3231	S.F.	452	Mark Chelgren
			Jack Whitver
			Dan Zumbach
			Ken Rozenboom
			Amy Sinclair
			Dennis Guth
			Kent Sorenson
			Tim L. Kapucian
			Hubert Houser
			Nancy J. Boettger
			Brad Zaun
			Bill Anderson
S-3232	S.F.	452	Mark Chelgren
S-3233	S.F.	371	House
S-3234	S.F.	452	Mark Chelgren
			Bill Anderson
			Michael Breitbach
			Kent Sorenson

			Jack Whitver
			Amy Sinclair
S-3235	S.F.	452	Rick Bertrand
			Kent Sorenson
S-3236	S.F.	452	Jerry Behn
S-3237	S.F.	452	Jack Hatch
S-3238	S.F.	452	Dr. Joe M. Seng
S-3239	S.F.	452	Tod R. Bowman
			Roby Smith
S-3240	S.F.	452	Randy Feenstra
S-3241	S.F.	452	Mark Chelgren
			Jake Chapman
			Rick Bertrand
			Jack Whitver
			Joni K. Ernst
			Kent Sorenson
S-3242	S.F.	452	Joni K. Ernst
			Bill Anderson
			Randy Feenstra
			David Johnson
			Mark Segebart
			Nancy J. Boettger
			Charles Schneider
			Dan Zumbach
			Michael Breitbach
			Jerry Behn
			Amy Sinclair
			Ken Rozenboom
			Rick Bertrand
			Mark Chelgren
			Jack Whitver
			Jake Chapman
			Sandra Greiner
			Tim L. Kapucian
			Brad Zaun
			Kent Sorenson
			Roby Smith
			Dennis Guth
			Hubert Houser
			Bill Dix
S-3243	S.F.	452	Robert M. Hogg

JOURNAL OF THE SENATE

ONE HUNDRED FIFTEENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 8, 2013

The Senate met in regular session at 2:38 p.m., President Jochum presiding.

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Tuesday, May 7, 2013, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 8, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 119, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

House File 590, a bill for an act relating to child abuse reporting, assessment procedures, and placement on the central registry for child abuse, and including effective date and applicability provisions.

House File 632, a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

The Senate stood at ease at 2:46 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:16 p.m., President Jochum presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 436

Senator Dotzler called up for consideration **Senate File 436**, a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions, amended by the House in House amendment S-3226, filed May 7, 2013.

Senator Dotzler moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dotzler moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 436), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbart	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 432

Senator Petersen called up for consideration **Senate File 432**, a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes, amended by the House in House amendment S-3225, filed May 7, 2013.

Senator Petersen moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Petersen moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 432), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun

Chapman
Chelgren
Courtney

Hart
Hatch
Hogg

Rozenboom
Schneider
Schoenjahn

Zumbach

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 421.

Senate File 421

On motion of Senator Petersen, **Senate File 421**, a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties, placed on the Unfinished Business Calendar on April 4, 2013, was taken up for consideration.

Senator Petersen offered amendment S-3245, filed by her from the floor to pages 3-5 of the bill, and moved its adoption.

Amendment S-3245 was adopted by a voice vote.

Senator Petersen asked and received unanimous consent that **House File 644** be **substituted** for **Senate File 421**.

House File 644

On motion of Senator Petersen, **House File 644**, a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 644), the vote was:

Yeas, 39:

Beall
Black

Dotzler
Dvorsky

Horn
Houser

Rozenboom
Schoenjahn

Boettger	Ernst	Jochum	Segebart
Bolkcom	Feenstra	Johnson	Sinclair
Bowman	Greiner	Kapucian	Sodders
Brase	Gronstal	Mathis	Taylor
Breitbach	Guth	McCoy	Wilhelm
Courtney	Hart	Petersen	Zaun
Danielson	Hatch	Quirmbach	Zumbach
Dearden	Hogg	Ragan	

Nays, 11:

Anderson	Chapman	Schneider	Sorenson
Behn	Chelgren	Seng	Whitver
Bertrand	Dix	Smith	

Absent, none.

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

WITHDRAWN

Senator Petersen asked and received unanimous consent that **Senate File 421** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 432 and 436** and **House File 644** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 16, 2013)

House File 592

The Senate resumed consideration of **House File 592**, a bill for an act relating to payments from the indigent defense fund by the state public defender, deferred April 16, 2013.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 592), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirmbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 592** be **immediately messaged** to the House.

The Senate stood at ease at 3:44 p.m. until the fall of the gavel.

The Senate resumed session at 6:22 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 8, 2013, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 452, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

SENATE INSISTS

Senate File 452

Senator Dvorsky called up for consideration **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 452** on the part of the Senate: Senators Dvorsky, Chair; Bertrand, Gronstal, Jochum, and Whitver.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Houser, Rozenboom, and Sinclair, until they return, on request of Senator Dix.

HOUSE AMENDMENT CONSIDERED

Senate File 396

Senator Danielson called up for consideration **Senate File 396**, a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions, amended by the House in House amendment S-3183, filed April 24, 2013.

Senator Danielson offered amendment S-3246, filed by him from the floor to pages 1 and 2 of House amendment S-3183, and moved its adoption.

Amendment S-3246 to House amendment S-3183 was adopted by a voice vote.

Senator Danielson moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Danielson moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 396), the vote was:

Yeas, 47:

Anderson	Courtney	Hatch	Schoenjahn
Beall	Danielson	Hogg	Segebart
Behn	Dearden	Horn	Seng
Bertrand	Dix	Jochum	Smith
Black	Dotzler	Johnson	Sodders
Boettger	Dvorsky	Kapucian	Sorenson
Bolkcom	Ernst	Mathis	Taylor
Bowman	Feenstra	McCoy	Whitver
Brase	Greiner	Petersen	Wilhelm
Breitbach	Gronstal	Quirmbach	Zaun
Chapman	Guth	Ragan	Zumbach
Chelgren	Hart	Schneider	

Nays, none.

Absent, 3:

Houser	Rozenboom	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 396** and **452** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:30 p.m. until 11:30 a.m., Thursday, May 9, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Wells Enterprises, Le Mars – For celebrating their 100th anniversary of business in Le Mars. Senator Anderson.

INTRODUCTION OF BILLS

Senate File 454, by committee on Ways and Means, a bill for an act relating to the assessment and taxation of telecommunications company property, establishing a study, and including applicability provisions.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

Senate File 455, by committee on Ways and Means, a bill for an act relating to an exemption from sales tax for the sales price from furnishing certain environmental testing services.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: SENATE FILE 454 (SSB 1254), a bill for an act relating to the assessment and taxation of telecommunications company property, establishing a study, and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: SENATE FILE 455 (SSB 1239), a bill for an act relating to an exemption from sales tax for the sales price from furnishing certain environmental testing services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 621, a bill for an act relating to the protest and appeal of property assessments and including effective date and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3244.

Final Vote: Ayes, 9: Bolkcom, Seng, Black, Dotzler, Hogg, Jochum, McCoy, Petersen, and Quirmbach. Nays, 6: Feenstra, Behn, Bertrand, Chapman, Schneider, and Smith. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3244	H.F.	621	Ways and Means
S-3245	S.F.	421	Janet Petersen
S-3246	S.F.	396	Jeff Danielson

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ONE HUNDRED SIXTEENTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 9, 2013

The Senate met in regular session at 11:33 a.m., President Jochum presiding.

The Journal of Wednesday, May 8, 2013, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 9, 2013, appointed the conference committee to **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, and the conference committee members on the part of the House are: the representative from Plymouth, Representative Soderberg, Chair; the representative from Woodbury, Representative Hall; the representative from Linn, Representative Lundby; the representative from Linn, Representative Paulsen; and the representative from Cerro Gordo, Representative Upmeyer.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:35 a.m. until 1:00 p.m., Monday, May 13, 2013.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Thursday, May 9, 2013, 9:25 a.m.

Recessed: 9:30 a.m.

Reconvened: 10:15 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Behn (excused).

Committee Business: Passed HF 641, as amended.

Adjourned: 10:25 a.m.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 641, a bill for an act authorizing the establishment of reinvestment districts following approval of the economic development authority board, providing for the remittance of certain state sales tax revenues and certain state hotel and motel tax revenues to municipalities, establishing a state reinvestment district fund, and making appropriations.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3247.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S-3247 H.F. 641 Ways and Means

JOURNAL OF THE SENATE

ONE HUNDRED TWENTIETH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 13, 2013

The Senate met in regular session at 1:14 p.m., President Jochum presiding.

The Journal of Thursday, May 9, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:15 p.m. until 9:00 a.m., Wednesday, May 15, 2013.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

FY 2012 Enrich Iowa State Library Report, pursuant to Iowa Code section 256.57(6). Report received on May 13, 2013.

DEPARTMENT OF PUBLIC HEALTH

E-Health Research Final Report, pursuant to 2012 Iowa Acts, SF 2318, section 16. Report received on May 13, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Chief Andrew Rocca, Iowa City – Upon his retirement after nearly 35 years of dedicated service to the Iowa City Fire Department. Senator Dvorsky.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 13th day of May, 2013.

Senate Files 247, 386, and 433.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 9, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 438 – Relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation.

Senate File 451 – Relating to the taxation of rate-regulated water utilities by establishing a rate-regulated water utility replacement tax, imposing a statewide rate-regulated water utility property tax, providing for the administration of the replacement tax and statewide property tax, providing penalties, and including effective date and retroactive applicability provisions.

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SECOND CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 15, 2013

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by the Honorable Amy Sinclair, member of the Senate from Wayne County, Allerton, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senator Sinclair's sons, Mitch, Carter, and Evan.

The Journal of Monday, May 13, 2013, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until the fall of gavel.

RECONVENED

The Senate reconvened at 4:08 p.m., President Pro Tempore Sodders presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Guth, Houser, Kapucian, and Zumbach, until they arrive, on request of Senator Dix.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 586.

House File 586

On motion of Senator Jochum, **House File 586**, a bill for an act relating to the rulemaking process and state agency decision making, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending passage, was taken up for consideration.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 586), the vote was:

Yeas, 44:

Anderson	Danielson	Hogg	Schoenjahn
Beall	Dearden	Horn	Segebart
Bertrand	Dix	Jochum	Seng
Black	Dotzler	Johnson	Sinclair
Boettger	Dvorsky	Mathis	Smith
Bolkcom	Ernst	McCoy	Sodders
Bowman	Feenstra	Petersen	Sorenson
Brase	Greiner	Quirnbach	Taylor
Breitbach	Gronstal	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Courtney	Hatch	Schneider	Zaun

Nays, 1:

Chelgren

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

President Jochum took the chair at 4:24 p.m.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 455.

Senate File 455

On motion of Senator Dotzler, **Senate File 455**, a bill for an act relating to an exemption from sales tax for the sales price from furnishing certain environmental testing services, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 455), the vote was:

Yeas, 45:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Jochum	Sinclair
Bertrand	Dix	Johnson	Smith
Black	Dotzler	Mathis	Sodders
Boettger	Dvorsky	McCoy	Sorenson
Bolkcom	Ernst	Petersen	Taylor
Bowman	Feenstra	Quirnbach	Whitver
Brase	Greiner	Ragan	Wilhelm
Breitbach	Gronstal	Rozenboom	Zaun
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 455** and **House File 586** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 641.

House File 641

On motion of Senator McCoy, **House File 641**, a bill for an act authorizing the establishment of reinvestment districts following approval of the economic development authority board, providing for the remittance of certain state sales tax revenues and certain state hotel and motel tax revenues to municipalities, establishing a state reinvestment district fund, and making appropriations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-3247, filed by the committee on Ways and Means on May 9, 2013, striking and replacing everything after the enacting clause of the bill.

Senator Petersen offered amendment S-3248, filed by Senators Petersen and McCoy from the floor to pages 2 and 4 of amendment S-3247, and moved its adoption.

Amendment S-3248 to amendment S-3247 was adopted by a voice vote.

Senator Feenstra offered amendment S-3249, filed by him from the floor to page 4 of amendment S-3247, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3249 to amendment S–3247 be adopted?” (H.F. 641), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 20:

Anderson	Chapman	Greiner	Sinclair
Bertrand	Chelgren	Johnson	Smith
Boettger	Dix	Rozenboom	Sorenson
Bowman	Ernst	Schneider	Whitver
Breitbach	Feenstra	Segebart	Zaun

Nays, 25:

Beall	Dotzler	Jochum	Seng
Black	Dvorsky	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	
Dearden	Horn	Schoenjahn	

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

Amendment S–3249 to amendment S–3247 lost.

Senator McCoy moved the adoption of amendment S–3247, as amended.

Amendment S–3247, as amended, was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 641), the vote was:

Yeas, 43:

Anderson	Courtney	Hogg	Schoenjahn
Beall	Danielson	Horn	Seng
Bertrand	Dearden	Jochum	Sinclair
Black	Dix	Johnson	Smith

Boettger	Dotzler	Mathis	Sodders
Bolkcom	Dvorsky	McCoy	Sorenson
Bowman	Ernst	Petersen	Taylor
Brase	Feenstra	Quirmbach	Whitver
Breitbach	Gronstal	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hatch	Schneider	

Nays, 2:

Greiner	Segebart
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Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 641** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 447

A conference committee report, signed by the following Senate and House members, was filed May 15, 2013, on **Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates:

On the part of the Senate:

THOMAS G. COURTNEY, Chair
ROBERT M. HOGG
RICH TAYLOR

On the part of the House:

GARY WORTHAN, Chair
MARTI ANDERSON
JULIAN GARRETT
TODD TAYLOR

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 447

Senator Courtney called up the conference committee report on **Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates, filed on May 15, 2013.

(Senate File 447 was deferred.)

The Senate stood at ease at 5:20 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 6:34 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 447, previously deferred.

Senator Courtney moved the adoption of the conference committee report on Senate File 447.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 447), the vote was:

Yeas, 27:

Beall	Danielson	Hogg	Ragan
Black	Dearden	Horn	Schoenjahn
Bolkcom	Dotzler	Jochum	Seng
Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Breitbart	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	

Nays, 18:

Anderson	Dix	Rozenboom	Sorenson
Bertrand	Ernst	Schneider	Whitver
Boettger	Feenstra	Segebart	Zaun
Chapman	Greiner	Sinclair	
Chelgren	Johnson	Smith	

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 430

A conference committee report, signed by the following Senate and House members, was filed May 15, 2013, on **Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions:

On the part of the Senate:

WILLIAM A. DOTZLER, JR., Chair
RITA HART
DR. JOE M. SENG

On the part of the House:

DAVE DEYOE, Chair
MARY ANN HANUSA
BOBBY KAUFMANN
BOB KRESSIG

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 430

Senator Dotzler called up the conference committee report on **Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the

department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, filed on May 15, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 430), the vote was:

Yeas, 27:

Beall	Danielson	Hogg	Ragan
Bertrand	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	

Nays, 18:

Anderson	Dix	Rozenboom	Sorenson
Boettger	Ernst	Schneider	Whitver
Breitbart	Feenstra	Segebart	Zaun
Chapman	Greiner	Sinclair	
Chelgren	Johnson	Smith	

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 430 and 447** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 15, 2013, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 406, a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions. (S-3252)

ALSO: That the House has on May 15, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 592, a bill for an act relating to payments from the indigent defense fund by the state public defender.

ALSO: That the House has on May 15, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 626, a bill for an act relating to the collection of sales and use tax in this state, including retailers maintaining a place of business in this state, agreements relating to the collection of sales and use taxes, sales of tangible personal property and services to the state, related reporting requirements, and the transfer of certain sales and use tax revenues to the taxpayers trust fund.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 7:01 p.m. until the fall of the gavel.

The Senate resumed session at 7:21 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 15, 2013, **adopted** the conference committee report **and passed House File 603**, 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.

CONFERENCE COMMITTEE REPORT RECEIVED

House File 603

A conference committee report, signed by the following Senate and House members, was filed May 15, 2013, on **House File 603**, 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:

On the part of the Senate:

LIZ MATHIS, Chair
CHRIS BRASE
JEFF DANIELSON

On the part of the House:

RALPH WATTS, Chair
TEDD GASSMAN
BRUCE HUNTER
DAN KELLEY
GUY VANDER LINDEN

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 603

Senator Mathis called up the conference committee report on **House File 603**, 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, filed on May 15, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 603), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 19:

Anderson	Chelgren	Johnson	Smith
Bertrand	Dix	Rozenboom	Sorenson
Boettger	Ernst	Schneider	Whitver
Breitbach	Feenstra	Segebart	Zaun
Chapman	Greiner	Sinclair	

Absent, 5:

Behn	Houser	Zumbach
Guth	Kapucian	

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:29 p.m. until 10:00 a.m., Thursday, May 16, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Gary Hinzman, Cedar Rapids – Upon his retirement after 24 years of dedicated service to the Sixth Judicial District Department of Correctional Services. Senator Dvorsky.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Wednesday, May 15, 2013, 9:15 a.m.

Recessed: 9:20 a.m.

Reconvened: 10:10 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: None.

Committee Business: Passed HF 599; and HF's 615 and 640, both as amended.

Adjourned: 10:40 a.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 267
(Reassigned)

WAYS AND MEANS: Seng, Chair; Chapman and Hogg

FINAL COMMITTEE REPORTS OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 599, a bill for an act relating to beginning farmers by modifying the agricultural assets transfer tax credit, providing a custom farming contract tax credit, and terminating the agricultural loan assistance program, and including effective date and retroactive applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 615, a bill for an act relating to the innovation fund investment tax credit by modifying the tax credit and the authority and duties of the Iowa innovation corporation relating to the tax credit, and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3250.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: HOUSE FILE 640, a bill for an act relating to liquids which are flammable or combustible, by providing for the storage, marketing, and distribution of such liquids, providing for the marketing and distribution of liquids classified as motor fuel, including a conventional blendstock for oxygenate blending, and blended and unblended gasoline and diesel fuel, providing for liability, extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, including fees and penalties, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3251.

Final Vote: Ayes, 15: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file:

From 27 members of the GFWC/Iowa Federation of Women's Clubs of Johnson County supporting legislation supporting SSB 1247. Senator Dvorsky.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which House File 603 passed the Senate on May 15, 2013.

MICHAEL E. GRONSTAL

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of May, 2013.

Senate Files 432 and 436.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 15, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 247 – Providing for the possession of cats classified as bengals and savannahs.

Senate File 386 – Relating to matters under the purview of the department of transportation, including the use of information contained in electronic driver and nonoperator identification records, the form of motor vehicle financial liability coverage cards, motor truck registration periods, grounds for disqualification of commercial vehicle operators, provisions for the issuance of temporary restricted licenses for persons convicted of operating while intoxicated, county issuance of driver's licenses, and the administration of highway contracts.

AMENDMENTS FILED

S-3248	H.F.	641	Janet Petersen Matt McCoy
S-3249	H.F.	641	Randy Feenstra
S-3250	H.F.	615	Ways and Means
S-3251	H.F.	640	Ways and Means
S-3252	S.F.	406	House

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-THIRD CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 16, 2013

The Senate met in regular session at 10:32 a.m. President Jochum presiding.

Prayer was offered by the Honorable Nancy J. Boettger, member of the Senate from Shelby County, Harlan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

The Journal of Wednesday, May 15, 2013, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 15, 2013, **concurred** in the Senate amendment **and passed** the following bill in which he concurrence of the House was asked:

House File 641, a bill for an act authorizing the establishment of reinvestment districts following approval of the economic development authority board, providing for the remittance of certain state sales tax revenues and certain state hotel and motel tax revenues to municipalities, establishing a state reinvestment district fund, and making appropriations.

The Senate stood at ease at 10:35 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:19 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Houser, and Kapucian, until they arrive, on request of Senator Dix.

HOUSE AMENDMENT CONSIDERED

Senate File 406

Senator Hogg called up for consideration **Senate File 406**, a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions, amended by the House in House amendment S-3252, filed May 15, 2013.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Hogg moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 406), the vote was:

Yeas, 47:

Anderson	Danielson	Hogg	Segebart
Beall	Dearden	Horn	Seng
Bertrand	Dix	Jochum	Sinclair
Black	Dotzler	Johnson	Smith
Boettger	Dvorsky	Mathis	Sodders
Bolkcom	Ernst	McCoy	Sorenson
Bowman	Feenstra	Petersen	Taylor
Brase	Greiner	Quirmbach	Whitver

Breitbach	Gronstal	Ragan	Wilhelm
Chapman	Guth	Rozenboom	Zaun
Chelgren	Hart	Schneider	Zumbach
Courtney	Hatch	Schoenjahn	

Nays, none.

Absent, 3:

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

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 640 and 615.

House File 640

On motion of Senator Hogg, **House File 640**, a bill for an act relating to liquids which are flammable or combustible, by providing for the storage, marketing, and distribution of such liquids, providing for the marketing and distribution of liquids classified as motor fuel, including a conventional blendstock for oxygenate blending, and blended and unblended gasoline and diesel fuel, providing for liability, extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, including fees and penalties, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-3251, filed by the committee on Ways and Means on May 15, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Feenstra withdrew amendment S-3255, filed by him from the floor to pages 1 and 6 of amendment S-3251.

Senator Hogg offered amendment S-3257, filed by him from the floor to page 1 of amendment S-3251, and moved its adoption.

Amendment S-3257 to amendment S-3251 was adopted by a voice vote.

Senator Zumbach offered amendment S-3256, filed by him from the floor to page 5 of amendment S-3251, and moved its adoption.

Amendment S-3256 to amendment S-3251 was adopted by a voice vote.

Senator Hogg moved the adoption of amendment S-3251, as amended.

Amendment S-3251, as amended, was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 640), the vote was:

Yeas, 47:

Anderson	Danielson	Hogg	Segebart
Beall	Dearden	Horn	Seng
Bertrand	Dix	Jochum	Sinclair
Black	Dotzler	Johnson	Smith
Boettger	Dvorsky	Mathis	Sodders
Bolkcom	Ernst	McCoy	Sorenson
Bowman	Feenstra	Petersen	Taylor
Brase	Greiner	Quirmbach	Whitver
Breitbach	Gronstal	Ragan	Wilhelm
Chapman	Guth	Rozenboom	Zaun
Chelgren	Hart	Schneider	Zumbach
Courtney	Hatch	Schoenjahn	

Nays, none.

Absent, 3:

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

House File 615

On motion of Senator Dotzler, **House File 615**, a bill for an act relating to the innovation fund investment tax credit by modifying the tax credit and the authority and duties of the Iowa innovation corporation relating to the tax credit, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dotzler offered amendment S-3250, filed by the committee on Ways and Means on May 15, 2013, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-3250 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 615), the vote was:

Yeas, 46:

Anderson	Dearden	Horn	Seng
Beall	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Mathis	Sodders
Boettger	Ernst	McCoy	Sorenson
Bolkcom	Feenstra	Petersen	Taylor
Bowman	Greiner	Quirmbach	Whitver
Brase	Gronstal	Ragan	Wilhelm
Breitbach	Guth	Rozenboom	Zaun
Chapman	Hart	Schneider	Zumbach
Courtney	Hatch	Schoenjahn	
Danielson	Hogg	Segebart	

Nays, 1:

Chelgren

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 406** and **House Files 615** and **640** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 599.

House File 599

On motion of Senator Brase, **House File 599**, a bill for an act relating to beginning farmers by modifying the agricultural assets transfer tax credit, providing a custom farming contract tax credit, and terminating the agricultural loan assistance program, and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Brase offered amendment S-3259, filed by him from the floor to pages 1, 2, 9, and 12 of the bill, and moved its adoption.

Amendment S-3259 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 599), the vote was:

Yeas, 47:

Anderson	Danielson	Horn	Segebart
Beall	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm

Chapman
Chelgren
Courtney

Hart
Hatch
Hogg

Rozenboom
Schneider
Schoenjahn

Zaun
Zumbach

Nays, 1:

Dearden

Absent, 2:

Behn

Houser

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

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 435

A conference committee report, signed by the following Senate and House members, was filed May 16, 2013, on **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection:

On the part of the Senate:

DENNIS H. BLACK, Chair
DICK L. DEARDEN
MARY JO WILHELM

On the part of the House:

JACK DRAKE, Chair
BRUCE BEARINGER
PAT GRASSLEY
JARAD KLEIN
PATTI RUFF

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 435

Senator Black called up the conference committee report on **Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, filed on May 16, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 435), the vote was:

Yeas, 29:

Beall	Dotzler	Kapucian	Segebart
Black	Dvorsky	Mathis	Seng
Bolkcom	Gronstal	McCoy	Sodders
Bowman	Hart	Petersen	Taylor
Brase	Hatch	Quirmbach	Wilhelm
Courtney	Hogg	Ragan	
Danielson	Horn	Rozenboom	
Dearden	Jochum	Schoenjahn	

Nays, 19:

Anderson	Chelgren	Guth	Sorenson
Bertrand	Dix	Johnson	Whitver
Boettger	Ernst	Schneider	Zaun
Breitbach	Feenstra	Sinclair	Zumbach
Chapman	Greiner	Smith	

Absent, 2:

Behn	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 435** and **House File 599** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 489.

House File 489

On motion of Senator McCoy, **House File 489**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions, placed on the Unfinished Business Calendar on April 11, 2013, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-3129, filed by the committee on Commerce on April 8, 2013, to pages 1, 8, and 15-17 of the bill.

Senator McCoy offered amendment S-3146, filed by him on April 11, 2013, to pages 1 and 7-9 of amendment S-3129, and moved its adoption.

Amendment S-3146 to amendment S-3129 was adopted by a voice vote.

Senator McCoy moved the adoption of amendment S-3129, as amended.

Amendment S-3129, as amended, was adopted by a voice vote.

Senator McCoy withdrew amendment S-3253, filed by him from the floor to page 1 and amending the title page of the bill.

Senator McCoy offered amendment S-3258, filed by him from the floor to pages 1 and 11 and amending the title page of the bill, and moved its adoption.

Amendment S-3258 was adopted by a voice vote.

Senator McCoy withdrew amendment S-3254, filed by him from the floor to page 3 of the bill.

Senator McCoy offered amendment S-3260, filed by him from the floor to page 18 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3260 be adopted?" (H.F. 489), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 22:

Anderson	Dix	Kapucian	Sorenson
Bertrand	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zaun
Breitbach	Greiner	Segebart	Zumbach
Chapman	Guth	Sinclair	
Chelgren	Johnson	Smith	

Absent, 2:

Behn	Houser
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Amendment S-3260 was adopted.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 489), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schoenjahn
Beall	Dearden	Horn	Segebart
Bertrand	Dix	Jochum	Seng
Black	Dotzler	Johnson	Sinclair

Boettger	Dvorsky	Kapucian	Smith
Bolkcom	Ernst	Mathis	Sodders
Bowman	Feenstra	McCoy	Sorenson
Brase	Greiner	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zaun
Courtney	Hatch	Schneider	Zumbach

Nays, none.

Absent, 2:

Behn Houser

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 489** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 16, 2013, **concurred** in the Senate amendment to the House amendment **and passed** the following bill in which the concurrence of the House was asked:

Senate File 396, a bill for an act relating to government operations and efficiency and other related matters, making an appropriation, and including effective date and applicability provisions.

The Senate stood at ease at 3:08 p.m. until the fall of the gavel.

The Senate resumed session at 6:43 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 16, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 649, a bill for an act relating to the liability of a land holder for the public use of private lands and waters for a recreational purpose or urban deer control.

Read first time and referred to committee on **Government Oversight**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 6:44 p.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 6:54 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 16, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 599, a bill for an act relating to beginning farmers by modifying the agricultural assets transfer tax credit, providing a custom farming contract tax credit, and terminating the agricultural loan assistance program, and including effective date and retroactive applicability provisions.

House File 615, a bill for an act relating to the innovation fund investment tax credit by modifying the tax credit and the authority and duties of the Iowa innovation corporation relating to the tax credit, and including effective date and retroactive applicability provisions.

ALSO: That the House has on May 16, 2013, **adopted** the conference committee report **and passed House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

The Senate stood at ease at 6:55 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 7:21 p.m., President Jochum presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: HOUSE FILE 649, a bill for an act relating to the liability of a land holder for the public use of private lands and waters for a recreational purpose or urban deer control.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Petersen, Schoenjahn, Sorenson, Greiner, and McCoy. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Chelgren, until he returns, on request of Senator Dix.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 649.

House File 649

On motion of Senator Petersen, **House File 649**, a bill for an act relating to the liability of a land holder for the public use of private lands and waters for a recreational purpose or urban deer control, with report of committee recommending passage, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 649), the vote was:

Yeas, 48:

Anderson	Danielson	Hogg	Schoenjahn
Beall	Dearden	Horn	Segebart
Behn	Dix	Jochum	Seng
Bertrand	Dotzler	Johnson	Sinclair
Black	Dvorsky	Kapucian	Smith
Boettger	Ernst	Mathis	Sodders
Bolkcom	Feenstra	McCoy	Sorenson
Bowman	Greiner	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Courtney	Hatch	Schneider	Zumbach

Nays, none.

Absent, 2:

Chelgren	Houser
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT RECEIVED

House File 604

A conference committee report, signed by the following Senate and House members, was filed May 16, 2013, on **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters:

On the part of the Senate:

BRIAN SCHOENJAHN, Chair
WALLY E. HORN
HERMAN C. QUIRMBACH

On the part of the House:

CECIL DOLECHECK, Chair
CURT HANSON
RON JORGENSEN
ROB TAYLOR

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 604

Senator Schoenjahn called up the conference committee report on **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, filed on May 16, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 604), the vote was:

Yeas, 27:

Beall	Danielson	Hogg	Ragan
Bertrand	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	

Nays, 21:

Anderson	Ernst	Rozenboom	Whitver
Behn	Feenstra	Schneider	Zaun
Boettger	Greiner	Segebart	Zumbach
Breitbach	Guth	Sinclair	
Chapman	Johnson	Smith	
Dix	Kapucian	Sorenson	

Absent, 2:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 649** be **immediately messaged** to the House.

The Senate stood at ease at 7:51 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 10:00 p.m., President Jochum presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:01 p.m. until 10:30 a.m., Friday, May 17, 2013.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Special Investigation of the City of Indianola 6/1/06–8/31/12 Report, pursuant to Iowa Code section 11.6. Report received on May 16, 2013.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Lucas M. Sibley – For his 5 years of service with Edward Jones. Senator Zaun.

REPORT OF COMMITTEE MEETING

GOVERNMENT OVERSIGHT

Convened: Thursday, May 16, 2013, 6:45 p.m.

Members Present: Petersen, Chair; Schoenjahn, Vice Chair; Sorenson, Ranking Member; Greiner, and McCoy.

Members Absent: None.

Committee Business: Passed HF 649.

Adjourned: 6:50 p.m.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which House File 604 passed the Senate on May 16, 2013.

MICHAEL E. GRONSTAL

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 16, 2013, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 432 – Relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes.

Senate File 433 – Relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions.

Senate File 436 – Relating to the historic preservation and cultural and entertainment district tax credit by modifying the total amount of tax credits that may be issued, the definition of substantial rehabilitation costs, and the qualifications for certain projects, and including effective date and applicability provisions.

AMENDMENTS FILED

S-3253	H.F.	489	Matt McCoy
S-3254	H.F.	489	Matt McCoy
S-3255	H.F.	640	Randy Feenstra
S-3256	H.F.	640	Dan Zumbach
S-3257	H.F.	640	Robert M. Hogg
S-3258	H.F.	489	Matt McCoy
S-3259	H.F.	599	Chris Brase
S-3260	H.F.	489	Matt McCoy

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-FOURTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 17, 2013

The Senate met in regular session at 11:31 a.m., President Pro Tempore Soddors presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Occheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Tucker Watters.

The Journal of Thursday, May 16, 2013, was approved.

The Senate stood at ease at 11:35 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:16 p.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:17 p.m. until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:39 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 17, 2013, **adopted** the conference committee report **and passed House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Bertrand, Houser, Kapucian, and Sorenson, until they arrive, on request of Senator Dix.

CONFERENCE COMMITTEE REPORT RECEIVED

House File 638

A conference committee report, signed by the following Senate and House members, was filed May 17, 2013, on **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions:

On the part of the Senate:

MATT McCOY, Chair
DARYL BEALL
TOD R. BOWMAN

On the part of the House:

DAN HUSEMAN, Chair
DENNIS COHOON
NANCY DUNKEL
MARK LOFGREN
DAVE MAXWELL

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 638

Senator McCoy called up the conference committee report on **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, filed on May 17, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 638), the vote was:

Yeas, 28:

Beall	Dearden	Horn	Ragan
Black	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Johnson	Segebart
Bowman	Gronstal	Mathis	Seng
Brase	Hart	McCoy	Sodders
Courtney	Hatch	Petersen	Taylor
Danielson	Hogg	Quirmbach	Wilhelm

Nays, 17:

Anderson	Dix	Rozenboom	Zaun
Boettger	Ernst	Schneider	Zumbach
Breitbach	Feenstra	Sinclair	
Chapman	Greiner	Smith	
Chelgren	Guth	Whitver	

Absent, 5:

Behn	Houser	Sorenson
Bertrand	Kapucian	

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

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 620, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3261.

Final Vote: Ayes, 13: Bolkcom, Seng, Feenstra, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith. Nays, none. Absent, 2: Behn and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 620.

House File 620

On motion of Senator Dotzler, **House File 620**, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dotzler offered amendment S–3261, filed by the committee on Ways and Means from the floor to pages 2–6 and amending the title page of the bill, and moved its adoption.

Amendment S–3261 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 620), the vote was:

Yeas, 44:

Anderson	Dearden	Hogg	Schoenjahn
Beall	Dix	Horn	Segebart
Black	Dotzler	Jochum	Seng
Boettger	Dvorsky	Johnson	Sinclair
Bowman	Ernst	Mathis	Smith

Brase	Feenstra	McCoy	Sodders
Breitbach	Greiner	Petersen	Taylor
Chapman	Gronstal	Quirmbach	Whitver
Chelgren	Guth	Ragan	Wilhelm
Courtney	Hart	Rozenboom	Zaun
Danielson	Hatch	Schneider	Zumbach

Nays, 1:

Bolkcom

Absent, 5:

Behn	Houser	Sorenson
Bertrand	Kapucian	

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 620** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:05 p.m. until 10:00 a.m., Tuesday, May 21, 2013.

APPENDIX

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Friday, May 17, 2013, 10:05 a.m.

Recessed: 10:10 a.m.

Reconvened: 10:25 a.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schneider, and Smith.

Members Absent: Behn and Bertrand (both excused).

Committee Business: Passed HF 620, as amended.

Adjourned: 10:35 a.m.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which House File 638 passed the Senate on May 17, 2013.

MICHAEL E. GRONSTAL

AMENDMENT FILED

S-3261 HF. 620 Ways and Means

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 21, 2013

The Senate met in regular session at 10:04 a.m., President Jochum presiding.

The Journal of Friday, May 17, 2013, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:05 a.m. until 10:00 a.m., Wednesday, May 22, 2013.

APPENDIX

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 295

A conference committee report, signed by the following Senate and House members, was filed May 21, 2013, on **Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions:

On the part of the Senate:

MATT McCOY, Chair
JOE BOLKCOM
BILL DIX
WILLIAM A. DOTZLER, JR.
RANDY FEENSTRA

On the part of the House:

TOM SANDS, Chair
CHRIS HAGENOW
JO OLDSON
STEVE OLSON
ROGER THOMAS

JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-NINTH CALENDAR DAY
SEVENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 22, 2013

The Senate met in regular session at 10:24 a.m., President Jochum presiding.

Prayer was offered by Mary Mathis, daughter of Senator Mathis, who sang “Amazing Grace.”

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Dalton Schmit.

The Journal of Tuesday, May 21, 2013, was approved.

The Senate stood at ease at 10:27 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:29 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Dix.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 295

Senator McCoy called up the conference committee report on **Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, filed on May 21, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 295), the vote was:

Yeas, 43:

Anderson	Courtney	Horn	Seng
Beall	Danielson	Jochum	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Dotzler	Kapucian	Soddors
Black	Ernst	Mathis	Sorenson
Boettger	Feenstra	McCoy	Taylor
Bowman	Greiner	Ragan	Whitver
Brase	Gronstal	Rozenboom	Wilhelm
Breitbach	Guth	Schneider	Zaun
Chapman	Hart	Schoenjahn	Zumbach
Chelgren	Hatch	Segebart	

Nays, 6:

Bolkcom	Dvorsky	Petersen
Dearden	Hogg	Quirmbach

Absent, 1:

Houser

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 22, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 614, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, 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 including effective date and retroactive applicability provisions.

House File 620, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

ALSO: That the House has on May 22, 2013, **passed** the following bill in which the concurrence of the Senate is asked:

House File 648, a bill for an act relating to state and local finances by making transfers and appropriations and including effective date and applicability provisions.

Read first time and referred to committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 295** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:10 p.m. until 2:00 p.m.

RECONVENED

The Senate reconvened at 2:57 p.m., President Jochum presiding.

The Senate stood at ease at 2:58 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:13 p.m., President Jochum presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 22, 2013, **adopted** the conference committee report **and passed House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 452

A conference committee report, signed by the following Senate and House members, was filed May 22, 2013, on **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions:

On the part of the Senate:

ROBERT E. DVORSKY, Chair
MICHAEL E. GRONSTAL
PAM JOCHUM

On the part of the House:

CHUCK SODERBERG, Chair
CHRIS HALL
DANIEL LUNDBY
KRAIG PAULSEN
LINDA UPMEYER

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 452

Senator Dvorsky called up the conference committee report on **Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, filed on May 22, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 452), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

CONFERENCE COMMITTEE REPORT RECEIVED

House File 215

A conference committee report, signed by the following Senate and House members, was filed May 22, 2013, on **House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for

students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions:

On the part of the Senate:

HERMAN C. QUIRMBACH, Chair
TOD R. BOWMAN
JONI ERNST
MARY JO WILHELM

On the part of the House:

RON JORGENSEN, Chair
CECIL DOLECHECK
QUENTIN STANERSON

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 215

Senator Quirmbach called up the conference committee report on **House File 215**, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; providing for independent private instruction for students; providing for private instruction for students; concerning driver education by a teaching parent; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions, filed on May 22, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 215), the vote was:

Yeas, 40:

Anderson	Danielson	Houser	Schoenjahn
Beall	Dotzler	Jochum	Segebart
Bertrand	Dvorsky	Johnson	Seng
Black	Ernst	Kapucian	Sinclair

Boettger	Greiner	Mathis	Smith
Bolkcom	Gronstal	McCoy	Sodders
Bowman	Hart	Petersen	Sorenson
Brase	Hatch	Quirnbach	Taylor
Breitbach	Hogg	Ragan	Wilhelm
Courtney	Horn	Schneider	Zumbach

Nays, 10:

Behn	Dearden	Guth	Zaun
Chapman	Dix	Rozenboom	
Chelgren	Feenstra	Whitver	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 452** and **House File 215** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 4:25 p.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 5:06 p.m., President Jochum presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 5:07 p.m. until 6:05 p.m.

RECONVENED

The Senate reconvened at 6:39 p.m., President Jochum presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 22, 2013, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

House File 640, a bill for an act relating to liquids which are flammable or combustible, by providing for the storage, marketing, and distribution of such liquids, providing for the marketing and distribution of liquids classified as motor fuel, including a conventional blendstock for oxygenate blending, and blended and unblended gasoline and diesel fuel, providing for liability, extending the period for determining the rates of the motor fuel tax based on calculating the distribution of ethanol blended gasoline and other motor fuel, including fees and penalties, and including effective date provisions.

ALSO: That the House has on May 22, 2013, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

House File 489, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions. (S-3267)

The Senate stood at ease at 6:40 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:20 p.m., President Jochum presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Quirmbach, until he returns, on request of Senator Gronstal.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 625, a bill for an act relating to the school tuition organization tax credit by allowing the tax credit for contributions made by certain entities, increasing the amount of total approved tax credits, and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3266.

Final Vote: Ayes, 14: Bolkcom, Seng, Feenstra, Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Schneider, and Smith. Nays, none. Absent, 1: Quirmbach.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 625.

House File 625

On motion of Senator Seng, **House File 625**, a bill for an act relating to the school tuition organization tax credit by allowing the tax credit for contributions made by certain entities, increasing the amount of total approved tax credits, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dotzler offered amendment S-3266, filed by the committee on Ways and Means from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-3266 was adopted by a voice vote.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 625), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Greiner	Petersen	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Quirmbach

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

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 489

Senator McCoy called up for consideration **House File 489**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including applicability and effective date provisions, amended by the Senate and further amended by the House in House amendment S-3267 to Senate amendment H-1455, filed May 22, 2013.

Senator McCoy moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator McCoy moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 489), the vote was:

Yeas, 49:

Anderson	Danielson	Horn	Seng
Beall	Dearden	Houser	Sinclair
Behn	Dix	Jochum	Smith
Bertrand	Dotzler	Johnson	Sodders
Black	Dvorsky	Kapucian	Sorenson
Boettger	Ernst	Mathis	Taylor
Bolkcom	Feenstra	McCoy	Whitver
Bowman	Greiner	Petersen	Wilhelm
Brase	Gronstal	Ragan	Zaun
Breitbach	Guth	Rozenboom	Zumbach
Chapman	Hart	Schneider	
Chelgren	Hatch	Schoenjahn	
Courtney	Hogg	Segebart	

Nays, none.

Absent, 1:

Quirmbach

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 489 and 625** be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: HOUSE FILE 648, a bill for an act relating to state and local finances by making transfers and appropriations and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 8: Danielson, Whitver, Boettger, Ernst, Guth, Rozenboom, Segebart, and Smith. Absent, 1: Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 648.

House File 648

On motion of Senator Dvorsky, **House File 648**, a bill for an act relating to state and local finances by making transfers and appropriations and including effective date and applicability provisions, was taken up for consideration.

Senator Whitver offered amendment S-3262, filed by him from the floor to pages 4-21 of the bill.

Senator Chelgren asked and received unanimous consent that action on amendment S-3262 be deferred.

Senator Danielson offered amendment S-3268, filed by Senators Danielson, Sorenson, and Bertrand from the floor to page 4 of the bill.

Senator Danielson asked and received unanimous consent that action on amendment S-3268 be deferred.

The Senate resumed consideration of amendment S-3262, previously deferred.

Senator Chelgren offered amendment S-3269, filed by Senator Chelgren, et al., from the floor to pages 1 and 5-17 of amendment S-3262, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3269 to amendment S–3262 be adopted?” (H.F. 648), the vote was:

Yeas, 25:

Anderson	Chelgren	Johnson	Sorenson
Behn	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Black	Feenstra	Schneider	Zumbach
Boettger	Greiner	Segebart	
Breitbach	Guth	Sinclair	
Chapman	Houser	Smith	

Nays, 25:

Beall	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	
Dearden	Horn	Schoenjahn	

Absent, none.

Amendment S–3269 to amendment S–3262 lost

Senator Whitver moved the adoption of amendment S–3262.

A record roll call was requested.

On the question “Shall amendment S–3262 be adopted?” (H.F. 648), the vote was:

Yeas, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Danielson	Johnson	Smith
Bertrand	Dix	Kapucian	Sorenson
Boettger	Ernst	Rozenboom	Whitver
Breitbach	Feenstra	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Nays, 26:

Beall	Dotzler	Horn	Schoenjahn
Black	Dvorsky	Jochum	Seng
Bolkcom	Greiner	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Dearden	Hogg	Ragan	

Absent, none.

Amendment S-3262 lost.

The Senate resumed consideration of amendment S-3268, previously deferred.

Senator Danielson moved the adoption of amendment S-3268.

A record roll call was requested.

On the question "Shall amendment S-3268 be adopted?" (H.F. 648), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 12:

Anderson	Breitbach	Guth	Smith
Bertrand	Chelgren	Ragan	Sorenson
Brase	Danielson	Segebart	Zaun

Nays, 38:

Beall	Dotzler	Houser	Schoenjahn
Behn	Dvorsky	Jochum	Seng
Black	Ernst	Johnson	Sinclair
Boettger	Feenstra	Kapucian	Sodders
Bolkcom	Greiner	Mathis	Taylor
Bowman	Gronstal	McCoy	Whitver
Chapman	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	Zumbach
Dearden	Hogg	Rozenboom	
Dix	Horn	Schneider	

Absent, none.

Amendment S-3268 lost.

Senator Kapucian offered amendment S-3264, filed by Senator Kapucian, et al., from the floor to page 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–3264 be adopted?” (H.F. 648), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 25:

Anderson	Danielson	Johnson	Sorenson
Behn	Dix	Kapucian	Whitver
Bertrand	Ernst	Rozenboom	Zaun
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	
Chelgren	Houser	Smith	

Nays, 25:

Beall	Dotzler	Jochum	Seng
Black	Dvorsky	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor
Bowman	Hart	Petersen	Wilhelm
Brase	Hatch	Quirmbach	
Courtney	Hogg	Ragan	
Dearden	Horn	Schoenjahn	

Absent, none.

Amendment S–3264 lost.

Senator Johnson offered amendment S–3263, filed by him from the floor to page 16 of the bill, and moved its adoption.

Amendment S–3263 was adopted by a voice vote.

Senator Dvorsky offered amendment S–3265, filed by him from the floor to page 17 of the bill, and moved its adoption.

Amendment S–3265 was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 648), the vote was:

Yeas, 28:

Beall	Dotzler	Horn	Quirmbach
Black	Dvorsky	Houser	Ragan
Bolkcom	Greiner	Jochum	Schoenjahn
Bowman	Gronstal	Johnson	Seng
Brase	Hart	Mathis	Sodders
Courtney	Hatch	McCoy	Taylor
Dearden	Hogg	Petersen	Wilhelm

Nays, 22:

Anderson	Chelgren	Kapucian	Sorenson
Behn	Danielson	Rozenboom	Whitver
Bertrand	Dix	Schneider	Zaun
Boettger	Ernst	Segebart	Zumbach
Breitbach	Feenstra	Sinclair	
Chapman	Guth	Smith	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 648** be **immediately messaged** to the House.

The Senate stood at ease at 9:15 p.m. until the fall of the gavel.

The Senate resumed session at 11:28 p.m., President Pro Tempore Sodders presiding.

CONFERENCE COMMITTEE REPORT RECEIVED

Senate File 446

A conference committee report, signed by the following Senate and House members, was filed May 22, 2013, on **Senate File 446**, a bill for an act relating to appropriations for health and human services

and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions:

On the part of the Senate:

JACK HATCH, Chair
JOE BOLKCOM
AMANDA RAGAN

On the part of the House:

DAVE HEATON, Chair
MARK COSTELLO
JOEL FRY

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 446

Senator Hatch called up the conference committee report on **Senate File 446**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions, filed on May 22, 2013, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 446), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirmbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson

Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

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

President Jochum took the chair at 11:47 p.m.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 446** be **immediately messaged** to the House.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 442

Senator Gronstal withdrew the motion to reconsider **Senate File 442**, a bill for an act relating to appropriations to the judicial branch, filed by him on May 7, 2013, found on page 979 of the Senate Journal.

House File 602

Senator Gronstal withdrew the motion to reconsider **House File 602**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, filed by him on April 24, 2013, found on page 906 of the Senate Journal.

House File 603

Senator Gronstal withdrew the motion to reconsider **House File 603**, 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, filed by him on May 15, 2013, found on page 1010 of the Senate Journal.

House File 604

Senator Gronstal withdrew the motion to reconsider **House File 604**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters, filed by him on May 16, 2013, found on page 1027 of the Senate Journal.

House File 638

Senator Gronstal withdrew the motion to reconsider **House File 638**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions, filed by him on May 17, 2013, found on page 1033 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 442** and **House Files 602, 603, 604, and 638** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:49 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 12:00 a.m., President Jochum presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by committee on Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: SENATE CONCURRENT RESOLUTION 6, a concurrent resolution to provide for adjournment sine die.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Jochum, Dix, Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 6.

Senate Concurrent Resolution 6

On motion of Senator Gronstal, **Senate Concurrent Resolution 6**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 6, which motion prevailed by a voice vote.

REMARKS BY THE PRESIDENT OF THE SENATE

President Jochum addressed the Senate with the following remarks:

Congratulations.

We did it.

We showed that Republicans and Democrats CAN work together to solve important problems.

The health care compromise reached by this Legislature is a perfect example.

We put aside partisan divisions.

Instead, we focused on solving problems, and on listening to Iowans.

Most importantly, we remembered our conversations with Iowans who are living without health insurance.

And conversations with Iowans WHO HAVE insurance, but are worried sick about someone they love who DOES NOT have insurance.

The biggest challenge of this session was how to help Iowans who, despite working every day, still cannot afford health insurance.

We met that challenge.

And by doing that, we showed the nation how to put lasting progress ahead of short-term partisanship.

Thanks to the Iowa Health and Wellness Plan, 150,000 working Iowans will finally be able to go to a doctor when needed.

The Iowa Health and Wellness Plan will make Iowa's entire health care system more financially secure.

The Iowa Health and Wellness Plan will slow rising health care costs for every Iowa family and Iowa business.

The Iowa Health and Wellness Plan will bring health insurance to 80,000 currently uninsured working Iowans, and preserve health care for 70,000 Iowans currently on IowaCare.

Iowans look at the mess divided government in Washington D.C. has created, and they shake their heads.

Iowans expect better from their state legislature, and we delivered.

We delivered on health care, our most difficult issue, and on a host of other issues.

Here's an example of how we did it.

The key to Iowa's health care compromise was the work of Democrat Amanda Ragan, the chair of the Senate Health and Human Services Committee, and Republican Linda Upmeyer, the House Majority Leader.

These two North Iowa residents are longtime friends, guests at the weddings of each other's children. They came to the Legislature at about the same time. One is a strong Democrat. The other is a passionate Republican.

In the final days of the session, these two put partisanship to the side and hammered out the health care compromise.

The work they did brought health care security to tens of thousands of Iowa families.

The bipartisanship of Senator Ragan and Majority Leader Upmeyer was repeated time and time again on the other issues by other legislators.

I want to thank every Senator and every Representative who likewise rose above short-term, narrow-minded concerns and reached across the aisle to solve problems.

It was an honor to be part of this process. We will have to work hard next year to top this year's accomplishments.

I want to thank the Senate staff for their work this year. I also want to thank the thousands of Iowans who contacted members of the Legislature this year. Your comments and suggestions made a difference.

REMARKS BY THE MAJORITY LEADER

Senator Gronstal provided the following remarks:

Last November, Iowans elected a Democratic Senate and a Republican House and Governor.

Iowans voted for divided state government, and when this session started, many people predicted gridlock.

But gridlock is not what Iowans want, and gridlock is NOT what they got.

Iowans voted for divided government, not dysfunctional government.

No Iowan wants our state government to imitate what's happening in Washington, DC.

That doesn't mean this session has been easy. Each caucus has its own priorities.

Senate Democrats, for example, are focused on strengthening and expanding Iowa's middle class.

We believe that the more Iowans with good jobs, stable homes, great neighborhood schools, and affordable health insurance, the better Iowa's future will be.

Because we all have our own priorities, governing is about finding common ground—especially finding common ground with people you do not agree with.

Find common ground, and you will be successful. Find common ground, and you move your state forward. It is that simple.

I want to thank President Jochum, Speaker Paulsen, House Majority Leader Upmeyer, Senate Republican Leader Dix, House Democratic Leader McCarthy and every member of the Iowa House and Senate.

I want to thank you, because this year, as the results of this session make absolutely clear, we did find common ground, we were successful, and we are moving Iowa forward.

The 2013 session of the Iowa Legislature will be remembered as one of the most productive in recent history. Here's why:

Education reform:

Last year, we passed education reforms to help children learn to read by the end of third grade, but it wasn't funded. This year, we not only funded those reforms, we also increased basic state support for local schools for the next TWO years while raising standards, improving teaching, and encouraging innovation. The funding we provided to the Regents will allow Iowa State, the University of Iowa and the University of Northern Iowa will freeze tuition for the first time in 30 years

Health Reform:

Thanks to the health care compromise which created the Iowa Health and Wellness Plan, 150,000 working Iowans will finally be able to go to a doctor in their community when they need to. We also approved 42 million dollars to continue the reform of Iowa's mental health delivery system.

Tax Reform:

For 35 years, Iowa legislators tried and failed to address property tax inequities. This year, we did. We approved the largest property tax cut in state history. It includes a Main Street commercial property tax cut which is especially helpful to small businesses and a tax cut for the working families that are home to almost 40% of the Iowa's children. We also fully funded all property tax credits.

Water quality:

No Iowa legislative session has ever done more to clean up Iowa's water. \$22 million will fund new initiatives, including an Iowa Nutrient Research Center to keep high levels of nutrients from impairing our waterways. In addition, REAP will receive \$16 million, the most ever.

Lastly, we finally got serious about the workforce skills shortage holding back Iowa's economy.

This is the largest investment ever in our community colleges. They will help Iowans improve their skills and match them with local businesses recruiting skilled workers. Pilot projects have shown this approach works, and we are investing more than 34 million dollars to take it statewide.

Despite divided government, despite our differences, the result of this session will be a stronger Iowa economy, better Iowa schools, and a better quality of life for all Iowans.

In closing, I want to thank the Senate backroom staff, the Republican and Democratic Senate staffs, the Senate doorkeepers, the Legislative Service Agency, and the pages.

Your work and professionalism help make this successful session possible.

Thank you all.

REMARKS BY THE MINORITY LEADER

Senator Dix provided the following remarks:

Thank you, Madame President.

As I said on the opening day of this session, I am proud and honored to stand here today and address my fellow legislators and Iowans.

I am particularly proud of the historic property tax reform we passed in this body today. We made good on a promise that has been repeatedly made to Iowa taxpayers.

Over the coming years, the property taxes on all Iowans will be reduced by more than a half a billion dollars. That money remaining in the pockets of Iowa small businesses and families will help create jobs and expand opportunities for people to decide how to invest and spend their hard earned dollars. I assure you, they will make good decisions and our great state will flourish.

We also did the right thing by spending less money than we take in. That is the only way to be responsible to the very taxpayers who pay the bills government incurs. We must continue on this prudent path. It is important for Iowa businesses and families to grow, not for government to grow beyond its means.

Is there more to do? Yes.

I hope we can more aggressively pursue a future agenda of expanding the Taxpayer Trust Fund and return even more of the overpayment of taxes to the taxpayers instead of growing government. Every dollar comes from and belongs to Iowa taxpayers, after all. We owe them accountability and control of their incomes.

I trust our actions this year have been guided by what we believe is best for all Iowans. I know we can do even better and have greater success in setting Iowa on a prosperous course.

To quote Margaret Thatcher:

“What is success? I think it is a mixture of having a flair for the thing that you are doing; knowing that it is not enough, that you have got to have hard work and a certain sense of purpose.”

I suggest we know we have done well, but have not done enough. Let's return with a certain sense of purpose next year to do even more to free all Iowans to decide for themselves what to do with their hard earned dollars. Given that freedom, they will create jobs, improve the lives of their families, and make Iowa a truly great place to grow.

Let's make it happen.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which Senate Concurrent Resolution 6 passed the Senate on May 23, 2013.

MICHAEL E. GRONSTAL

MOTION TO RECONSIDER WITHDRAWN

Senate Concurrent Resolution 6

Senator Gronstal withdrew the motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate Concurrent Resolution 6 passed the Senate on May 23, 2013.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 6** be **immediately messaged** to the House.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 6, duly adopted, the day of May 23, 2013, having arrived, President Jochum declared the 2013 Regular Session of the Eighty-fifth General Assembly adjourned sine die.

APPENDIX

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Kim Painter, Iowa City – For being honored at the White House as one of ten “Harvey Milk Champions of Change,” awarded to openly LGBT elected officials. Senator Dvorsky.

Deb Wretman, Iowa City – Upon her retirement as principal of South East Junior High School in Iowa City. Senator Dvorsky.

INTRODUCTION OF RESOLUTION

Senate Resolution 13, by Gronstal, a resolution conferring authority upon the senate committee on government oversight to conduct an investigation of specified issues relating to the Iowa veterans home.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, May 22, 2013, 1:15 p.m.

Recessed: 1:20 p.m.

Reconvened: 1:35 p.m.

Members Present: Dvorsky, Chair; Danielson, Vice Chair; Whitver, Ranking Member; Black, Boettger, Bolkcom, Courtney, Dotzler, Ernst, Guth, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith.

Members Absent: Kapucian (excused).

Committee Business: Passed HF 648.

Adjourned: 1:40 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, May 22, 2013, 11:45 p.m.

Members Present: Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Bertrand, Courtney, Dearden, Dvorsky, Ernst, Ragan, Rozenboom, and Soddors.

Members Absent: None.

Committee Business: Passed SCR 6.

Adjourned: 11:50 p.m.

WAYS AND MEANS

Convened: Wednesday, May 22, 2013, 4:40 p.m.

Recessed: 4:45 p.m.

Reconvened: 4:50 p.m.

Members Present: Bolkcom, Chair; Seng, Vice Chair; Feenstra, Ranking Member; Behn, Bertrand, Black, Chapman, Dotzler, Hogg, Jochum, McCoy, Petersen, Schneider, and Smith.

Members Absent: Quirmbach (excused).

Committee Business: Passed HF 625, as amended.

Adjourned: 4:55 p.m.

STUDY BILL RECEIVED

SSB 1255 Ways and Means

Relating to revenue and taxation by increasing the sales and use tax rates, establishing transfers to the natural resources and outdoor recreation trust fund, modifying the requirement to file a state individual income tax return, reducing individual income tax rates, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1255

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Hogg

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on May 22, 2013, when the vote was taken on House File 489. Had I been present, I would have voted "Yea."

HERMAN C. QUIRMBACH

AMENDMENTS FILED

S-3262	H.F.	648	Jack Whitver
S-3263	H.F.	648	David Johnson
S-3264	H.F.	648	Tim L. Kapucian
			Hubert Houser
			Bill Anderson
			Jerry Behn
			Joni K. Ernst
			Dan Zumbach
			Michael Breitbach
			David Johnson
			Bill Dix
S-3265	H.F.	648	Robert E. Dvorsky
S-3266	H.F.	625	Ways and Means
S-3267	H.F.	489	House
S-3268	H.F.	648	Jeff Danielson
			Kent Sorenson
			Rick Bertrand
S-3269	H.F.	648	Mark Chelgren
			Tim L. Kapucian
			Joni K. Ernst
			Dan Zumbach

SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2013 Regular Session.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 295**, a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions.

ALSO: That the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 430**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions.

ALSO: That the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 435**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

ALSO: That the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 446**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

ALSO: That the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 447**, a bill for an act relating to appropriations to the justice system and including effective dates.

ALSO: That the House has on May 23, 2013, **adopted** the conference committee report **and passed Senate File 452**, a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

ALSO: That the House has on May 23, 2013, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

House File 625, a bill for an act relating to the school tuition organization tax credit by allowing the tax credit for contributions made by certain entities, increasing the amount of total approved tax credits, and including effective date and retroactive applicability provisions.

House File 648, a bill for an act relating to state and local finances by making transfers and appropriations and including effective date and applicability provisions.

ALSO: That the House has on May 23, 2013, **adopted** the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, a concurrent resolution to provide for adjournment sine die.

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF EDUCATION

Academic Incentives for Minorities Report, pursuant to Iowa Code section 260C.29(3)(e). Report received on June 20, 2013.

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38(2). Report received on May 28, 2013.

Special Education Federal Reports, pursuant to Iowa Code section 256B.3. Report received on June 20, 2013.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2012, pursuant to Iowa Code section 8D.10, was received from the following agency:

Ethics and Campaign Disclosure Board—Report received on June 10, 2013.

BILLS REFERRED TO COMMITTEE FROM CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 4, the following bills remaining on the Senate Calendar upon adjournment of the 2013 session will be removed from the calendar and referred back to the committee to which they were originally assigned:

S.F. 275 Economic Growth
(with attached HF 518)
S.F. 363 Judiciary
S.F. 376 Commerce
(with attached HF 539)
S.F. 450 Ways and Means
S.F. 454 Ways and Means

MICHAEL E. MARSHALL
Secretary of the Senate

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 435, the following correction was made:

1. Page 31, line 26: Added missing period after \$4,000,000.

ALSO: Pursuant to Senate Rule 21, I report that in enrolling Senate File 446, the following corrections were made:

2. Page 45, line 33: Added period after "256I.8"
3. Page 135, line 5: Added quotes around the "a" in paragraph "a".

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of May, 2013.

Senate Files 295, 396, 406, 430, 435, 442, 446, 447, and 452.

MICHAEL E. MARSHALL
Secretary of the Senate

SENATE BILLS APPROVED, ITEM VETOED, AND VETOED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2013 Regular Session:

SENATE BILL APPROVED

Senate File 295 – Establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions. Approved June 12, 2013.

Senate File 435 – Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection. Approved June 17, 2013.

Senate File 442 – Relating to appropriations to the judicial branch. Approved June 17, 2013.

GOVERNOR'S ITEM VETO MESSAGES

Senate File 396

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 396, an Act relating to government operations and efficiency and other related matters, and including effective date and applicability provisions.

Senate File 396 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Sections 40, 42, and 43 in their entirety. These items require the director of the department of administrative services to purchase a new payroll system for the executive branch. From the beginning of my administration, I asked state agencies to work diligently to reduce administrative costs and reduce overhead costs. At my direction, many efficiency and cost-control measures are already being implemented by the executive branch departments. My administration is committed to reducing the size and cost of government by 15% through efficiencies and new technologies that allow for savings. I believe a mandate to purchase a payroll system at this time is inappropriate. The department may review the payroll system and determine the best way to proceed while protecting and serving the taxpayers of Iowa.

I am unable to approve Section 41 in its entirety. This item prohibits non-contract employees from bumping contract employees in the case of a reduction in force. In order to achieve increased efficiencies within state government, my administration is committed to finding areas where we can consolidate duplicative efforts. However, in doing so we must strive to ensure that various classifications of employees are treated fairly. The executive branch will continue to implement policies that will reduce the size and cost of government by 15% and this provision would be an impediment in achieving this goal.

For the above reasons, I respectfully disapprove the designated 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 396 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

Senate File 406

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 406, an Act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of a mental health advocate division in the department of inspections and appeals and including effective date provisions.

Senate File 406 is approved on this date with the following exception, which I hereby disapprove.

I am unable to approve of the item designated as Divisions I and II in their entirety. This item establishes new positions of mental health advocates within the Iowa Department of Inspections and Appeals. Currently, these advocates work at the county level. In the newly redesigned mental health and disability services system, it is best for these positions to remain at the local level where services will be managed and delivered regionally. I look forward to continuing to work with the House and Senate on implementing Mental Health redesign in a manner that best serves Iowans and fits within my goals for efficient and effective state government.

For the above reasons, I respectfully disapprove the designated item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 406 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

Senate File 430

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 430, an Act relating to appropriations to the department of cultural affairs, the economic development authority, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions.

Senate File 430 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 2. This item creates carry forward language which is unnecessary for the Department of Cultural Affairs for fiscal year 2014. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the item designated as Section 16, subsection 2. This item creates carry forward language which is unnecessary for the Department of Cultural Affairs for fiscal year 2015. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the item designated as Section 43 in its entirety and the designated portion of Section 54. These items create carry-forward language which is unnecessary for the Department of Cultural Affairs for fiscal year 2013. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

For the above reasons, I respectfully disapprove the designated 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 430 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

Senate File 446

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 446, an Act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

Senate File 446 contains new language specifying the process for Iowa Medicaid reimbursement of an abortion procedure. This language applies to the remainder of this fiscal year, as well as fiscal year 2014 and 2015. This new legislative language represents a compromise between Democrats and Republicans in the legislature on the issue of whether taxpayer dollars should be used to reimburse hospitals or doctors for abortions. The new legislative language does not allow or require a governor to approve any procedure in advance. The decision about whether to undergo an abortion procedure continues to remain with the mother and her physician. With this new language, the legislature has asked a governor to approve or disapprove a bill submitted by a provider for taxpayer-funded Medicaid reimbursement after the procedure is performed.

Senate File 446 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of the item designated as Section 2, subsection 1. This item creates two additional long-term care resident's advocates positions. As of today, there are eight long-term care resident's advocates, serving the needs of Iowa's vulnerable seniors. Currently, the Department on Aging is in the process of an aging system redesign and is thoroughly reviewing state services. It is important to ensure that all new positions are consistent with the redesign so that Iowa can best serve the needs of aging Iowans. The effect of this disapproval shall cause the \$200,000 contained in this item to revert to the General Fund.

I am unable to approve the designated portion of the item designated as Section 3, subsection 8, lettered paragraph e. This item provides \$28,644 for the costs of an emergency medical services task force that is disapproved. Due to the fact that the new task force is not created, the money is not needed. Iowa is fortunate to have many dedicated professional and volunteer emergency medical services personnel. These Iowans give their time to provide critical care in emergency situations as first responders. The Iowa Department of Public Health helps provide oversight, assistance and acts as a regulatory body for the profession to ensure Iowans statewide get a high level of care. The Department of Public Health will continue to work to improve our system. An additional task force, growing the size, scope and cost of government is not an effective use of taxpayer dollars at this time. The effect of this disapproval shall cause the \$28,644 contained in this item to revert to the General Fund.

I am unable to approve the designated portion of the item designated as Section 4, subsection 2, lettered paragraph d. This item creates a redundant, overly burdensome mandate requiring the Iowa Veterans' Home to make expenditure reports monthly to the Legislative Services Agency for fiscal year 2014. I strongly support transparency efforts that publicly disclose how departments spend their resources and this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 12, subsection 19, lettered paragraph e. This item requires the Department of Human Services to report on cost containment strategies. The Department of Human Services, Department of Management and the Legislative Services Agency meet on a monthly basis to determine projections for the Medical Assistance appropriation. Information relating to cost containment strategies is shared during these meetings. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 12, subsection 20. This item allocates \$8,715,473 for the waiting list for medical assistance home and community based services waivers. The effect of this disapproval shall cause the \$8,715,473 contained in this item to revert to the General Fund. Past history demonstrates that funding specifically earmarked to buy down the waiting list is not a successful long-term solution. Additionally, the Iowa Health and Wellness Plan will be implemented January 1, 2014. The Iowa Health and Wellness Plan will provide access for Iowans currently on the waiting list to high quality health care, including home and community based services.

I am unable to approve the designated portion of the item designated as Section 26, subsection 1. This item prohibits external approvals that are designed to ensure budget integrity, stability and predictability. Management must have the ability and flexibility to allocate resources where they are most effective and needed. In addition, this item creates a redundant, overly burdensome mandate requiring the department to report to the chairpersons and ranking members of the appropriations committees on a monthly basis. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 27, subsection 2. This item requires the Department of Human Services to report operational and program expenditures at least monthly to the Legislative Services Agency. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 27, subsection 5. This item transfers \$250,000 to the Department of Inspections and Appeals and creates two new FTEs to implement a new mental health advocate division within the Department of Inspections and Appeals. Currently, these advocates work at the county level. In the newly redesigned mental health and disability services system, it is best for these positions to remain at the local level where the services will be managed and delivered regionally. I look forward to continuing work with the General Assembly to implement the mental health and disability services redesign in a

manner that best serves Iowans and serves our goals for an efficient and effective state government. The language creating a new mental health advocate division was an item that was disapproved in Senate File 406. The effect of this disapproval shall cause the \$250,000 contained in this item to revert to the General Fund.

I am unable to approve the designated portion of the item designated as Section 29, subsection 8. This item requires that all provider reimbursement rate increases in this section be used to increase the compensation and costs of employment for non-administrative staff. The Department of Human Services does not have the ability to monitor providers to determine compliance. In addition, it is not appropriate to direct provider increases in this manner. Providers are best equipped to manage their own budgets.

I am unable to approve the item designated as Section 49 in its entirety. This item amends the Iowa Code to require that any penalties imposed by the Director of the Iowa Department on Aging against a long-term care facility are automatically appropriated to the Office of the Long-Term Care Resident's Advocate. Currently, these funds are deposited in the General Fund. The Office of the Long-Term Care Resident's Advocate is funded by the General Fund. I oppose this change which uses fines to automatically fund Office of the Long-Term Care Resident's Advocate because it sets a dangerous precedent and creates a conflict of interest.

I am unable to approve the designated portion of the item designated as Division X in its entirety. This item creates a new emergency medical services task force and report. Iowa is fortunate to have many dedicated professional and volunteer emergency medical services personnel. These Iowans give their time to provide critical care in emergency situations as first responders. The Iowa Department of Public Health helps provide oversight, assistance and acts as a regulatory body for the profession to ensure Iowans statewide receive a high level of care. The Department of Public Health will continue to work to improve our system. An additional task force, growing the size, scope and cost of government is not an effective use of taxpayer dollars at this time.

I am unable to approve the designated portion of the item designated as Section 83, paragraph 5, subparagraph b. This item causes funds deposited into the Autism Support Program Fund to not revert to the General Fund. It creates new, permanent carry-forward language which does not work to advance my goal of predictability and sustainability for government budgeting.

I am unable to approve the designated portion of the item designated as Section 84, paragraph 2. This item directs the Department of Human Services to enter into a sole-source contract without the benefit of a competitive bidding process. It is important to allow for a full review process and thoroughly plan new initiatives. In addition, competitively bid contracts ensure the best value for taxpayer dollars and that more people are served when this value is maximized.

I am unable to approve of the item designated as Division XIX in its entirety. This item creates a new committee to study how to provide care for people who are sexually aggressive, combative or have unmet psychiatric needs. My administration currently has a work group that is working together to propose constructive recommendations. The work group is open to public input. An additional committee is not needed at this time.

I am unable to approve of the item designated as the portion of Section 128 that amends 2011 Iowa Acts, chapter 63, section 36, subsection 4. This item would require a report to be given to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services relating to changes in law or rules needed to implement telepharmacy on a statewide basis. This report is not necessary due to the fact that this information is available upon request by the General Assembly.

I am unable to approve the designated portion of the item designated as Section 132, subsection 1. This item creates two new long-term care resident's advocates positions for fiscal year 2015. As of today, there are eight long-term care resident's advocates, serving the needs of Iowa's vulnerable seniors. Currently, the Department on Aging is in the process of an aging system redesign and is thoroughly reviewing state services. It is important to ensure that all new positions are consistent with the redesign so that Iowa can best serve the needs of aging Iowans. The effect of this disapproval shall cause the \$100,000 contained in this item to revert to the General Fund.

I am unable to approve the designated portion of the item designated as Section 134, subsection 2, lettered paragraph d. This item creates a redundant, overly burdensome mandate requiring the Iowa Veterans' Home to make expenditure reports monthly to the Legislative Services Agency for fiscal year 2015. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 142, subsection 18, lettered paragraph d. This item requires the Department of Human Services to report on cost containment strategies for fiscal year 2015. The Department of Human Services, Department of Management and the Legislative Services Agency meet on a monthly basis to determine projections for the Medical Assistance appropriation. Information relating to cost containment strategies is shared during these meetings. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 156, subsection 1. This item prohibits external approvals that are designed to ensure budget integrity, stability and predictability. Management must have the ability and flexibility to allocate resources where they are most effective and needed. In addition, this item creates a redundant, overly burdensome mandate requiring the department to report to the chairpersons and ranking members of the appropriations committees on a monthly basis. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 157, subsection 2. This item requires the Department of Human Services to report operational and program expenditures at least monthly to the Legislative Services Agency for fiscal year 2015. While I strongly support transparency efforts that publicly disclose how departments spend their resources, this information is already available within the State's accounting and budgeting systems.

I am unable to approve the designated portion of the item designated as Section 157, subsection 5. This item transfers \$125,000 to the Department of Inspections and Appeals for two new FTEs to implement a new mental health advocate division within the Department of Inspections and Appeals. Currently, these advocates work at the county level. In the newly redesigned mental health and disability services system, it is best for these positions to remain at the local level where the services will be managed and delivered regionally. I look forward to continuing work with the General Assembly to implement the mental health and disability services redesign in a manner that best serves Iowans and serves our goals for an efficient and effective state government. The language creating a new mental health advocate division was an item that was disapproved in Senate File 406. The effect of this disapproval shall cause the \$125,000 contained in this item to revert to the General Fund.

For the above reasons, I respectfully disapprove the designated 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 446 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

Senate File 447

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 447, an Act relating to appropriations to the justice system and including effective dates.

Senate File 447 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the designated portion of the item designated as Section 1, subsection 1, lettered paragraph b. This item unduly restricts the Department of Justice from closing facilities and transitioning to new, more effective community-based services for victims. The program must have the flexibility to provide services to victims in the most efficient and effective way possible.

I am unable to approve the designated portion of the item designated as Section 1, subsection 1, lettered paragraph b. This item creates carry-forward language which is unnecessary for the Department of Justice. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the designated portion of the item designated as Section 3, subsection 1, lettered paragraph a. This item requires the Department of Corrections to submit a report to the legislature regarding plans for the Fort Madison Correctional Facility. Although I support transparency efforts, this requirement is redundant as this report was submitted on January 15, 2013 and is already available to the legislature.

I am unable to approve the item designated as Section 4, subsection 1, lettered paragraph a. This item contains policy language pertaining to the Department of Corrections entering into a new contract in excess of \$100,000 for privatized services during fiscal year 2014 without prior notification of the legislature and employee organizations. However, this item allows the department to renew existing contracts without notification. This item would prevent the department from obtaining services for inmates in an effective and efficient manner. This notification unnecessarily impedes on the department's management authority.

I am unable to approve the designated portion of the item designated as Section 19, subsection 1, lettered paragraph b. This item creates carry-forward language which is unnecessary for the Department of Justice. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the designated portion of the item designated as Section 21, subsection 1, lettered paragraph a. This item requires the Department of Corrections to submit a report to the legislature regarding plans for the Fort Madison Correctional Facility. Although I support transparency efforts, this requirement is redundant as this report was submitted on January 15, 2013 and is already available to the legislature.

I am unable to approve the item designated as Division IV in its entirety. This item creates a task force to study the creation of a consolidated fire and police public safety training facility. Iowa is fortunate to have dedicated firefighters and police officers. These Iowans dedicate their lives to protecting the safety and welfare of Iowans. The Department of Public Safety and the Iowa Law Enforcement Academy will continue to work to improve our system. It is my administration's goal to reduce the size and cost of government by 15% and as such, I believe this issue can be reviewed without growing the size and cost of government.

I am unable to approve the item designated as Section 45 in its entirety. This item creates carry forward language from the balance of the Cigarette Fire Safety Standard fund to the Victim Assistance Grants program. The carry-forward language does not advance my goals of returning predictability and sustainability to government budgeting.

I am unable to approve the item designated as Section 55 in its entirety. This item permanently increases the standing limited appropriation of \$1.2 million for the Consumer Education and Litigation Fund to \$2 million. Currently, any increase over the current standing limited appropriation is reviewed by the legislature and additional funds are provided annually based on need. Before this automatic increase is made permanent, further review by the legislature needs to be conducted.

For the above reasons, I respectfully disapprove the designated 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 44 7 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

Senate File 452

June 20, 2013

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 452, an Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including penalties and effective date and retroactive and other applicability provisions.

Senate File 452 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 30 in its entirety. This item allocates \$200,000 for the chronic care consortium. The strategic planning work is duplicative of efforts already taking place within Medicaid. Additionally, the revenue from the Clinical Health Coach training program will eventually allow the Iowa Chronic Care Consortium Board to become a self-sustaining enterprise.

I am unable to approve the item designated as Section 31 in its entirety. This language restricts the Department from fulfilling its mission. It is not appropriate to direct departments to treat employees differently solely based on an employee's classification. Additionally, departments are best equipped to manage their own budgets. This does not affect the \$1.7 million appropriation approved in Senate File 447.

I am unable to approve the item designated as Section 32 in its entirety. This language unnecessarily restricts the Department from fulfilling its mission. It is not appropriate to direct departments to treat employees differently solely based on an employee's classification. Additionally, departments are best equipped to manage their own budgets. This does not affect the \$850,000 approved in Senate File 447.

I am unable to approve the item designated as Section 33 in its entirety. This language unnecessarily restricts the Department from fulfilling its mission. It is not appropriate to direct departments to treat employees differently solely based on an employee's classification. Additionally, departments are best equipped to manage their own budgets. This does not affect the \$2,571,309 approved in Senate File 447.

I am unable to approve the item designated as Section 34 in its entirety. This language unnecessarily restricts the Department from fulfilling its mission. It is not appropriate to direct departments to treat employees differently solely based on an employee's classification. Additionally, departments are best equipped to manage their own budgets. This does not affect the \$1,285,655 approved in Senate File 447.

I am unable to approve the item designated as Division XI in its entirety. This item increases the annual tax credit cap on the Historical Preservation and Cultural and Entertainment District Tax Credits. Currently, there is an Executive Order 80 Stakeholder group reviewing this tax credit program. It is my plan to approach Historical Preservation tax credits in a comprehensive and thoughtful manner. As such, I look forward to continuing to work with members of the House and Senate as this program is reviewed.

I am unable to approve the item designated as Division XXI in its entirety. This language is an attempt to provide financial relief to certain private providers of services to students related to compliance with special and general education billing requirements. The nature of the issue centers on what is and is not allowable as an educational expense in these facilities. This item would legalize what are currently non-permissive expenditures for educational funding to include a long list of expenditures that are non-educational, including expenditures related to administration, facilities, and mental health costs. This would cause an expansion of allowable expenditures and many of these facilities were complying with current law and therefore not billing for these expenses; therefore, the State would see an increase in spending as a result of these provisions. Due to the fact many school districts already operate at a deficit related to education expenditures, this increase would be directly passed on to local property taxes.

I am unable to approve the designated portion of the item designated as Section 182. Currently, the State passes federal funds through to the counties. This item requires the State to cover any reduction of funds for the counties should the federal government fail to live up to its funding promises. The federal government has not passed a budget in more than four years and has amassed more than \$16 trillion in debt. I believe the federal financial picture is unsustainable in the long-term, and, therefore, obligating State taxpayer funds in such an unpredictable manner is not in the best interest of hardworking Iowa taxpayers.

For the above reasons, I respectfully disapprove the designated 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 452 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

State of Iowa

JOURNAL OF THE SENATE

**EIGHTY-FIFTH
GENERAL ASSEMBLY**

2013 REGULAR SESSION

Volume II

**PAM JOCHUM, President of the Senate
MICHAEL E. MARSHALL, Secretary of the Senate**

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Des Moines

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AMENDMENTS FILED

EIGHTY-FIFTH GENERAL ASSEMBLY

2013 REGULAR SESSION

S-3001

- 1 Amend Senate File 53 as follows:
- 2 1. Page 3, line 5, by striking <management> and
3 inserting <education>
- 4 2. Page 3, line 11, by striking <management> and
5 inserting <education>
- 6 3. Page 4, by striking lines 6 through 8 and
7 inserting <management shall prorate the amount of each
8 school district's property tax replacement payment and
9 notify the director of the department of education of
10 such prorated amounts.>
- 11 4. Page 4, after line 8 by inserting:
12 <5. School district replacement payments under this
13 section shall be paid by the department of education at
14 the same time and in the same manner as foundation aid
15 is paid and may be included in the monthly payment of
16 state aid under section 257.16, subsection 2.>
- 17 5. Page 4, line 9, by striking <5.> and inserting
18 <6.>
- 19 6. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3002

- 1 Amend Senate File 53 as follows:
- 2 1. Page 2, line 35, after <subsection 3.> by
3 inserting <However, if the balance of the fund
4 following the transfer from the taxpayers trust fund
5 for a fiscal year is insufficient to lower all school
6 district adjusted additional property tax levy rates to
7 the statewide maximum adjusted additional property tax
8 levy rate, there is appropriated from the general fund
9 of the state to be credited to the fund an amount equal
10 to the difference between the total amount necessary to
11 lower all school district adjusted additional property
12 tax levy rates to the statewide maximum adjusted
13 additional property tax levy rate and the balance of
14 the fund following the transfer from the taxpayers
15 trust fund.>
- 16 2. Page 3, line 9, after <section.> by inserting
17 <However, if the balance of the fund following the
18 transfer from the taxpayers trust fund for a fiscal
19 year is insufficient to pay all school district
20 property tax replacement payments for the fiscal year,

21 there is appropriated from the general fund of the
22 state to be credited to the fund an amount equal to
23 the difference between the amount necessary to pay all
24 school district property tax replacement payments for
25 the fiscal year and the balance of the fund following
26 the transfer from the taxpayers trust fund.>

27 3. Page 3, lines 18 and 19, by striking <paragraph
28 “c”, and subsection 4, if applicable> and inserting
29 <paragraph “c”>

30 4. Page 4, by striking lines 3 through 8.

31 5. Page 4, line 9, by striking <5.> and inserting
32 <4.>

33 6. By renumbering as necessary.

MARK CHELGREN

S-3003

1 Amend Senate File 53 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 DIVISION I

5 TAXPAYERS TRUST FUND

6 <Section 1. Section 8.54, subsection 5, Code 2013,
7 is amended by striking the subsection.

8 Sec. 2. Section 8.55, subsection 2, Code 2013, is
9 amended to read as follows:

10 2. The maximum balance of the fund is the amount
11 equal to two and one-half percent of the adjusted
12 revenue estimate for the fiscal year. If the amount of
13 moneys in the Iowa economic emergency fund is equal to
14 the maximum balance, moneys in excess of this amount
15 shall be distributed as follows:

16 ~~a. The first sixty million dollars of the~~
17 ~~difference between the actual net revenue for the~~
18 ~~general fund of the state for the fiscal year and the~~
19 ~~adjusted revenue estimate for the fiscal year shall be~~
20 ~~transferred to the taxpayers trust fund.~~

21 ~~b. The remainder of the excess, if any, shall be~~
22 ~~transferred to the general fund of the state.~~

23 Sec. 3. Section 8.57E, subsection 2, Code 2013, is
24 amended to read as follows:

25 2. Moneys in the taxpayers trust fund shall only be
26 used pursuant to appropriations or transfers made by
27 the general assembly for tax relief.

28 Sec. 4. Section 8.58, Code 2013, is amended to read
29 as follows:

30 8.58 Exemption from automatic application.

31 1. ~~To the extent that moneys appropriated under~~
32 ~~section 8.57 do not result in moneys being credited~~
33 ~~to the general fund under section 8.55, subsection 2,~~
34 ~~moneys~~ Moneys appropriated under in section 8.57 and

35 moneys contained in the cash reserve fund, rebuild
36 Iowa infrastructure fund, environment first fund, Iowa
37 economic emergency fund, and taxpayers trust fund shall
38 not be considered in the application of any formula,
39 index, or other statutory triggering mechanism which
40 would affect appropriations, payments, or taxation
41 rates, contrary provisions of the Code notwithstanding.
42 2. ~~To the extent that moneys appropriated under~~
43 ~~section 8.57 do not result in moneys being credited~~
44 ~~to the general fund under section 8.55, subsection 2,~~
45 ~~moneys~~ Moneys appropriated under in section 8.57 and
46 moneys contained in the cash reserve fund, rebuild
47 Iowa infrastructure fund, environment first fund, Iowa
48 economic emergency fund, and taxpayers trust fund shall
49 not be considered by an arbitrator or in negotiations
50 under chapter 20.

Page 2

1 Sec. 5. EFFECTIVE UPON ENACTMENT. This division of
2 this Act, being deemed of immediate importance, takes
3 effect upon enactment.

4 Sec. 6. RETROACTIVE APPLICABILITY. This division
5 of this Act applies retroactively to July 1, 2012, to
6 moneys attributed to fiscal years beginning on or after
7 July 1, 2012.

8 DIVISION II

9 IOWA TAXPAYERS TRUST FUND TAX CREDIT

10 Sec. 7. TAXPAYERS TRUST FUND — IOWA TAXPAYERS
11 TRUST FUND TAX CREDIT TRANSFER. During the fiscal
12 year beginning July 1, 2013, there is transferred from
13 the taxpayers trust fund created in section 8.57E to
14 the Iowa taxpayers trust fund tax credit fund created
15 in section 422.11E, an amount equal to the sum of
16 the balance of the taxpayers trust fund as determined
17 after the close of the fiscal year beginning July 1,
18 2012, and ending June 30, 2013, including the amount
19 transferred for that fiscal year to the taxpayers trust
20 fund from the Iowa economic emergency fund created
21 in section 8.55 in the fiscal year beginning July 1,
22 2013, and ending June 30, 2014, to be used for the Iowa
23 taxpayers trust fund tax credit in accordance with
24 section 422.11E, subsection 5.

25 Sec. 8. Section 257.21, Code 2013, is amended to
26 read as follows:

27 257.21 Computation of instructional support amount.

28 1. The department of management shall establish
29 the amount of instructional support property tax to be
30 levied and the amount of instructional support income
31 surtax to be imposed by a district in accordance with
32 the decision of the board under section 257.19 for
33 each school year for which the instructional support

34 program is authorized. The department of management
35 shall determine these amounts based upon the most
36 recent figures available for the district's valuation
37 of taxable property, individual state income tax
38 paid, and budget enrollment in the district, and shall
39 certify to the district's county auditor the amount of
40 instructional support property tax, and to the director
41 of revenue the amount of instructional support income
42 surtax to be imposed if an instructional support income
43 surtax is to be imposed.

44 2. The instructional support income surtax shall
45 be imposed on the state individual income tax for the
46 calendar year during which the school's budget year
47 begins, or for a taxpayer's fiscal year ending during
48 the second half of that calendar year and after the
49 date the board adopts a resolution to participate
50 in the program or the first half of the succeeding

Page 3

1 calendar year, and shall be imposed on all individuals
2 residing in the school district on the last day of
3 the applicable tax year. As used in this section,
4 "state individual income tax" means the taxes computed
5 under section 422.5, less the amounts of nonrefundable
6 credits allowed under chapter 422, division II, except
7 for the Iowa taxpayers trust fund tax credit allowed
8 under section 422.11E.

9 Sec. 9. NEW SECTION. 422.11E Iowa taxpayers trust
10 fund tax credit.

11 1. For purposes of this section, unless the context
12 otherwise requires:

13 a. "Eligible individual" means, with respect to
14 a tax year, an individual who makes and files an
15 individual income tax return pursuant to section
16 422.13. "Eligible individual" does not include
17 an estate or trust, or an individual for whom an
18 individual income tax return was not timely filed,
19 including extensions.

20 b. "Unclaimed tax credit" means, with respect to
21 a tax year, the aggregate amount by which the Iowa
22 taxpayers trust fund tax credits that were eligible to
23 be claimed by eligible individuals, if any, exceeds the
24 Iowa taxpayers trust fund tax credits actually claimed
25 by eligible individuals, if any.

26 2. The taxes imposed under this division, less the
27 credits allowed under this division except the credits
28 for withheld tax and estimated tax paid in section
29 422.16, shall be reduced by an Iowa taxpayers trust
30 fund tax credit to an eligible individual for the tax
31 year beginning January 1 immediately preceding July 1
32 of any fiscal year during which a transfer, if any, is

33 made from the taxpayers trust fund in section 8.57E to
34 the Iowa taxpayers trust fund tax credit fund created
35 in this section.

36 3. The credit shall be equal to the quotient of
37 the amount transferred to the Iowa taxpayers trust
38 fund tax credit fund in the applicable fiscal year,
39 divided by the number of eligible individuals for the
40 tax year immediately preceding the tax year for which
41 the credit in this section is allowed, as determined
42 by the director of revenue in accordance with this
43 section, rounded down to the nearest whole dollar. The
44 department of revenue shall draft the income tax form
45 for any tax year in which a credit will be allowed
46 under this section to provide the information and space
47 necessary for eligible individuals to claim the credit.

48 4. Any credit in excess of the taxpayer's liability
49 for the tax year is not refundable and shall not be
50 credited to the tax liability for any following year

Page 4

1 or carried back to a tax year prior to the tax year in
2 which the taxpayer claims the credit.

3 5. a. There is established within the state
4 treasury under the control of the department an Iowa
5 taxpayers trust fund tax credit fund consisting of any
6 moneys transferred by the general assembly by law from
7 the taxpayers trust fund created in section 8.57E for
8 purposes of the credit provided in this section. For
9 the fiscal year beginning July 1, 2013, and for each
10 fiscal year thereafter, the department shall transfer
11 from the Iowa taxpayers trust fund tax credit fund
12 to the general fund of the state, the lesser of the
13 balance of the Iowa taxpayers trust fund tax credit
14 fund or an amount of money equal to the Iowa taxpayers
15 trust fund tax credits claimed in that fiscal year, if
16 any. Any moneys in the Iowa taxpayers trust fund tax
17 credit fund which represent unclaimed tax credits shall
18 immediately revert to the taxpayers trust fund created
19 in section 8.57E. Interest or earnings on moneys in
20 the Iowa taxpayers trust fund tax credit fund shall be
21 credited to the taxpayers trust fund created in section
22 8.57E.

23 b. The moneys transferred to the general fund of
24 the state in accordance with this subsection shall not
25 be considered new revenues for purposes of the state
26 general fund expenditure limitation under section 8.54
27 but instead as replacement of a like amount included in
28 the expenditure limitation for the fiscal year in which
29 the transfer is made.

30 Sec. 10. Section 422D.2, Code 2013, is amended to
31 read as follows:

32 422D.2 Local income surtax.
33 A county may impose by ordinance a local income
34 surtax as provided in section 422D.1 at the rate set
35 by the board of supervisors, of up to one percent,
36 on the state individual income tax of each individual
37 residing in the county at the end of the individual's
38 applicable tax year. However, the cumulative total of
39 the percents of income surtax imposed on any taxpayer
40 in the county shall not exceed twenty percent. The
41 reason for imposing the surtax and the amount needed
42 shall be set out in the ordinance. The surtax rate
43 shall be set to raise only the amount needed. For
44 purposes of this section, "state individual income tax"
45 means the tax computed under section 422.5, less the
46 amounts of nonrefundable credits allowed under chapter
47 422, division II, except for the Iowa taxpayers trust
48 fund tax credit allowed under section 422.11E.
49 Sec. 11. EFFECTIVE UPON ENACTMENT. This division
50 of this Act, being deemed of immediate importance,

Page 5

1 takes effect upon enactment.
2 Sec. 12. RETROACTIVE APPLICABILITY. This division
3 of this Act applies retroactively to January 1, 2013,
4 for tax years beginning on or after that date.>
5 2. Title page, by striking lines 1 through 5 and
6 inserting <An Act relating to the taxpayers trust fund
7 by modifying the transfer of moneys from the Iowa
8 economic emergency fund to the taxpayers trust fund,
9 allowing transfers from the taxpayers trust fund,
10 creating an Iowa taxpayers trust fund tax credit and
11 fund and providing for the transfer of moneys from the
12 taxpayers trust fund for purposes of the credit, and
13 including effective date and retroactive>
14 3. By renumbering as necessary.

RANDY FEENSTRA
BILL ANDERSON
JONI K. ERNST
MARK CHELGREN
RICK BERTRAND
BILL DIX
CHARLES SCHNEIDER
MICHAEL BREITBACH
DENNIS GUTH
JERRY BEHN
DAN ZUMBACH
SANDRA GREINER
MARK SEGEBART
DAVID JOHNSON
HUBERT HOUSER

TIM L. KAPUCIAN
ROBY SMITH
NANCY J. BOETTGER
JACK WHITVER
BRAD ZAUN
JAKE CHAPMAN
KEN ROZENBOOM
AMY SINCLAIR

S-3004

1 Amend Senate File 106 as follows:
2 1. Page 3, after line 33 by inserting:
3 <DIVISION ____
4 PROPERTY ASSESSMENT APPEAL BOARD
5 Sec. ____ Section 421.1A, subsection 6, Code 2013,
6 is amended to read as follows:
7 6. The members of the property assessment appeal
8 board shall receive compensation from the state
9 commensurate with the salary of a district judge
10 ~~through December 31, 2013.~~ The members of the board
11 shall be considered state employees for purposes of
12 salary and benefits. The members of the board and
13 any employees of the board, when required to travel
14 in the discharge of official duties, shall be paid
15 their actual and necessary expenses incurred in the
16 performance of duties.
17 Sec. ____ Section 421.1A, subsection 7, Code 2013,
18 is amended by striking the subsection.
19 Sec. ____ REPEAL. 2005 Iowa Acts, chapter 150,
20 section 134, is repealed.
21 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
22 of this Act, being deemed of immediate importance,
23 takes effect upon enactment.>
24 2. Title page, line 1, after <Act> by inserting
25 <relating to taxation by>
26 3. Title page, line 4, after <tax,> by inserting
27 <extending the property assessment appeal board,>
28 4. By renumbering as necessary.

RANDY FEENSTRA

S-3005

1 Amend Senate File 121 as follows:
2 1. Page 1, line 33, before <exceeds> by inserting
3 <that>

JEFF DANIELSON

S-3006

- 1 Amend Senate File 110 as follows:
- 2 1. Page 2, line 21, by striking <charges> and
- 3 inserting <charges,>
- 4 2. Page 2, line 26, by striking <overpayment
- 5 applies> and inserting <overpayment, applies>

WILLIAM A. DOTZLER, JR.

S-3007

- 1 Amend Senate File 110 as follows:
- 2 1. Page 1, after line 24 by inserting:
- 3 <Sec. ____ Section 96.4, Code 2013, is amended by
- 4 adding the following new subsection:
- 5 NEW SUBSECTION. 8. a. The individual has
- 6 satisfied one one-week waiting period during the
- 7 individual's benefit year. To satisfy the one-week
- 8 waiting period, the individual, with respect to the
- 9 week in question, must meet all of the following
- 10 conditions:
- 11 (1) Must be unemployed.
- 12 (2) Must have filed a claim for benefits in
- 13 accordance with section 96.6, subsection 1.
- 14 (3) Must be eligible for benefits from this state
- 15 and would receive benefits after deductions from this
- 16 state but for the waiting period; must not receive
- 17 benefits from this or any other state; and must not be
- 18 eligible for benefits from any other state.
- 19 b. If the individual has satisfied the one-week
- 20 waiting period and the department finds the individual
- 21 is eligible for benefits for the two weeks subsequent
- 22 to the one-week waiting period, the individual shall
- 23 then be paid benefits for the one-week waiting period
- 24 provided the individual meets all other eligibility
- 25 requirements of this section.>
- 26 2. Page 2, after line 19 by inserting:
- 27 <Sec. ____ EFFECTIVE DATE. The section of this Act
- 28 amending section 96.4, takes effect July 7, 2013.>
- 29 3. Page 2, after line 23 by inserting:
- 30 <Sec. ____ APPLICABILITY. The section of this
- 31 Act amending section 96.4, applies to unemployment
- 32 insurance benefit claims with an effective date on or
- 33 after July 7, 2013.>
- 34 4. Title page, line 3, after <overpayments,> by
- 35 inserting <establishing a one-week waiting period prior
- 36 to the receipt of unemployment compensation benefits,>
- 37 5. Title page, line 4, after <including> by
- 38 inserting <effective date and>
- 39 6. By renumbering as necessary.

RICK BERTRAND

S-3008

- 1 Amend Senate File 115 as follows:
- 2 1. Page 1, line 30, after <addition> by inserting
- 3 <unless waived by the person's parent or guardian at
- 4 the time the intermediate license is issued,>
- 5 2. Page 2, line 4, after <driver> by inserting
- 6 <The department shall prescribe the form for waiver
- 7 of the six-month restriction on unrelated minor
- 8 passengers, which may be in an electronic format, and
- 9 shall designate characteristics for the intermediate
- 10 license that shall distinguish between an intermediate
- 11 license that includes the six-month restriction on
- 12 unrelated minor passengers and an intermediate license
- 13 that does not include the six-month restriction on
- 14 unrelated minor passengers.>
- 15 3. By renumbering as necessary.

TOD R. BOWMAN

S-3009

- 1 Amend Senate File 230 as follows:
- 2 1. Page 1, line 11, after <state> by inserting
- 3 <"In-state construction contract" does not include any
- 4 agreement between this state and any other state.>
- 5 2. Page 1, line 17, by striking <mediation,> and
- 6 inserting <mediation,>

JANET PETERSEN

S-3010

- 1 Amend Senate File 144 as follows:
- 2 1. Page 2, line 18, after <other> by inserting
- 3 <voluntary>

AMANDA RAGAN

S-3011

- 1 Amend Senate File 309 as follows:
- 2 1. By striking page 57, line 29, through page 58,
- 3 line 14.
- 4 2. By renumbering, redesignating, and correcting
- 5 internal references as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3012

1 Amend Senate File 246 as follows:
2 1. Page 2, by striking lines 21 through 27 and
3 inserting:
4 <Sec. ____ Section 214A.2, subsection 3, paragraph
5 b, subparagraph (2), Code 2013, is amended to read as
6 follows:
7 (2) Gasoline blended with ethanol must meet ~~any of~~
8 ~~the following requirements:~~ requirements established by
9 rules adopted in part or in whole based on
10 (a) ~~For the gasoline, A.S.T.M. international~~
11 ~~specification D4814.~~
12 (b) ~~For the ethanol-blended gasoline, A.S.T.M.~~
13 ~~international specification D4814.~~
14 (c) ~~For the gasoline, A.S.T.M. international~~
15 ~~specification D4814 except for distillation, if,~~
16 ~~for E 10 or a classification below E 10, the ethanol~~
17 ~~blended gasoline meets the requirements of A.S.T.M.~~
18 ~~international specification D4814.>~~
19 2. Page 4, after line 24 by inserting:
20 <Sec. ____ EFFECTIVE UPON ENACTMENT. This division
21 of this Act, being deemed of immediate importance,
22 takes effect upon enactment.>
23 3. Title page, by striking line 4 and inserting
24 <metrologist, pesticide regulation, and motor fuel
25 standards, and including effective date provisions.>
26 4. By renumbering, redesignating, and correcting
27 internal references as necessary.

STEVEN J. SODDERS

S-3013

1 Amend Senate File 203 as follows:
2 1. Page 1, by striking lines 22 and 23 and
3 inserting:
4 <Sec. ____ Section 135G.3, subsections 1 and 2,
5 Code 2013, are amended to read as follows:
6 1. A subacute care facility shall utilize a team
7 of professionals to direct an organized program
8 of diagnostic services, subacute mental health
9 services, and rehabilitative services to meet the
10 needs of residents in accordance with a treatment
11 care plan developed for each resident under the
12 supervision of a ~~licensed psychiatrist~~ mental health
13 professional. The goal of a treatment care plan is to
14 transition residents to a less restrictive environment,
15 including a home-based community setting. Social and
16 rehabilitative services shall also be provided under
17 the direction of a mental health professional.>
18 2. Page 1, line 24, by striking <licensed

- 19 psychiatrist> and inserting <~~licensed psychiatrist~~
20 mental health professional>
- 21 3. Page 1, by striking line 32 and inserting <the a
22 licensed psychiatrist ~~of the facility~~ or by order of
23 the>
- 24 4. Page 2, line 7, by striking <full-time
25 psychiatrist> and inserting <~~full-time psychiatrist~~
26 mental health professional>
- 27 5. Page 2, by striking lines 23 and 24 and
28 inserting <or designated by counties in accordance>
- 29 6. By striking page 2, line 34, through page 3,
30 line 10, and inserting <recipients of the funding for
31 the purpose of ~~developing and providing evidence-based~~
32 ~~practices and emergency staff training or services to~~
33 adults with a serious mental illness and children with
34 a serious emotional disturbance. The distribution
35 amounts shall be announced at the beginning of the
36 federal fiscal year and distributed on a quarterly
37 basis ~~according to the formulas used in previous fiscal~~
38 ~~years~~. Recipients shall submit quarterly reports>
- 39 7. By renumbering as necessary.

LIZ MATHIS

S-3014

- 1 Amend Senate File 393 as follows:
- 2 1. Page 2, line 6, after <ultrasounds> by
3 inserting <including the requirements for training
4 and certification of individuals who perform prenatal
5 ultrasounds>

DAVID JOHNSON

S-3015

- 1 Amend Senate File 366 as follows:
- 2 1. Page 2, by striking lines 20 and 21 and
3 inserting:
- 4 b. A person shall>
- 5 2. Page 3, by striking lines 1 through 5 and
6 inserting <agency action guidelines.
- 7 b. A person>

MATT McCOY

S-3016

- 1 Amend Senate File 224 as follows:
- 2 1. Page 1, after line 15 by inserting:
- 3 <Sec. ____ Section 321.190, Code 2013, is amended
- 4 by adding the following new subsection:

5 NEW SUBSECTION. 1A. The department shall issue
6 voter identification cards in the manner provided
7 for nonoperator's identification cards. A voter
8 identification card shall contain the same information
9 on its face as the nonoperator's identification card,
10 except the card shall be labeled "For Voting Purposes
11 Only". Upon application as provided in subsection 1,
12 paragraph "a", and presentation of the applicant's
13 voter registration card, the department shall issue
14 a voter identification card to the applicant without
15 fee.>

16 2. Page 1, after line 31 by inserting:

17 <Sec. ____ Section 321M.1, subsection 8, Code 2013,
18 is amended to read as follows:

19 8. "Nonoperator identification card" means ~~the a~~
20 card issued pursuant to section 321.190 that contains
21 information pertaining to the personal characteristics
22 of the applicant but does not convey to the person
23 issued the card any operating privileges for any motor
24 vehicle. The term "nonoperator identification card"
25 includes a voter identification card issued pursuant
26 to section 321.190.>

27 3. Title page, by striking lines 1 through 3 and
28 inserting <An Act relating to the issuance of voter
29 identification cards, replacement driver's licenses,
30 and nonoperator's identification cards, and providing
31 a fee.>

32 4. By renumbering as necessary.

MARK CHELGREN
KENT SORENSON
BRAD ZAUN
JACK WHITVER

S-3017

1 Amend Senate File 298 as follows:

2 1. Page 1, after line 14 by inserting:

3 <Sec. ____ Section 709.8, Code 2013, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 5. Cause the touching of the
6 person's genitals to any part of the body of a child.>

7 2. Title page, line 1, by striking <expanding> and
8 inserting <relating to>

9 3. Title page, line 2, after <code> by inserting <,
10 lascivious acts with a child,>

11 4. By renumbering as necessary.

ROBERT M. HOGG

S-3018

- 1 Amend Senate File 298 as follows:
- 2 1. Page 1, after line 14 by inserting:
- 3 <Sec. ____ Section 709.8, Code 2013, is amended by
- 4 adding the following new subsection:
- 5 NEW SUBSECTION. 2A. Cause the touching of the
- 6 person's genitals to any part of the body of a child.
- 7 Sec. ____ Section 709.8, unnumbered paragraph 2,
- 8 Code 2013, is amended to read as follows:
- 9 Any person who violates a provision of this section
- 10 involving an act included in subsection 1 ~~or 2~~ through
- 11 2A shall, upon conviction, be guilty of a class "C"
- 12 felony. Any person who violates a provision of this
- 13 section involving an act included in subsection 3 or
- 14 4 shall, upon conviction, be guilty of a class "D"
- 15 felony.>
- 16 2. Title page, line 1, by striking <expanding> and
- 17 inserting <relating to>
- 18 3. Title page, line 2, after <code> by inserting < ,
- 19 lascivious acts with a child,>
- 20 4. By renumbering as necessary.

ROBERT M. HOGG

S-3019

- 1 Amend Senate File 339 as follows:
- 2 1. Page 1, by striking lines 12 and 13 and
- 3 inserting <further use ~~on a specified date.~~ School
- 4 buses and vehicles>

TOD R. BOWMAN

S-3020

- 1 Amend Senate File 347 as follows:
- 2 1. Page 3, after line 33 by inserting:
- 3 <Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
- 4 being deemed of immediate importance, takes effect upon
- 5 enactment.
- 6 Sec. ____ APPLICABILITY. This Act applies
- 7 retroactively to persons for whom a record check was
- 8 requested not more than sixty calendar days prior to
- 9 the effective date of this Act.>
- 10 2. Title page, line 2, after <students> by
- 11 inserting <and including effective date and
- 12 applicability provisions>
- 13 3. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3021

- 1 Amend Senate File 337 as follows:
- 2 1. Page 1, by striking lines 1 through 9.
- 3 2. Page 1, line 16, after <renewal.> by
- 4 inserting <In coordination with the department of
- 5 education, the department of public health, and
- 6 stakeholders, including but not limited to mental
- 7 health professionals, school administrators, school
- 8 nurses, and guidance counselors, the board shall select
- 9 qualified programs for such training.>
- 10 3. By renumbering as necessary.

TOD R. BOWMAN

S-3022

- 1 Amend Senate File 304 as follows:
- 2 1. Page 2, line 13, by striking <2015 through 2017>
- 3 and inserting <2017 through 2019>
- 4 2. Page 2, line 15, by striking <2018> and
- 5 inserting <2020>
- 6 3. Page 2, line 16, by striking <2019> and
- 7 inserting <2021>
- 8 4. Page 2, line 22, by striking <2016> and
- 9 inserting <2018>
- 10 5. Page 3, after line 18 by inserting:
- 11 <j. One member who is a fire chief appointed by the
- 12 Iowa fire chiefs association.>
- 13 6. Page 3, after line 22 by inserting:
- 14 <3A. It is the intent of the general assembly
- 15 in establishing this task force that the task force
- 16 develop a coordinated plan amongst all public safety
- 17 disciplines that would oversee the construction of a
- 18 consolidated fire and police public safety training
- 19 facility, provide for the establishment of a governance
- 20 board for the public safety disciplines and the
- 21 consolidated facility, and to establish a consistent
- 22 and steady funding mechanism to defray public safety
- 23 training costs on an ongoing basis.>
- 24 7. Page 3, line 24, after <public> by inserting
- 25 <and shall include an emphasis on receiving input from
- 26 fire service, law enforcement, and emergency medical
- 27 services personnel>
- 28 8. Page 4, line 10, after <board.> by inserting
- 29 <Board duties would include overseeing the construction
- 30 and maintenance of a consolidated fire and police
- 31 public safety training facility.>
- 32 9. By renumbering as necessary.

STEVEN J. SODDERS

S-3023

- 1 Amend House File 197, as passed by the House, as
2 follows:
- 3 1. Page 1, line 3, by striking <Certification> and
4 inserting <~~Certification~~ Beginning January 1, 2013,
5 certification>
- 6 2. Page 1, by striking lines 9 through 12 and
7 inserting:
- 8 <(1) ~~For Beginning January 1, 2013, for a two-year~~
9 three-year initial certification, seven hundred fifty
10 dollars.
- 11 (2) ~~For Beginning January 1, 2013, for a two-year~~
12 three-year recertification, one thousand dollars.
- 13 Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
14 being deemed of immediate importance, takes effect upon
15 enactment.
- 16 Sec. ____ RETROACTIVE APPLICABILITY. This
17 Act applies retroactively to January 1, 2013. The
18 department of inspections and appeals shall extend any
19 initial certification or recertification issued to an
20 adult day services program on or after January 1, 2013,
21 and prior to the enactment of this Act, to reflect the
22 three-year certification or recertification period
23 specified under this Act.
- 24 3. Title page, line 2, after <programs> by
25 inserting <and including effective date and retroactive
26 applicability provisions>
- 27 4. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES
AMANDA RAGAN, Chair

S-3024

- 1 Amend Senate File 371 as follows:
- 2 1. Page 2, line 15, by striking <department.> and
3 inserting <department, accompanied by a fee of one
4 hundred dollars.>
- 5 2. Page 2, line 35, by striking <be not> and
6 inserting <be>
- 7 3. Page 3, after line 13 by inserting:
- 8 <h. Special registration plates with a processed
9 emblem that were approved and in production prior to
10 the effective date of this Act shall continue to be
11 issued according to the terms of the law under which
12 those plates were authorized.>
- 13 4. By renumbering as necessary.

CHRIS BRASE

S-3025

- 1 Amend Senate File 272 as follows:
- 2 1. Page 2, by striking lines 11 through 33.
- 3 2. Title page, lines 3 and 4, by striking
- 4 <vehicles, the restore the outdoors program, and
- 5 protected wetlands.> and inserting <vehicles and the
- 6 restore the outdoors program.>
- 7 3. By renumbering as necessary.

CHRIS BRASE

S-3026

- 1 Amend Senate File 304 as follows:
- 2 1. Page 2, line 13, by striking <2015 through 2017>
- 3 and inserting <2017 through 2019>
- 4 2. Page 2, line 15, by striking <2018> and
- 5 inserting <2020>
- 6 3. Page 2, line 16, by striking <2019> and
- 7 inserting <2021>
- 8 4. Page 2, line 22, by striking <2016> and
- 9 inserting <2018>
- 10 5. Page 3, line 3, by striking <chief> and
- 11 inserting <fighter>
- 12 6. Page 3, after line 18 by inserting:
- 13 <j. One member who is a fire chief appointed by the
- 14 Iowa fire chiefs association.>
- 15 7. Page 3, after line 22 by inserting:
- 16 <3A. It is the intent of the general assembly
- 17 in establishing this task force that the task force
- 18 develop a coordinated plan amongst all public safety
- 19 disciplines that would oversee the construction of a
- 20 consolidated fire and police public safety training
- 21 facility, provide for the establishment of a governance
- 22 board for the public safety disciplines and the
- 23 consolidated facility, and to establish a consistent
- 24 and steady funding mechanism to defray public safety
- 25 training costs on an ongoing basis.>
- 26 8. Page 3, line 24, after <public> by inserting
- 27 <and shall include an emphasis on receiving input from
- 28 fire service, law enforcement, and emergency medical
- 29 services personnel>
- 30 9. Page 4, line 10, after <board.> by inserting
- 31 <Board duties would include overseeing the construction
- 32 and maintenance of a consolidated fire and police
- 33 public safety training facility.>
- 34 10. By renumbering as necessary.

STEVEN J. SODDERS

S-3027

- 1 Amend Senate File 346 as follows:
- 2 1. Page 2, after line 9 by inserting:
- 3 <x. An advanced registered nurse practitioner.>

MARY JO WILHELM

S-3028

- 1 Amend Senate File 399 as follows:
- 2 1. Page 1, line 4, by striking <and her pregnancy>
- 3 and inserting <, her pregnancy, and her baby>

NANCY J. BOETTGER

S-3029

- 1 Amend Senate File 395 as follows:
- 2 1. Page 3, after line 8 by inserting:
- 3 <Sec. ____ Section 249A.3, subsection 2, paragraph
- 4 a, subparagraph (2), Code 2013, is amended to read as
- 5 follows:
- 6 (2) (a) As provided under the federal Breast and
- 7 Cervical Cancer Prevention and Treatment Act of 2000,
- 8 Pub. L. No. 106-354, ~~women~~ individuals who meet all of
- 9 the following criteria:
- 10 (i) Are not described in 42 U.S.C.
- 11 § 1396a(a)(10)(A)(i).
- 12 (ii) Have not attained age sixty-five.
- 13 (iii) Have been screened for breast and cervical
- 14 cancer under the United States centers for disease
- 15 control and prevention breast and cervical cancer early
- 16 detection program established under 42 U.S.C. § 300k et
- 17 seq., in accordance with the requirements of 42 U.S.C.
- 18 § 300n, and need treatment for breast or cervical
- 19 cancer. ~~A woman~~ An individual is considered screened
- 20 for breast and cervical cancer under this subparagraph
- 21 subdivision if the ~~woman~~ individual is screened by any
- 22 provider or entity, and the state grantee of the United
- 23 States centers for disease control and prevention funds
- 24 under Tit. XV of the federal Public Health Services Act
- 25 has elected to include screening activities by that
- 26 provider or entity as screening activities pursuant
- 27 to Tit. XV of the federal Public Health Services Act.
- 28 This screening includes ~~but is not limited to~~ breast
- 29 or cervical cancer screenings or related diagnostic
- 30 services provided or funded by family planning ~~or~~
- 31 ~~centers, community health centers and breast cancer~~
- 32 ~~screenings funded by the Susan G. Komen foundation~~
- 33 ~~which, or nonprofit organizations, and the screenings~~
- 34 or services are provided to ~~women~~ individuals who

35 meet the eligibility requirements established by the
36 state grantee of the United States centers for disease
37 control and prevention funds under Tit. XV of the
38 federal Public Health Services Act.

39 (iv) Are not otherwise covered under creditable
40 coverage as defined in 42 U.S.C. § 300gg(c).

41 (b) ~~A woman~~ An individual who meets the criteria of
42 this subparagraph (2) shall be presumptively eligible
43 for medical assistance.

44 2. Page 6, after line 23 by inserting:

45 Sec. ____ MEDICAID STATE PLAN AMENDMENT. The
46 department of human services shall submit a medical
47 assistance state plan amendment to the centers for
48 Medicare and Medicaid services of the United States
49 department of health and human services to provide for
50 applicability of the federal Breast and Cervical Cancer

Page 2

- 1 Prevention and Treatment Act of 2000, Pub. L. No.
- 2 106-354, to both men and women. The department shall
- 3 implement applicability of the program to both men and
- 4 women upon receipt of federal approval.>
- 5 3. By renumbering as necessary.

JOE BOLKCOM

S-3030

- 1 Amend Senate File 366 as follows:

- 2 1. Page 1, by striking lines 8 and 9 and inserting
3 <the international residential code published by the
4 international code council, 2009 edition, appendix F.
5 Notwithstanding any other provision of>

- 6 2. Page 1, by striking lines 21 through 23 and
7 inserting <resale shall install a passive radon
8 mitigation system in the residence and shall notify
9 the buyer of the residence that radon testing can be
10 obtained for the residence. A builder of a residence
11 for resale shall not represent to the buyer of the
12 residence that a passive radon mitigation system will
13 remediate the presence of radon.>

- 14 3. Page 2, by striking lines 20 and 21 and
15 inserting:

- 16 <b. A person shall>

- 17 4. Page 3, by striking lines 1 through 5 and
18 inserting <agency action guidelines.

- 19 b. A person>

- 20 5. Page 4, by striking lines 1 through 10 and
21 inserting <pursuant to section 136B.3. Fees collected
22 pursuant to this section shall be retained by the
23 department and shall be considered repayment receipts

24 as defined in section 8.2. Moneys collected from such
25 fees shall be deposited in the radon education fund
26 created in section 136B.7.

27 2. The department shall adopt rules, pursuant to
28 chapter>

29 6. Page 4, lines 17 and 18, by striking <to provide
30 radon program education> and inserting <for educational
31 purposes to promote awareness of and testing for radon
32 and for carrying out the duties of the department
33 pursuant to this chapter, including but not limited
34 to the addition of full-time equivalent positions for
35 program services and investigations>

36 7. By renumbering as necessary.

MATT McCOY

S-3031

1 Amend Senate File 170 as follows:

2 1. Page 1, after line 18 by inserting:

3 <d. This subsection does not apply when such
4 applicability would cause the same preference to be
5 applied under the laws of another state against an
6 Iowa-based business participating in a competitive
7 bidding process in such state.>

8 2. Page 1, line 19, by striking <d.> and
9 inserting <e.>

10 3. Page 2, after line 19 by inserting:

11 <d. This subsection does not apply when such
12 applicability would cause the same preference to be
13 applied under the laws of another state against an
14 Iowa-based business participating in a competitive
15 bidding process in such state.>

16 4. Page 2, line 20, by striking <d.> and
17 inserting <e.>

CHARLES SCHNEIDER

S-3032

1 Amend Senate File 427 as follows:

2 1. Page 3, line 33, by striking <2015> and
3 inserting <2015>

JEFF DANIELSON

S-3033

1 Amend Senate File 380 as follows:

2 1. Page 1, by striking line 32.

3 2. Page 1, line 33, by striking <spirits permittee>
4 and inserting <retail liquor control licensee>

- 5 3. Page 2, lines 2 and 3, by striking ~~<alcoholic~~
6 ~~liquor permittee>~~ and inserting ~~<liquor control~~
7 ~~licensee>~~

JEFF DANIELSON

S-3034

- 1 Amend Senate File 387 as follows:
2 1. Page 1, line 9, by striking ~~<public>~~ and
3 inserting ~~<general corporate purpose or essential~~
4 ~~corporate>~~
5 2. Page 1, line 19, after ~~<fund>~~ by inserting ~~<For~~
6 ~~the purposes of this section, “reserve account or fund”~~
7 ~~means moneys held by a city that are not operating~~
8 ~~funds, as defined in section 12B.10A, and which is~~
9 ~~authorized by law to receive interest pursuant to~~
10 ~~section 12C.7.>~~
11 3. Page 1, lines 27 and 28, by striking ~~<~~,
12 ~~calculated in accordance with generally accepted~~
13 ~~accounting principles,>~~
14 4. Page 2, line 8, by striking ~~<statutory>~~ and
15 inserting ~~<constitutional>~~
16 5. Page 2, line 9, after ~~<limitation>~~ by inserting
17 ~~<and shall be reported by the city to the state~~
18 ~~treasurer in the same manner as required for bonding~~
19 ~~activities pursuant to section 12.1>~~
20 6. Page 2, by striking lines 18 through 20 and
21 inserting ~~<Upon approval of a loan, the loan shall be~~
22 ~~accounted for in accordance with section 384.20.>~~
23 7. Page 2, by striking lines 23 through 25 and
24 inserting ~~<shall be set at a rate that is between the~~
25 ~~interest rate established pursuant to section 12C.6,~~
26 ~~subsection 2, paragraph “a”, and the interest rate~~
27 ~~established pursuant to section 74A.6, subsection 2.>~~
28 8. By renumbering as necessary.

JEFF DANIELSON

S-3035

- 1 Amend Senate File 404 as follows:
2 1. Page 1, line 27, by striking ~~<for the>~~ and
3 inserting ~~<for a>~~
4 2. Page 1, line 27, after ~~<beginning>~~ by inserting
5 ~~<on or after>~~
6 3. By striking page 1, line 31, through page 2,
7 line 5.
8 4. Page 2, after line 17 by inserting:
9 ~~<Sec. ____ LIMITED ENGLISH PROFICIENT STUDENTS —~~
10 ~~STUDY AND REPORT. The department of education shall~~
11 ~~conduct a study regarding the special instruction of~~

12 limited English proficient students that includes but
13 is not limited to an examination of the best practices
14 for such instruction and an examination of possible
15 accountability measures related to providing additional
16 funding for limited English proficient students under
17 section 280.4. The department shall solicit and
18 accept input from all relevant stakeholders. The
19 department shall submit a report on the study and
20 make recommendations to the governor and the general
21 assembly by December 15, 2013.>

22 5. By renumbering as necessary.

NANCY J. BOETTGER

S-3036

1 Amend Senate File 385 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 692A.106, subsection 2, Code
5 2013, is amended to read as follows:

6 2. A sex offender who has been sentenced to a
7 special sentence under section 903B.1 or 903B.2, shall
8 be required to register for a period equal to the term
9 of the special sentence, but in no case not less than
10 the period specified in subsection 1, unless discharged
11 early from the term of the special sentence imposed
12 under chapter 903B.

13 Sec. 2. NEW SECTION. 903B.3 Early discharge from
14 special sentence.

15 1. A person who is serving a special sentence prior
16 to, on, or after the effective date of this Act, may
17 file an application in district court seeking an early
18 discharge from the term of the special sentence imposed
19 under this chapter.

20 2. An application shall not be granted unless all
21 of the following apply:

22 a. The person was eighteen years of age or younger
23 when the offense requiring the special sentence was
24 committed.

25 b. The victim of the offense requiring the special
26 sentence was thirteen years of age or older when the
27 offense was committed.

28 c. The person has successfully completed all sex
29 offender treatment programs that have been required.

30 d. A risk assessment has been completed and the sex
31 offender was classified as a low or low-to-moderate
32 risk to reoffend. The risk assessment used to assess
33 an offender as a low or low-to-moderate risk to
34 reoffend shall be a validated risk assessment approved
35 by the department of corrections.

36 e. The person is not incarcerated when the

37 application is filed.

38 3. The application shall be filed in the person's
39 county of principal residence.

40 4. Notice of any application shall be provided
41 to the county attorney of the county of the person's
42 principal residence, the county attorney of the county
43 where the conviction requiring the special sentence
44 occurred, and the department of public safety. The
45 county attorney where the conviction occurred shall
46 notify the victim of an application if the victim's
47 address is known.

48 5. The court shall conduct a hearing on the
49 application to hear any evidence deemed appropriate
50 by the court. A victim, as defined in section 915.10

Page 2

1 shall be provided an opportunity to be heard in any
2 format permissible under section 915.13.

3 6. The court, after the hearing, may either refuse
4 to grant the application or order that the person be
5 discharged early from the term of the special sentence.

6 7. A copy of any court order entered pursuant to
7 this section shall be sent to the person, the county
8 attorney of the person's principal place of residence,
9 the county attorney of the county where the conviction
10 requiring the special sentence occurred, and the
11 victim, if the address of the victim is known.

12 8. If the court orders the person discharged
13 early from the term of the special sentence, a copy
14 of the early discharge order shall also be sent to
15 the department of corrections, the department of
16 public safety, and to the sheriff of the county of the
17 person's principal place of residence.

18 9. If the court orders the person discharged early
19 from the term of the special sentence, the person shall
20 be immediately discharged from the special sentence,
21 and the person's name and relevant information shall
22 be removed from the sex offender registry in the
23 same manner as if the person's required period of
24 registration ended under chapter 692A.>

25 2. Title page, by striking lines 1 through 5 and
26 inserting <An Act modifying the imposition of certain
27 special sentences.>

NANCY J. BOETTGER
ROBERT M. HOGG

S-3037

1 Amend Senate File 384 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 702.11, subsection 2, Code
4 2013, is amended by adding the following new paragraph:
5 NEW PARAGRAPH. h. Removal of an officer's
6 communication or control device in violation of section
7 708.12, subsection 3, paragraph "d".>
8 2. By renumbering as necessary.

ROBERT M. HOGG

S-3038

1 Amend Senate File 399 as follows:
2 1. Page 1, by striking lines 19 through 24 and
3 inserting:
4 <1. "Correctional institution" means any state
5 correctional institution or any other detention
6 facility controlled by the state.>
7 2. Page 2, by striking lines 23 through 25.
8 3. Page 4, by striking lines 27 and 28 and
9 inserting:
10 <The department of corrections, in conjunction with
11 the department of human services,>
12 4. By striking page 4, line 34, through page 5,
13 line 1, and inserting:
14 <Sec. ____ RULES.
15 1. The department of corrections, and the
16 department of human services, shall each commence
17 rulemaking for the>
18 5. Page 5, after line 6 by inserting:
19 <2. In addition to the rulemaking authority under
20 subsection 1, the department of corrections, in
21 cooperation with the jail inspector of the department
22 of corrections, the county sheriffs, and the cities
23 with a municipal holding facility, shall develop and
24 adopt rules to implement statewide maternal health
25 care procedures for inmates and detainees at county
26 jails and municipal holding facilities. The department
27 shall not adopt emergency rules under section 17A.4,
28 subsection 3, or section 17A.5, subsection 2, paragraph
29 "b", to implement the rules. The rules shall be
30 adopted by July 1, 2014.>
31 6. By renumbering, redesignating, and correcting
32 internal references as necessary.

STEVEN J. SODDERS

S-3039

1 Amend Senate File 391 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:

<Section 1. Section 85.16, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4. By the employee's willful violation of an employment policy or procedure of the employer, if the willful violation was a substantial factor in causing the injury.

Sec. 2. Section 85.33, subsection 3, Code 2013, is amended to read as follows:

3. a. If an employee is temporarily, partially disabled and the employer for whom the employee was working at the time of injury offers to the employee suitable work consistent with the employee's disability the employee shall accept the suitable work, and be compensated with temporary partial benefits. If the employee refuses to accept the suitable work with the same employer, the employee shall not be compensated with temporary partial, temporary total, or healing period benefits during the period of the refusal. If suitable work is not offered by the employer for whom the employee was working at the time of the injury and the employee who is temporarily partially disabled elects to perform work with a different employer, the employee shall be compensated with temporary partial benefits. For the purposes of this subsection, work offered to an employee shall be considered suitable work consistent with the employee's disability if the work offered meets all of the following requirements:

(1) The work offered can be reasonably performed within the employee's educational ability, training, and vocational experience.

(2) The work offered is consistent with the employee's medical restrictions.

b. For the purposes of paragraph "c", a traveling employee is an employee whose regular work duties regularly require the employee to be away from the employee's residence for more than the majority of the work week.

c. For the purposes of this subsection, work offered to a traveling employee shall be considered suitable work consistent with the employee's disability if the following additional requirements are met:

(1) Unless otherwise contractually agreed between the employer and the employee before the injury, the geographic location of the work offered by an employer to a traveling employee may be considered only if the work offered does any of the following:

(a) Requires a commute or other travel beyond the

1 physical capacity of the traveling employee.

2 (b) Requires the traveling employee to spend

substantially more time away from the traveling employee's residence than the traveling employee's regular work duties and schedule.

(2) If an employer offers suitable work consistent with the employee's disability to a traveling employee that requires the traveling employee to spend substantially more time away from the traveling employee's residence than the traveling employee's regular work duties, the employer shall notify the traveling employee in writing of all of the following:

(a) The nature of the work duties and physical requirements of the proposed suitable work,

(b) The geographic location of the proposed suitable work offered, if the location will be substantially different than the location of the traveling employee's regular work,

(c) The possible suspension of temporary partial, temporary total, or healing period benefits if the traveling employee refuses the proposed suitable work offered.

(3) The employer shall deliver written notice of suitable work consistent with the employee's disability offered to the traveling employee, by mail, or by personal or electronic delivery.

(4) Within seven days after the employer mails to the traveling employee written notice of the suitable work offered, or within three days after the employer personally or electronically delivers to the traveling employee a written notice of suitable work offered, whichever is earlier, the traveling employee shall either accept the offer of suitable work or shall refuse the offer of suitable work, in written or electronic form, stating the basis for the employee's refusal.

d. This subsection shall not be construed to create a new legal claim or cause of action or to extinguish or modify any existing legal claim or cause of action.

Sec. 3. APPLICABILITY. The section of this Act amending section 85.16 applies to injuries that occur on or after July 1, 2013.

Sec. 4. APPLICABILITY. The section of this Act amending section 85.33, subsection 3, applies to offers of suitable work made on or after July 1, 2013.>

2. Title page, by striking line 1 and inserting <An Act relating to the allowance of workers' compensation benefits for certain>

3. By renumbering as necessary.

S-3040

1 Amend Senate File 170 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 8A.311, Code 2013, is amended
5 by adding the following new subsections:

6 NEW SUBSECTION. 12A. a. If the lowest responsive
7 bid received by the state for products or other
8 purchases is from an out-of-state business and totals
9 less than five hundred thousand dollars, and an
10 Iowa-based business submitted a bid which is within
11 five percent or ten thousand dollars of the price of
12 the lowest bid, whichever is less, the Iowa-based
13 business which submitted the lowest responsive bid
14 shall be notified and shall be allowed to match the
15 lowest bid before a contract is awarded.

16 b. This subsection does not apply to a request
17 for bids or proposals for products or other purchases
18 associated with the following:

19 (1) Road or bridge construction or repair.

20 (2) Architectural or engineering services.

21 c. This subsection does not apply to procurement of
22 or for public improvement projects.

23 d. This subsection does not apply when such
24 applicability would cause the same preference to be
25 applied under the laws of another state against an
26 Iowa-based business participating in a competitive
27 bidding process in such state.

28 e. For purposes of this subsection:

29 (1) "Iowa-based business" means an entity that has
30 its principal place of business in Iowa.

31 (2) "Public improvement" means a building or
32 construction work which is constructed under the
33 control of a governmental entity and is paid for in
34 whole or in part with funds of the governmental entity,
35 including a building or improvement constructed or
36 operated jointly with any other public or private
37 agency, and including a highway, bridge, or culvert
38 project, but excluding emergency work or repair or
39 maintenance work performed by state employees.

40 NEW SUBSECTION. 12B. a. A response to a request
41 for bids or proposals for products or other purchases
42 by the state which totals less than five hundred
43 thousand dollars in value shall contain the following
44 information:

45 (1) The percentage of the ownership of the
46 submitting business which is held by Iowa residents.

47 (2) The percentage of the employees who will be
48 carrying out work in connection with the contract
49 who are Iowa residents. For the purposes of this
50 paragraph, "employee" includes part-time, temporary,

Page 2

1 contract, and substitute employees, and includes
2 employees of any contractors or subcontractors.
3 (3) An estimate of the percentage of purchases
4 to be made by the submitting business in connection
5 with the contract that will be made from Iowa-based
6 businesses.
7 (4) Documentation showing that the submitting
8 business paid taxes, as defined in section 445.1, in
9 this state during the most recently completed fiscal
10 year for which such documentation is available.
11 b. This subsection does not apply to a request
12 for bids or proposals for products or other purchases
13 associated with the following:
14 (1) Road or bridge construction or repair.
15 (2) Architectural or engineering services.
16 c. This subsection does not apply to procurement of
17 or for public improvement projects.
18 d. This subsection does not apply when such
19 applicability would cause the same preference to be
20 applied under the laws of another state against an
21 Iowa-based business participating in a competitive
22 bidding process in such state.
23 e. For purposes of this subsection:
24 (1) "Iowa-based business" means an entity that has
25 its principal place of business in Iowa.
26 (2) "Public improvement" means a building or
27 construction work which is constructed under the
28 control of a governmental entity and is paid for in
29 whole or in part with funds of the governmental entity,
30 including a building or improvement constructed or
31 operated jointly with any other public or private
32 agency, and including a highway, bridge, or culvert
33 project, but excluding emergency work or repair or
34 maintenance work performed by state employees.>

CHARLES SCHNEIDER

S-3041

- 1 Amend Senate File 366 as follows:
2 1. By striking page 1, line 1, through page 2, line
3 1.
4 2. By renumbering as necessary.

JAKE CHAPMAN

S-3042

- 1 Amend Senate File 371 as follows:
2 1. Page 2, by striking lines 30 through 34 and
3 inserting <based upon criteria established by the
4 department. A decal shall not have any sexual
5 connotation and shall>
6 2. By renumbering as necessary.

MARK CHELGREN
JACK WHITVER
RICK BERTRAND
KENT SORENSON
JONI K. ERNST
BILL ANDERSON
RANDY FEENSTRA
ROBY SMITH
DAVID JOHNSON
MARK SEGEBART
CHARLES SCHNEIDER
MICHAEL BREITBACH
SANDRA GREINER
TIM L. KAPUCIAN
DAN ZUMBACH
NANCY J. BOETTGER

S-3043

- 1 Amend Senate File 422 as follows:
2 1. Page 1, line 1, by striking <subsection 1,>
3 2. Page 1, by striking lines 3 through 8 and
4 inserting:
5 <Sec. _____. Section 422.12B, Code 2013, is amended
6 to read as follows:
7 422.12B Earned income tax credit.
8 1. The taxes imposed under this division less the
9 credits allowed under section 422.12 shall be reduced
10 by an earned income credit equal to ~~seven~~ one of
11 the following amounts chosen at the election of the
12 taxpayer:
13 a. Ten percent of the federal earned income
14 credit provided in section 32 of the Internal Revenue
15 Code. Any credit in excess of the tax liability is
16 refundable.
17 b. (1) The sum of the following amounts:
18 (a) One percent of the first forty thousand dollars
19 of earned income of the individual.
20 (b) Two percent of the amount of earned income of
21 the individual exceeding forty thousand dollars but not
22 exceeding sixty thousand dollars.
23 (2) If the total earned income of the individual
24 exceeds sixty thousand dollars the amount of the credit

25 determined under subparagraph (1) shall be reduced,
 26 but not below zero, by the same proportion that the
 27 individual's total earned income in excess of sixty
 28 thousand dollars bears to twenty thousand dollars.
 29 (3) Any credit in excess of the tax liability is
 30 not refundable.
 31 (4) A credit shall not be allowed under this
 32 paragraph to an individual who is a dependent for
 33 whom a deduction is allowable under section 151 of
 34 the Internal Revenue Code to another taxpayer for the
 35 taxable year, or to an individual who has an amount of
 36 disqualified income in excess of three thousand two
 37 hundred dollars for the taxable year.
 38 (5) For purposes of this paragraph, "earned income"
 39 and "disqualified income" mean the same as defined in
 40 section 32 of the Internal Revenue Code.
 41 2. Married taxpayers electing to file separate
 42 returns or filing separately on a combined return
 43 may avail themselves of the earned income credit in
 44 subsection 1, paragraph "a", by allocating the earned
 45 income credit to each spouse in the proportion that
 46 each spouse's respective earned income bears to the
 47 total combined earned income.
 48 3. Taxpayers affected by the allocation provisions
 49 of section 422.8 shall be permitted a deduction for
 50 the credit only in the amount fairly and equitably

Page 2

- 1 allocable to Iowa under rules prescribed by the
- 2 director.>
- 3 3. By renumbering as necessary.

RANDY FEENSTRA

S-3044

- 1 Amend Senate File 399 as follows:
- 2 1. Page 4, after line 33 by inserting:
- 3 <Sec. ____ ABORTION. A correctional institution
- 4 shall not expend state moneys to perform or facilitate
- 5 the termination of an inmate's or detainee's pregnancy
- 6 through an abortion.>
- 7 2. By renumbering as necessary.

KENT SORENSON
 RICK BERTRAND
 MARK SEGEBART
 DENNIS GUTH
 BILL ANDERSON
 KEN ROZENBOOM
 RANDY FEENSTRA

TIM L. KAPUCIAN
ROBY SMITH
JAKE CHAPMAN
DAVID JOHNSON
BRAD ZAUN
DR. JOE M. SENG
CHARLES SCHNEIDER
JACK WHITVER
JONI K. ERNST
MICHAEL BREITBACH
MARK CHELGREN
AMY SINCLAIR
NANCY J. BOETTGER
HUBERT HOUSER
BILL DIX
JERRY BEHN
DAN ZUMBACH
SANDRA GREINER

S-3045

1 Amend Senate File 391 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 85.16, Code 2013, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 4. By the employee's willful
7 violation of an employment policy or procedure of the
8 employer, if the willful violation was a substantial
9 factor in causing the injury.

10 Sec. 2. Section 85.33, subsection 3, Code 2013, is
11 amended to read as follows:

12 3. a. If an employee is temporarily, partially
13 disabled and the employer for whom the employee was
14 working at the time of injury offers to the employee
15 suitable work consistent with the employee's disability
16 the employee shall accept the suitable work, and be
17 compensated with temporary partial benefits. If the
18 employee refuses to accept the suitable work with the
19 same employer, the employee shall not be compensated
20 with temporary partial, temporary total, or healing
21 period benefits during the period of the refusal.
22 If suitable work is not offered by the employer for
23 whom the employee was working at the time of the
24 injury and the employee who is temporarily partially
25 disabled elects to perform work with a different
26 employer, the employee shall not be compensated with
27 temporary partial, temporary total, or healing period
28 benefits during the period of time the employee works
29 for a different employer. For the purposes of this
30 subsection, work offered to an employee shall be
31 considered suitable work consistent with the employee's

32 disability if the work offered meets all of the
33 following requirements:
34 (1) The work offered can be reasonably performed
35 within the employee's educational ability, training,
36 and vocational experience.
37 (2) The work offered is consistent with the
38 employee's medical restrictions.
39 b. For the purposes of paragraph "c", a traveling
40 employee is an employee whose regular work duties
41 regularly require the employee to be away from the
42 employee's residence for more than the majority of the
43 work week.
44 c. For the purposes of this subsection, work
45 offered to a traveling employee shall be considered
46 suitable work consistent with the employee's disability
47 if the following additional requirements are met:
48 (1) Unless otherwise contractually agreed between
49 the employer and the employee before the injury, the
50 geographic location of the work offered by an employer

Page 2

1 to a traveling employee may be considered only if the
2 work offered does any of the following:
3 (a) Requires a commute or other travel beyond the
4 physical capacity of the traveling employee.
5 (b) Requires the traveling employee to spend
6 substantially more time away from the traveling
7 employee's residence than the traveling employee's
8 regular work duties and schedule.
9 (2) If an employer offers suitable work consistent
10 with the employee's disability to a traveling
11 employee that requires the traveling employee to
12 spend substantially more time away from the traveling
13 employee's residence than the traveling employee's
14 regular work duties, the employer shall notify the
15 traveling employee in writing of all of the following:
16 (a) The nature of the work duties and physical
17 requirements of the proposed suitable work.
18 (b) The geographic location of the proposed
19 suitable work offered, if the location will be
20 substantially different than the location of the
21 traveling employee's regular work.
22 (c) The possible suspension of temporary partial,
23 temporary total, or healing period benefits if the
24 traveling employee refuses the proposed suitable work
25 offered.
26 (3) The employer shall deliver written notice of
27 suitable work consistent with the employee's disability
28 offered to the traveling employee, by mail, or by
29 personal or electronic delivery.
30 (4) Within seven days after the employer mails to

31 the traveling employee written notice of the suitable
32 work offered, or within three days after the employer
33 personally or electronically delivers to the traveling
34 employee a written notice of suitable work offered,
35 whichever is earlier, the traveling employee shall
36 either accept the offer of suitable work or shall
37 refuse the offer of suitable work, in written or
38 electronic form, stating the basis for the employee's
39 refusal.
40 d. This subsection shall not be construed to create
41 a new legal claim or cause of action or to extinguish
42 or modify any existing legal claim or cause of action.
43 Sec. 3. APPLICABILITY. The section of this Act
44 amending section 85.16 applies to injuries that occur
45 on or after July 1, 2013.
46 Sec. 4. APPLICABILITY. The section of this Act
47 amending section 85.33, subsection 3, applies to offers
48 of suitable work made on or after July 1, 2013.>
49 2. Title page, by striking line 1 and inserting <An
50 Act relating to the allowance of workers' compensation

Page 3

- 1 benefits for certain>
- 2 3. By renumbering as necessary.

JAKE CHAPMAN

S-3046

1 Amend Senate File 363 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. LEGISLATIVE FINDINGS. The general
4 assembly finds that establishing a sound criminal
5 justice and public health policy toward individuals
6 living with a contagious or infectious disease is
7 consistent with an evidence-based approach to disease
8 control that focuses on prevention strategies that
9 include notification of current and previously exposed
10 partners, evidence-based behavioral risk-reduction
11 programming, promotion of voluntary disclosure to
12 sexual and needle-sharing partners, and suppression of
13 viral load through engagement in care and treatment
14 programs.>
15 2. Page 3, after line 6 by inserting:
16 <Sec. ____ Section 141A.3, subsection 2, Code 2013,
17 is amended by adding the following new paragraph:
18 NEW PARAGRAPH. 0e. Subject to availability
19 of funding, develop and implement a comprehensive
20 prevention program for individuals with HIV that
21 includes engagement and retention in HIV care
22 activities, risk reduction and behavioral prevention

23 programming, partner notification services, case
24 management and other supportive services, and
25 assistance with health insurance coverage or medication
26 costs for low-income individuals.>
27 3. By renumbering as necessary.

STEVEN J. SODDERS

S-3047

1 Amend Senate File 363 as follows:
2 1. Page 2, after line 16 by inserting:
3 <3A. A person commits a serious misdemeanor
4 when the person knows the person is infected with
5 a contagious or infectious disease and exposes an
6 uninfected person to the contagious or infectious
7 disease, but the conduct does not result in the
8 uninfected person becoming infected with the contagious
9 or infectious disease.>

CHARLES SCHNEIDER

S-3048

1 Amend Senate File 385 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 692A.106, subsection 2, Code
5 2013, is amended to read as follows:
6 2. A sex offender who has been sentenced to a
7 special sentence under section 903B.1 or 903B.2, shall
8 be required to register for a period equal to the term
9 of the special sentence, but in no case not less than
10 the period specified in subsection 1, unless discharged
11 early from the term of the special sentence imposed
12 under chapter 903B.
13 Sec. 2. NEW SECTION. 903B.3 Early discharge from
14 special sentence.
15 1. A person who is serving a special sentence prior
16 to, on, or after the effective date of this Act, may
17 file an application in district court seeking an early
18 discharge from the term of the special sentence imposed
19 under this chapter.
20 2. An application shall not be granted unless all
21 of the following apply:
22 a. The person was eighteen years of age or younger
23 when the offense requiring the special sentence was
24 committed.
25 b. The victim of the offense requiring the special
26 sentence was thirteen years of age or older when the
27 offense was committed.
28 c. The offense requiring the special sentence did

29 not involve force or a threat of force and was not done
30 against the will of the victim.
31 d. The person has successfully completed all sex
32 offender treatment programs that have been required.
33 e. A risk assessment has been completed and the sex
34 offender was classified as a low or low-to-moderate
35 risk to reoffend. The risk assessment used to assess
36 an offender as a low or low-to-moderate risk to
37 reoffend shall be a validated risk assessment approved
38 by the department of corrections.
39 f. The person is not incarcerated when the
40 application is filed.
41 3. The application shall be filed in the person's
42 county of principal residence.
43 4. Notice of any application shall be provided
44 to the county attorney of the county of the person's
45 principal residence, the county attorney of the county
46 where the conviction requiring the special sentence
47 occurred, and the department of public safety. The
48 county attorney where the conviction occurred shall
49 notify the victim of an application if the victim's
50 address is known.

Page 2

1 5. The court shall conduct a hearing on the
2 application to hear any evidence deemed appropriate
3 by the court. A victim, as defined in section 915.10
4 shall be provided an opportunity to be heard in any
5 format permissible under section 915.13.
6 6. The court, after the hearing, may either refuse
7 to grant the application or order that the person be
8 discharged early from the term of the special sentence.
9 7. A copy of any court order entered pursuant to
10 this section shall be sent to the person, the county
11 attorney of the person's principal place of residence,
12 the county attorney of the county where the conviction
13 requiring the special sentence occurred, and the
14 victim, if the address of the victim is known.
15 8. If the court orders the person discharged
16 early from the term of the special sentence, a copy
17 of the early discharge order shall also be sent to
18 the department of corrections, the department of
19 public safety, and to the sheriff of the county of the
20 person's principal place of residence.
21 9. If the court orders the person discharged early
22 from the term of the special sentence, the person shall
23 be immediately discharged from the special sentence,
24 and the person's name and relevant information shall
25 be removed from the sex offender registry in the
26 same manner as if the person's required period of
27 registration ended under chapter 692A.>

28 2. Title page, by striking lines 1 through 5 and
29 inserting <An Act modifying the imposition of certain
30 special sentences.>

NANCY J. BOETTGER
ROBERT M. HOGG

S-3049

1 Amend Senate File 289 as follows:
2 1. Page 6, by striking lines 29 through 32 and
3 inserting <~~adjutant general~~ governor.>

ROBERT M. HOGG

S-3050

1 Amend Senate File 366 as follows:
2 1. Page 4, after line 20 by inserting:
3 <Sec. ____ Section 256.9, Code 2013, is amended by
4 adding the following new subsection:
5 NEW SUBSECTION. 63. Transfer funds appropriated
6 pursuant to section 423F.2, subsection 3, to accredited
7 nonpublic schools to cover the costs of radon testing
8 and mitigation required by section 280.30. The
9 director shall establish an application process and
10 criteria for allocating such funds to accredited
11 nonpublic schools.>
12 2. Page 6, after line 17 by inserting:
13 <Sec. ____ Section 423F.2, subsection 3, Code 2013,
14 is amended to read as follows:
15 3. The moneys available in a fiscal year in the
16 secure an advanced vision for education fund shall be
17 distributed by the department of revenue to each school
18 district in an amount equal to the amount the school
19 district would have received pursuant to the formula
20 in section 423E.4 as if the local sales and services
21 tax for school infrastructure purposes was imposed.
22 Moneys in a fiscal year that are in excess of that
23 needed to provide each school district with its formula
24 amount are appropriated to the department of education
25 for transfer to accredited nonpublic schools pursuant
26 to section 256.9, subsection 63. Moneys in a fiscal
27 year that are in excess of that needed to provide each
28 school district with its formula amount and to cover
29 the costs associated with section 256.9, subsection 63.
30 shall be distributed and credited to the property tax
31 equity and relief fund created in section 257.16A.>
32 3. Page 6, after line 30 by inserting:
33 <Sec. ____ APPLICABILITY. The section of this
34 Act amending section 423F.2, subsection 3, applies to
35 moneys available in the secure an advanced vision for

36 education fund in fiscal years beginning on and after
37 July 1, 2013.>
38 4. Title page, lines 1 and 2, by striking <control
39 and making penalties applicable> and inserting
40 <control, making penalties applicable, making an
41 appropriation, and including applicability provisions>
42 5. By renumbering as necessary.

MARK CHELGREN

S-3051

1 Amend Senate File 398 as follows:
2 1. Page 18, after line 9 by inserting:
3 <Sec. ____ Section 490.732, subsection 4, Code
4 2013, is amended to read as follows:
5 4. An agreement authorized by this section
6 shall cease to be effective when ~~shares of the~~
7 ~~corporation are listed on a national securities~~
8 ~~exchange or regularly traded in a market maintained~~
9 ~~by one or more members of a national or affiliated~~
10 ~~securities association~~ the corporation becomes a
11 public corporation. If the agreement ceases to be
12 effective for any reason, the board of directors may,
13 if the agreement is contained or referred to in the
14 corporation's articles of incorporation or bylaws,
15 adopt an amendment to the articles of incorporation
16 or bylaws, without shareholder action, to delete the
17 agreement and any references to it.>
18 2. By striking page 56, line 31, through page 57,
19 line 6.
20 3. By renumbering, redesignating, and correcting
21 internal references as necessary.

CHARLES SCHNEIDER

S-3052

1 Amend House File 488, as passed by the House, as
2 follows:
3 1. Page 16, by striking lines 1 and 2 and
4 inserting <if the beer is not sold or offered>

LIZ MATHIS

S-3053

1 Amend Senate File 427 as follows:
2 1. Page 3, line 23, after <1.> by inserting <a.>
3 2. Page 3, by striking lines 30 through 34 and
4 inserting <within six months of its being released.
5 The board may adopt amendments to each code by rule.

The state plumbing code and the state mechanical code shall be applicable to all buildings and structures owned by the state or an agency of the state and in each local jurisdiction.

b. Except as provided in paragraph "c", a local jurisdiction is not required to adopt by ordinance the state plumbing code or the state mechanical code. However, a local jurisdiction that adopts by ordinance the state plumbing code or the state mechanical code may adopt standards that are more restrictive. Local jurisdictions shall not be required to conduct inspections or take any other enforcement action under the state plumbing code and state mechanical code regardless of whether the local jurisdiction has adopted by ordinance the state plumbing code or the state mechanical code.

c. A local jurisdiction with a population of more than fifteen thousand that has not adopted by ordinance the state plumbing code and state mechanical code shall have until December 31, 2016, to do so. Cities that have adopted a plumbing code or mechanical code as of the effective date of this Act shall have until December 31, 2016, to adopt the state plumbing code or the state mechanical code in lieu thereof.>

3. Page 9, line 17, by striking <2016> and inserting <2017>

4. Page 14, line 33, by striking <department> and inserting <board>

JEFF DANIELSON

S-3054

Amend Senate File 416 as follows:

1. Page 1, by striking lines 25 through 33 and inserting:

<Sec. ____ Section 331.441, subsection 2, paragraph b, subparagraph (5), Code 2013, is amended to read as follows:

(5) (a) Public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, and including the provision and maintenance of juvenile detention or shelter care facilities, when ~~the cost~~ principal amount of the bonds does not exceed the following limits:

~~(a)~~ (i) Six hundred thousand dollars in a county having a population of twenty-five thousand or less.

~~(b)~~ (ii) Seven hundred fifty thousand dollars in a county having a population of more than twenty-five thousand but not more than fifty thousand.

~~(c)~~ (iii) Nine hundred thousand dollars in a

20 county having a population of more than fifty thousand
 21 but not more than one hundred thousand.
 22 ~~(d)~~ (iv) One million two hundred thousand
 23 dollars in a county having a population of more than
 24 one hundred thousand but not more than two hundred
 25 thousand.
 26 ~~(e)~~ (v) One million five hundred thousand dollars
 27 in a county having a population of more than two
 28 hundred thousand.
 29 (b) If the board in a county with a population of
 30 two hundred thousand or less determines that at least
 31 twenty-five percent of the building and grounds will be
 32 used or occupied by the judicial branch as referenced
 33 in section 602.1102 or if the board in a county with a
 34 population of more than two hundred thousand determines
 35 that at least fifty percent of the building and grounds
 36 will be used or occupied by the judicial branch as
 37 referenced in section 602.1102, the board may follow
 38 the authorization procedures of section 331.443 when
 39 the principal amount of the bonds does not exceed the
 40 following limits:
 41 (i) One million three hundred thousand dollars in
 42 a county having a population of twenty-five thousand
 43 or less.
 44 (ii) One million six hundred thousand dollars in
 45 a county having a population of more than twenty-five
 46 thousand but not more than fifty thousand.
 47 (iii) One million nine hundred thousand dollars
 48 in a county having a population of more than fifty
 49 thousand but not more than one hundred thousand.
 50 (iv) Two million five hundred thousand dollars in

Page 2

- 1 a county having a population of more than one hundred
- 2 thousand but not more than two hundred thousand.
- 3 (v) Three million two hundred thousand dollars in
- 4 a county having a population of more than two hundred
- 5 thousand.>
- 6 2. Page 2, line 7, after <(5)> by inserting <_
- 7 subparagraph division (a) or (b). as applicable>

JANET PETERSEN
 CHARLES SCHNEIDER

S-3055

- 1 Amend Senate File 297 as follows:
- 2 1. Page 1, by striking lines 5 through 10 and
- 3 inserting:
- 4 <c. The authority shall not enter into a contract
- 5 for services, including a contract executed pursuant

6 to subsection 2, paragraph “d”, that exceeds ~~two~~ three
7 years in duration.>
8 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3056

1 Amend Senate File 296 as follows:
2 1. Page 5, line 10, after <services.> by inserting
3 <If the methodology for calculating the federal medical
4 assistance percentage for newly eligible individuals
5 under this paragraph, as provided in 42 U.S.C. §
6 1396d(y), is modified through federal law or regulation
7 before January 1, 2020, in a manner that reduces
8 the percentage of federal assistance to the state,
9 the department of human services shall implement an
10 alternative plan as specified in the medical assistance
11 state plan for coverage of the affected population.>
12 2. Page 12, by striking lines 17 through 20 and
13 inserting:
14 <____. The department of human services shall
15 amend the medical assistance state plan to provide
16 for coverage of adults up to 133 percent of the
17 federal poverty level as provided pursuant to section
18 249A.3, subsection 1, paragraph “v”, as enacted in
19 this Act, beginning January 1, 2014. The state plan
20 amendment shall include a provision specifying that if
21 the methodology for calculating the federal medical
22 assistance percentage for newly eligible individuals
23 under section 249A.3, subsection 1, paragraph “v”,
24 as provided in 42 U.S.C. § 1396d(y), is modified
25 through federal law or regulation before January
26 1, 2020, in a manner that reduces the percentage
27 of federal assistance to the state, the department
28 of human services shall implement an alternative
29 plan for coverage of the affected population, to the
30 extent necessary, so that state expenditures remain
31 budget neutral under the modified federal medical
32 assistance percentage relative to the percentage
33 specified for the same fiscal year under section 42
34 U.S.C. § 1396d(y). The state plan amendment shall
35 provide that implementation by the department of human
36 services of any alternative plan for coverage of the
37 affected population is subject to prior approval of the
38 implementation by statute.>
39 3. Page 13, by striking lines 6 and 7 and
40 inserting:
41 <Sec. _____. EFFECTIVE DATE. The following provision
42 or provisions of this Act take effect December 31,
43 2013:
44 1. The section of this Act amending section 249A.3,

45 subsection 2, paragraph “a”, subparagraph (9).
46 Sec. ____ EFFECTIVE UPON ENACTMENT. With the
47 exception of the section of this Act amending section
48 249A.3, subsection 2, paragraph “a”, subparagraph (9),
49 this Act, being deemed of immediate importance, takes
50 effect upon enactment.>

PAM JOCHUM
JACK HATCH

S-3057

1 Amend Senate File 393 as follows:
2 1. Page 1, by striking line 15 and inserting
3 <department.>
4 2. Page 1, line 16, by striking <The> and inserting
5 <Notwithstanding any provision to the contrary, the>
6 3. Page 1, line 17, after <shall> by inserting
7 <only>
8 4. Page 1, line 19, after <136A.5> by inserting
9 <if funding is available for implementation of the
10 reporting requirement>
11 5. Page 1, line 33, after <screening.> by inserting
12 <However, reporting of the results of each newborn’s
13 critical congenital heart disease screening shall
14 not be required unless funding is available for
15 implementation of the reporting requirement.>
16 6. By striking page 1, line 34, through page 2,
17 line 13.
18 7. Title page, lines 3 and 4, by striking <and the
19 convening of a task force on prenatal care>
20 8. By renumbering as necessary.

JOE BOLKCOM

S-3058

1 Amend Senate File 354 as follows:
2 1. Page 1, line 3, after <services> by inserting
3 <, in collaboration with the department of public
4 health and the department of agriculture and land
5 stewardship,>
6 2. Page 1, line 4, by striking <plan> and inserting
7 <procurement policy>
8 3. Page 1, line 5, before <requiring> by inserting
9 <for the policy>
10 4. Page 1, by striking lines 7 through 9
11 and inserting <to conform to the American heart
12 association’s procurement standards or the United
13 States department of health and human services’
14 guidelines for federal concessions and vending
15 operations, and to establish purchasing preferences for

- 16 local>
- 17 5. Page 1, line 12, after <education> by inserting
18 <, in collaboration with the department of agriculture
19 and land stewardship,>
- 20 6. Page 1, line 12, by striking <plan> and
21 inserting <procurement policy>
- 22 7. Page 1, line 13, before <requiring> by inserting
23 <for the policy>
- 24 8. Page 1, by striking lines 14 through 16
25 and inserting <to conform to the American heart
26 association's procurement standards or the United
27 States department of health and human services'
28 guidelines for federal concessions and vending
29 operations, and to establish purchasing preferences
30 for>
- 31 9. Page 1, line 18, by striking <plan> and
32 inserting <policy>
- 33 10. Page 1, line 21, by striking <plans> and
34 inserting <procurement policies>
- 35 11. Page 1, line 26, by striking <plan> and
36 inserting <procurement policy>
- 37 12. Page 1, by striking lines 27 and 28 and
38 inserting <American heart association's procurement
39 standards or the United States department of health and
40 human services' guidelines for federal concessions and
41 vending operations by>
- 42 13. Page 1, after line 29, by inserting:
43 <5. The department of administrative services and
44 the department of public health shall review and update
45 relevant nutrition standards every five years, starting
46 in 2018, to reflect advancements in nutrition science,
47 dietary data, and food product availability.>
- 48 14. Page 1, line 30, by striking <5.> and inserting
49 <6.>
- 50 15. Page 1, line 32, by striking <plans> and

Page 2

- 1 inserting <procurement policies>

JANET PETERSEN

S-3059

- 1 Amend Senate File 297 as follows:
- 2 1. Page 1, by striking lines 3 through 10 and
3 inserting:
4 <Sec. ____ Section 15.106B, subsection 4, paragraph
5 c, Code 2013, is amended by striking the paragraph.>
6 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3060

- 1 Amend House File 397, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 3 and 4 and inserting:
4 <Sec. ____ Section 15.106B, subsection 4, paragraph
5 c, Code 2013, is amended to read as follows:
6 c. The authority shall not enter into a contract
7 for services, including a contract executed pursuant
8 to subsection 2, paragraph “d”, that exceeds ~~two~~ three
9 years in duration.>
10 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3061

- 1 Amend Senate File 358 as follows:
2 1. Page 4, by striking line 29 and inserting:
3 <c. Subsection 1 and subsection 2, paragraph “b”
4 and this paragraph “c” are repealed July 1, 2014.>
5 2. By renumbering as necessary.

ROBERT M. HOGG

S-3062

- 1 Amend Senate File 396 as follows:
2 1. Page 5, line 23, by striking <nonprofessional>
3 2. Page 5, by striking lines 25 through 27 and
4 inserting <subchapter IV.>
5 3. Page 29, line 12, after <date> by inserting <of
6 this division>
7 4. Page 29, line 15, after <this> by inserting
8 <division of this>
9 5. Page 29, line 18, after <this> by inserting
10 <division of this>
11 6. Page 29, line 24, after <this> by inserting
12 <division of this>
13 7. Page 29, line 28, after <this> by inserting
14 <division of this>
15 8. Page 30, line 1, after <this> by inserting
16 <division of this>
17 9. Page 30, line 18, after <this> by inserting
18 <division of this>
19 10. Page 30, line 22, after <this> by inserting
20 <division of this>
21 11. Page 30, line 30, after <this> by inserting
22 <division of this>
23 12. Page 31, lines 16 and 17, by striking
24 <PROVISIONS — STANDING APPROPRIATION.> and inserting

25 <PROVISIONS.>
26 13. Page 31, line 18, by striking <1.>
27 14. Page 31, line 20, after <date> by inserting <of
28 this division>
29 15. Page 31, line 22, after <date> by inserting <of
30 this division>
31 16. Page 31, by striking lines 23 through 35.
32 17. Page 32, line 5, by striking <and
33 implementation>
34 18. Page 32, line 11, after <MANAGEMENT> by
35 inserting <PLAN — REPORT>
36 19. Page 32, line 13, by striking <and implement>
37 20. Page 32, by striking line 17 and inserting
38 <regents. The director shall submit a written report
39 to the general assembly by January 6, 2014, concerning
40 the director's findings and recommendations concerning
41 the plan.>
42 21. Page 32, line 32, after <with> by inserting
43 <affected executive branch agencies and>
44 22. Page 33, lines 7 and 9, by striking <do all of
45 the following:
46 a. Provide> and inserting <provide>
47 23. Page 33, line 11, by striking <(1)> and
48 inserting <a.>
49 24. Page 33, line 13, by striking <(2)> and
50 inserting <b.>

Page 2

1 25. Page 33, line 15, by striking <(3)> and
2 inserting <c.>
3 26. Page 33, by striking lines 18 through 33 and
4 inserting:
5 <4. The report submitted to the general assembly
6 shall include but not be limited to implementation
7 timelines relative to the plan, number of employees
8 and agencies impacted by potential consolidation of
9 human resource management functions, and potential
10 costs to be charged agencies upon implementation of
11 the consolidated plan. The report shall also include
12 recommendations for the consolidation of payroll
13 functions, to include timelines for implementation,
14 costs, and potential financing options.>
15 27. Page 38, by striking lines 10 through 17.
16 28. By striking page 38, line 33, through page 40,
17 line 2.
18 29. Page 42, after line 28 by inserting:
19 <Sec. ____ Section 84A.11, subsection 4, Code 2013,
20 is amended to read as follows:
21 4. The nursing workforce data clearinghouse shall
22 be established and maintained in a manner consistent
23 with the health care delivery infrastructure and health

24 care workforce resources strategic plan developed
25 ~~pursuant to section 135.164 by the department of public~~
26 ~~health.~~

27 30. Page 43, after line 17 by inserting:

28 <Sec. ____ Section 135.153A, Code 2013, is amended
29 to read as follows:

30 135.153A Safety net provider recruitment and
31 retention initiatives program — repeal.
32 The department, ~~in accordance with efforts pursuant~~
33 ~~to sections 135.163 and 135.164 and~~ in cooperation with
34 the Iowa collaborative safety net provider network
35 governing group as described in section 135.153,
36 shall establish and administer a safety net provider
37 recruitment and retention initiatives program to
38 address the health care workforce shortage relative to
39 safety net providers. Funding for the program may be
40 provided through the health care workforce shortage
41 fund or the safety net provider network workforce
42 shortage account created in section 135.175. The
43 department, in cooperation with the governing group,
44 shall adopt rules pursuant to chapter 17A to implement
45 and administer such program. This section is repealed
46 June 30, 2014.

47 Sec. ____ Section 135.175, subsection 1, paragraph
48 b, Code 2013, is amended to read as follows:

49 b. A health care workforce shortage fund is created
50 in the state treasury as a separate fund under the

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1 control of the department, in cooperation with the
2 entities identified in this section as having control
3 over the accounts within the fund. The fund and
4 the accounts within the fund shall be controlled and
5 managed in a manner consistent with the principles
6 specified and the strategic plan developed ~~pursuant~~
7 ~~to sections 135.163 and 135.164 by the department of~~
8 ~~public health.~~

9 Sec. ____ Section 135.175, subsection 6, Code 2013,
10 is amended to read as follows:

11 6. a. Moneys in the fund and the accounts in the
12 fund shall only be appropriated in a manner consistent
13 with the principles specified and the strategic plan
14 developed ~~pursuant to sections 135.163 and 135.164 by~~
15 ~~the department of public health~~ to support the medical
16 residency training state matching grants program, the
17 nurse residency state matching grants program, the
18 health care professional incentive payment program,
19 the Iowa needs nurses now initiative, the safety net
20 recruitment and retention initiatives program, for
21 national health care workforce shortage initiatives,
22 for the physician assistant mental health fellowship

23 program, for the purposes of the Iowa needs nurses
24 now infrastructure account, and to provide funding
25 for state health care workforce shortage programs as
26 provided in this section.

27 b. State programs that may receive funding from
28 the fund and the accounts in the fund, if specifically
29 designated for the purpose of drawing down federal
30 funding, are the primary care recruitment and retention
31 endeavor (PRIMECARRE), the Iowa affiliate of the
32 national rural recruitment and retention network, the
33 primary care office shortage designation program,
34 the state office of rural health, and the Iowa health
35 workforce center, administered through the bureau
36 of health care access of the department of public
37 health; the area health education centers programs at
38 Des Moines university — osteopathic medical center
39 and the university of Iowa; the Iowa collaborative
40 safety net provider network established pursuant to
41 section 135.153; any entity identified by the federal
42 government entity through which federal funding for a
43 specified health care workforce shortage initiative
44 is received; and a program developed in accordance
45 with the strategic plan developed by the department of
46 public health ~~in accordance with sections 135.163 and~~
47 ~~135.164.~~

48 c. State appropriations to the fund shall be
49 allocated in equal amounts to each of the accounts
50 within the fund, unless otherwise specified in the

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1 appropriation or allocation. Any federal funding
2 received for the purposes of addressing state health
3 care workforce shortages shall be deposited in the
4 health care workforce shortage national initiatives
5 account, unless otherwise specified by the source
6 of the funds, and shall be used as required by the
7 source of the funds. If use of the federal funding is
8 not designated, twenty-five percent of such funding
9 shall be deposited in the safety net provider network
10 workforce shortage account to be used for the purposes
11 of the account and the remainder of the funds shall be
12 used in accordance with the strategic plan developed
13 by the department of public health ~~in accordance with~~
14 ~~sections 135.163 and 135.164~~, or to address workforce
15 shortages as otherwise designated by the department
16 of public health. Other sources of funding shall be
17 deposited in the fund or account and used as specified
18 by the source of the funding.>

19 31. Page 44, line 8, by striking <Section> and
20 inserting <Sections 135.163, 135.164, and>

21 32. Page 44, line 8, by striking <is> and inserting

22 <are>

23 33. Page 45, after line 29 by inserting:

24 <DIVISION ____

25 PUBLIC SAFETY COMMUNICATIONS

26 Sec. ____ NEW SECTION. 34A.11 Communications —
27 single point-of-contact.

28 1. The joint E911 service board in each enhanced
29 911 service area shall designate a person to serve
30 as a single point-of-contact to facilitate the
31 communication of needs, issues, or concerns regarding
32 emergency communications, interoperability, and other
33 matters applicable to emergency E911 communications
34 and migration to an internet protocol-enabled next
35 generation network. The person designated as the
36 single point-of-contact shall be responsible for
37 facilitating the communication of such needs, issues,
38 or concerns between public or private safety agencies
39 within the service area, the E911 program manager,
40 the E911 communications council, the statewide
41 interoperable communications system board established
42 in section 80.28, and any other person, entity, or
43 agency the person deems necessary or appropriate.
44 The person designated shall also be responsible for
45 responding to surveys or requests for information
46 applicable to the service area received from a federal,
47 state, or local agency, entity, or board.

48 2. In the event a joint E911 service board fails
49 to designate a single point-of-contact by November 1,
50 2013, the chairperson of the joint E911 service board

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1 shall serve in that capacity. The E911 service board
2 shall submit the name and contact information for the
3 person designated as the single point-of-contact to the
4 E911 program manager by January 1 annually.

5 3. The provisions of this section shall be
6 equally applicable to an alternative legal entity
7 created pursuant to chapter 28E if such an entity is
8 established as an alternative to a joint E911 service
9 board as provided in section 34A.3. If such an entity
10 is established, the governing body of that entity shall
11 designate the single point-of-contact for the entity,
12 and the chairperson or representative official of
13 the governing body shall serve in the event a single
14 point-of-contact is not designated.>

15 34. Title page, line 2, by striking <making an
16 appropriation,>

17 35. By renumbering, redesignating, and correcting
18 internal references as necessary.

JEFF DANIELSON

S-3063

- 1 Amend Senate File 407 as follows:
- 2 1. By striking page 1, line 1, through page 2, line
- 3 2.
- 4 2. Page 2, by striking lines 18 through 28.
- 5 3. By renumbering as necessary.

JEFF DANIELSON

S-3064

- 1 Amend Senate File 363 as follows:
- 2 1. Page 2, after line 16 by inserting:
- 3 <3A. A person commits a serious misdemeanor
- 4 when the person knows the person is infected with
- 5 a contagious or infectious disease and exposes an
- 6 uninfected person to the contagious or infectious
- 7 disease acting with a reckless disregard as to whether
- 8 the uninfected person contracts the contagious or
- 9 infectious disease, but the conduct does not result
- 10 in the uninfected person becoming infected with the
- 11 contagious or infectious disease.>
- 12 2. By renumbering as necessary.

CHARLES SCHNEIDER

S-3065

- 1 Amend the amendment, S-3058, to Senate File 354, as
- 2 follows:
- 3 1. Page 1, line 43, after <5.> by inserting <The
- 4 department of human services, in collaboration with
- 5 the department of administrative services and the
- 6 department of public health, shall require recipients
- 7 under the food assistance program, as defined in
- 8 section 234.1, by January 1, 2015, to comply with the
- 9 procurement standards or guidelines applicable to
- 10 affected cafeterias under this Act.>

JONI K. ERNST

S-3066

- 1 Amend Senate File 423 as follows:
- 2 1. Page 6, line 23, after <paragraph.> by inserting
- 3 <The eligibility of an applicant who receives a teach
- 4 Iowa scholar grant and who is preparing to teach in a
- 5 hard-to-staff subject as identified by the department
- 6 shall not be affected in subsequent years if the
- 7 department does not continue to identify that subject

8 as a hard-to-staff subject.>
9 2. Page 7, by striking lines 27 through 29 and
10 inserting <state models and comparable systems>
11 3. Page 8, line 10, by striking <section 284.7> and
12 inserting ~~<section 284.7~~ this chapter>
13 4. Page 11, by striking lines 7 and 8 and inserting
14 <implementing a state model or comparable system
15 approved as provided>
16 5. Page 12, line 28, after <284.15> by inserting
17 <and to pay salary supplements to teachers assigned
18 to leadership roles, to increase the percentages of
19 teachers assigned to leadership roles, to increase
20 the minimum teacher salaries, to cover the costs
21 for the time when teachers assigned to leadership
22 roles are not providing instruction to students in
23 a classroom, for coverage of a classroom when an
24 initial or career teacher is observing or coteaching
25 with a teacher assigned to a leadership role, for
26 professional development time to learn best practices
27 associated with the leadership process, for other costs
28 associated with a comparable system pursuant to section
29 284.15, and to accomplish goals that include improving
30 instruction and elevating the quality of teaching and
31 student learning>
32 6. Page 13, by striking line 12 and inserting:
33 <Sec. ____ Section 284.2, subsections 1 and 8, Code
34 2013, are amended>
35 7. Page 13, after line 27 by inserting:
36 <8. "Performance review" means a summative
37 evaluation of a teacher other than a beginning
38 teacher and used to determine whether the teacher's
39 practice meets school district expectations and the
40 Iowa teaching standards, and to determine whether the
41 teacher's practice meets school district expectations
42 for career advancement in accordance with ~~section 284.7~~
43 this chapter.>
44 8. Page 14, by striking lines 31 and 32 and
45 inserting <incorporating the salary minimums ~~required~~
46 in section 284.7 in accordance with this chapter. The
47 combined salary schedule must use only the>
48 9. By striking page 16, line 18, through page 21,
49 line 20, and inserting:
50 <Sec. ____ Section 284.7, subsection 1, paragraph

Page 2

1 a, subparagraph (2), Code 2013, is amended to read as
2 follows:
3 (2) Beginning July 1, 2008 Except as provided in
4 a state model or comparable system approved pursuant
5 to section 284.15, the minimum salary for a beginning
6 teacher shall be twenty-eight thousand dollars.

7 Sec. ____ Section 284.7, subsection 1, paragraph
8 b, subparagraph (2), Code 2013, is amended to read as
9 follows:

10 (2) ~~Beginning July 1, 2008 Except as provided in~~
11 ~~a state model or comparable system approved pursuant~~
12 ~~to section 284.15~~, the minimum salary for a first-year
13 career teacher shall be thirty thousand dollars.

14 Sec. ____ Section 284.7, subsection 5, Code 2013,
15 is amended by striking the subsection and inserting in
16 lieu thereof the following:

17 5. This section is repealed July 1, 2016.>

18 10. By striking page 23, line 13, through page 35,
19 line 27, and inserting:

20 <Sec. ____ NEW SECTION. 284.15 Career path,
21 leadership role, and compensation model and comparable
22 system requirements.

23 1. Common provisions for models and comparable
24 systems. Except as otherwise provided in this section,
25 all models specified in sections 284.16, 284.17, and
26 284.18, and any comparable system described in section
27 284.19, shall be approved under subsection 12 and shall
28 meet the requirements of this section.

29 2. Salary supplements and appeal. The salary
30 supplement received by teachers pursuant to section
31 257.10, subsection 12, shall fully cover the salary
32 costs of any additional contract days required of
33 teachers under a state model or comparable system
34 approved pursuant to this section. If a teacher
35 ends or completes a leadership role assignment, the
36 teacher shall no longer receive a salary supplement for
37 performance in a leadership role unless the teacher
38 is issued a new contract for assignment in another
39 leadership role. Notwithstanding any provision of
40 law to the contrary, the determinations of salary
41 supplements paid from moneys received pursuant to
42 section 257.10, subsection 12, are not subject to
43 appeal.

44 3. Review councils. The school board implementing
45 a state model pursuant to section 284.16, 284.17, or
46 284.18, shall appoint a site-based review council if
47 the school district has a certified enrollment of six
48 hundred or more students, or a district-based selection
49 council if the school district has a certified
50 enrollment of less than six hundred students.

Page 3

1 a. Each council shall be comprised of equal numbers
2 of teachers and administrators. Teacher members
3 shall include teachers who have been nominated by
4 the certified employee organization that represents
5 the school district's teachers, if such organization

6 exists, or, if such organization does not exist, by a
7 teacher quality committee.

8 b. The council shall accept and review applications
9 submitted to the school's or the school district's
10 administration for assignment or reassignment in
11 a leadership role and shall make recommendations
12 regarding the applications to the superintendent of the
13 school district. In developing recommendations, the
14 council shall utilize measures of teacher effectiveness
15 and professional growth, consider the needs of the
16 school district, and review the performance and
17 professional development of the applicants. Any
18 teacher recommended by a review council for assignment
19 or reassignment in a leadership role shall have
20 demonstrated to the council's satisfaction competency
21 on the Iowa teaching standards as set forth in section
22 284.3.

23 4. Leadership role assignment. An assignment to a
24 teacher leadership role pursuant to this chapter shall
25 be subject to review by the school's or the school
26 district's administration at least annually. The
27 review shall include peer feedback on the effectiveness
28 of the teacher's performance of duty specific to the
29 teacher's leadership role. A teacher who completes
30 the time period of assignment in a teacher leadership
31 role may apply to the school's or the school district's
32 administration for assignment in a new role if
33 appropriate or for reassignment.

34 5. Status quo. A teacher employed in a school
35 district shall not receive less compensation in that
36 district than the teacher received in the school year
37 preceding participation, as set forth in section 284.4,
38 due to implementation of a state model or comparable
39 system approved pursuant to this section. A teacher
40 who achieves national board for professional teaching
41 standards certification and meets the requirements of
42 section 256.44 shall continue to receive the award
43 as specified in section 256.44 in addition to the
44 compensation set forth in this chapter.

45 6. Early implementation. Prior to July 1, 2016, a
46 school district may apply to the commission on educator
47 leadership and compensation for early implementation
48 of a state model set forth in section 284.16, 284.17,
49 or 284.18, or a comparable system set forth in section
50 284.19.

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1 7. Implementation. On or after July 1, 2016, each
2 school district shall implement a state model set forth
3 in section 284.16, 284.17, or 284.18, or a comparable
4 system set forth in section 284.19 for which the school

5 district received approval pursuant to this section.
6 Compliance with this section shall be determined by
7 the accreditation team authorized pursuant to section
8 256.11. A school district shall not be required to
9 fully implement a state model or comparable system
10 pursuant to this section if implementation costs
11 exceed the state school foundation aid, including the
12 moneys received under section 257.10, subsections
13 9 and 12, the school district receives. However,
14 if a school district's implementation costs exceed
15 such state school foundation aid, the school district
16 shall implement as much of the approved state model or
17 comparable system as reasonably possible, and shall, at
18 a minimum, meet the minimum salary requirements for an
19 Iowa teacher as provided in section 284.17, subsection
20 1, paragraph "a".
21 8. Approval. The department shall establish
22 criteria and an application process for approval of the
23 implementation of a state model set forth in section
24 284.16, 284.17, or 284.18, or a comparable system set
25 forth in section 284.19, which a school district may
26 implement pursuant to subsection 6, or shall implement
27 in accordance with subsection 7.
28 9. Teachers emeritus. A school district is
29 encouraged to utilize appropriately licensed teachers
30 emeritus in the implementation of this section and
31 sections 284.16 through 284.19.
32 10. Attendance center applicability. A state model
33 or comparable system approved and implemented by a
34 school district in accordance with this section and
35 sections 284.16 through 284.19 shall be applicable to
36 teachers in every attendance center operated by the
37 school district.
38 11. Planning grants. Contingent on a specific
39 appropriation for these purposes, a school district
40 may apply to the commission on educator leadership
41 and compensation established pursuant to subsection
42 12 for a planning grant to design an implementation
43 strategy for a state model set forth in section 284.16,
44 284.17, or 284.18, or a comparable system set forth
45 in section 284.19. The planning grant shall be used
46 to facilitate a local decision-making process that
47 includes representation of administrators, teachers,
48 and parents and guardians of students. The department
49 shall establish and make available an application for
50 the awarding of planning grants for purposes of this

Page 5

1 subsection.
2 12. Commission on educator leadership and
3 compensation. The department shall establish, and

4 provide staffing and administrative support for a
5 commission on educator leadership and compensation.
6 The commission shall monitor with fidelity the
7 implementation of the state models and comparable
8 systems by school districts approved pursuant to
9 this section. The commission shall evaluate the
10 applications submitted for approval pursuant to
11 this section and shall approve or disapprove such
12 applications. If the commission disapproves an
13 application, the commission shall specify the reasons
14 for disapproval. A school district that receives
15 approval to implement a state model or comparable
16 system under this section is eligible to receive funds
17 under section 257.10, subsection 12. An application
18 for implementation of a state model or comparable
19 system shall only be approved if the school district
20 receives state school foundation aid, including the
21 moneys received under section 257.10, subsections 9
22 and 12, in an amount that will cover the costs of the
23 state model or comparable system approved pursuant to
24 this section. In addition, the commission shall review
25 the use and effectiveness of the funds distributed
26 to school districts for supplemental assistance to
27 teachers in high-need schools under section 284.11.
28 a. The commission shall be comprised of the
29 following:
30 (1) Five teachers selected by the Iowa state
31 education association.
32 (2) Three administrators selected by the school
33 administrators of Iowa.
34 (3) Two school board members selected by the Iowa
35 association of school boards.
36 (4) Each president or president's designee of
37 the Iowa state education association, the school
38 administrators of Iowa, and the Iowa association of
39 school boards.
40 (5) The director or the director's designee.
41 b. Members shall be appointed to staggered
42 three-year terms which shall begin and end as provided
43 in section 69.19. Appointments shall comply with
44 sections 69.16, 69.16A, and 69.16C. Vacancies on the
45 commission shall be filled in the same manner as the
46 original appointment. A person appointed to fill a
47 vacancy shall serve only for the unexpired portion
48 of the term. Members are entitled to reimbursement
49 of actual expenses incurred in performance of their
50 official duties.

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- 1 c. By December 15 annually, the commission shall
- 2 submit its findings and any recommendations, including

but not limited to any recommendations for changes relating to this section and sections 284.16 through 284.19, and for changes to section 284.11 relating to state supplemental assistance to teachers in high-need schools, in a report to the director, the state board, the governor, and the general assembly.

13. Teacher leadership supplement foundation aid. a. Teacher leadership supplement foundation aid calculated under section 257.10, subsection 12, shall be paid as part of the state aid payments made to school districts in accordance with section 257.16.

b. Notwithstanding section 284.3A, teacher leadership supplement foundation aid shall not be combined with regular wages to create a combined salary.

c. The teacher leadership supplement district cost as calculated under section 257.10, subsection 12, is not subject to a uniform reduction in accordance with section 8.31.

d. Except as otherwise provided by law for a fiscal year, of the amount appropriated statewide for that fiscal year for payment of the teacher leadership supplement pursuant to section 257.10, subsection 12, the department may use an amount not to exceed five hundred thousand dollars to provide administration and oversight of the state models and comparable systems approved and implemented pursuant to this section and section 284.16, 284.17, 284.18, or 284.19; and to fund up to two full-time equivalent positions which shall be in addition to the number of positions authorized for the fiscal year.

Sec. ____ NEW SECTION. 284.16 Teacher leadership framework model.

1. Teacher leadership framework model — purposes. To promote continuous improvement in Iowa's quality teaching workforce and to give Iowa teachers the opportunity for career recognition that reflects the various roles teachers play as educational leaders, a teacher leadership framework model is established for teachers employed by school districts. A teacher employed by an area education agency may be included in a framework model established by a school district if the area education agency and the school district enter into a contract for such purpose. The framework model is designed to accomplish the following goals:

a. To attract able and promising new teachers by offering competitive starting salaries and offering short-term and long-term professional development and

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1 leadership opportunities.

2 b. To retain effective teachers by providing
3 enhanced career opportunities.

4 c. To promote collaboration by developing and
5 supporting opportunities for teachers in schools and
6 school districts statewide to learn from each other.

7 d. To reward professional growth and effective
8 teaching by providing for career opportunities that
9 come with increased leadership responsibilities and
10 involve increased compensation.

11 e. To improve student achievement by strengthening
12 instruction.

13 2. Model requirements. The teacher leadership
14 framework model requirements shall be as follows:

15 a. Initial teacher.

16 (1) The salary for an initial teacher who has
17 successfully completed an approved practitioner
18 preparation program as defined in section 272.1 or
19 holds an initial or intern teacher license issued
20 under chapter 272, and who participates in the initial
21 teacher mentoring and induction program as provided in
22 this chapter, shall be at least thirty-five thousand
23 dollars, which shall also constitute the minimum salary
24 for an Iowa teacher.

25 (2) An initial teacher shall complete a teacher
26 residency during the first year of employment that has
27 all of the following characteristics:

28 (a) Mentoring by a mentor teacher or lead teacher.

29 (b) Sufficient collaboration time for the initial
30 teacher in the residency year to be able to observe and
31 learn from more experienced teachers, mentor teachers,
32 and lead teachers employed by school districts located
33 in this state.

34 (c) A teaching load of not more than seventy-five
35 percent student instruction to allow the initial
36 teacher time for observation and learning.

37 (d) A teaching contract issued under section
38 279.13 that establishes an employment period which
39 is five days longer than that required for career
40 teachers employed by the school district of employment.
41 The five additional contract days shall be used to
42 strengthen instructional leadership in accordance with
43 this section.

44 (e) Frequent observation, evaluation, and
45 professional development opportunities.

46 b. Career teacher. A career teacher is a teacher
47 who meets the requirements of section 284.17,
48 subsection 1, paragraph "b", subparagraph (1).
49 Beginning July 1, 2014, the minimum salary for a
50 first-year career teacher shall be thirty-seven

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1 thousand dollars.

2 c. Model teacher. A model teacher is a teacher
3 who meets the requirements of paragraph “b”, has met
4 the requirements established by the school district
5 that employs the teacher, is evaluated by the school
6 district as demonstrating the competencies of a model
7 teacher, has participated in a rigorous review process,
8 and has been recommended for a one-year assignment
9 as a model teacher by a site-based or district-based
10 review council appointed pursuant to section 284.15,
11 subsection 3. A school district shall set as a
12 goal the designation of at least ten percent of
13 its teachers as model teachers, though the district
14 may enter into an agreement with one or more other
15 districts or an area education agency to meet this
16 goal through a collaborative arrangement. The terms
17 of the teaching contracts issued under section 279.13
18 to model teachers shall exceed by five days the terms
19 of teaching contracts issued under section 279.13 to
20 career teachers, and the five additional contract days
21 shall be used to strengthen instructional leadership in
22 accordance with this section. A model teacher shall
23 receive annually a salary supplement of at least two
24 thousand dollars.

25 d. Mentor teacher. A mentor teacher is a
26 teacher who is evaluated by the school district as
27 demonstrating the competencies and superior teaching
28 skills of a mentor teacher, and has been recommended
29 for a one-year assignment as a mentor teacher by a
30 site-based or district-based review council appointed
31 pursuant to section 284.15, subsection 3. In addition,
32 a mentor teacher shall hold a valid license issued
33 under chapter 272, participate in teacher professional
34 development as outlined in this chapter, demonstrate
35 continuous improvement in teaching, and possess the
36 skills and qualifications to assume leadership roles.
37 A mentor teacher shall have a teaching load of not
38 more than seventy-five percent student instruction to
39 allow the teacher to mentor other teachers. A school
40 district shall set as a goal the designation of at
41 least ten percent of its teachers as mentor teachers,
42 though the district may enter into an agreement with
43 one or more other districts or an area education
44 agency to meet this goal through a collaborative
45 arrangement. The terms of the teaching contracts
46 issued under section 279.13 to mentor teachers shall
47 exceed by ten days the terms of teaching contracts
48 issued under section 279.13 to career teachers, and
49 the ten additional contract days shall be used to
50 strengthen instructional leadership in accordance with

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1 this section. A mentor teacher shall receive annually
2 a salary supplement of at least five thousand dollars.
3 e. Lead teacher. A lead teacher is a teacher
4 who holds a valid license issued under chapter 272
5 and has been recommended for a one-year assignment
6 as a lead teacher by a site-based or district-based
7 review council appointed pursuant to section 284.15,
8 subsection 3. The recommendation from the council must
9 assert that the teacher possesses superior teaching
10 skills and the ability to lead adult learners. A lead
11 teacher shall assume leadership roles that may include
12 but are not limited to the planning and delivery of
13 professional development activities designed to improve
14 instructional strategies; the facilitation of an
15 instructional leadership team within the lead teacher's
16 building, school district, or other school districts;
17 the mentoring of other teachers; and participation in
18 the evaluation of student teachers. A lead teacher
19 shall have a teaching load of not more than fifty
20 percent student instruction to allow the lead teacher
21 to spend time on co-teaching; co-planning; peer
22 reviews; observing career teachers, model teachers,
23 and mentor teachers; and other duties mutually agreed
24 upon by the superintendent and the lead teacher. A
25 school district shall set as a goal the designation of
26 at least five percent of its teachers as lead teachers,
27 though the district may enter into an agreement with
28 one or more other districts or an area education
29 agency to meet this goal through a collaborative
30 arrangement. The terms of the teaching contracts
31 issued under section 279.13 to lead teachers shall
32 exceed by fifteen days the terms of teaching contracts
33 issued under section 279.13 to career teachers, and
34 the fifteen additional contract days shall be used to
35 strengthen instructional leadership in accordance with
36 this section. A lead teacher shall receive annually a
37 salary supplement of at least ten thousand dollars.
38 3. Requirements for implementation and receipt
39 of teacher leadership supplement funds. Except as
40 otherwise provided in section 284.15, a school district
41 shall meet the requirements of section 284.15 in order
42 to implement a teacher leadership framework model
43 pursuant to this section and to be eligible to receive
44 funds under section 257.10, subsection 12.
45 Sec. ____ NEW SECTION. 284.17 Iowa teacher career
46 path model.
47 1. Iowa teacher career path model. To promote
48 continuous improvement in Iowa's quality teaching
49 workforce and to give Iowa teachers the opportunity
50 for career recognition that reflects the various roles

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1 teachers play as educational leaders, an Iowa teacher
2 career path model is established for teachers employed
3 by school districts. The Iowa teacher career path
4 model requirements and the model's salary minimums are
5 as follows:

6 a. Beginning teacher.

7 (1) A beginning teacher is a teacher who meets the
8 following requirements:

9 (a) Has successfully completed an approved
10 practitioner preparation program as defined in section
11 272.1 or holds an intern teacher license issued under
12 chapter 272.

13 (b) Holds an initial or intern teacher license
14 issued under chapter 272.

15 (c) Participates in the beginning teacher mentoring
16 and induction program as provided in this chapter.

17 (2) Beginning July 1, 2014, the minimum salary
18 for a beginning teacher shall be thirty-five thousand
19 dollars.

20 b. Career teacher.

21 (1) A career teacher is a teacher who holds a
22 statement of professional recognition issued under
23 chapter 272 or who meets the following requirements:

24 (a) Has successfully completed the beginning
25 teacher mentoring and induction program and has
26 successfully completed a comprehensive evaluation.

27 (b) Is reviewed by the school district as
28 demonstrating the competencies of a career teacher.

29 (c) Holds a valid license issued under chapter 272.

30 (d) Participates in teacher professional
31 development as set forth in this chapter and
32 demonstrates continuous improvement in teaching.

33 (2) Beginning July 1, 2014, the minimum salary
34 for a first-year career teacher shall be thirty-seven
35 thousand dollars.

36 c. Career II teacher.

37 (1) A career II teacher is a teacher who meets the
38 requirements of paragraph "b", has met the requirements
39 established by the school district that employs the
40 teacher, and is evaluated by the school district

41 as demonstrating the competencies of a career II
42 teacher. The teacher shall have successfully completed
43 a performance review in order to be classified as a
44 career II teacher. Beginning July 1, 2014, the minimum
45 salary for a first-year career II teacher shall be
46 forty-two thousand dollars.

47 (2) The contract term for a career II teacher
48 shall exceed the contract term issued to a career
49 teacher under section 279.13 by an additional five
50 days. Approximately twenty-five percent of the career

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1 II teacher's total contract time shall be spent on
2 noninstructional duties, which may include but not be
3 limited to time spent mentoring beginning and career
4 teachers and supervising student teachers who are
5 participating in a field experience pursuant to section
6 272.25. Allocation of the career II teacher's time
7 shall be mutually agreed to by the teacher and the
8 school district.

9 (3) As an alternative to the twenty-five percent
10 noninstructional time requirement of subparagraph
11 (2), a career II teacher may spend at least five
12 hours per week as a peer coach. Compensation for peer
13 coaching duties shall be computed using the career
14 II teacher's hourly rate of compensation for the
15 additional duties, which shall be performed during
16 normal, noninstructional contract time. For purposes
17 of this subparagraph, "peer coaching" means additional
18 guidance in one or more aspects of the teaching
19 profession provided to a teacher. Assignment as a
20 peer coach shall be based on either a request from a
21 principal or from an individual teacher upon approval
22 of a principal. Peer coaching shall include detailed
23 preliminary discussions as to areas in which the
24 teacher being coached desires to improve; formulation
25 of an action plan to bring about such improvement;
26 in-class supervision by the peer coach; postclass
27 discussion of strengths, weaknesses, and strategies
28 for improvement; and dialogue between the peer coach
29 and students and school officials regarding the
30 teacher being coached. A peer coach shall coordinate
31 peer coaching activities relating to training and
32 professional development with an area education agency
33 where appropriate.

34 d. Advanced teacher.

35 (1) An advanced teacher is a teacher who meets the
36 following requirements:

37 (a) Receives the recommendation of the review panel
38 that the teacher possesses superior teaching skills and
39 that the teacher should be classified as an advanced
40 teacher.

41 (b) Holds a valid license issued under chapter 272.

42 (c) Participates in teacher professional
43 development as outlined in this chapter and
44 demonstrates continuous improvement in teaching.

45 (d) Possesses the skills and qualifications to
46 assume leadership roles.

47 (2) Beginning July 1, 2014, the minimum salary
48 for a first-year advanced teacher shall be fifty
49 thousand five hundred dollars. In conjunction with the
50 development of the review panel pursuant to section

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1 284.9, the department shall make recommendations to
2 the general assembly by January 1, 2015, regarding
3 the appropriate district-to-district recognition for
4 advanced teachers and methods that facilitate the
5 transition of a teacher to the advanced level.

6 (3) The contract term for an advanced teacher shall
7 exceed the contract term issued to a career teacher
8 under section 279.13 by an additional ten days. The
9 goal of the contract shall be that at least fifty
10 percent of the advanced teacher's total contract time
11 be spent on noninstructional duties, which may include
12 but not be limited to time spent mentoring beginning
13 and career teachers and supervising student teachers
14 who are participating in a field experience pursuant to
15 section 272.25; developing, planning, and organizing
16 professional development; organizing peer review
17 groups; and selecting course materials. Allocation of
18 the advanced teacher's time shall be mutually agreed to
19 by the teacher and the school district.

20 (4) An advanced teacher may engage in peer
21 coaching under the conditions specified in paragraph
22 "c", subparagraph (3), and if so, compensation for
23 peer coaching duties shall be computed using the
24 advanced teacher's hourly rate of compensation for the
25 additional duties, which shall be performed during
26 normal noninstructional contract time.

27 2. Staffing goals. Each school district approved
28 under section 284.15 to implement the model in
29 accordance with this section shall meet the following
30 staffing requirements:

31 a. Employ at least one career II teacher in each
32 elementary school.

33 b. Employ at least one advanced teacher for every
34 three career II teachers employed.

35 c. Employ at least one career II teacher for each
36 of the following subject areas taught in secondary
37 school: English, mathematics, science, and social
38 studies.

39 3. Promotions. A teacher shall be promoted one
40 level at a time and a teacher promoted to the next
41 career level shall remain at that level for at least
42 one year before requesting promotion to the next career
43 level.

44 4. Requirements for implementation and receipt
45 of teacher leadership supplement funds. Except as
46 otherwise provided in section 284.15, a school district
47 shall meet the requirements of section 284.15 in order
48 to implement an Iowa teacher career path model pursuant
49 to this section and to be eligible to receive funds
50 under section 257.10, subsection 12.

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1 Sec. ____ NEW SECTION. 284.18 Instructional coach
2 model.
3 1. Instructional coach model. The instructional
4 coach and curriculum and professional development
5 leader model shall include, at a minimum, the following
6 components:
7 a. Beginning and career teacher levels. The
8 beginning teacher and career teacher levels and minimum
9 salaries specified in section 284.17, subsection 1,
10 paragraphs “a” and “b”, and the residency requirement
11 for a first-year beginning teacher that shall be the
12 same as set forth for an initial teacher in section
13 284.16, subsection 2, paragraph “a”, subparagraph (2).
14 b. Instructional coach level. An instructional
15 coach shall, at a minimum, meet the requirements
16 specified for a career teacher in section 284.17,
17 subsection 1, paragraph “b”, and engage full-time
18 in instructional coaching. For purposes of this
19 paragraph, “instructional coaching” means additional
20 guidance in one or more aspects of the teaching
21 profession provided to teachers. Assignment as an
22 instructional coach shall be based on either a request
23 from a principal or from an individual teacher upon
24 approval of a principal. Instructional coaching
25 shall include detailed preliminary discussions as
26 to areas in which the teacher being coached desires
27 to improve; formulation of an action plan to bring
28 about such improvement; in-class supervision by the
29 instructional coach; postclass discussion of strengths,
30 weaknesses, and strategies for improvement; and
31 dialogue between the instructional coach and students
32 and school officials regarding the teacher being
33 coached. An instructional coach shall coordinate
34 instructional coaching activities relating to training
35 and professional development with an area education
36 agency where appropriate. An instructional coach shall
37 receive a stipend of not less than five thousand nor
38 more than seven thousand dollars annually in addition
39 to the teacher’s salary as a career teacher. A school
40 district approved to implement the instructional coach
41 model pursuant to section 284.15 shall employ one
42 instructional coach at each attendance center or at
43 least one instructional coach for every five hundred
44 students enrolled in an attendance center, whichever
45 number is greater.
46 c. A curriculum and professional development leader
47 level. A curriculum and professional development
48 leader shall, at a minimum, meet the requirements
49 specified for a model teacher in section 284.16,
50 subsection 2, paragraph “c”, and shall receive

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1 additional training during the summer at the expense of
2 the school district. While receiving training pursuant
3 to this paragraph “c”, the teacher shall be paid an
4 additional salary amount for time beyond the school
5 district’s normal teaching contract. The contract
6 term for a curriculum and professional development
7 leader shall exceed the contract term issued to a model
8 teacher under section 279.13 by an additional fifteen
9 days, and the curriculum and professional development
10 leader shall receive a stipend of not less than ten
11 thousand nor more than twelve thousand dollars annually
12 in addition to the teacher’s salary as a model teacher.
13 A curriculum and professional development leader shall
14 do the following:
15 (1) Provide and demonstrate teaching on an ongoing
16 basis.
17 (2) Routinely work strategically with teachers in
18 planning, monitoring, reviewing, and implementing best
19 instructional practices.
20 (3) Daily observe and coach teachers in effective
21 instructional practices.
22 (4) Plan, facilitate, and routinely schedule
23 literacy team meetings, professional study groups,
24 and staff development sessions in best instructional
25 practices.
26 (5) Routinely use sustained coaching cycles to
27 support teacher growth and reflective practices.
28 (6) Work with and train classroom teachers to
29 provide interventions aligned by subject area.
30 (7) If assigned by the district, work in a new
31 model classroom, or provide daily support to existing
32 model classroom teachers’ implementation efforts.
33 (8) Assist the building principal in developing and
34 implementing a professional development plan.
35 (9) Meet weekly with the building principal and the
36 building’s guidance counselors.
37 (10) Support instruction and learning through the
38 use of technology.
39 (11) Actively participate in collaborative problem
40 solving and reflective practices which include but
41 are not limited to professional study groups, peer
42 observations, grade level planning, and weekly team
43 meetings.
44 2. Requirements for implementation and receipt
45 of teacher leadership supplement funds. Except as
46 otherwise provided in section 284.15, a school district
47 shall meet the requirements of section 284.15 in order
48 to implement an instructional coach model pursuant to
49 this section and to be eligible to receive funds under
50 section 257.10, subsection 12.

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1 Sec. ____ NEW SECTION. 284.19 Comparable system
2 criteria.
3 1. Minimum requirements for comparable systems. Any
4 Iowa teacher career path, leadership role, and
5 compensation model or comparable system approved
6 pursuant to section 284.15 and this section shall
7 include, at a minimum, the following components:
8 a. A minimum salary and a residency as provided in
9 section 284.16, subsection 2, paragraph “a”.
10 b. Additional levels of compensation for
11 differentiated teacher roles, which shall not be less
12 than the per diem rate established for regular teaching
13 duties at the specified level prior to implementation
14 of the comparable system.
15 c. Multiple, differentiated teacher leadership
16 roles beyond the beginning or initial teacher and
17 career teacher levels, with a goal of making such
18 levels available to at least twenty-five percent of the
19 teacher workforce. Compensation at the differentiated
20 levels shall be commensurate with the additional
21 responsibilities of teachers who accept leadership
22 roles.
23 d. A rigorous selection process that involves
24 teachers in determining placement in, and retention
25 of, teacher leadership positions. The process shall
26 include the following components:
27 (1) Site-based selection committees for districts
28 with certified enrollments of six hundred or more
29 students, or district-based selection committees for
30 districts with certified enrollments of less than six
31 hundred students.
32 (2) A requirement that a teacher chosen for a
33 leadership role have not less than three years of
34 experience in the school district.
35 (3) Exclusion of a teacher in a leadership role
36 from supervisory duties.
37 (4) A requirement that teacher leaders be
38 responsible for modeling best instructional practice,
39 mentoring initial teachers, acting as liaisons with
40 families, and helping colleagues prepare for peer group
41 reviews and evaluations conducted pursuant to section
42 284.8. Teacher leaders shall not be responsible for
43 purely administrative duties.
44 (5) Authorization for teacher leaders to
45 participate in a peer group review under section 284.8.
46 e. A professional development system facilitated
47 by teachers and aligned with the Iowa professional
48 development model adopted by the state board.
49 f. Hiring permanent professional staff, including
50 but not limited to retired teachers, at competitive

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- 1 rates, in order for an attendance center or school
2 district to give teacher leaders time to focus on
3 leadership duties.
4 2. Requirements for implementation and receipt
5 of teacher leadership supplement funds. Except as
6 otherwise provided in section 284.15, a school district
7 shall meet the requirements of section 284.15 in order
8 to implement a comparable system pursuant to this
9 section and to be eligible to receive funds under
10 section 257.10, subsection 12.>
11 11. Page 38, line 14, by striking <2018> and
12 inserting <2019>
13 12. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3067

- 1 Amend Senate File 363 as follows:
2 1. Page 2, after line 16 by inserting:
3 <3A. A person commits a simple misdemeanor when the
4 person knows the person is infected with a contagious
5 or infectious disease, willfully misrepresents that
6 the person is not so infected to another person for
7 the purposes of inducing the other person to engage in
8 sexual activity, and such persons subsequently engage
9 in sexual activity.>
10 2. Title page, line 1, by striking <relating to the
11 intentional transmission of> and inserting <creating
12 criminal offenses relating to>
13 3. By renumbering as necessary.

HERMAN C. QUIRMBACH

S-3068

- 1 Amend Senate File 423 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <DIVISION I
5 REPEAL OF DEPARTMENT OF EDUCATION AND
6 STATE BOARD OF EDUCATION
7 Section 1. NEW SECTION. 256B.16 Transfer of
8 authority and duties.
9 1. Beginning July 1, 2014, the authority and
10 duties of the department of education, the division
11 of special education created under section 256B.1,
12 the state board of education, and the director of the
13 department of education under this chapter shall to the
14 extent feasible be transferred to the appropriate area

15 education agency where such special education services
16 are being provided. Accordingly, beginning July 1,
17 2014, all references to the department of education or
18 the division of special education under this chapter
19 and references to the department of education or the
20 division of special education under other provisions
21 of law relating to this chapter shall mean the
22 applicable area education agency and all references to
23 the state board of education or the director of the
24 department of education under this chapter or other
25 provisions of law relating to this chapter shall mean
26 the board of directors of the area education agency
27 and the administrator of the area education agency
28 respectively.

29 2. Any moneys remaining in any account or fund
30 under the control of the department of education at the
31 conclusion of the fiscal year beginning July 1, 2013,
32 relative to the provisions of this chapter shall be
33 transferred to the control of the department of human
34 services for such purposes. Notwithstanding section
35 8.33, the moneys transferred in accordance with this
36 subsection shall not revert to the account or fund from
37 which appropriated or transferred.

38 3. Any contract entered into by the department
39 of education relating to the provisions of this
40 chapter in effect at the conclusion of the fiscal year
41 beginning July 1, 2013, shall continue in full force
42 and effect pending transfer of such contracts to the
43 area education agencies.

44 4. Any rule, regulation, form, order, or directive
45 promulgated by the department of education relative
46 to the provisions of this chapter in existence at the
47 conclusion of the fiscal year beginning July 1, 2013,
48 shall continue in full force and effect.

49 5. In regard to updating references and format in
50 the Iowa administrative code in order to correspond

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1 to the transferring of duties of this chapter, the
2 administrative rules coordinator and the administrative
3 rules review committee, in consultation with the
4 administrative code editor, shall jointly develop
5 a schedule for the necessary updating of the Iowa
6 administrative code.

7 Sec. 2. Section 256C.1, Code 2013, is amended to
8 read as follows:

9 256C.1 Definitions.

10 As used in this chapter:

11 1. "Approved local program" means a school
12 district's program for four-year-old children ~~approved~~
13 ~~by the department of education to provide high quality~~

preschool instruction.

~~2. "Department" means the department of education.~~

~~3. "Director" means the director of the department of education.~~

~~4. 2. "Preschool program" means the statewide preschool program for four-year-old children created in accordance with this chapter.~~

~~5. 3. "School district approved to participate in the preschool program" means a school district that meets the school district requirements under section 256C.3 and has been approved by the department to participate in the preschool program.~~

~~6. "State board" means the state board of education.~~

Sec. 3. Section 256C.2, subsection 2, Code 2013, is amended by striking the subsection.

Sec. 4. Section 256C.3, subsection 2, paragraph a, subparagraph (3), Code 2013, is amended to read as follows:

(3) The individual possesses a bachelor's or graduate degree from an accredited college or university with a major in early childhood education or other appropriate major ~~identified in rule by the department as determined by the school district's board of directors.~~

Sec. 5. Section 256C.3, subsection 3, unnumbered paragraph 1, Code 2013, is amended to read as follows:

~~The state board shall adopt rules to further define the following preschool program requirements which shall be used to determine whether or not a~~ Each local program implemented by a school district approved to implement the preschool program ~~qualifies as an approved local program shall address or conform with all of the following:~~

Sec. 6. Section 256C.3, subsection 3, paragraph e, Code 2013, is amended to read as follows:

e. Collaboration with participating families, early

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care providers, and community partners including but not limited to early childhood Iowa area boards, head start programs, shared visions ~~and other programs provided under the auspices of the child development coordinating council~~, licensed child care centers, registered child development homes, area education agencies, child care resource and referral services provided under section 237A.26, early childhood special education programs, services funded by Tit. I of the federal Elementary and Secondary Education Act of 1965, and family support programs.

Sec. 7. Section 256C.3, subsection 4, Code 2013,

13 is amended by striking the subsection and inserting in
14 lieu thereof the following:

15 4. School district requirements.

16 a. Subject to implementation of chapter
17 28E agreements between a school district and
18 community-based providers of services to four-year-old
19 children, a four-year-old child who is enrolled in a
20 child care center or child development home licensed
21 or registered under chapter 237A, or in an existing
22 public or private preschool program, shall be eligible
23 for services provided by the school district's local
24 preschool program.

25 b. Professional development for school district
26 preschool teachers shall be addressed in the school
27 district's professional development plan implemented in
28 accordance with section 284.6.

29 Sec. 8. Section 256C.3, subsection 5, Code 2013, is
30 amended by striking the subsection.

31 Sec. 9. Section 256C.4, subsection 1, paragraph d,
32 Code 2013, is amended to read as follows:

33 d. Preschool foundation aid funding shall not
34 be commingled with the other state aid payments made
35 under section 257.16 to a school district and shall be
36 accounted for by the local school district separately
37 from the other state aid payments. Preschool
38 foundation aid payments made to school districts are
39 miscellaneous income for purposes of chapter 257. A
40 school district shall maintain a separate listing
41 within its budget for preschool foundation aid payments
42 received and expenditures made. ~~A school district~~
43 ~~shall certify to the department of education that~~
44 ~~preschool~~ Preschool foundation aid funding received by
45 the school district ~~was~~ shall be used to supplement,
46 not supplant, moneys otherwise received and used by the
47 school district for preschool programming.

48 Sec. 10. Section 256C.4, subsection 2, paragraph b,
49 Code 2013, is amended to read as follows:

50 b. The enrollment count of eligible students shall

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1 not include a child who is included in the enrollment
2 count determined under section 257.6 or a child who is
3 served by a program already receiving state or federal
4 funds for the purpose of the provision of four-year-old
5 preschool programming while the child is being served
6 by the program. Such preschool programming includes
7 but is not limited to ~~child development assistance~~
8 ~~programs provided under chapter 256A~~, special education
9 programs provided under section 256B.9, school ready
10 children grant programs and other programs provided
11 under chapter 256I, and federal head start programs and

the services funded by Tit. I of the federal Elementary and Secondary Education Act of 1965.

Sec. 11. Section 256C.5, subsection 2, Code 2013, is amended to read as follows:

2. Preschool foundation aid district amount.

a. For the initial school year for which a school district approved to participate in the preschool program ~~receives that approval and~~ implements the preschool program, the funding for the preschool foundation aid payable to that school district shall be paid from the appropriation made for that school year in section 256C.6, Code 2011, or in another appropriation made for purposes of this chapter. For that school year, the preschool foundation aid payable to the school district is the product of the regular program state cost per pupil for the school year multiplied by sixty percent of the school district's eligible student enrollment on the date in the school year ~~determined by rule.~~

b. For budget years subsequent to the initial school year for which a school district approved to participate in the preschool program ~~receives that initial approval and~~ implements the preschool program, the funding for the preschool foundation aid payable to that school district shall be paid from the appropriation made in section 257.16. ~~Continuation of a school district's participation in the preschool program for a second or subsequent budget year is subject to the approval of the department based upon the school district's compliance with accountability provisions and the department's on-site review of the school district's implementation of the preschool program.~~

Sec. 12. Section 256C.5, subsection 4, Code 2013, is amended by striking the subsection.

Sec. 13. NEW SECTION. 256F.12 Transfer of authority and duties.

1. Beginning July 1, 2014, the authority and duties of the department of education, the state board, and

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the director of the department of education under this chapter, to the extent feasible, shall be transferred to the board of directors of the community college serving the merged area in which the charter school or innovation zone school, or such proposed school, is located. Accordingly, beginning July 1, 2014, all references to the department of education, the state board of education, and the director of the department of education under this chapter or other provisions of law relating to this chapter shall mean the board of

11 directors of the community college serving the merged
12 area in which the charter school or innovation zone
13 school, or such proposed school, is located.

14 2. Any contract entered into by the department of
15 education relating to the provisions of this chapter in
16 effect at the conclusion of the fiscal year beginning
17 July 1, 2013, shall continue in full force and effect
18 pending transfer of such contracts to the appropriate
19 community college board of directors.

20 3. Any rule, regulation, form, order, or directive
21 promulgated by the department of education relative
22 to the provisions of this chapter in existence at the
23 conclusion of the fiscal year beginning July 1, 2013,
24 shall continue in full force and effect.

25 Sec. 14. NEW SECTION. 256H.4 Transfer of authority
26 and duties.

27 1. Beginning July 1, 2014, the authority and duties
28 of the department of education and the director of
29 the department of education under this chapter shall
30 be transferred to the adjutant general of the state.
31 Accordingly, beginning July 1, 2014, all references to
32 the department of education and the director of the
33 department of education under this chapter or other
34 provisions of law relating to this chapter shall mean
35 adjutant general of the state.

36 2. Any contract entered into by the department of
37 education relating to the provisions of this chapter in
38 effect at the conclusion of the fiscal year beginning
39 July 1, 2013, shall continue in full force and effect
40 pending transfer of such contracts to the adjutant
41 general of the state.

42 3. Any rule, regulation, form, order, or directive
43 promulgated by the department of education relative
44 to the provisions of this chapter in existence upon
45 conclusion of the fiscal year beginning July 1, 2013,
46 shall continue in full force and effect.

47 Sec. 15. NEW SECTION. 256I.13 Transfer of
48 authority and duties.

49 1. Beginning July 1, 2014, the authority and
50 duties of the department of education and the director

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1 of the department of education under this chapter
2 shall be transferred to the department of management
3 and the director of the department of management.
4 Accordingly, beginning July 1, 2014, all references
5 to the department of education or the director of the
6 department of education under this chapter or under
7 other provisions of law relating to this chapter shall
8 mean the department of management and the director of
9 the department of management.

2. Any moneys remaining in any account or fund under the control of the department of education at the conclusion of the fiscal year beginning July 1, 2013, relative to the provisions of this chapter shall be transferred to the control of the department of management for such purposes. Notwithstanding section 8.33, the moneys transferred in accordance with this subsection shall not revert to the account or fund from which appropriated or transferred.

3. Any contract entered into by the department of education relating to the provisions of this chapter in effect at the conclusion of the fiscal year beginning July 1, 2013, shall continue in full force and effect pending transfer of such contracts to the department of management.

4. Any rule, regulation, form, order, or directive promulgated by the department of education relative to the provisions of this chapter in existence at the conclusion of the fiscal year beginning July 1, 2013, shall continue in full force and effect until amended, repealed, or supplemented by affirmative action of the department of management under the duties and powers established in this chapter and under the procedure established in subsection 5.

5. In regard to updating references and format in the Iowa administrative code in order to correspond to the transferring of duties of this chapter, the administrative rules coordinator and the administrative rules review committee, in consultation with the administrative code editor, shall jointly develop a schedule for the necessary updating of the Iowa administrative code.

Sec. 16. Section 257C.5, subsection 1, Code 2013, is amended to read as follows:

1. The powers of the authority are vested in and exercised by a board consisting of five members, including the treasurer of state, ~~the director of the department of education,~~ and the director of the department of management, and ~~two~~ three members appointed by the governor, subject to confirmation by the senate. The state officials may designate

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representatives to serve on the board for them. As far as possible, the governor shall appoint members who are knowledgeable or experienced in the school systems of this state or in finance.

Sec. 17. NEW SECTION. 258.18 Transfer of authority and duties.

1. Beginning July 1, 2014, the authority and duties of the department of education, the state board

9 of education, and the director of the department of
10 education under this chapter shall be transferred
11 to the department of workforce development and the
12 director of the department of workforce development.
13 Accordingly, beginning July 1, 2014, all references
14 to the department of education under this chapter
15 and references to the department of education under
16 other provisions of law relating to this chapter shall
17 mean the department of workforce development and all
18 references to the state board of education or the
19 director of the department of education under this
20 chapter or other provisions of law relating to this
21 chapter shall mean the director of the department of
22 workforce development.

23 2. Any moneys remaining in any account or fund
24 under the control of the department of education
25 at the conclusion of the fiscal year beginning
26 July 1, 2013, relative to the provisions of this
27 chapter shall be transferred to the control of the
28 department of workforce development for such purposes.
29 Notwithstanding section 8.33, the moneys transferred in
30 accordance with this subsection shall not revert to the
31 account or fund from which appropriated or transferred.

32 3. Any contract entered into by the department of
33 education relating to the provisions of this chapter in
34 effect at the conclusion of the fiscal year beginning
35 July 1, 2013, shall continue in full force and effect
36 pending transfer of such contracts to the department
37 of workforce development.

38 4. Any rule, regulation, form, order, or directive
39 promulgated by the department of education relative
40 to the provisions of this chapter in existence at the
41 conclusion of the fiscal year beginning July 1, 2013,
42 shall continue in full force and effect until amended,
43 repealed, or supplemented by affirmative action of the
44 department of workforce development under the duties
45 and powers established in this chapter and under the
46 procedure established in subsection 5.

47 5. In regard to updating references and format in
48 the Iowa administrative code in order to correspond
49 to the transferring of duties of this chapter, the
50 administrative rules coordinator and the administrative

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1 rules review committee, in consultation with the
2 administrative code editor, shall jointly develop
3 a schedule for the necessary updating of the Iowa
4 administrative code.

5 Sec. 18. NEW SECTION. 259.1A Transfer of authority
6 and duties.

7 1. Beginning July 1, 2014, the authority and

8 duties of the department of education, the state board
9 of education, and the director of the department of
10 education under this chapter shall be transferred
11 to the department of workforce development and the
12 director of the department of workforce development.
13 Accordingly, beginning July 1, 2014, all references
14 to the department of education under this chapter
15 and references to the department of education under
16 other provisions of law relating to this chapter shall
17 mean the department of workforce development and all
18 references to the state board of education or the
19 director of the department of education under this
20 chapter or other provisions of law relating to this
21 chapter shall mean the director of the department of
22 workforce development.

23 2. Beginning July 1, 2014, the division of
24 vocational rehabilitation services created within the
25 department of education under section 259.3 shall be
26 transferred to the department of workforce development.

27 3. Any moneys remaining in any account or fund
28 under the control of the department of education
29 at the conclusion of the fiscal year beginning
30 July 1, 2013, relative to the provisions of this
31 chapter shall be transferred to the control of the
32 department of workforce development for such purposes.
33 Notwithstanding section 8.33, the moneys transferred in
34 accordance with this subsection shall not revert to the
35 account or fund from which appropriated or transferred.
36 4. Any contract entered into by the department of
37 education relating to the provisions of this chapter in
38 effect at the conclusion of the fiscal year beginning
39 July 1, 2013, shall continue in full force and effect
40 pending transfer of such contracts to the department
41 of workforce development.

42 5. Any rule, regulation, form, order, or directive
43 promulgated by the department of education relative
44 to the provisions of this chapter in existence at the
45 conclusion of the fiscal year beginning July 1, 2013,
46 shall continue in full force and effect until amended,
47 repealed, or supplemented by affirmative action of the
48 department of workforce development under the duties
49 and powers established in this chapter and under the
50 procedure established in subsection 6.

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1 6. In regard to updating references and format in
2 the Iowa administrative code in order to correspond
3 to the transferring of duties of this chapter, the
4 administrative rules coordinator and the administrative
5 rules review committee, in consultation with the
6 administrative code editor, shall jointly develop

7 a schedule for the necessary updating of the Iowa
8 administrative code.

9 Sec. 19. Section 259A.1, Code 2013, is amended to
10 read as follows:

11 259A.1 Tests.

12 ~~The department of education~~ Each board of directors
13 of the community college serving the merged area shall
14 cause to be made available for qualified individuals
15 a high school equivalency diploma. The diploma shall
16 be issued on the basis of satisfactory competence as
17 shown by tests covering all of the following: reading,
18 arts, language arts, writing, mathematics, science, and
19 social studies.

20 Sec. 20. Section 259A.2, unnumbered paragraph 2,
21 Code 2013, is amended to read as follows:

22 Application shall be made to a testing center
23 approved by the ~~department of education~~ board of
24 directors of the community college serving the merged
25 area, accompanied by an application fee in an amount
26 prescribed by the department board of directors of the
27 community college. The test scores shall be forwarded
28 by the testing center to the ~~department~~ board of
29 directors of the community college.

30 Sec. 21. Section 259A.3, Code 2013, is amended to
31 read as follows:

32 259A.3 Notice and fee.

33 Any applicant who has achieved the minimum passing
34 standards as established by the ~~department, and~~
35 ~~approved by the state board,~~ board of directors of
36 the community college shall be issued a high school
37 equivalency diploma ~~by the department~~ upon payment of
38 an additional amount determined ~~in rules adopted by~~
39 ~~the state board of education~~ by the board to cover the
40 actual costs of the production and distribution of the
41 diploma. ~~The state board of education may also by rule~~
42 ~~establish a fee for the issuance or verification of a~~
43 ~~transcript which shall be based on the actual costs of~~
44 ~~the production or verification of a transcript.~~

45 Sec. 22. Section 259A.4, Code 2013, is amended to
46 read as follows:

47 259A.4 Use of fees.

48 The fees collected under the provisions of this
49 chapter shall be used for the expenses incurred in
50 administering, providing test materials, scoring of

1 examinations and issuance of high school equivalency
2 diplomas, and shall be disbursed on the authorization
3 of the ~~director of the department of education~~ board
4 of directors of the community college. The treasurer
5 of state shall be custodian of the funds paid to the

~~department community college~~ and shall disburse the same on vouchers audited as provided by law. The unobligated balance in such funds at the close of each biennium shall be placed in the general fund of the state.

Sec. 23. Section 259A.5, Code 2013, is amended to read as follows:

259A.5 Rules.

~~The director of the department of education~~ Each board of directors of the community college shall adopt tests, definitions of terms, and forms as necessary for the administration of this chapter. ~~The state board shall adopt rules under chapter 17A to carry out this chapter.~~

Sec. 24. NEW SECTION. 260C.1A Transfer of authority and duties.

1. Beginning July 1, 2014, the authority and duties of the department of education, the state board of education, and the director of the department of education under this chapter shall, to the extent feasible, be transferred to the boards of directors of the community colleges serving the merged areas of the state. Accordingly, beginning July 1, 2014, all references to the department of education, the state board of education, and the director of the department of education under this chapter and references to the department of education, the state board of education, and the director of the department of education under other provisions of law relating to this chapter shall mean the applicable board of directors of a community college.

2. Beginning July 1, 2014, transfer of the duties and authority of the department shall also include all duties and authority of the community colleges division created within the department of education under section 260C.6.

3. Any moneys remaining in any account or fund under the control of the department of education at the conclusion of the fiscal year beginning July 1, 2013, relative to the provisions of this chapter shall be transferred to the control of the applicable board of directors of a community college for such purposes. Notwithstanding section 8.33, the moneys transferred in accordance with this subsection shall not revert to the account or fund from which appropriated or transferred.

4. Any contract entered into by the department of education relating to the provisions of this chapter in effect at the conclusion of the fiscal year beginning July 1, 2013, shall continue in full force and effect

5 pending transfer of such contracts to the boards of
6 directors of the community colleges.

7 5. Any rule, regulation, form, order, or directive
8 promulgated by the department of education relative
9 to the provisions of this chapter in existence at the
10 conclusion of the fiscal year beginning July 1, 2013,
11 shall continue in full force and effect.

12 Sec. 25. Section 260E.7, subsection 1, Code 2013,
13 is amended to read as follows:

14 1. The economic development authority, in
15 consultation with the ~~department of education, the~~
16 department of revenue, and the department of workforce
17 development, shall coordinate and review the new jobs
18 training program. The economic development authority
19 shall adopt, amend, and repeal rules under chapter
20 17A that the community college will use in developing
21 projects with new and expanding industrial new jobs
22 training proposals and that the economic development
23 authority shall use to review and report on the new
24 jobs training program as required in this section.

25 Sec. 26. Section 260F.6B, Code 2013, is amended to
26 read as follows:

27 260F.6B High technology apprenticeship program.
28 The community colleges and the economic development
29 authority are authorized to fund high technology
30 apprenticeship programs which comply with the
31 requirements specified in section 260C.44 and which may
32 include both new and statewide apprenticeship programs.
33 Notwithstanding the provisions of section 260F.6,
34 subsection 2, relating to maximum award amounts,
35 moneys allocated to the community colleges with high
36 technology apprenticeship programs shall be distributed
37 to the community colleges based upon contact hours
38 under the programs administered during the prior
39 fiscal year as determined by the ~~department of~~
40 ~~education~~ economic development authority. The economic
41 development authority shall adopt rules governing this
42 section's operation and participant eligibility.

43 Sec. 27. Section 260F.7, Code 2013, is amended to
44 read as follows:

45 260F.7 Economic development authority to coordinate.

46 The economic development authority, in consultation
47 with ~~the department of education and~~ the department
48 of workforce development, shall coordinate the jobs
49 training program. A project shall not be funded
50 under this chapter unless the economic development

1 authority approves the project. The authority shall
2 adopt rules pursuant to chapter 17A governing the
3 program's operation and eligibility for participation

in the program. The authority shall establish by rule criteria for determining what constitutes an eligible business.

Sec. 28. Section 260H.2, Code 2013, is amended to read as follows:

260H.2 Pathways for academic career and employment program.

A pathways for academic career and employment program is established to provide funding to community colleges for the development of projects in coordination with the economic development authority, ~~the department of education,~~ the department of workforce development, regional advisory boards established pursuant to section 84A.4, and community partners to implement a simplified, streamlined, and comprehensive process, along with customized support services, to enable eligible participants to acquire effective academic and employment training to secure gainful, quality, in-state employment.

Sec. 29. Section 260H.8, Code 2013, is amended to read as follows:

260H.8 Rules.

~~The department of education~~ economic development authority, in consultation with the community colleges, ~~the economic development authority,~~ and the department of workforce development, shall adopt rules pursuant to chapter 17A and this chapter to implement the provisions of this chapter. Regional advisory boards established pursuant to section 84A.4 shall be consulted in the development and implementation of rules to be adopted pursuant to this chapter.

Sec. 30. Section 260I.2, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. There is established for the community colleges a gap tuition assistance fund in the state treasury to be administered by the ~~department of education~~ economic development authority. The funds in the gap tuition assistance fund are appropriated to the ~~department of education~~ economic development authority for the gap tuition assistance program.

Sec. 31. Section 260I.3, subsection 1, Code 2013, is amended to read as follows:

1. ~~The department of education, in consultation with the economic development authority,~~ shall adopt rules pursuant to this chapter defining eligibility criteria for persons applying to receive tuition assistance under this chapter.

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1 Sec. 32. Section 260I.10, Code 2013, is amended to
2 read as follows:

3 260I.10 Oversight.

4 1. The ~~department of education~~ economic development
5 authority, in coordination with the community colleges,
6 shall establish a steering committee. The steering
7 committee shall determine if the performance measures
8 of the gap tuition assistance program are being met and
9 shall take necessary steps to correct any deficiencies.
10 The steering committee shall meet at least quarterly to
11 evaluate and monitor the performance of the gap tuition
12 assistance program.

13 2. The ~~department of education~~ economic development
14 authority, in coordination with the community colleges,
15 shall develop a common intake tracking system that
16 shall be implemented consistently by each participating
17 community college.

18 3. The ~~department of education~~ economic development
19 authority shall coordinate statewide oversight,
20 evaluation, and reporting efforts for the gap tuition
21 assistance program.

22 Sec. 33. Section 260I.11, Code 2013, is amended to
23 read as follows:

24 260I.11 Rules.

25 The ~~department of education~~ economic development
26 authority, in consultation with the ~~economic~~
27 ~~development authority and the~~ community colleges, shall
28 adopt rules pursuant to chapter 17A and this chapter to
29 implement the provisions of this chapter.

30 Sec. 34. Section 261.1, subsection 2, paragraph b,
31 Code 2013, is amended by striking the paragraph.

32 Sec. 35. NEW SECTION. 261.8 Transfer of authority
33 and duties.

34 1. Beginning July 1, 2014, the authority
35 and duties of the department of education, the
36 state board of education, and the director of the
37 department of education under this chapter shall be
38 transferred to the college student aid commission.
39 Accordingly, beginning July 1, 2014, all references
40 to the department of education or the director of
41 the department of education under this chapter and
42 references to the department of education or the
43 director of the department of education under other
44 provisions of law relating to this chapter shall mean
45 the college student aid commission.

46 2. Any moneys remaining in any account or fund
47 under the control of the department of education at the
48 conclusion of the fiscal year beginning July 1, 2013,
49 relative to the provisions of this chapter shall be
50 transferred to the control of the college student aid

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1 commission for such purposes. Notwithstanding section
2 8.33, the moneys transferred in accordance with this
3 subsection shall not revert to the account or fund from
4 which appropriated or transferred.

5 3. Any contract entered into by the department of
6 education relating to the provisions of this chapter in
7 effect at the conclusion of the fiscal year beginning
8 July 1, 2013, shall continue in full force and effect
9 pending transfer of such contracts to the college
10 student aid commission.

11 4. Any rule, regulation, form, order, or directive
12 promulgated by the department of education relative
13 to the provisions of this chapter in existence at the
14 conclusion of the fiscal year beginning July 1, 2013,
15 shall continue in full force and effect until amended,
16 repealed, or supplemented by affirmative action of
17 the college student aid commission under the duties
18 and powers established in this chapter and under the
19 procedure established in subsection 5.

20 5. In regard to updating references and format in
21 the Iowa administrative code in order to correspond
22 to the transferring of duties of this chapter, the
23 administrative rules coordinator and the administrative
24 rules review committee, in consultation with the
25 administrative code editor, shall jointly develop
26 a schedule for the necessary updating of the Iowa
27 administrative code.

28 Sec. 36. NEW SECTION. 261E.1A Transfer of
29 authority and duties.

30 1. Beginning July 1, 2014, the authority and
31 duties of the department of education, the state board
32 of education, and the director of the department of
33 education under this chapter shall be transferred to
34 the state board of regents. Accordingly, beginning
35 July 1, 2014, all references to the department of
36 education, the state board of education, or the
37 director of the department of education under this
38 chapter and references to the department of education,
39 state board of education, or director of the department
40 of education under other provisions of law relating to
41 this chapter shall mean the state board of regents.

42 2. Any moneys remaining in any account or fund
43 under the control of the department of education at
44 the conclusion of the fiscal year beginning July 1,
45 2013, relative to the provisions of this chapter shall
46 be transferred to the control of the state board of
47 regents for such purposes. Notwithstanding section
48 8.33, the moneys transferred in accordance with this
49 subsection shall not revert to the account or fund from
50 which appropriated or transferred.

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3. Any contract entered into by the department of education relating to the provisions of this chapter in effect at the conclusion of the fiscal year beginning July 1, 2013, shall continue in full force and effect pending transfer of such contracts to the state board of regents.

4. Any rule, regulation, form, order, or directive promulgated by the department of education relative to the provisions of this chapter in existence at the conclusion of the fiscal year beginning July 1, 2013, shall continue in full force and effect until amended, repealed, or supplemented by affirmative action of the state board of regents under the duties and powers established in this chapter and under the procedure established in subsection 5.

5. In regard to updating references and format in the Iowa administrative code in order to correspond to the transferring of duties of this chapter, the administrative rules coordinator and the administrative rules review committee, in consultation with the administrative code editor, shall jointly develop a schedule for the necessary updating of the Iowa administrative code.

Sec. 37. Section 262.9, subsection 27, Code 2013, is amended to read as follows:

~~27. Explore, in conjunction with the department of education,~~ the need for coordination between school districts, area education agencies, state board of regents institutions, and community colleges for purposes of delivery of courses, use of telecommunications, transportation, and other similar issues. Coordination may include but is not limited to coordination of calendars, programs, schedules, or telecommunications emissions. The state board shall develop recommendations as necessary, which shall be submitted in a report to the general assembly on a timely basis.

Sec. 38. Section 262.9, subsection 33, unnumbered paragraph 1, Code 2013, is amended to read as follows:

~~In consultation with the state board of education,~~
~~establish~~ Establish and enter into a collective statewide articulation agreement with the community colleges established pursuant to chapter 260C, which shall provide for the seamless transfer of academic credits from a completed associate of arts or associate of science degree program offered by a community college to a baccalaureate degree program offered by an institution of higher education governed by the board. The board shall also do the following:

Sec. 39. Section 262.9, subsection 33, paragraph i,

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1 Code 2013, is amended to read as follows:

2 i. Prepare, jointly with ~~the department of~~
3 ~~education and~~ the liaison advisory committee on
4 transfer students, and submit by January 15 annually
5 to the general assembly, an update on the articulation
6 efforts and activities implemented by the community
7 colleges and the institutions of higher education
8 governed by the board.

9 Sec. 40. Section 262.71, subsection 9, Code 2013,
10 is amended by striking the subsection.

11 Sec. 41. Section 266.39C, subsection 2, paragraph
12 a, subparagraph (5), Code 2013, is amended to read as
13 follows:

14 (5) One representative of community colleges,
15 appointed by the ~~state board of education~~ governor.

16 Sec. 42. Section 266.39C, subsection 6, Code 2013,
17 is amended to read as follows:

18 6. The Iowa energy center shall ~~cooperate with~~
19 ~~the state board of education in developing~~ develop
20 a curriculum which promotes energy efficiency and
21 conservation.

22 Sec. 43. Section 272.1, subsection 4, Code 2013, is
23 amended by striking the subsection.

24 Sec. 44. NEW SECTION. 272.1A Transfer of authority
25 and duties.

26 1. Beginning July 1, 2014, the authority and
27 duties of the department of education, the state board
28 of education, and the director of the department of
29 education under this chapter shall be transferred to
30 the board of educational examiners. Accordingly,
31 beginning July 1, 2014, all references to the
32 department of education, the state board of education,
33 or the director of the department of education under
34 this chapter and references to the department of
35 education, state board of education, or director of
36 the department of education under other provisions of
37 law relating to this chapter shall mean the board of
38 educational examiners.

39 2. Any moneys remaining in any account or fund
40 under the control of the department of education at the
41 conclusion of the fiscal year beginning July 1, 2013,
42 relative to the provisions of this chapter shall be
43 transferred to the control of the board of educational
44 examiners for such purposes. Notwithstanding section
45 8.33, the moneys transferred in accordance with this
46 subsection shall not revert to the account or fund from
47 which appropriated or transferred.

48 3. Any contract entered into by the department of
49 education relating to the provisions of this chapter in
50 effect at the conclusion of the fiscal year beginning

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1 July 1, 2013, shall continue in full force and effect
2 pending transfer of such contracts to the board of
3 educational examiners.

4 Sec. 45. Section 272.3, subsection 1, unnumbered
5 paragraph 1, Code 2013, is amended to read as follows:

6 The board of educational examiners consists of
7 twelve members. Two must be members of the general
8 public, ~~one must be the director of the department of~~
9 ~~education or the director's designee~~, and the remaining
10 ~~nine ten~~ members must be licensed practitioners. One
11 of the public members shall have served on a school
12 board. The public members shall never have held a
13 practitioner's license, but shall have a demonstrated
14 interest in education. The ~~nine ten~~ practitioners
15 shall be selected from the following areas and
16 specialties of the teaching profession:

17 Sec. 46. Section 272.3, subsection 2, Code 2013, is
18 amended to read as follows:

19 2. A majority of the licensed practitioner members
20 shall be nonadministrative practitioners. Four of the
21 members shall be administrators. Membership of the
22 board shall comply with the requirements of sections
23 69.16 and 69.16A. A quorum of the board shall consist
24 of six members. Members shall elect a chairperson
25 of the board. Members, ~~except for the director~~
26 ~~of the department of education or the director's~~
27 ~~designee~~, shall be appointed by the governor subject to
28 confirmation by the senate.

29 Sec. 47. Section 272.4, subsection 1, unnumbered
30 paragraph 1, Code 2013, is amended to read as follows:

31 Members, ~~except for the director of the department~~
32 ~~of education or the director's designee~~, shall be
33 appointed to serve staggered terms of four years.
34 A member shall not serve more than two consecutive
35 terms, ~~except for the director of the department of~~
36 ~~education or the director's designee, who shall serve~~
37 ~~until the director's term of office expires~~. A member
38 of the board, except for the two public members ~~and~~
39 ~~the director of the department of education or the~~
40 ~~director's designee~~, shall hold a valid practitioner's
41 license during the member's term of office. A vacancy
42 exists when any of the following occur:

43 Sec. 48. Section 272.25, subsections 3, 4, and 8,
44 Code 2013, are amended to read as follows:

45 3. A requirement that the program include
46 instruction in skills and strategies to be used in
47 classroom management of individuals, and of small and
48 large groups, under varying conditions; , and skills for
49 communicating and working constructively with pupils,
50 teachers, administrators, and parents; ~~and skills for~~

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~~1 understanding the role of the board of education and
2 the functions of other education agencies in the state.
3 The requirement shall be based upon recommendations of
4 the department of education after consultation with
5 teacher education faculty members in colleges and
6 universities.~~

4. A requirement that prescribes minimum
experiences and responsibilities to be accomplished
during the student teaching experience by the student
teacher and by the cooperating teacher ~~based upon
11 recommendations of the department of education after
12 consultation with teacher education faculty members
13 in colleges and universities.~~ The student teaching
experience shall include opportunities for the student
teacher to become knowledgeable about the Iowa teaching
standards, including a mock evaluation performed by
the cooperating teacher. The mock evaluation shall
not be used as an assessment tool by the practitioner
preparation program. The student teaching experience
shall consist of interactive experiences involving the
college or university personnel, the student teacher,
the cooperating teacher, and administrative personnel
from the cooperating teacher's school district.

8. A requirement that an approved practitioner
preparation institution submit evidence that the
~~college or department of education~~ is communicating
with other colleges or departments in the institution
so that practitioner preparation students may integrate
teaching methodology with subject matter areas of
specialization.

Sec. 49. NEW SECTION. 273.1A Transfer of authority
and duties.

1. Beginning July 1, 2014, the authority and
duties of the department of education, the state board
of education, and the director of the department of
education under this chapter shall, to the extent
feasible, be transferred to the area education agency
boards of directors in this state. Accordingly,
beginning July 1, 2014, all references to the
department of education, the state board of education,
and the director of the department of education
under this chapter and references to the department
of education, the state board of education, and the
director of the department of education under other
provisions of law relating to this chapter shall
mean the applicable area education agency board of
directors.

2. Any rule, regulation, form, order, or directive
promulgated by the department of education relative
to the provisions of this chapter in existence at the

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1 conclusion of the fiscal year beginning July 1, 2013,
2 shall continue in full force and effect.

3 Sec. 50. Section 273.2, subsection 5, unnumbered
4 paragraph 1, Code 2013, is amended to read as follows:

5 The area education agency board may provide for
6 the following programs and services to local school
7 districts, ~~and at the request of local school districts~~
8 ~~to providers of child development services who have~~
9 ~~received grants under chapter 256A from the child~~
10 ~~development coordinating council,~~ within the limits of
11 funds available:

12 Sec. 51. NEW SECTION. 274.1A Transfer of authority
13 and duties.

14 1. Beginning July 1, 2014, the authority and duties
15 of the department of education and the director of
16 the department of education under this chapter shall,
17 to the extent feasible, be transferred to the area
18 education agency boards of directors in this state.
19 Accordingly, beginning July 1, 2014, all references
20 to the department of education and the director of
21 the department of education under this chapter and
22 references to the department of education and the
23 director of the department of education under other
24 provisions of law relating to this chapter shall
25 mean the applicable area education agency board of
26 directors.

27 2. Any rule, regulation, form, order, or directive
28 promulgated by the department of education or the
29 director of the department of education relative to
30 the provisions of this chapter in existence at the
31 conclusion of the fiscal year beginning July 1, 2013,
32 shall continue in full force and effect.

33 Sec. 52. NEW SECTION. 275.1A Transfer of authority
34 and duties.

35 1. Beginning July 1, 2014, the authority and
36 duties of the department of education, the state board
37 of education, and the director of the department of
38 education under this chapter shall, to the extent
39 feasible, be transferred to the area education agency
40 boards of directors in this state. Accordingly,
41 beginning July 1, 2014, all references to the
42 department of education, the state board of education,
43 and the director of the department of education
44 under this chapter and references to the department
45 of education, the state board of education, and the
46 director of the department of education under other
47 provisions of law relating to this chapter shall
48 mean the applicable area education agency board of
49 directors.

50 2. Any rule, regulation, form, order, or directive

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1 promulgated by the department of education, the state
2 board of education, or the director of the department
3 of education relative to the provisions of this chapter
4 in existence at the conclusion of the fiscal year
5 beginning July 1, 2013, shall continue in full force
6 and effect.

7 Sec. 53. Section 276.3, subsections 5 and 9, Code
8 2013, are amended by striking the subsections.

9 Sec. 54. Section 279.51, subsection 1, unnumbered
10 paragraph 1, Code 2013, is amended to read as follows:

11 There is appropriated from the general fund of the
12 state to the department of ~~education~~ education management for the
13 fiscal year beginning July 1, 2007, and each succeeding
14 fiscal year, the sum of twelve million six hundred six
15 thousand one hundred ninety-six dollars. The moneys
16 shall be allocated as follows:

17 Sec. 55. Section 279.51, subsection 1, paragraphs
18 b and d, Code 2013, are amended by striking the
19 paragraphs.

20 Sec. 56. Section 279.51, subsection 2, Code 2013,
21 is amended by striking the subsection.

22 Sec. 57. NEW SECTION. 279.69 Transfer of authority
23 and duties.

24 1. Beginning July 1, 2014, the authority and
25 duties of the department of education, the state board
26 of education, and the director of the department of
27 education under this chapter, to the extent feasible,
28 shall be transferred to the boards of directors
29 for the respective school districts in the state.
30 Accordingly, beginning July 1, 2014, all references
31 to the department of education, the state board of
32 education, and the director of the department of
33 education under this chapter and references to the
34 department of education, the state board of education,
35 and the director of the department of education under
36 other provisions of law relating to this chapter shall
37 mean the applicable board of directors of the school
38 district.

39 2. Any rule, regulation, form, order, or directive
40 promulgated by the department of education, the state
41 board of education, or the director of the department
42 of education relative to the provisions of this chapter
43 in existence at the conclusion of the fiscal year
44 beginning July 1, 2013, shall continue in full force
45 and effect.

46 Sec. 58. NEW SECTION. 280.1A Transfer of authority
47 and duties.

48 1. Beginning July 1, 2014, the authority and
49 duties of the department of education, the state board
50 of education, and the director of the department of

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1 education under this chapter, to the extent feasible,
2 shall be transferred to the boards of directors
3 for the respective school districts in the state.
4 Accordingly, beginning July 1, 2014, all references
5 to the department of education, the state board of
6 education, and the director of the department of
7 education under this chapter and references to the
8 department of education, the state board of education,
9 and the director of the department of education under
10 other provisions of law relating to this chapter shall
11 mean the applicable board of directors of the school
12 district.

13 2. Any rule, regulation, form, order, or directive
14 promulgated by the department of education, the state
15 board of education, or the director of the department
16 of education relative to the provisions of this chapter
17 in existence at the conclusion of the fiscal year
18 beginning July 1, 2013, shall continue in full force
19 and effect.

20 Sec. 59. NEW SECTION. 282.1A Transfer of authority
21 and duties.

22 1. Beginning July 1, 2014, the authority and
23 duties of the department of education, the state board
24 of education, and the director of the department of
25 education under this chapter, to the extent feasible,
26 shall be transferred to the boards of directors
27 for the respective school districts in the state.
28 Accordingly, beginning July 1, 2014, all references
29 to the department of education, the state board of
30 education, and the director of the department of
31 education under this chapter and references to the
32 department of education, the state board of education,
33 and the director of the department of education under
34 other provisions of law relating to this chapter shall
35 mean the applicable board of directors of the school
36 district.

37 2. Any rule, regulation, form, order, or directive
38 promulgated by the department of education, the state
39 board of education, or the director of the department
40 of education relative to the provisions of this chapter
41 in existence at the conclusion of the fiscal year
42 beginning July 1, 2013, shall continue in full force
43 and effect.

44 Sec. 60. Section 282.18, subsections 5 and 13, Code
45 2013, are amended to read as follows:

46 5. Open enrollment applications filed after March
47 1 of the preceding school year that do not qualify
48 for good cause as provided in subsection 4 shall be
49 subject to the approval of the board of the resident
50 district and the board of the receiving district. The

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1 parent or guardian shall send notification to the
2 district of residence and the receiving district that
3 the parent or guardian seeks to enroll the parent's or
4 guardian's child in the receiving district. ~~A decision~~
5 ~~of either board to deny an application filed under this~~
6 ~~subsection involving repeated acts of harassment of~~
7 ~~the student or serious health condition of the student~~
8 ~~that the resident district cannot adequately address~~
9 ~~is subject to appeal under section 290.1. The state~~
10 ~~board shall exercise broad discretion to achieve just~~
11 ~~and equitable results that are in the best interest of~~
12 ~~the affected child or children.~~

13 13. If a request under this section is for transfer
14 to a laboratory school, as described in chapter
15 265, the student, who is the subject of the request,
16 shall not be included in the basic enrollment of the
17 student's district of residence, and the laboratory
18 school shall report the enrollment of the student
19 directly to the department of education management,
20 unless the number of students from the district
21 attending the laboratory school during the current
22 school year, as a result of open enrollment under this
23 section, exceeds the number of students enrolled in
24 the laboratory school from that district during the
25 1989–1990 school year. If the number of students
26 enrolled in the laboratory school from a district
27 during the current year exceeds the number of students
28 enrolled from that district during the 1989–1990 school
29 year, those students who represent the difference
30 between the current and the 1988–1989 school year
31 enrollment figures shall be included in the basic
32 enrollment of the students' districts of residence
33 and the districts shall retain any moneys received
34 as a result of the inclusion of the student in the
35 district enrollment. The total number of students
36 enrolled at a laboratory school during a school year
37 shall not exceed six hundred seventy students. The
38 regents institution operating the laboratory school and
39 the board of directors of the school district in the
40 community in which the regents institution is located
41 shall develop a student transfer policy designed to
42 protect and promote the quality and integrity of the
43 teacher education program at the laboratory school, the
44 viability of the education program of the local school
45 district in which the regents institution is located,
46 and to indicate the order in which and reasons why
47 requests to transfer to a laboratory school shall be
48 considered. A laboratory school may deny a request for
49 transfer under the policy. ~~A denial of a request to~~
50 ~~transfer under this subsection is not subject to appeal~~

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1 ~~under section 290.1.~~

2 Sec. 61. Section 282.18, subsection 15, Code 2013,
3 is amended by striking the subsection.

4 Sec. 62. Section 283.1, Code 2013, is amended to
5 read as follows:

6 283.1 Federal funds accepted.

7 The director of the department of ~~education~~
8 management is the "state educational authority" for
9 the purpose of accepting and administering funds
10 appropriated by Congress for educational purposes
11 and the funds shall be deposited with the treasurer
12 of state and disbursed through the department of
13 administrative services on vouchers audited as provided
14 by law. When state matching funds are required as
15 a condition to the acceptance of federal funds, the
16 director of the department of ~~education~~ management may
17 make expenditures for matching only from funds provided
18 by the legislature for that purpose. However, when
19 federal funds may be matched with expenditures from
20 funds appropriated for the general operation of the
21 department of ~~education~~ management, this may be done
22 with the approval of the legislative council.

23 Sec. 63. NEW SECTION. 283A.1A Transfer of
24 authority and duties.

25 1. Beginning July 1, 2014, the authority and
26 duties of the department of education, the state board
27 of education, and the director of the department of
28 education under this chapter, to the extent feasible,
29 shall be transferred to the boards of directors
30 for the respective school districts in the state.
31 Accordingly, beginning July 1, 2014, all references
32 to the department of education, the state board of
33 education, and the director of the department of
34 education under this chapter and references to the
35 department of education, the state board of education,
36 and the director of the department of education under
37 other provisions of law relating to this chapter shall
38 mean the applicable board of directors of the school
39 district.

40 2. Any rule, regulation, form, order, or directive
41 promulgated by the department of education, the state
42 board of education, or the director of the department
43 of education relative to the provisions of this chapter
44 in existence at the conclusion of the fiscal year
45 beginning July 1, 2013, shall continue in full force
46 and effect.

47 Sec. 64. Section 283A.3, Code 2013, is amended to
48 read as follows:

49 283A.3 Expenditure of federal funds.

50 The director of the department of ~~education~~

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1 management shall accept and direct the disbursement
2 of funds appropriated by any Act of Congress and
3 appropriated to the state of Iowa for use in connection
4 with school breakfast or lunch programs. The director
5 shall deposit the funds with the treasurer of the
6 state of Iowa, who shall make disbursements upon the
7 direction of the director.

8 Sec. 65. NEW SECTION. 284.1A Transfer of authority
9 and duties.

10 1. Beginning July 1, 2014, the authority and
11 duties of the department of education, the state board
12 of education, and the director of the department of
13 education under this chapter, to the extent feasible,
14 shall be transferred to the boards of directors
15 for the respective school districts in the state.
16 Accordingly, beginning July 1, 2014, all references
17 to the department of education, the state board of
18 education, and the director of the department of
19 education under this chapter and references to the
20 department of education, the state board of education,
21 and the director of the department of education under
22 other provisions of law relating to this chapter shall
23 mean the applicable board of directors of the school
24 district.

25 2. Any rule, regulation, form, order, or directive
26 promulgated by the department of education, the state
27 board of education, or the director of the department
28 of education relative to the provisions of this chapter
29 in existence at the conclusion of the fiscal year
30 beginning July 1, 2013, shall continue in full force
31 and effect.

32 Sec. 66. NEW SECTION. 284A.1A Transfer of
33 authority and duties.

34 1. Beginning July 1, 2014, the authority and
35 duties of the department of education, the state board
36 of education, and the director of the department of
37 education under this chapter, to the extent feasible,
38 shall be transferred to the boards of directors
39 for the respective school districts in the state.
40 Accordingly, beginning July 1, 2014, all references
41 to the department of education, the state board of
42 education, and the director of the department of
43 education under this chapter and references to the
44 department of education, the state board of education,
45 and the director of the department of education under
46 other provisions of law relating to this chapter shall
47 mean the applicable board of directors of the school
48 district.

49 2. Any rule, regulation, form, order, or directive
50 promulgated by the department of education, the state

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1 board of education, or the director of the department
2 of education relative to the provisions of this chapter
3 in existence at the conclusion of the fiscal year
4 beginning July 1, 2013, shall continue in full force
5 and effect.

6 Sec. 67. NEW SECTION. 285.7 Transfer of authority
7 and duties.

8 1. Beginning July 1, 2014, the authority and
9 duties of the department of education, the state board
10 of education, and the director of the department of
11 education under this chapter, to the extent feasible,
12 shall be transferred to the boards of directors
13 for the respective school districts in the state.
14 Accordingly, beginning July 1, 2014, all references
15 to the department of education, the state board of
16 education, and the director of the department of
17 education under this chapter and references to the
18 department of education, the state board of education,
19 and the director of the department of education under
20 other provisions of law relating to this chapter shall
21 mean the applicable board of directors of the school
22 district.

23 2. Any rule, regulation, form, order, or directive
24 promulgated by the department of education, the state
25 board of education, or the director of the department
26 of education relative to the provisions of this chapter
27 in existence at the conclusion of the fiscal year
28 beginning July 1, 2013, shall continue in full force
29 and effect.

30 Sec. 68. Section 291.11, Code 2013, is amended to
31 read as follows:

32 291.11 Officers reported.

33 The secretary shall report to the director of the
34 department of ~~education~~ management, the county auditor,
35 and county treasurer the name and post office address
36 of the president, treasurer and secretary of the board
37 as soon as practicable after the qualification of each.

38 Sec. 69. NEW SECTION. 292.1A Transfer of authority
39 and duties.

40 1. Beginning July 1, 2014, the authority and duties
41 of the department of education under this chapter
42 shall be transferred to the department of revenue.
43 Accordingly, beginning July 1, 2014, all references
44 to the department of education under this chapter and
45 references to the department of education under other
46 provisions of law relating to this chapter shall mean
47 the department of revenue.

48 2. Any moneys remaining in any account or fund
49 under the control of the department of education at the
50 conclusion of the fiscal year beginning July 1, 2013,

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1 relative to the provisions of this chapter shall be
2 transferred to the control of the department of revenue
3 for such purposes. Notwithstanding section 8.33, the
4 moneys transferred in accordance with this subsection
5 shall not revert to the account or fund from which
6 appropriated or transferred.

7 3. Any contract entered into by the department of
8 education relating to the provisions of this chapter in
9 effect at the conclusion of the fiscal year beginning
10 July 1, 2013, shall continue in full force and effect
11 pending transfer of such contracts to the department
12 of revenue.

13 4. Any rule, regulation, form, order, or directive
14 promulgated by the department of education relative
15 to the provisions of this chapter in existence at the
16 conclusion of the fiscal year beginning July 1, 2013,
17 shall continue in full force and effect until amended,
18 repealed, or supplemented by affirmative action of
19 the department of revenue under the duties and powers
20 established in this chapter and under the procedure
21 established in subsection 5.

22 5. In regard to updating references and format in
23 the Iowa administrative code in order to correspond
24 to the transferring of duties of this chapter, the
25 administrative rules coordinator and the administrative
26 rules review committee, in consultation with the
27 administrative code editor, shall jointly develop
28 a schedule for the necessary updating of the Iowa
29 administrative code.

30 Sec. 70. Section 294.5, Code 2013, is amended to
31 read as follows:

32 294.5 Reports.

33 The teacher shall file with the school
34 superintendent ~~and the director of the department of~~
35 ~~education~~ such reports and in such manner as may be
36 required.

37 Sec. 71. Section 296.3, Code 2013, is amended to
38 read as follows:

39 296.3 Election called.

40 Within ten days of receipt of a petition filed under
41 section 296.2, the president of the board of directors
42 shall call a meeting of the board. The meeting shall
43 be held within thirty days after the petition was
44 received. At the meeting, the board shall call the
45 election, fixing the time of the election, which
46 may be at the time and place of holding the regular
47 school election. However, if the board determines by
48 unanimous vote that the proposition or propositions
49 requested by a petition to be submitted at an election
50 are grossly unrealistic or contrary to the needs of

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1 the school district, no election shall be called. If
2 more than one petition has been received by the time
3 the board meets to consider the petition triggering
4 the meeting, the board shall act upon the petitions in
5 the order they were received at the meeting called to
6 consider the initial petition. ~~The decision of the~~
7 ~~board may be appealed to the state board of education~~
8 ~~as provided in chapter 200.~~ The president shall notify
9 the county commissioner of elections of the time of the
10 election.

11 Sec. 72. NEW SECTION. 297.37 Transfer of authority
12 and duties.

13 1. Beginning July 1, 2014, the authority and duties
14 of the department of education and the director of
15 the department of education under this chapter shall
16 be transferred to the department of administrative
17 services and the director of the department of
18 administrative services. Accordingly, beginning
19 July 1, 2014, all references to the department of
20 education and the director of the department of
21 education under this chapter and references to the
22 department of education and the director of the
23 department of education under other provisions of law
24 relating to this chapter shall mean the department
25 of administrative services or the director of the
26 department of administrative services.

27 2. Any rule, regulation, form, order, or directive
28 promulgated by the department of education or the
29 director of the department of education relative to
30 the provisions of this chapter in existence at the
31 conclusion of the fiscal year beginning July 1, 2013,
32 shall continue in full force and effect.

33 Sec. 73. Section 298A.8, Code 2013, is amended to
34 read as follows:

35 298A.8 Student activity fund.

36 The student activity fund is a special revenue
37 fund. A student activity fund must be established
38 in any school corporation receiving money from
39 student-related activities such as admissions, activity
40 fees, student dues, student fund-raising events, or
41 other student-related cocurricular or extracurricular
42 activities. Moneys in this fund shall be used to
43 support only the cocurricular program ~~defined in~~
44 ~~department of education administrative rules.~~

45 Sec. 74. NEW SECTION. 299.25 Transfer of authority
46 and duties.

47 1. Beginning July 1, 2014, the authority and
48 duties of the department of education, the state board
49 of education, and the director of the department of
50 education under this chapter, to the extent feasible,

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1 shall be transferred to the boards of directors
2 for the respective school districts in the state.
3 Accordingly, beginning July 1, 2014, all references
4 to the department of education, the state board of
5 education, and the director of the department of
6 education under this chapter and references to the
7 department of education, the state board of education,
8 and the director of the department of education under
9 other provisions of law relating to this chapter shall
10 mean the applicable board of directors of the school
11 district.

12 2. Any rule, regulation, form, order, or directive
13 promulgated by the department of education, the state
14 board of education, or the director of the department
15 of education relative to the provisions of this chapter
16 in existence at the conclusion of the fiscal year
17 beginning July 1, 2013, shall continue in full force
18 and effect.

19 Sec. 75. NEW SECTION. 299A.1A Transfer of
20 authority and duties.

21 1. Beginning July 1, 2014, the authority and
22 duties of the department of education, the state board
23 of education, and the director of the department of
24 education under this chapter, to the extent feasible,
25 shall be transferred to the boards of directors
26 for the respective school districts in the state.
27 Accordingly, beginning July 1, 2014, all references
28 to the department of education, the state board of
29 education, and the director of the department of
30 education under this chapter and references to the
31 department of education, the state board of education,
32 and the director of the department of education under
33 other provisions of law relating to this chapter shall
34 mean the applicable board of directors of the school
35 district.

36 2. Any rule, regulation, form, order, or directive
37 promulgated by the department of education, the state
38 board of education, or the director of the department
39 of education relative to the provisions of this chapter
40 in existence at the conclusion of the fiscal year
41 beginning July 1, 2013, shall continue in full force
42 and effect.

43 Sec. 76. NEW SECTION. 301.1A Transfer of authority
44 and duties.

45 1. Beginning July 1, 2014, the authority and
46 duties of the department of education, the state board
47 of education, and the director of the department of
48 education under this chapter, to the extent feasible,
49 shall be transferred to the boards of directors
50 for the respective school districts in the state.

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1 Accordingly, beginning July 1, 2014, all references
2 to the department of education, the state board of
3 education, and the director of the department of
4 education under this chapter and references to the
5 department of education, the state board of education,
6 and the director of the department of education under
7 other provisions of law relating to this chapter shall
8 mean the applicable board of directors of the school
9 district.

10 2. Any rule, regulation, form, order, or directive
11 promulgated by the department of education, the state
12 board of education, or the director of the department
13 of education relative to the provisions of this chapter
14 in existence at the conclusion of the fiscal year
15 beginning July 1, 2013, shall continue in full force
16 and effect.

17 Sec. 77. REPEAL. Sections 260C.6, 276.4, and
18 291.10, Code 2013, are repealed.

19 Sec. 78. REPEAL. Chapters 256, 256A, 256G, and
20 290, Code 2013, are repealed.

21 Sec. 79. EFFECTIVE DATE. This division of this Act
22 takes effect July 1, 2014.

23 DIVISION II

24 CORRESPONDING AMENDMENT LEGISLATION

25 Sec. 80. CORRESPONDING AMENDMENTS
26 LEGISLATION. Additional legislation is required
27 to fully implement division I of this Act. The
28 director of the department of education shall, in
29 compliance with section 2.16, prepare draft legislation
30 for submission to the legislative services agency, as
31 necessary, to implement the transition and elimination
32 of authority and duties under division I of this Act
33 and to implement the transition and elimination of
34 authority and duties under other provisions of law
35 including but not limited to the duties and authority
36 of the department of education, the state board of
37 education, the director of the department of education,
38 and any division, commission, or subunit of such
39 entities or offices under chapters 7A, 7E, 8A, 8D, 8F,
40 11, 12, 15, 15H, 16, 19B, 22, 48A, 68B, 73, 80E, 84A,
41 85, 96, 99B, 125, 135, 139A, 141A, 142A, 154B, 154F,
42 161A, 190A, 216A, 218, 220A, 225B, 225C, 232, 234, 237,
43 237A, 237B, 239B, 241, 249A, 257, 261B, 307A, 321,
44 321J, 322, 350, 423E, 423F, 455A, 455E, 473, 514I, 714,
45 and 904.

46 DIVISION III

47 EDUCATION FINANCE AND 48 EDUCATION SAVINGS GRANTS

49 Sec. 81. Section 8.6, Code 2013, is amended by
50 adding the following new subsection:

Page 30

1 NEW SUBSECTION. 18. Education savings grant
2 applications. Adopt rules relating to applications
3 for an education savings grant pursuant to section
4 257.11B, including application processing timelines,
5 and required information for submission by a parent or
6 guardian.

7 Sec. 82. NEW SECTION. 257.1A Transfer of authority
8 and duties.

9 1. Beginning July 1, 2014, the authority and
10 duties of the department of education, the state board
11 of education, and the director of the department of
12 education under this chapter shall be transferred to
13 the department of management and the director of the
14 department of management. Accordingly, beginning July
15 1, 2014, all references to the department of education
16 under this chapter and references to the department of
17 education under other provisions of law relating to
18 this chapter shall mean the department of management
19 and all references to the state board of education or
20 the director of the department of education under this
21 chapter or other provisions of law relating to this
22 chapter shall mean the director of the department of
23 management.

24 2. Any moneys remaining in any account or fund
25 under the control of the department of education at
26 the conclusion of the fiscal year beginning July 1,
27 2013, relative to the provisions of this chapter shall
28 be transferred to the control of the department of
29 management for such purposes. Notwithstanding section
30 8.33, the moneys transferred in accordance with this
31 subsection shall not revert to the account or fund from
32 which appropriated or transferred.

33 3. Any contract entered into by the department of
34 education relating to the provisions of this chapter in
35 effect at the conclusion of the fiscal year beginning
36 July 1, 2013, shall continue in full force and effect
37 pending transfer of such contracts to the department of
38 management.

39 4. Any rule, regulation, form, order, or directive
40 promulgated by the department of education relative
41 to the provisions of this chapter in existence at the
42 conclusion of the fiscal year beginning July 1, 2013,
43 shall continue in full force and effect until amended,
44 repealed, or supplemented by affirmative action of the
45 department of management under the duties and powers
46 established in this chapter and under the procedure
47 established in subsection 5.

48 5. In regard to updating references and format in
49 the Iowa administrative code in order to correspond
50 to the transferring of duties of this chapter, the

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1 administrative rules coordinator and the administrative
2 rules review committee, in consultation with the
3 administrative code editor, shall jointly develop
4 a schedule for the necessary updating of the Iowa
5 administrative code.

6 Sec. 83. NEW SECTION. 257.11B Education savings
7 grant program.

8 1. Pupils eligible to enroll in grades kindergarten
9 through twelve or eligible to participate in a
10 preschool program under chapter 256C and attending
11 a nonpublic school, receiving competent private
12 instruction under chapter 299A, or receiving private
13 preschool instruction shall be eligible to receive an
14 education savings grant in the manner provided in this
15 section for school years beginning on or after July 1,
16 2014. Education savings grants shall be made available
17 to parents and guardians in the manner authorized
18 under subsection 4, paragraph “c”, for the payment
19 of qualified education expenses as provided in this
20 section.

21 2. a. (1) By January 31 preceding the school year
22 for which the education savings grant is requested, the
23 parent or guardian of the pupil requesting to receive
24 an education savings grant shall submit an application
25 to the department of management, on application forms
26 developed by the department of management, indicating
27 that the parent or guardian intends to enroll the
28 pupil in a nonpublic school, provide competent private
29 instruction for the pupil under chapter 299A, or
30 provide private preschool instruction.

31 (2) In addition to such information deemed
32 appropriate by the department of management, the
33 application shall require certification from the
34 nonpublic school of the pupil’s enrollment for the
35 following school year or a statement indicating the
36 parent or guardian’s intent to provide or arrange for
37 competent private instruction or private preschool
38 instruction for the pupil for the following school
39 year.

40 b. By March 1 preceding the school year for
41 which the education savings grant is requested, the
42 department of management shall notify the parent or
43 guardian of each pupil who is approved to receive an
44 education savings grant and the amount of the grant.

45 c. Education savings grants shall only be approved
46 for one school year and applications must be submitted
47 under paragraph “a” for education savings grants in
48 subsequent school years.

49 3. a. The department of management shall assign
50 each pupil an education savings grant in an amount

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1 equal to the statewide average state foundation aid per
2 pupil in the same school year. However, for a pupil
3 that is eligible to participate in a preschool program
4 under chapter 256C, the amount of the grant shall be an
5 amount equal to fifty percent of the regular program
6 state cost per pupil for the same school year.

7 b. The department of management shall on July
8 1 following the determination of the amount of the
9 education savings grant for each approved pupil
10 transfer such amounts to the pupil's account in
11 the education savings grant fund established under
12 subsection 4. Such amount shall be available to the
13 pupil's parent or guardian in the manner authorized
14 under subsection 4, paragraph "c", for the payment of
15 qualified educational expenses incurred by such persons
16 for the pupil during that school year.

17 4. An education savings grant fund is created in
18 the state treasury under the control of the department
19 of management consisting of moneys appropriated to
20 the department for the purpose of providing education
21 savings grants under this section. For the fiscal
22 year commencing July 1, 2014, and each succeeding
23 fiscal year, there is appropriated from the general
24 fund of the state to the department of management to
25 be credited to the fund the amount necessary to pay
26 all education savings grants approved for that fiscal
27 year. The director of the department of management has
28 all powers necessary to carry out and effectuate the
29 purposes, objectives, and provisions of this section
30 pertaining to the fund, including the power to do all
31 of the following:

32 a. Make and enter into contracts necessary for the
33 administration of the fund.

34 b. Procure insurance against any loss in connection
35 with the assets of the fund or require a surety bond.

36 c. Contract with a private financial management
37 firm to manage the fund, in collaboration with the
38 treasurer of state, including providing for the
39 disbursement of education savings grants in the form
40 of an electronic debit card or checks that are payable
41 directly from the pupil's account within the fund.

42 d. Conduct audits or other review necessary to
43 properly administer the program.

44 e. Adopt rules pursuant to chapter 17A for the
45 administration of the fund and accounts within the
46 fund.

47 5. a. For each pupil approved for an education
48 savings grant, the department of management shall
49 establish an account for that pupil in the education
50 savings grant fund. The amount of the pupil's

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1 education savings grant determined under subsection 3
2 shall be deposited into the pupil's account on July
3 1 and such amount shall be immediately available for
4 the payment of qualified education expenses incurred
5 by the parent or guardian for the pupil during that
6 fiscal year using the payment method authorized under
7 subsection 4, paragraph "c".

8 b. A nonpublic school or other entity that accepts
9 payment from a parent or guardian using funds from a
10 pupil's account in the education savings grant fund
11 shall not refund, rebate, or share any portion of such
12 payment with the parent, guardian, or pupil.

13 c. Moneys remaining in a pupil's account upon
14 conclusion of the fiscal year shall remain in the
15 pupil's account within the education savings grant
16 fund for the payment of qualified educational expenses
17 in future fiscal years or for the payment of higher
18 education costs under subsection 8.

19 6. For purposes of this section, "qualified
20 educational expense" includes tuition and fees at a
21 nonpublic school or nonpublic preschool, textbooks,
22 fees or payments for tutoring or cognitive skills
23 training, curriculum materials, tuition or fees
24 for nonpublic online education programs, education
25 materials and services for pupils with disabilities,
26 standardized test fees, fees required by the department
27 not to exceed for each grant recipient five percent of
28 the total grant amount in any fiscal year, and other
29 expenses incurred by the parent or guardian that are
30 directly related to the education of the pupil at a
31 nonpublic preschool or a nonpublic school, including
32 a nonpublic school accredited by an independent
33 accrediting agency approved by the department of
34 management, or directly related to providing competent
35 private instruction for the pupil under chapter 299A
36 or private preschool instruction. The cost of one
37 computer or other portable computing device shall be
38 allowed as a qualified educational expense for a pupil
39 if such a purchase has not been made using funds from
40 that pupil's account in either of the two immediately
41 preceding fiscal years. "Qualified educational
42 expenses" do not include transportation costs for the
43 pupil, the cost of food or refreshments consumed by the
44 pupil, the cost of clothing for the pupil, or the cost
45 of disposable materials including but not limited to
46 paper, notebooks, pencils, pens, and art supplies.

47 7. A person who makes a false claim for the purpose
48 of obtaining an education savings grant provided for
49 in this section or who knowingly receives the grant or
50 makes a payment from an account within the education

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1 savings grant fund without being legally entitled to it
2 is guilty of a fraudulent practice. The false claim
3 for an education savings grant or a payment from an
4 account shall be disallowed and if amounts from the
5 grant have been disbursed from the applicable account
6 in the education savings grant fund, the department of
7 management shall initiate legal proceedings to recover
8 such amounts. A parent or guardian, or a pupil for
9 purposes of subsection 8, who violates this subsection
10 is prohibited from participating in the education
11 savings grant program in the future.

12 8. For each pupil with a positive balance in the
13 pupil's account in the education savings grant fund
14 upon graduation from high school or completion of an
15 equivalent level of competent private instruction
16 under chapter 299A, the department of management shall
17 maintain such account in the fund until the pupil is
18 twenty-five years of age. Following graduation from
19 high school until the pupil is twenty-five years of
20 age, moneys in the pupil's account may be used for
21 higher education costs, as defined in section 12D.1,
22 subsection 2, incurred by the pupil while attending an
23 institution of higher education under the control of
24 the state board of regents, a community college located
25 in this state, or a private college or university
26 located in this state. Payments from a pupil's account
27 for higher education costs shall be made in the same
28 manner as payments for qualified educational expenses
29 under subsection 5. Moneys in a pupil's account when
30 the pupil turns twenty-five years of age shall be
31 transferred by the department of management for deposit
32 in the general fund of the state.

33 9. This section shall not be construed to authorize
34 this state or any political subdivision of this state
35 to exercise authority over any nonpublic school or
36 pupil receiving competent private instruction under
37 chapter 299A or construed to require a nonpublic
38 school to modify its admissions or educational
39 program in order to receive payment from a parent or
40 guardian using funds from a pupil's account in the
41 education savings grant fund. A nonpublic school or
42 entity providing competent private instruction under
43 chapter 299A, that accepts payment from a parent or
44 guardian using funds from a pupil's account in the
45 education savings grant fund is not an agent of this
46 state or other political subdivision of this state.

47 Rules adopted by the department of management to
48 implement this section that impose an undue burden on a
49 nonpublic school or entity providing competent private
50 instruction under chapter 299A are invalid.

Page 35

1 Sec. 84. APPLICABILITY. This division of this
2 Act applies to school budget years and fiscal years
3 beginning on or after July 1, 2014.

4 Sec. 85. EFFECTIVE DATE. The section of this
5 division of this Act enacting section 257.1A takes
6 effect July 1, 2014.

7 DIVISION IV

8 CORRESPONDING AMENDMENTS LEGISLATION

9 Sec. 86. CORRESPONDING AMENDMENTS

10 LEGISLATION. Additional legislation is required
11 to fully implement the section of division III of
12 this Act enacting section 257.1A. The director of
13 the department of education shall, in compliance with
14 section 2.16, prepare draft legislation for submission
15 to the legislative services agency, as necessary, to
16 implement the transition and elimination of authority
17 and duties of the department of education, the state
18 board of education, and director of the department of
19 education under the section of division III of this Act
20 enacting section 257.1A and to implement the transition
21 and elimination of authority and duties under other
22 provisions of law.>

23 2. Title page, by striking lines 1 through 6 and
24 inserting:

25 <An Act relating to education by abolishing
26 the department of education and the state board
27 of education, modifying the duties and authority
28 of certain state and local governmental entities,
29 establishing an education savings grant program and
30 fund, making appropriations, providing penalties, and
31 including effective date and applicability>

BRAD ZAUN

S-3069

1 Amend the amendment, S-3066, to Senate File 423 as
2 follows:

3 1. Page 1, by striking lines 9 and 10 and
4 inserting:

5 <__. Page 7, by striking lines 27 through 29 and
6 inserting <and support system for teachers aligned with
7 the state models and comparable systems>>

8 2. Page 1, line 38, by striking <and> and inserting
9 <~~and~~ that is>

10 3. Page 1, line 40, by striking <standards,> and
11 inserting <standards;>

12 4. Page 2, line 27, by striking <12 and> and
13 inserting <12,>

14 5. Page 2, line 28, after <section> by inserting <

15 and shall provide for a minimum salary and a residency
16 as provided in section 284.16, subsection 2, paragraph
17 “a”>

18 6. Page 2, line 48, by striking <selection> and
19 inserting <review>

20 7. Page 3, by striking lines 9 through 11 and
21 inserting <for initial or renewal leadership role
22 assignments which are submitted to the school’s
23 or school district’s administration and shall make
24 recommendations>

25 8. Page 3, line 26, after <administration> by
26 inserting <, in consultation with the review council,>

27 9. Page 3, by striking lines 31 through 33 and
28 inserting <role may submit to the school’s or the
29 school district’s administration an application
30 for assignment in a new role or for reassignment
31 as appropriate. The administration shall share
32 the application with the review council constituted
33 pursuant to subsection 3, paragraph “a”.>

34 10. Page 3, line 50, after <284.19.> by inserting
35 <The commission may deny early implementation of an
36 otherwise qualified state model or comparable system
37 if the amount specified for the teacher leadership
38 supplement state cost per pupil pursuant to section
39 257.9, subsection 11, and amount specified for the
40 teacher leadership supplement district cost per
41 pupil pursuant to section 257.10, subsection 12, is
42 insufficient to fully fund the teacher leadership
43 supplement for all eligible school districts.>

44 11. Page 4, by striking lines 11 through 15 and
45 inserting <exceed the moneys received by the school
46 district under section 257.10, subsection 12. However,
47 if the school district’s implementation costs exceed
48 such funds, the school district>

49 12. Page 4, by striking lines 19 and 20 and
50 inserting <Iowa teacher as provided in section 284.16,

Page 2

1 subsection 2, paragraph “a”, subparagraph (1).>

2 13. Page 4, line 22, by striking <criteria and>

3 14. Page 5, by striking lines 17 through 24 and
4 inserting <under section 257.10, subsection 12. In
5 addition, the commission shall review>

6 15. Page 10, line 40, by striking <school district>
7 and inserting <review council>

8 16. Page 10, by striking lines 44 through 46 and
9 inserting <career II teacher. Beginning July 1, 2014,
10 the annual teacher leadership supplement paid to a
11 first-year career II teacher shall be five thousand
12 dollars.>

13 17. Page 11, line 12, after <coach> by inserting

14 <in addition to the normal teaching load>
15 18. Page 11, line 19, by striking <a teacher> and
16 inserting <one or more teachers>
17 19. Page 11, line 24, by striking <teacher being
18 coached desires> and inserting <teachers being coached
19 desire>
20 20. Page 11, line 30, by striking <teacher> and
21 inserting <teachers>
22 21. Page 11, line 37, by striking <panel> and
23 inserting <council>
24 22. By striking page 11, line 47, through page 12,
25 line 5, and inserting:
26 <(2) Beginning July 1, 2014, the annual teacher
27 leadership supplement paid to a first-year advanced
28 teacher shall be thirteen thousand five hundred
29 dollars.>
30 23. Page 12, by striking lines 39 through 43.
31 24. Page 13, line 26, by striking <teacher being
32 coached desires> and inserting <teachers being coached
33 desire>
34 25. Page 13, line 32, by striking <teacher> and
35 inserting <teachers>
36 26. Page 13, line 41, after <employ> by inserting
37 <at least>
38 27. Page 13, by striking lines 48 through 50 and
39 inserting <leader shall at a minimum receive>
40 28. Page 14, line 5, after <contract> by inserting
41 <at the applicable per diem rate>
42 29. Page 14, line 12, by striking <model> and
43 inserting <career>
44 30. Page 14, line 20, by striking <Daily observe>
45 and inserting <Observe>
46 31. Page 14, by striking lines 22 through 25.
47 32. Page 14, lines 26 and 27, by striking
48 <Routinely use sustained coaching cycles to support>
49 and inserting <Support>
50 33. Page 14, by striking lines 30 through 36.

Page 3

1 34. Page 15, by striking lines 27 through 31.
2 35. Page 15, line 33, after <of> by inserting
3 <teaching experience and one year of teaching>
4 36. Page 16, after line 10 by inserting:
5 <__. Page 37, line 30, by striking <or> and
6 inserting <and>>
7 37. By renumbering, redesignating, and correcting
8 internal references as necessary.

HERMAN C. QUIRMBACH

S-3070

1 Amend Senate File 331 as follows:
2 1. Page 1, after line 19 by inserting:
3 <Sec. ____ Section 321M.9, subsection 1, Code 2013,
4 is amended to read as follows:
5 1. Fees to counties. Notwithstanding any other
6 provision in the Code to the contrary, the county
7 treasurer of a county authorized to issue driver's
8 licenses under this chapter shall retain for deposit
9 in the county general fund ~~seven~~ eight dollars of fee
10 received for each issuance or renewal of driver's
11 licenses and nonoperator's identification cards, but
12 shall not retain any moneys for the issuance of any
13 persons with disabilities identification devices.
14 The five dollar processing fee charged by a county
15 treasurer for collection of a civil penalty under
16 section 321.218A, 321A.32A, or 321J.17 shall be
17 retained for deposit in the county general fund. The
18 county treasurer shall remit the balance of fees and
19 all civil penalties to the department.>
20 2. Page 1, by striking lines 29 and 30 and
21 inserting:
22 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
23 provision or provisions of this Act, being deemed of
24 immediate importance, take effect upon enactment:
25 1. The section of this Act amending section
26 321.196, subsection 4.
27 2. The section of this Act relating to emergency
28 rules.>
29 3. Title page, line 2, after <electronically> by
30 inserting <and the distribution of costs for county
31 issuance of driver's licenses,>
32 4. By renumbering as necessary.

TOD R. BOWMAN

S-3071

1 Amend Senate File 423 as follows:
2 1. Page 46, after line 27 by inserting:
3 <DIVISION ____
4 PARENT LIAISON COUNSELOR PILOT PROGRAM
5 Sec. ____ NEW SECTION. 280.30 Parent liaison
6 counselor pilot program.
7 1. A parent liaison counselor pilot program is
8 established to be administered by the department of
9 education. The goals of the program shall be to raise
10 student achievement, as measured by increasing high
11 school graduation rates, increasing the percentage of
12 high school graduates who are qualified to enroll in a
13 college or university, and increasing the percentage of

14 students who successfully complete college preparatory
15 coursework while enrolled in high school. The
16 department of education shall adopt measures which
17 reflect the goals of the program for the purpose of
18 assessing the effectiveness of the program.

19 2. A school district identified by the department
20 of education as a persistently lowest-achieving school
21 may participate in the program and shall employ one
22 parent liaison counselor. A parent liaison counselor
23 shall be a guidance counselor licensed under chapter
24 272 who is currently employed by the school district.
25 The guidance counselor shall be issued a full-time
26 contract for the full school year. The additional
27 contract days shall be used to administer the program.

28 3. A parent liaison counselor shall have the
29 following duties:

30 a. Meeting and working with targeted students
31 and the parents of targeted students, whether at a
32 student's home or in a student's school, regarding
33 course selection, career planning, and postsecondary
34 preparation.

35 b. For targeted students in middle school, focusing
36 primarily on helping targeted students and the parents
37 of targeted students with advance planning and course
38 selection for high school.

39 4. For purposes of this section, targeted students
40 are students who have unrealized academic potential and
41 whose circumstances inhibit their academic performance,
42 including but not limited to students who are limited
43 English proficient, students in special education,
44 students in individualized education programs, students
45 from families with a family income at or below two
46 hundred percent of the federal poverty level as defined
47 by the most recently revised poverty income guidelines
48 published by the United States department of health
49 and human services, students with ongoing attendance
50 issues, and other at-risk student populations

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1 identified by the department of education.

2 5. The department of education shall submit a
3 report to the general assembly, annually by December
4 15, on the parent liaison counselor pilot program.

5 6. This section is repealed June 30, 2016.>

6 2. By renumbering as necessary.

JONI K. ERNST

S-3072

- 1 Amend Senate File 423 as follows:
- 2 1. Page 1, line 7, after ~~<minimum>~~ by inserting
- 3 ~~<days or>~~
- 4 2. Page 1, line 32, by striking ~~<days>~~ and
- 5 inserting ~~<days or>~~
- 6 3. Page 2, line 12, after ~~<than>~~ by inserting ~~<one~~
- 7 ~~hundred eighty days, except as provided in subsection~~
- 8 ~~3. or>~~
- 9 4. Page 2, line 16, before ~~<hours>~~ by inserting
- 10 ~~<days or>~~
- 11 5. Page 3, line 5, by striking ~~<days>~~ and inserting
- 12 ~~<days or>~~

HERMAN C. QUIRMBACH

S-3073

- 1 Amend Senate File 423 as follows:
- 2 1. Page 41, after line 2 by inserting:
- 3 <Sec. ____ NEW SECTION. 279.9C School safety plan.
- 4 Each board of directors of a school district shall
- 5 develop and implement a comprehensive emergency
- 6 management plan that addresses school safety, security
- 7 procedures, and emergency guidelines relating to school
- 8 shootings, assaults, and other incidences that threaten
- 9 the safety and security of school students and school
- 10 employees. The emergency management plan shall include
- 11 training procedures for teachers and other school
- 12 employees and students and shall also include a plan to
- 13 develop and implement school-community partnerships,
- 14 including mental health service partnerships, in the
- 15 local community. The emergency management plan shall
- 16 authorize all school employees with a valid permit to
- 17 carry weapons to carry a weapon on school grounds.>
- 18 2. By renumbering as necessary.

KENT SORENSON
RICK BERTRAND
MARK CHELGREN
JAKE CHAPMAN
JACK WHITVER
ROBY SMITH
JONI K. ERNST
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KEN ROZENBOOM
AMY SINCLAIR
DENNIS GUTH
BILL ANDERSON
RANDY FEENSTRA
BILL DIX

S-3074

Amend Senate File 423 as follows:

1. Page 46, after line 27 by inserting:

<DIVISION ____

PRACTITIONER STAFFING REDUCTION PROVISIONS

Sec. ____ Section 279.13, subsection 1, paragraph
a, Code 2013, is amended to read as follows:

a. Contracts with teachers, which for the purpose
of this section means all licensed employees of a
school district and nurses employed by the board,
excluding superintendents, assistant superintendents,
principals, and assistant principals, shall be in
writing and shall state the number of contract days,
the annual compensation to be paid, and any other
matters as may be mutually agreed upon. The contract
may include employment for a term not exceeding the
ensuing school year, except as otherwise authorized.
Notwithstanding any contrary provision of law, neither
the employees represented by the employee organization
who are teachers or principals licensed under chapter
272, nor the employing school district or area
education agency shall include procedures for staff
reduction in the scope of negotiations. The board
shall not consider seniority or academic degrees or
other credentials when determining compensation or an
increase in compensation for a teacher, or when making
retention, promotion, dismissal, reduction-in-force,
or other staffing decisions; provided, that nothing in
this paragraph prohibits cost-of-living adjustments
tied in whole or in part to prior compensation levels.
Differentiation in teacher compensation levels may be
based on whether the teacher's performance evaluation
determines the teacher is a highly effective teacher
and the teacher teaches in a high-demand subject area
or has a hard-to-staff assignment.

Sec. ____ Section 279.14, Code 2013, is amended to
read as follows:

279.14 Evaluation criteria and procedures.

1. Evaluation criteria and procedures. The board
shall establish evaluation criteria and shall implement
evaluation procedures. If an exclusive bargaining
representative has been certified, the board shall
negotiate in good faith with respect to evaluation
procedures pursuant to chapter 20.

44 2. Standards of performance. The determination
45 of standards of performance expected of school
46 district personnel shall be reserved as an exclusive
47 management right of the school board and shall not
48 be subject to mandatory negotiations under chapter
49 20. Notwithstanding chapter 20, objections to the
50 procedures, use, or content of an evaluation in a

Page 2

1 teacher termination proceeding brought before the
2 school board in a hearing held in accordance with
3 section 279.16 or 279.27 shall not be subject to the
4 grievance procedures negotiated in accordance with
5 chapter 20. A school district shall not be obligated
6 to process any evaluation grievance after service of a
7 notice and recommendation to terminate an individual's
8 continuing teaching contract in accordance with this
9 chapter.

10 3. Use of evaluations. Notwithstanding any
11 provision of law to the contrary, the board shall
12 base decisions regarding significant differentiation
13 in salary, retention, promotion, dismissal, and
14 other staffing decisions including but not limited to
15 transfers, placements, and preferences in the event
16 of reductions in force, primarily on the results
17 of annual performance evaluations for teachers and
18 principals. Each teacher and principal contract issued
19 pursuant to this chapter and each collective bargaining
20 agreement negotiated under chapter 20 shall authorize
21 use of evaluation results as a basis for the decisions
22 described in this subsection. Evaluation results shall
23 also be used to provide high-quality, individualized
24 supports and professional development for teachers and
25 principals.

26 Sec. ____ Section 279.27, Code 2013, is amended to
27 read as follows:

28 279.27 Discharge of teacher — reduction in force.
29 1. Discharge. A teacher may be discharged at any
30 time during the contract year for just cause. The
31 superintendent or the superintendent's designee, shall
32 notify the teacher immediately that the superintendent
33 will recommend in writing to the board at a regular
34 or special meeting of the board held not more than
35 fifteen days after notification has been given to the
36 teacher that the teacher's continuing contract be
37 terminated effective immediately following a decision
38 of the board. The procedure for dismissal shall
39 be as provided in section 279.15, subsection 2, and
40 sections 279.16 to 279.19. The superintendent may
41 suspend a teacher under this section pending hearing
42 and determination by the board.

43 2. Reduction-in-force criteria. Notwithstanding
44 any provision of law to the contrary, a board shall
45 not adopt or implement a policy that permits length of
46 service to serve as the primary factor when conducting
47 layoffs or a reduction in force. The board shall
48 instead utilize a system that considers demonstrated
49 teacher effectiveness in advancing student achievement
50 as the primary factor when conducting a reduction

Page 3

1 in force. In the event that an approved evaluation
2 system has not been implemented, the board may adopt an
3 interim policy for layoffs or reduction in force that
4 is based on the following considerations:
5 a. Individual performance shall be weighted as
6 the most significant consideration, at not less than
7 seventy percent, in a layoff or reduction-in-force
8 decision. Individual performance shall include
9 evidence of increased student achievement, demonstrated
10 pedagogical skill, and preparation to maximize
11 instructional time as assessed by a principal,
12 administrator, or peer evaluator.
13 b. Any record of misconduct, criminal conduct, or
14 excessive unexcused absences in a teacher's personnel
15 file.
16 c. Significant, relevant contributions to the
17 effectiveness of the school and its professional
18 staff, including but not limited to creation and
19 implementation of a tutoring program and creation of a
20 school enrichment program.
21 d. Relevant special training, certifications, and
22 licenses unless otherwise prohibited under section
23 279.13, subsection 1.
24 Sec. ____. EFFECTIVE UPON ENACTMENT. This division
25 of this Act, being deemed of immediate importance,
26 takes effect upon enactment.
27 Sec. ____. APPLICABILITY. This division of this Act
28 applies immediately upon enactment and notwithstanding
29 any provision of law to the contrary, any provision of
30 a collective bargaining agreement negotiated by the
31 board of directors of a school district under chapter
32 20, or any rule or policy established by the board of
33 directors of a school district, that is contrary to the
34 provisions of this division of this Act is void.>
35 2. By renumbering as necessary.

JAKE CHAPMAN
MARK CHELGREN
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DAVID JOHNSON
CHARLES SCHNEIDER
SANDRA GREINER
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RANDY FEENSTRA

S-3075

1 Amend Senate File 423 as follows:

2 1. Page 46, after line 27 by inserting:

3 <DIVISION ____

4 CHARTER OR INNOVATION ZONE SCHOOL CHANGES

5 Sec. ____ Section 256F.1, subsections 1 and 2, Code
6 2013, are amended by striking the subsections.

7 Sec. ____ Section 256F.1, subsection 4, Code 2013,
8 is amended by striking the subsection and inserting in
9 lieu thereof the following:

10 4. This section shall not be construed to provide
11 a means to keep open a school that the board of
12 directors of a school district closes. However, a
13 school board may endorse or authorize the establishing
14 of a charter or innovation zone school to replace the
15 school the board closes. Applicants seeking a charter
16 or innovation zone school under this circumstance
17 shall demonstrate to an authorizer that the charter
18 or innovation zone school sought is substantially
19 different in purpose and program from the school
20 the board closes and that the proposed charter or
21 innovation zone school satisfies the requirements of
22 this section. The authorizer shall not approve an
23 application submitted under section 256F.5 if the
24 application does not comply with this subsection.

25 Sec. ____ Section 256F.2, subsection 1, Code 2013,
26 is amended by striking the subsection and inserting in
27 lieu thereof the following:

28 1. "Applicant" means an entity eligible to submit
29 to the state board an application to establish a
30 charter or innovation zone school in accordance
31 with this chapter. "Applicant" includes any of the
32 following:

33 a. The board of directors of a school district.

34 b. A consortium consisting of the boards of
35 directors of two or more school districts.

36 c. An area education agency board.
37 d. A consortium consisting of the boards of
38 directors of an area education agency and one or more
39 school districts, at least one of which is located
40 within the boundaries of the area education agency.
41 e. The board of directors of a community college.
42 f. A consortium consisting of the boards of
43 directors of a community college and one or more school
44 districts, at least one of which is located within the
45 boundaries of the community college.
46 g. An institution of higher education governed by
47 the state board of regents.
48 h. A consortium consisting of an institution of
49 higher education governed by the state board of regents
50 and the board of directors of one or more school

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1 districts.
2 i. A consortium consisting of one or more
3 accredited private institutions as defined in section
4 261.9, all of which shall be exempt from taxation under
5 section 501(c)(3) of the Internal Revenue Code, and the
6 board of directors of one or more school districts.
7 j. A consortium consisting of the governing body
8 of a city or county with a population over ninety-five
9 thousand and the board of directors of one or more
10 school districts located, at least in part, within the
11 boundaries of the city or county.
12 k. A nonsectarian, nonreligious charitable
13 organization that is exempt from taxation under section
14 501(c)(3) of the Internal Revenue Code.
15 Sec. _____. Section 256F.2, Code 2013, is amended by
16 adding the following new subsections:
17 NEW SUBSECTION. 3A. "Authorizer" means the state
18 board, the state board of regents, or a board of
19 directors of a community college established pursuant
20 to chapter 260C.
21 NEW SUBSECTION. 7A. "Operator" means an applicant
22 approved by an authorizer to charter a school under
23 this chapter.
24 Sec. _____. Section 256F.3, subsection 2, paragraph
25 b, Code 2013, is amended to read as follows:
26 b. To receive approval to establish an innovation
27 zone school in accordance with this chapter, an
28 innovation zone consortium shall submit to an
29 authorizer an application ~~to the state board which that~~
30 demonstrates the support of at least fifty percent of
31 the teachers employed at each proposed innovation zone
32 school on the date of the submission of the application
33 and fifty percent of the parents or guardians voting
34 whose children are enrolled at each proposed innovation

35 zone school, provided that a majority of the parents or
36 guardians eligible to vote participate in the ballot
37 process, according to procedures established by rules
38 of the ~~state board~~ authorizer.

39 Sec. ____ Section 256F.3, subsections 6 through 8,
40 Code 2013, are amended to read as follows:

41 6. Upon approval of an application for the proposed
42 establishment of a charter or innovation zone school,
43 the school board shall submit an application for
44 approval to establish the charter or innovation zone
45 school to ~~the state board~~ an authorizer in accordance
46 with section 256F.5. The state board may reevaluate an
47 application approved by the state board of regents or
48 by a local community college board pursuant to section
49 256F.3A, subsection 1.

50 7. An application submitted ~~to the state board~~

Page 3

1 pursuant to subsection 2, paragraph “b”, or subsection
2 6 shall set forth the manner in which the charter
3 ~~school~~ or innovation zone school will provide special
4 instruction, in accordance with section 280.4, to
5 students who are limited English proficient. The
6 application shall set forth the manner in which the
7 charter ~~school~~ or innovation zone school will comply
8 with federal and state laws and regulations relating to
9 the federal National School Lunch Act and the federal
10 Child Nutrition Act of 1966, 42 U.S.C. § 1751-1785, and
11 chapter 283A. ~~The state board~~ authorizer shall approve
12 only those applications that meet the requirements
13 specified in section 256F.1, subsection 3, and sections
14 256F.4 and 256F.5. ~~The state board~~ authorizer may deny
15 an application if the ~~state board~~ authorizer deems that
16 approval of the application is not in the best interest
17 of the affected students.

18 8. ~~The state board shall approve not~~ Not more than
19 ten innovation zone consortium applications shall be
20 approved under this chapter.

21 Sec. ____ NEW SECTION. 256F.3A Duties of the
22 department.

23 The department shall do the following:

24 1. Develop and implement an orientation program for
25 operators. An operator shall successfully complete
26 the orientation program prior to chartering a school
27 pursuant to this chapter. The program shall include
28 but not be limited to accountability requirements,
29 reporting requirements, and financial management.
30 If the operator does not successfully complete the
31 orientation program in the time specified by the
32 department, the state board shall reevaluate the
33 operator's application and may deny the application.

34 If the state board denies an application under this
35 subsection, the decision of the state board is final
36 agency action under chapter 17A.
37 2. Develop and implement or approve orientation
38 programs for members of the boards of directors of
39 charter or innovation zone schools, including but not
40 limited to orientation on the charter or innovation
41 zone school board's role and responsibilities,
42 employment policies and practices, and financial
43 management.
44 3. Monitor and evaluate the fiscal, operational,
45 and student performance of the charter or innovation
46 zone school annually and provide a written annual
47 performance evaluation to the charter or innovation
48 zone school board and the authorizer.
49 4. Provide, every fifth year in which a charter
50 or innovation school is in operation and before the

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1 authorizer considers renewing a charter or innovation
2 zone school's contract, a formal written review of the
3 annual evaluations conducted pursuant to subsection 3.
4 Sec. ____ Section 256F.4, subsections 5 and 7, Code
5 2013, are amended by striking the subsections.
6 Sec. ____ Section 256F.4, subsections 2, 6, and 8,
7 Code 2013, are amended to read as follows:
8 2. Although a charter ~~school~~ or innovation zone
9 school may elect to comply with one or more provisions
10 of statute or administrative rule, a charter ~~school~~
11 or innovation zone school is exempt from all statutes
12 and administrative rules applicable to a school, a
13 school board, or a school district, except that the
14 charter ~~school~~ or innovation zone school shall meet the
15 requirements of this chapter and shall do all of the
16 following:
17 a. Meet all applicable federal, state, and local
18 health and safety requirements and laws prohibiting
19 discrimination on the basis of race, creed, color,
20 sex, sexual orientation, gender identity, national
21 origin, religion, ancestry, or disability. A charter
22 ~~school~~ or innovation zone school shall be subject to
23 any court-ordered desegregation plan in effect for
24 the school district at the time the charter ~~school~~ or
25 innovation zone school application is approved.
26 b. Operate as a nonsectarian, nonreligious public
27 school.
28 c. Be free of tuition and application fees to
29 Iowa resident students between the ages of five and
30 twenty-one years.
31 d. Be subject to and comply with chapters 216 and
32 216A relating to civil and human rights.

33 e. ~~Provide~~ Make special education programs and
34 services available to students requiring special
35 education in accordance with chapter 256B.
36 f. Be subject to the same financial audits,
37 audit procedures, and audit requirements as a school
38 district. The audit shall be consistent with the
39 requirements of sections 11.6, 11.14, 11.19, 256.9,
40 subsection 20, section 256F.8, and section 279.29,
41 except to the extent deviations are necessary because
42 of the program at the school. The department, the
43 auditor of state, or the legislative services agency
44 may conduct financial, program, or compliance audits.
45 g. Be ~~subject eligible to and comply with~~
46 participate in the student achievement and teacher
47 quality program under chapter 284 relating to the
48 student achievement and teacher quality program. A
49 charter school or innovation zone school ~~that complies~~
50 ~~with chapter 284~~ shall ~~receive state moneys or be~~

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1 eligible to receive state moneys calculated as provided
2 in section 257.10, subsections 9 and 10, and section
3 257.37A ~~as if it did not operate under a charter school~~
4 ~~or innovation zone school contract~~.
5 h. ~~Be~~ Notwithstanding section 256F.13, be subject
6 to and comply with ~~chapters~~ chapter 20 and 279 relating
7 to contracts with and discharge of teachers and
8 administrators at the discretion of the charter or
9 innovation zone school operator.
10 i. Be subject to and comply with the provisions
11 of chapter 285 relating to the transportation of
12 students, except that the provisions of section 285.1,
13 subsections 14, 15, 16, and 17, shall not apply.
14 ~~j. Meetings and records of the advisory council are~~
15 ~~subject to the provisions of chapters 21 and 22~~.
16 j. Comply with sections 279.9, 280.17A, 280.17B,
17 280.21B, 280.24, and 280.28, and may suspend or expel a
18 student only as provided in section 282.4. A decision
19 made as provided in section 282.4 is subject to appeal
20 under section 290.1.
21 k. Comply with all statutes and administrative
22 rules relating to student records, including but not
23 limited to section 22.7, subsection 1, and sections
24 256H.1, 280.19A, 280.25, and 280.29, and shall submit
25 data to the department for purposes of the department's
26 comprehensive management information system.
27 l. Comply with the requirements of chapter 283A.
28 m. Comply with any statewide accountability
29 requirements in statute or administrative rule
30 governing high school graduation requirements, the core
31 curriculum, core content standards, and assessments.

32 The charter school or innovation zone school shall
33 issue high school diplomas to students who successfully
34 meet the graduation requirements of the charter school
35 or innovation zone school.

36 6. Notwithstanding subsection 2, a charter ~~school~~
37 or innovation zone school shall meet the requirements
38 of section 256.7, subsection 21.

39 8. A charter ~~school~~ or innovation zone consortium
40 ~~may~~ shall enter into contracts in accordance with
41 chapter 26.

42 Sec. ____ Section 256F.4, subsections 3 and 4,
43 Code 2013, are amended by striking the subsections and
44 inserting in lieu thereof the following:

45 3. The primary focus of a charter or innovation
46 zone school shall be to provide a comprehensive program
47 of instruction for at least one grade or age group from
48 five through twenty-one years of age.

49 4. A charter or innovation zone school is a
50 municipality for the purposes of tort liability under

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1 chapter 670.

2 Sec. ____ Section 256F.5, Code 2013, is amended by
3 striking the section and inserting in lieu thereof the
4 following:

5 256F.5 Application.

6 1. An application to operate a charter or
7 innovation zone school pursuant to this chapter shall
8 include but not be limited to the following:

9 a. A business plan that documents the proposed
10 charter or innovation zone school's mission statement;
11 school purposes; program design; description of a
12 graduation plan, where applicable; financial plan;
13 governance and management structure; and background
14 and experience of the applicants and the initial board
15 and instructional staff, plus any other information
16 the authorizer requests. An applicant shall file a
17 separate application for each school the applicant
18 intends to operate.

19 b. A statement of assurances of legal compliance
20 prescribed by the state board.

21 c. The applicant's ability to implement the
22 procedures and satisfy the criteria for operating a
23 school under this chapter.

24 d. The measures that will be implemented to
25 provide for oversight of the charter or innovation
26 zone school's academic, financial, and operational
27 performance, and to ensure compliance with the terms
28 of any written contract entered into by the charter or
29 innovation zone school board of directors and the state
30 board.

- 31 e. A statement of support or nonsupport from the
32 board of directors of the school district, in which the
33 charter or innovation zone school would be located.
34 The statement shall be submitted to the applicant in a
35 timely manner by the school district board.
36 f. A statement demonstrating community support.
37 g. A statement of admission policies and
38 procedures.
39 h. The types and amounts of insurance liability
40 coverage to be obtained by the charter or innovation
41 zone school.
42 i. How special instruction, programs, and services
43 for children requiring special education and English
44 language learners under chapter 256B and section
45 280.4 will be made available and a description of
46 the financial parameters within which the special
47 instruction, programs, and services will be made
48 available.
49 2. If the applicant includes a school district
50 pursuant to section 256F.2, subsection 1, paragraph

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- 1 “a”, “b”, “d”, “f”, “h”, “i”, or “j”, that will, under
2 the plan submitted, convert an existing attendance
3 center operated by the school district into a charter
4 or innovation zone school in accordance with this
5 chapter, the application shall demonstrate the support
6 of at least fifty percent of the teachers employed
7 at the school on the date of the submission of the
8 application and fifty percent of the parents or
9 guardians voting whose children are enrolled at the
10 school, provided that a majority of the parents or
11 guardians eligible to vote participate in the ballot
12 process, according to procedures established by rules
13 of the state board. Conversion of an existing school
14 to a charter or innovation zone school if approved
15 pursuant to this chapter shall occur at the beginning
16 of an academic year.
17 3. a. The authorizer shall approve or disapprove
18 an application within ninety business days of receipt
19 of the application. However, the state board of
20 regents or a local community college board of directors
21 is ineligible to approve an application submitted by a
22 consortium that includes the state board of regents or
23 the local community college board of directors.
24 b. If the application is denied, the authorizer
25 shall notify the applicant of the specific deficiencies
26 in writing and the applicant shall have twenty business
27 days to address the deficiencies to the authorizer's
28 satisfaction.
29 (1) If the applicant addresses the deficiencies

30 within the time specified, the authorizer shall at its
31 next regularly scheduled meeting make a final decision
32 to approve or disapprove the application.

33 (2) If the applicant fails to address the
34 deficiencies in the time specified, the authorizer
35 shall notify the applicant that the application is
36 denied and the decision of the state board or the state
37 board of regents is final agency action under chapter
38 17A. If a local community college board of directors
39 disapproves the application under this subparagraph
40 (2), the decision may be appealed to the state board or
41 the state board of regents.

42 c. An applicant whose application is denied
43 pursuant to the process specified in this subsection
44 shall not submit another application until the
45 expiration of at least one calendar year after
46 notification of the disapproval of the application.

47 4. The authorizer shall establish criteria for
48 application approval that at a minimum consider the
49 following:

50 a. A comprehensive review of the application.

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1 b. The available capacity and infrastructure
2 identified in the plan.

3 c. Contracting process specified in the plan.

4 d. Ongoing oversight and evaluation processes
5 relating to administration and staffing.

6 e. Charter or innovation zone school contract and
7 contract renewal criteria and processes.

8 5. Approval of an application and renewal of a
9 charter by an authorizer shall not be conditioned upon
10 the bargaining unit status of the employees of the
11 school.

12 Sec. ____ Section 256F.6, Code 2013, is amended by
13 striking the section and inserting in lieu thereof the
14 following:

15 256F.6 Formation of school — board.

16 1. An operator who successfully completes the
17 orientation program required pursuant to section
18 256F.3A, subsection 1, before entering into a contract
19 or other agreement for professional or other services,
20 goods, or facilities, shall incorporate as a nonprofit
21 corporation under chapter 504 and shall establish an
22 initial board of directors composed of at least five
23 voting members, who are not related parties, until a
24 timely election for members of the ongoing charter
25 or innovation zone school board of directors is held
26 according to the school's articles and bylaws.

27 2. Members of the charter or innovation zone school
28 board of directors established under the school's

29 articles and bylaws shall be elected before the school
30 completes its third year of operation. The articles
31 and bylaws shall require that the board be composed of
32 not less than five voting members. The articles and
33 bylaws shall include clear policies regarding conflicts
34 of interest, standards of responsibility, and obedience
35 to law, fairness, and honesty.

36 3. Staff members employed at the school and all
37 parents or guardians of children enrolled in the school
38 are the voters eligible to elect the members of the
39 school's board of directors.

40 4. A charter or innovation zone school shall
41 notify eligible voters of the school board election
42 dates at least thirty days before the election. Board
43 elections shall be held during the school year but may
44 not be conducted on days when the school is closed for
45 holidays or vacations.

46 5. a. Any charter or innovation zone school board
47 of directors shall be composed of the following:

48 (1) Notwithstanding section 279.7A, at least one
49 licensed teacher employed at the school.

50 (2) At least one parent or legal guardian of a

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1 student enrolled in the school who is not an employee
2 of the school.

3 (3) At least one interested community member who is
4 not employed by the school and does not have a child
5 enrolled in the school.

6 b. The majority of members on the board may be
7 teachers, notwithstanding section 279.7A.

8 c. The chief financial officer and the chief
9 administrator of the charter or innovation zone school,
10 if elected, shall only serve as ex officio, nonvoting
11 board members.

12 d. Charter or innovation zone school employees
13 shall not serve on the board except as provided in this
14 subsection.

15 e. Except as provided in section 279.7A,
16 contractors providing facilities, goods, or services
17 to a charter or innovation zone school shall not serve
18 on the board.

19 f. Board articles and bylaws shall outline the
20 process and procedures for changing the board's
21 governance model, consistent with chapter 504.

22 6. A charter or innovation zone school board
23 may change the governance model set forth in the
24 application or in the articles and bylaws of the
25 charter or innovation zone school only if the change
26 conforms with this section and a majority of the board
27 approves the change; the licensed teachers employed

28 by the school approve the change; and the authorizer
29 approves the change.

30 7. a. The authorizer may permit a charter or
31 innovation zone school board to expand the operation
32 of the charter or innovation zone school to additional
33 sites or to add grades at the school beyond those
34 described in the operator's approved application only
35 after submitting a supplemental affidavit for approval
36 to the authorizer in a form and manner prescribed by
37 the authorizer. The supplemental affidavit shall
38 include the following:

39 (1) A proposed expansion plan that demonstrates
40 need and projected enrollment.

41 (2) Documentation that the expansion is warranted,
42 at a minimum, by longitudinal data demonstrating
43 students' improved academic performance and growth on
44 student assessments.

45 (3) Documentation that the school is financially
46 sound and the financing the school needs to implement
47 the proposed expansion exists.

48 (4) Documentation that the school has the
49 governance structure and management capacity to carry
50 out the expansion.

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1 b. The authorizer shall have sixty business days to
2 review and comment on the supplemental affidavit. The
3 authorizer shall notify the charter or innovation zone
4 school board of any deficiencies in the supplemental
5 affidavit and the charter or innovation zone school
6 board shall have twenty business days to address, to
7 the authorizer's satisfaction, any deficiencies in the
8 supplemental affidavit. The school shall not expand
9 to additional sites or add grades until the authorizer
10 approves the supplemental affidavit. The authorizer's
11 approval or disapproval of a supplemental affidavit is
12 final agency action.

13 8. The charter or innovation zone school board
14 of directors is a government or governmental body for
15 purposes of chapters 21 and 22.

16 9. Except as provided in subsection 5, members of
17 the charter or innovation zone school board are subject
18 to section 279.7A.

19 Sec. ____ Section 256F.8, Code 2013, is amended by
20 striking the section and inserting in lieu thereof the
21 following:

22 256F.8 Audit report.

23 1. The charter or innovation zone school shall
24 annually submit an audit report to the authorizer by
25 December 31.

26 2. The charter or innovation zone school, with

27 the assistance of the auditor conducting the audit,
28 shall include with the report a copy of all charter
29 or innovation zone school agreements for corporate
30 management services. If the entity that provides the
31 professional services to the charter or innovation zone
32 school is exempt from taxation under section 501 of
33 the Internal Revenue Code of 1986, that entity must
34 file with the state board by February 15 a copy of
35 the annual return required under section 6033 of the
36 Internal Revenue Code of 1986.

37 3. If the audit report finds that a material
38 weakness exists in the financial reporting systems of
39 a charter or innovation zone school, the charter or
40 innovation zone school shall submit a written report to
41 the authorizer at its first annual meeting explaining
42 how the material weakness will be resolved. An auditor
43 conducting the audit of the charter or innovation
44 zone school, as a condition of providing financial
45 services to a charter or innovation zone school, shall
46 agree to make available information about a charter
47 or innovation zone school's financial audit to the
48 authorizer upon request.

49 Sec. ____ Section 256F.9, Code 2013, is amended by
50 striking the section and inserting in lieu thereof the

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1 following:
2 256F.9 Admission requirements.
3 1. A charter or innovation zone school may limit
4 admission to the following:
5 a. Students within an age group or grade level.
6 b. Students who are either at risk of dropping out
7 or have dropped out of school.
8 c. Residents of a specific geographic area in which
9 the school is located when the majority of students
10 served by the school are eligible for free and reduced
11 price meals under the federal National School Lunch Act
12 and the federal Child Nutrition Act of 1966, 42 U.S.C.
13 § 1751-1785.
14 2. A charter or innovation zone school shall enroll
15 an eligible student who submits a timely application,
16 unless the number of applications exceeds the capacity
17 of a program, class, grade level, or building. In such
18 case, students shall be accepted by lot. The charter
19 or innovation zone school shall develop and publish
20 a lottery policy and process for use when accepting
21 students by lot.
22 3. A charter or innovation zone school shall give
23 enrollment preference to a sibling of an enrolled
24 student and to a foster child of that student's parents
25 and may give preference for enrolling children of the

26 school's staff before accepting other students by lot.

27 4. A charter or innovation zone school shall
28 not limit admission to students on the basis of
29 intellectual ability, measures of achievement or
30 aptitude, or athletic ability and shall not establish
31 any criteria or requirements for admission that are
32 inconsistent with this section.

33 5. The charter or innovation zone school shall
34 not distribute any services or goods of value to
35 students, parents, or guardians as an inducement, term,
36 or condition of enrolling a student in a charter or
37 innovation zone school.

38 Sec. ____ Section 256F.10, Code 2013, is amended by
39 striking the section and inserting in lieu thereof the
40 following:

41 256F.10 Employment and other operating matters.

42 A charter or innovation zone school shall employ or
43 contract with necessary teachers and administrators,
44 as defined by chapter 256, who hold valid licenses and
45 endorsements to perform the particular service for
46 which they are employed in the school. The school may
47 employ necessary employees who are not required to hold
48 teaching licenses to perform duties other than teaching
49 and may contract for other services.

50 Sec. ____ NEW SECTION. 256F.11 Leased space.

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1 If space to be leased is constructed as a school
2 facility, a charter or innovation zone school may
3 lease such space from a school district or other
4 public organization; private, nonprofit nonsectarian
5 organization; private property owner; or a sectarian
6 organization.

7 Sec. ____ NEW SECTION. 256F.12 Affiliated
8 nonprofit building corporation.

9 1. A charter or innovation zone school may organize
10 an affiliated nonprofit building corporation to
11 renovate or purchase an existing facility to serve
12 as a school or to construct a new school facility as
13 provided in subsection 4 or 5.

14 2. An affiliated nonprofit building corporation
15 shall meet all of the following conditions:

16 a. Be incorporated under chapter 504 and comply
17 with applicable internal revenue service regulations.

18 b. Submit annually to the authorizer a list of
19 current board members and a copy of the corporation's
20 annual audit.

21 3. An affiliated nonprofit building corporation
22 shall not serve as the leasing agent for property or
23 facilities it does not own. The state is immune from
24 liability resulting from a contract between a charter

25 or innovation zone school and an affiliated nonprofit
26 building corporation.

27 4. A charter or innovation zone school may organize
28 an affiliated nonprofit building corporation to
29 renovate or purchase an existing facility to serve as a
30 school if the charter or innovation zone school meets
31 the following criteria:

32 a. Has been operating for at least five consecutive
33 school years.

34 b. Has had a net positive unreserved general fund
35 balance as of June 30 in the preceding five fiscal
36 years.

37 c. Has a long-range strategic and financial plan.

38 d. Completes a feasibility study of available
39 buildings.

40 e. Documents enrollment projections and the need
41 to use an affiliated nonprofit building corporation to
42 renovate or purchase an existing facility to serve as
43 a school.

44 5. A charter or innovation zone school may organize
45 an affiliated nonprofit building corporation to
46 construct a new school facility if the charter school
47 meets the following conditions:

48 a. Lacks facilities available to serve as a school.

49 b. Has been operating for at least eight
50 consecutive school years.

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1 c. Has had a net positive unreserved general fund
2 balance as of June 30 in the preceding eight fiscal
3 years.

4 d. Completes a feasibility study of facility
5 options.

6 e. Has a long-range strategic and financial plan
7 that includes enrollment projections and demonstrates
8 the need for constructing a new school facility.

9 Sec. ____ NEW SECTION. 256F.13 Collective
10 bargaining.

11 Employees of the board of directors of a charter
12 or innovation zone school may, if otherwise eligible,
13 organize under chapter 20 and comply with its
14 provisions. The board of directors of a charter
15 or innovation zone school is a public employer, for
16 the purposes of chapter 20, upon formation of one
17 or more bargaining units at the school. Bargaining
18 units at the school shall be separate from any other
19 units within the school district in which the charter
20 or innovation zone school is located, except that
21 bargaining units may remain part of the appropriate
22 bargaining unit of the school district within which the
23 charter or innovation zone school is located if the

24 employees of the charter or innovation zone school, the
25 board of directors of the charter or innovation zone
26 school, the exclusive representative of the appropriate
27 bargaining unit in the school district, and the board
28 of the school district agree to include the employees
29 in the appropriate bargaining unit of the school
30 district.
31 Sec. ____ NEW SECTION. 256F.14 Teacher retirement.
32 Teachers in a charter or innovation zone school are
33 public school teachers for the purposes of chapter 97B.
34 Sec. ____ NEW SECTION. 256F.15 Causes for
35 nonrenewal or termination of charter or innovation zone
36 school contract.
37 1. The authorizer may decline to renew a contract
38 entered into with the board of directors of a charter
39 or innovation zone school at the end of the contract
40 term for any ground listed in subsection 3. The
41 authorizer may unilaterally terminate a contract during
42 the term of the contract for any ground listed in
43 subsection 3.
44 2. At least sixty business days before not renewing
45 or terminating a contract, the authorizer shall notify
46 the board of directors of the charter or innovation
47 zone school of the proposed action in writing. The
48 notice shall state the grounds for the proposed action
49 in reasonable detail and that the charter or innovation
50 zone school's board of directors may request in writing

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1 a hearing before the authorizer within fifteen business
2 days of receiving notice of nonrenewal or termination
3 of the contract. Failure by the board of directors
4 to make a written request for a hearing within the
5 time specified shall be treated as acquiescence to
6 the proposed action. Upon receiving a timely written
7 request for a hearing, the authorizer shall give ten
8 business days' notice to the charter or innovation
9 zone school's board of directors of the hearing date.
10 The authorizer shall conduct the hearing before taking
11 final action. The authorizer shall take final action
12 to renew or not renew a contract no later than twenty
13 business days before the proposed date for terminating
14 the contract or the end date of the contract.
15 3. A charter or innovation zone school contract
16 entered into with the authorizer may be terminated or
17 not renewed by the authorizer upon any of the following
18 grounds:
19 a. Failure to meet the requirements for student
20 performance contained in the contract.
21 b. Failure to meet generally accepted standards of
22 fiscal management.

23 c. Violations of law.
24 d. Other good cause shown, including but not
25 limited to the existence of one or more other grounds
26 for revocation as specified in the contract.
27 4. If a contract is terminated or not renewed on
28 grounds specified in subsection 3, the school shall be
29 dissolved according to rules adopted by the authorizer,
30 and the assets of the charter or innovation zone
31 school shall be disposed of according to the applicable
32 provisions of chapter 504.
33 5. The authorizer, after providing reasonable
34 notice to the board of directors of a charter or
35 innovation zone school, and after providing an
36 opportunity for a public hearing, may terminate the
37 existing contract with the charter or innovation zone
38 school board if the charter or innovation zone school
39 has a history of the following:
40 a. Failure to meet student performance requirements
41 consistent with state law.
42 b. Financial mismanagement or gross failure to meet
43 generally accepted standards of fiscal management.
44 c. Violations of the law.
45 Sec. ____ NEW SECTION. 256F.16 Student enrollment
46 upon nonrenewal or termination of charter or innovation
47 zone school contract.
48 If a contract is not renewed or is terminated
49 according to section 256F.15, a student who attended
50 the charter or innovation zone school may enroll in the

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1 district of residence or may submit an application to
2 a nonresident district according to section 282.18 at
3 any time, and shall be determined to have shown "good
4 cause" for purposes of section 282.18. Applications
5 and notices required by section 282.18 shall be
6 processed and provided in a prompt manner. The
7 application and notice deadlines in section 282.18 do
8 not apply under these circumstances. The charter or
9 innovation zone school shall transfer the student's
10 educational records within ten business days of the
11 charter or innovation zone school's closure to the
12 student's school district of enrollment.
13 Sec. ____ NEW SECTION. 256F.17 Extent of specific
14 legal authority.
15 1. A charter or innovation zone school board may
16 sue and be sued.
17 2. A charter or innovation zone school board shall
18 not levy taxes or issue bonds.
19 3. A charter or innovation zone school is a
20 municipality for purposes of chapter 670.
21 Sec. ____ NEW SECTION. 256F.18 Funding.

22 A student enrolled in a charter or innovation zone
23 school shall be counted, for state school foundation
24 aid purposes, in the student's district of residence.
25 A student's residence, for purposes of this section,
26 means a residence under section 282.1. The board of
27 directors of the district of residence shall pay to the
28 charter or innovation zone school the district cost per
29 pupil, the teacher salary supplement district cost per
30 pupil, the professional development supplement district
31 cost per pupil, and the early intervention supplement
32 district cost per pupil under section 257.10, plus any
33 moneys received for the student as a result of the
34 non-English speaking weighting under section 280.4,
35 subsection 3, for the previous school year multiplied
36 by the district cost per pupil for the previous year.
37 In addition, the board of directors of the district of
38 residence shall pay to the charter or innovation zone
39 school any other per pupil moneys requested under the
40 charter or innovation zone school application approved
41 by the authorizer.

42 Sec. ____ NEW SECTION. 256F.19 Prior charter or
43 innovation zone schools and innovation zones.

44 1. A charter or innovation zone school established
45 prior to July 1, 2013, shall continue to be governed by
46 chapter 256F, Code 2013, until the term of the contract
47 entered into pursuant to section 256F.8, Code 2013,
48 ends.

49 2. This section is repealed July 1, 2019.

50 Sec. ____ Section 282.18, subsection 4, paragraph

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1 b, Code 2013, is amended to read as follows:

2 b. For purposes of this section, "good cause" means
3 a change in a child's residence due to a change in
4 family residence, a change in the state in which the
5 family residence is located, a change in a child's
6 parents' marital status, a guardianship or custody
7 proceeding, placement in foster care, adoption,
8 participation in a foreign exchange program, or
9 participation in a substance abuse or mental health
10 treatment program, a change in the status of a child's
11 resident district such as removal of accreditation
12 by the state board, surrender of accreditation, or
13 permanent closure of a nonpublic school, ~~revocation~~
14 nonrenewal or termination of a charter or innovation
15 zone school contract as provided in section ~~256F.8~~
16 256F.15, the failure of negotiations for a whole grade
17 sharing, reorganization, dissolution agreement or the
18 rejection of a current whole grade sharing agreement,
19 or reorganization plan. If the good cause relates to
20 a change in status of a child's school district of

21 residence, however, action by a parent or guardian must
22 be taken to file the notification within forty-five
23 days of the last board action or within thirty days
24 of the certification of the election, whichever is
25 applicable to the circumstances.

26 Sec. ____ Section 670.1, subsection 2, Code 2013,
27 is amended to read as follows:

28 2. "Municipality" means city, county, township,
29 school district, charter or innovation zone school,
30 and any other unit of local government except soil and
31 water conservation districts as defined in section
32 161A.3, subsection 6.

33 Sec. ____ REPEAL. Section 256F.7, Code 2013, is
34 repealed.>

35 2. By renumbering as necessary.

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MARK CHELGREN
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BILL ANDERSON
AMY SINCLAIR
KEN ROZENBOOM

S-3076

1 Amend Senate File 423 as follows:

2 1. Page 46, after line 27 by inserting:

3 <DIVISION ____
4 EDUCATION SAVINGS GRANT PROGRAM, FUND, APPROPRIATION,
5 AND PENALTIES

6 Sec. ____ Section 256.7, Code 2013, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 33. Adopt rules relating to
9 applications for an education savings grant pursuant
10 to section 257.11B, including application processing
11 timelines and information required to be submitted by a
12 parent or guardian.

13 Sec. ____ NEW SECTION. 257.11B Education savings
14 grant program.

15 1. Pupils eligible to enroll in grades kindergarten
16 through twelve and attending a nonpublic school or
17 receiving competent private instruction under chapter
18 299A shall be eligible to receive an education savings
19 grant in the manner provided in this section for school
20 years beginning on or after July 1, 2014. Education
21 savings grants shall be made available to parents and
22 guardians in the manner authorized under subsection 4,
23 paragraph "c", for the payment of qualified education
24 expenses as provided in this section.

25 2. a. (1) By January 31 preceding the school year
26 for which the education savings grant is requested, the
27 parent or guardian of the pupil requesting to receive
28 an education savings grant shall submit an application
29 to the department of education, on application forms
30 developed by the department, indicating that the parent
31 or guardian intends to enroll the pupil in a nonpublic
32 school or provide competent private instruction for the
33 pupil under chapter 299A.

34 (2) In addition to such information deemed
35 appropriate by the department of education, the
36 application shall require certification from the
37 nonpublic school of the pupil's enrollment for the
38 following school year or a statement indicating the
39 parent or guardian's intent to provide or arrange for
40 competent private instruction for the pupil for the
41 following school year.

42 b. By March 1 preceding the school year for
43 which the education savings grant is requested, the
44 department of education shall notify the department
45 of management of the number of pupils in each school
46 district designated for the following school year
47 to receive an education savings grant and the amount
48 of the education savings grant for each pupil. The
49 department of education shall also notify the parent
50 or guardian of such pupils who are approved to receive

Page 2

1 an education savings grant.
2 c. Education savings grants shall only be approved
3 for one school year and applications must be submitted
4 under paragraph "a" for education savings grants in
5 subsequent school years.

6 3. a. The department of management shall assign
7 each pupil an education savings grant in an amount
8 equal to the statewide average state foundation aid per
9 pupil in the same school year.

10 b. The department of management shall on July
11 1 following the determination of the amount of the
12 education savings grant for each approved pupil
13 transfer such amounts to the pupil's account in

the education savings grant fund established under subsection 4. Such amount shall be available to the pupil's parent or guardian in the manner authorized under subsection 4, paragraph "c", for the payment of qualified educational expenses incurred by such persons for the pupil during that school year.

4. An education savings grant fund is created in the state treasury under the control of the department of management consisting of moneys appropriated to the department for the purpose of providing education savings grants under this section. For the fiscal year commencing July 1, 2014, and each succeeding fiscal year, there is appropriated from the general fund of the state to the department of management to be credited to the fund the amount necessary to pay all education savings grants approved for that fiscal year. The director of the department of management has all powers necessary to carry out and effectuate the purposes, objectives, and provisions of this section pertaining to the fund, including the power to do all of the following:

a. Make and enter into contracts necessary for the administration of the fund.

b. Procure insurance against any loss in connection with the assets of the fund or require a surety bond.

c. Contract with a private financial management firm to manage the fund, in collaboration with the treasurer of state, including providing for the disbursement of education savings grants in the form of an electronic debit card or checks that are payable directly from the pupil's account within the fund.

d. Conduct audits or other review necessary to properly administer the program.

e. Adopt rules pursuant to chapter 17A for the administration of the fund and accounts within the fund.

5. a. For each pupil approved for an education

Page 3

savings grant, the department shall establish an account for that pupil in the education savings grant fund. The amount of the pupil's education savings grant determined under subsection 3 shall be deposited into the pupil's account on July 1 and such amount shall be immediately available for the payment of qualified education expenses incurred by the parent or guardian for the pupil during that fiscal year using the payment method authorized under subsection 4, paragraph "c".

b. A nonpublic school or other entity that accepts payment from a parent or guardian using funds from a

13 pupil's account in the education savings grant fund
14 shall not refund, rebate, or share any portion of such
15 payment with the parent, guardian, or pupil.
16 c. Moneys remaining in a pupil's account upon
17 conclusion of the fiscal year shall remain in the
18 pupil's account within the education savings grant
19 fund for the payment of qualified educational expenses
20 in future fiscal years or for the payment of higher
21 education costs under subsection 8.
22 6. For purposes of this section, "qualified
23 educational expense" includes tuition and fees at a
24 nonpublic school, textbooks, fees or payments for
25 tutoring or cognitive skills training, curriculum
26 materials, tuition or fees for nonpublic online
27 education programs, education materials and services
28 for pupils with disabilities, standardized test fees,
29 fees required by the department not to exceed for each
30 grant recipient five percent of the total grant amount
31 in any fiscal year, and other expenses incurred by the
32 parent or guardian that are directly related to the
33 education of the pupil at a nonpublic school, including
34 a nonpublic school accredited by an independent
35 accrediting agency approved by the department of
36 education, or directly related to providing competent
37 private instruction for the pupil under chapter 299A.
38 The cost of one computer or other portable computing
39 device shall be allowed as a qualified educational
40 expense for a pupil if such a purchase has not been
41 made using funds from that pupil's account in either of
42 the two immediately preceding fiscal years. "Qualified
43 educational expenses" do not include transportation
44 costs for the pupil, the cost of food or refreshments
45 consumed by the pupil, the cost of clothing for the
46 pupil, or the cost of disposable materials including
47 but not limited to paper, notebooks, pencils, pens, and
48 art supplies.
49 7. A person who makes a false claim for the purpose
50 of obtaining an education savings grant provided for

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1 in this section or who knowingly receives the grant or
2 makes a payment from an account within the education
3 savings grant fund without being legally entitled to it
4 is guilty of a fraudulent practice. The false claim
5 for an education savings grant or a payment from an
6 account shall be disallowed and if amounts from the
7 grant have been disbursed from the applicable account
8 in the education savings grant fund, the department of
9 management shall initiate legal proceedings to recover
10 such amounts. A parent or guardian, or a pupil for
11 purposes of subsection 8, who violates this subsection

12 is prohibited from participating in the education
13 savings grant program in the future.
14 8. For each pupil with a positive balance in the
15 pupil's account in the education savings grant fund
16 upon graduation from high school or completion of an
17 equivalent level of competent private instruction
18 under chapter 299A, the department of management shall
19 maintain such account in the fund until the pupil is
20 twenty-five years of age. Following graduation from
21 high school until the pupil is twenty-five years of
22 age, moneys in the pupil's account may be used for
23 higher education costs, as defined in section 12D.1,
24 subsection 2, incurred by the pupil while attending an
25 institution of higher education under the control of
26 the state board of regents, a community college located
27 in this state, or a private college or university
28 located in this state. Payments from a pupil's account
29 for higher education costs shall be made in the same
30 manner as payments for qualified educational expenses
31 under subsection 5. Moneys in a pupil's account
32 when the pupil turns twenty-five years of age shall
33 be transferred by the department for deposit in the
34 general fund of the state.
35 9. This section shall not be construed to authorize
36 this state or any political subdivision of this state
37 to exercise authority over any nonpublic school or
38 pupil receiving competent private instruction under
39 chapter 299A or construed to require a nonpublic school
40 to modify its admissions or educational program in
41 order to receive payment from a parent or guardian
42 using funds from a pupil's account in the education
43 savings grant fund. A nonpublic school or entity
44 providing competent private instruction under chapter
45 299A, that accepts payment from a parent or guardian
46 using funds from a pupil's account in the education
47 savings grant fund is not an agent of this state or
48 other political subdivision of this state. Rules
49 adopted by the department to implement this section
50 that impose an undue burden on a nonpublic school or

Page 5

- 1 entity providing competent private instruction under
- 2 chapter 299A are invalid.
- 3 Sec. ____ APPLICABILITY. This division of this
- 4 Act applies to school budget years and fiscal years
- 5 beginning on or after July 1, 2014.>
- 6 2. Title page, line 5, before <establishing> by
- 7 inserting <making appropriations and>
- 8 3. By renumbering as necessary.

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S-3077

1 Amend Senate File 423 as follows:

2 1. Page 42, after line 10 by inserting:

3 <Sec. ____ Section 422.11S, subsection 7, paragraph
4 a, subparagraph (2), Code 2013, is amended to read as
5 follows:

6 (2) "Total approved tax credits" means for the
7 tax year beginning in the 2006 calendar year, two
8 million five hundred thousand dollars, for the tax
9 year beginning in the 2007 calendar year, five million
10 dollars, ~~and for the tax years year beginning on or~~
11 ~~after January 1, 2008, but before January 1, 2012,~~
12 ~~seven million five hundred thousand dollars. However,~~
13 ~~for the tax years year beginning on or after January 1,~~
14 ~~2012, "total approved tax credits" means eight million~~
15 ~~seven hundred fifty thousand dollars, and for tax years~~
16 ~~beginning on or after January 1, 2013, twenty million~~
17 ~~dollars.~~

18 Sec. ____ Section 422.11S, Code 2013, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 9. An individual may claim the
21 tax credit allowed under subsection 7 to a limited
22 liability company or S corporation electing to have the
23 income taxed directly to the individual. The amount
24 claimed by the individual shall be based upon the pro
25 rata share of the individual's earnings of the limited
26 liability company or S corporation.>

27 2. Page 42, after line 11 by inserting:

28 <Sec. ____ 2013 Iowa Acts, House File 604, section
29 6, subsection 12, if enacted, is amended to read as
30 follows:

31 12. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

32 To provide moneys for costs of providing textbooks
 33 to each resident pupil who attends a nonpublic school
 34 as authorized by section 301.1:
 35 \$ ~~560,214~~ 800,000
 36 Funding under this subsection is limited to \$20 per
 37 pupil and shall not exceed the comparable services
 38 offered to resident public school pupils.>
 39 3. Page 44, after line 35 by inserting:
 40 <Sec. ____ PAYMENT OF NONPUBLIC SCHOOL
 41 TRANSPORTATION COSTS — AMOUNT APPROPRIATED FOR FY
 42 2013–2014. For the fiscal year beginning July 1, 2013,
 43 and ending June 30, 2014, moneys appropriated for
 44 payment of nonpublic school transportation costs under
 45 section 285.2 shall not be reduced to an amount less
 46 than ten million dollars.>
 47 4. Page 45, after line 12 by inserting:
 48 <____. The section of this Act relating to the
 49 amount appropriated for payment of nonpublic school
 50 transportation costs for FY 2013–2014.

Page 2

1 ____ The section of this Act amending 2013 Iowa
 2 Acts, House File 604, section 6, subsection 12, if
 3 enacted.
 4 <Sec. ____ APPLICABILITY. The following provision
 5 or provisions of this division of this Act apply
 6 retroactively to January 1, 2013, for tax years
 7 beginning on or after that date:
 8 1. The sections of this Act amending section
 9 422.11S.>
 10 5. Title page, line 6, after <fee;> by inserting
 11 <affecting appropriations and tax credits for
 12 educational purposes;>
 13 6. Title page, line 6, before <applicability> by
 14 inserting <retroactive and other>
 15 7. By renumbering as necessary.

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S-3078

Amend Senate File 423 as follows:

1. Page 46, after line 27, by inserting:

<DIVISION ____

STATE POSTSECONDARY PROVISIONS

Sec. ____ Section 260C.14, subsection 2, Code 2013,
is amended to read as follows:

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

Sec. ____ Section 262.9, subsection 19, Code 2013,
is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Prohibit the designation of a portion of the tuition moneys collected from resident students by institutions of higher education governed by the board for use for student aid purposes. However, such institutions may designate that a portion of the tuition moneys collected from nonresident students be used for such purposes.

Sec. ____ TUITION REDUCTION. A state postsecondary

44 institution which sets aside a portion of the tuition
45 moneys collected from resident students for student aid
46 purposes in the fiscal year beginning July 1, 2012,
47 shall reduce the tuition for resident students by an
48 equivalent amount for the fiscal year beginning July
49 1, 2013.>
50 2. By renumbering as necessary.

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S-3079

1 Amend the amendment, S-3066, to Senate File 423, as
2 follows:
3 1. Page 5, by striking lines 28 through 42 and
4 inserting:
5 <a. The commission shall be comprised of teachers,
6 parents and guardians of children enrolled in Iowa's
7 school districts, school administrators, school board
8 members, postsecondary faculty, designees representing
9 education-related professional organizations, and
10 business and community leaders.
11 b. Members shall be appointed by the governor,
12 subject to confirmation by the senate, to staggered
13 three-year terms which begin and end as provided>
14 2. By renumbering as necessary.

RANDY FEENSTRA

S-3080

1 Amend Senate File 423 as follows:
2 1. Page 46, after line 27 by inserting:
3 <DIVISION ____
4 COURSES TAUGHT BY MEANS OF TELECOMMUNICATIONS
5 Sec. ____ Section 256.7, subsection 7, paragraph b,
6 Code 2013, is amended to read as follows:

b. The rules shall provide that when the curriculum is taught by an appropriately licensed teacher at the location at which the telecommunications originates, the curriculum ~~shall be received at a remote site shall be under the supervision of a licensed teacher at any remote site. The licensed teacher at the originating site may provide supervision of students at a remote site or the school district in which the remote site is located may provide for supervision at the remote site if the school district deems it necessary or if requested to do so by the licensed teacher at the originating site.~~ For the purposes of this subsection, ~~“supervision”~~:

(1) ~~“Supervision”~~ means that the curriculum is monitored by a ~~proctor who need not be a licensed teacher and the teacher is but shall be~~ accessible to the students receiving the curriculum by means of telecommunications.

(2) ~~“Proctor” means a school librarian, school teacher, school administrator, school guidance counselor, teacher assistant, para-educator, or other individuals approved by the department.~~

Sec. ____ Section 256.7, subsection 7, paragraph c, Code 2013, is amended by striking the paragraph.

Sec. ____ Section 256.7, subsection 8, Code 2013, is amended by striking the subsection and inserting in lieu thereof the following:

a. At the discretion of the board of directors of a school district or the authorities in charge of a school, after taking into consideration necessity, convenience, and cost-effectiveness, brokered courses developed by outside sources may be approved for use by a school district or school.

b. Courses used by a school district or school in accordance with paragraph “a” shall be taught by means of telecommunications by teachers licensed under chapter 272; however, if the director determines special circumstances exist, the director may waive this requirement.>

2. By renumbering as necessary.

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JAKE CHAPMAN
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MARK SEGEBART

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AMY SINCLAIR

S-3081

- 1 Amend the amendment, S-3066, to Senate File 423 as
2 follows:
3 1. Page 1, by striking line 49 and inserting <line
4 20.>
5 2. By striking page 1, line 50, through page 2,
6 line 17.
7 3. By striking page 9, line 45, through page 12,
8 line 50.
9 4. Page 16, after line 10 by inserting:
10 <Sec. ____ REPEAL. Section 284.7, Code 2013, is
11 repealed.
12 Sec. ____ CODE EDITOR DIRECTIVE. The Code editor
13 shall delete references in the Code, and Code language
14 directly related to the references, to Code sections
15 284.7 and 284.17, repealed or stricken by this division
16 of this Act.>
17 5. By renumbering as necessary.

NANCY J. BOETTGER
AMY SINCLAIR

S-3082

- 1 Amend Senate File 423 as follows:
2 1. Page 46, after line 27 by inserting:
3 <DIVISION ____
4 VALUE-ADDED ASSESSMENT SYSTEM
5 Sec. ____ NEW SECTION. 256.25 Value-added
6 assessment system.
7 1. A value-added assessment system shall be
8 established and implemented by the department not later
9 than January 31, 2014, to provide for multivariate
10 longitudinal analysis of annual student test scores
11 to determine the influence of a school district's
12 educational program on student academic growth and
13 to guide school district improvement efforts. The
14 department shall select a value-added assessment system
15 provider through a request for proposals process. The
16 system provider selected by the department shall offer
17 a value-added assessment system to calculate annually
18 the academic growth of each student enrolled in grade

19 levels three through eleven and tested in accordance
20 with this section, and shall, at a minimum, meet all
21 of the following criteria:

- 22 a. Use a mixed-model statistical analysis that has
23 the ability to use all achievement test data for each
24 student, including the data for students with missing
25 test scores, that does not adjust downward expectations
26 for student progress based on race, poverty, or
27 gender, and that will provide the best linear unbiased
28 predictions of school or other educational entity
29 effects to minimize the impact of random errors.
- 30 b. Have the ability to work with test data from
31 a variety of sources, including data that are not
32 vertically scaled, and to provide support for school
33 districts utilizing the system.
- 34 c. Have the capacity to receive and report results
35 electronically and provide support for districts
36 utilizing the system.
- 37 d. Have the ability to create for each school
38 district a chart that reports grade-equivalent scores
39 for grades three through eight and gains between
40 consecutive pairs of grades for each attendance
41 center, and that provides for a district-wide study of
42 grade-equivalent scores.

43 2. Annually, each school district that administers
44 the Iowa assessments shall, within thirty days of
45 receiving the test scores, submit the test scores for
46 each attendance center within the school district and
47 each grade level tested, from grades three through
48 eleven, to the system provider selected pursuant to
49 subsection 1. School districts may submit additional
50 assessment data for analysis and inclusion in reports

Page 2

1 provided to school districts pursuant to subsection 3,
2 to the extent that the assessment meets the criteria
3 for valid academic progress interpretation specified by
4 the system provider.

5 3. The system provider shall provide analysis
6 to school districts submitting test scores pursuant
7 to subsection 2, and to the department of education.
8 The analysis shall include but not be limited to
9 attendance-center-level test results for the Iowa
10 assessments in the areas of reading and mathematics
11 and other core academic areas when possible. The
12 analysis shall also include but not be limited to the
13 number of students tested, the number of test results
14 used to compute the averages, the average standard
15 score, the corresponding grade equivalent-score, the
16 average stanine score for the group, the normal curve
17 equivalent of average standard scores, and percentile

18 ranks based on student norms, as well as measures of
19 student progress. The system provider shall create a
20 chart for each school district in accordance with the
21 criteria set forth in subsection 1.

22 4. Each school district shall have complete
23 access to and full utilization of its own value-added
24 assessment reports and charts generated by the system
25 provider at the student level for the purpose of
26 measuring student achievement at different educational
27 entity levels.

28 5. Student academic growth determined pursuant to
29 this section shall not be used in teacher evaluation
30 and shall not be published if individual teacher
31 effects can be surmised.

32 6. Information about student academic growth may
33 be used by the school district, including school board
34 members, administration, and staff, for defining
35 student and district learning goals and professional
36 development related to student learning goals across
37 the school district. A school district may submit its
38 academic growth measures in the annual report submitted
39 pursuant to section 256.7, subsection 21, and may
40 reference in the report state level norms for purposes
41 of demonstrating school district performance. However,
42 unless a school district chooses to submit its academic
43 measures in the annual report submitted pursuant to
44 section 256.7, subsection 21, such measures are not
45 public records for the purposes of chapter 22.

46 7. The department may use student academic
47 progress data to determine school improvement and
48 technical assistance needs of school districts, and to
49 identify school districts achieving exceptional gains.
50 Beginning January 15, 2015, and by January 15 of each

Page 3

1 succeeding year, the department shall submit an annual
2 progress report regarding the use of student academic
3 growth information in the school improvement processes
4 to the general assembly and shall publish the progress
5 report on its internet website.

6 8. The department is encouraged to advocate that
7 the United States department of education allow
8 reporting of student academic progress as an additional
9 valid measure of school performance, as an alternative
10 for meeting federal safe harbor provisions, and for
11 establishing statewide progress under the federal No
12 Child Left Behind Act of 2001, Pub. L. No. 107-110, and
13 any federal regulations adopted pursuant to the federal
14 Act.

15 9. A school district shall use the value-added
16 assessment system established by the department

17 pursuant to subsection 1 not later than the school
18 year beginning July 1, 2014. However, the director
19 of educational services of an area education agency
20 may grant a request made by a board of directors of a
21 school district located within the boundaries of the
22 area education agency stating its desire to use an
23 alternative system to compute and report value-added
24 scores that is statistically valid and reliable.>
25 2. By renumbering as necessary.

AMY SINCLAIR

S-3083

1 Amend Senate File 423 as follows:
2 1. Page 35, after line 29 by inserting:
3 <Sec. ____ Section 11.6, subsection 1, paragraph
4 a, Code 2013, is amended by adding the following new
5 subparagraph:
6 NEW SUBPARAGRAPH. (3) Biennially, and in
7 conjunction with the audits of school districts
8 required under this subsection, the auditor
9 shall conduct a biennial review of the Iowa early
10 intervention block grant program administered by the
11 department of education. The review shall be conducted
12 to determine whether the program has been appropriately
13 administered and the department and school districts
14 receiving program funds complied with relevant laws,
15 rules, and guidelines. The auditor may seek from the
16 department of management reimbursement for the cost
17 of the audit from moneys provided to school districts
18 pursuant to section 257.10, subsection 11. If the
19 auditor applies to the department of management for
20 reimbursement pursuant to this subparagraph, the
21 department shall accordingly adjust the amount of aid
22 made available pursuant to section 257.10, subsection
23 11, in order to reimburse the auditor for the cost of
24 the review conducted pursuant to this subparagraph.
25 Sec. ____ Section 256D.3, subsection 3, Code 2013,
26 is amended to read as follows:
27 3. ~~Beginning January 15, 2006, the~~ The department
28 of education shall submit an annual report by January
29 15 to the chairpersons and ranking members of the
30 senate and house education committees general assembly
31 that includes the statewide average school district
32 class size in basic skills instruction in kindergarten
33 through grade three, by grade level and by district
34 size, and describes school district progress toward
35 achieving early intervention block grant program goals
36 and the ways in which school districts are using moneys
37 received pursuant to ~~this chapter~~ section 257.10,
38 subsection 11, and expended as provided in section

39 256D.2A. The report shall include district-by-district
40 information showing the allocation received for early
41 intervention block grant program purposes, the total
42 number of students enrolled in grade four in each
43 district, and the number of students in each district
44 who are not proficient in reading in grade four for
45 the most recent reporting period, ~~as well as for~~
46 ~~each reporting period starting with the school year~~
47 ~~beginning July 1, 2001.~~
48 Sec. ____ Section 256D.3, Code 2013, is amended by
49 adding the following new subsection:
50 NEW SUBSECTION. 4. The department of education,

Page 2

1 in consultation with the auditor of state and the
2 legislative services agency, shall annually conduct
3 a performance audit of the programs, instructional
4 support, and materials provided by each school district
5 from funds received pursuant to section 257.10,
6 subsection 11. The purpose of a performance audit
7 is to assess the performance of a school district in
8 carrying out the purposes of this chapter, including
9 the effectiveness of the programs, instructional
10 support, and materials provided by the school district
11 from funds received pursuant to section 257.10,
12 subsection 11, based on the goals and requirements
13 established under this chapter. The department may
14 make recommendations to improve school district and
15 program performance which may include modifying,
16 streamlining, consolidating, expanding, redesigning, or
17 eliminating such programs, instructional support, and
18 materials. The department shall submit its findings
19 and recommendations to the general assembly annually
20 by January 15.>
21 2. By renumbering as necessary.

MARK CHELGREN

S-3084

1 Amend Senate File 423 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <DIVISION I
5 INSTRUCTIONAL HOURS
6 Section 1. Section 256.7, subsection 19, Code 2013,
7 is amended to read as follows:
8 19. Define ~~the minimum school day as a day~~
9 ~~consisting of five and one-half hours of instructional~~
10 ~~time for grades one through twelve. The minimum~~
11 ~~as time that~~ shall be exclusive of the lunch period,

12 but may include passing time between classes. Time
13 spent on parent-teacher conferences shall be considered
14 instructional time. ~~A school or school district may~~
15 ~~record a day of school with less than the minimum~~
16 ~~instructional hours as a minimum school day if any of~~
17 ~~the following apply:~~
18 ~~a. If emergency health or safety factors require~~
19 ~~the late arrival or early dismissal of students on a~~
20 ~~specific day.~~
21 ~~b. If the total hours of instructional school~~
22 ~~time for grades one through twelve for any five~~
23 ~~consecutive school days equal a minimum of twenty seven~~
24 ~~and one half hours, even though any one day of~~
25 ~~school is less than the minimum instructional hours~~
26 ~~because of a staff development opportunity provided~~
27 ~~for the professional instructional staff or because~~
28 ~~parent teacher conferences have been scheduled~~
29 ~~beyond the regular school day. Furthermore, if the~~
30 ~~total hours of instructional time for the first four~~
31 ~~consecutive days equal at least twenty seven and~~
32 ~~one half hours because parent teacher conferences~~
33 ~~have been scheduled beyond the regular school day, a~~
34 ~~school or school district may record zero hours of~~
35 ~~instructional time on the fifth consecutive school day~~
36 ~~as a minimum school day.~~

37 Sec. 2. Section 256F.4, subsection 5, Code 2013, is
38 amended to read as follows:

39 5. A charter school or innovation zone school shall
40 provide instruction for at least the number of ~~days~~
41 ~~hours~~ required by section 279.10, subsection 1, ~~or~~
42 ~~shall provide at least the equivalent number of total~~
43 ~~hours.~~

44 Sec. 3. Section 279.10, subsection 1, Code 2013, is
45 amended to read as follows:

46 1. The school year ~~for each school district and~~
47 ~~accredited nonpublic school~~ shall begin on ~~the first~~
48 ~~day of July 1~~ and each regularly established elementary
49 and secondary school shall begin no sooner than a day
50 during the calendar week in which the first day of

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1 September falls but no later than the first Monday
2 in December. However, if the first day of September
3 falls on a Sunday, school may begin on a day during the
4 calendar week which immediately precedes the first day
5 of September. ~~School shall continue for at least one~~
6 ~~hundred eighty days, except as provided in subsection~~
7 ~~3, and may be maintained~~ The school calendar shall
8 include not less than one thousand eighty hours of
9 instruction during the entire calendar year. However,
10 if The board of directors of a school district and the

11 authorities in charge of an accredited nonpublic school
12 shall set the number of hours of required attendance
13 for the school year as provided in section 299.1,
14 subsection 2, but the board of directors of a school
15 district shall hold a public hearing on any proposed
16 school calendar prior to adopting the school calendar.
17 If the board of directors of a district or the
18 authorities in charge of an accredited nonpublic school
19 extends the school calendar because inclement weather
20 caused the school district or accredited nonpublic
21 school to temporarily close school during the regular
22 school calendar, the school district or accredited
23 nonpublic school may excuse a graduating senior who
24 has met district or school requirements for graduation
25 from attendance during the extended school calendar. A
26 school corporation may begin employment of personnel
27 for in-service training and development purposes before
28 the date to begin elementary and secondary school.
29 Sec. 4. Section 279.10, subsection 2, Code 2013, is
30 amended to read as follows:
31 2. The board of directors shall hold a public
32 hearing on any proposal relating to the school calendar
33 prior to submitting it to the department of education
34 for approval.
35 Sec. 5. Section 299.1, subsection 2, Code 2013, is
36 amended to read as follows:
37 2. The board of directors of a public school
38 district or the governing body of an accredited
39 nonpublic school shall set the number of days hours of
40 required attendance for the schools under its control.
41 The board of directors of a public school district or
42 the governing body of an accredited nonpublic school
43 may, by resolution, require attendance for the entire
44 time when the schools are in session in any school year
45 and adopt a policy or rules relating to the reasons
46 considered to be valid or acceptable excuses for
47 absence from school.
48 Sec. 6. Section 299.4, subsection 1, Code 2013, is
49 amended to read as follows:
50 1. The parent, guardian, or legal custodian of a

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1 child who is of compulsory attendance age, who places
2 the child under competent private instruction under
3 either section 299A.2 or 299A.3, not in an accredited
4 school or a home school assistance program operated by
5 a school district or accredited nonpublic school, shall
6 furnish a report in duplicate on forms provided by the
7 public school district, to the district by the earliest
8 starting date specified in section 279.10, subsection 1
9 September 1 of the school year in which the child will

10 be under competent private instruction. The secretary
11 shall retain and file one copy and forward the other
12 copy to the district's area education agency. The
13 report shall state the name and age of the child, the
14 period of time during which the child has been or will
15 be under competent private instruction for the year,
16 an outline of the course of study, texts used, and
17 the name and address of the instructor. The parent,
18 guardian, or legal custodian of a child, who is placing
19 the child under competent private instruction for
20 the first time, shall also provide the district with
21 evidence that the child has had the immunizations
22 required under section 139A.8, and, if the child is
23 elementary school age, a blood lead test in accordance
24 with section 135.105D. The term "outline of course of
25 study" shall include subjects covered, lesson plans,
26 and time spent on the areas of study.

27 Sec. 7. EFFECTIVE DATE. This division of this Act
28 takes effect July 1, 2014.

29 DIVISION II

30 STATE SCHOOL FOUNDATION PROGRAM

31 Sec. 8. Section 257.2, subsection 9, Code 2013, is
32 amended by adding the following new paragraph:
33 NEW PARAGRAPH. d. Property tax replacement
34 payments received under section 257.16B.

35 Sec. 9. Section 257.4, subsection 1, paragraph
36 a, Code 2013, is amended by adding the following new
37 subparagraph:

38 NEW SUBPARAGRAPH. (9) The amount of the school
39 district property tax replacement payment received by
40 the school district under section 257.16B.

41 Sec. 10. Section 257.4, subsection 1, paragraph b,
42 Code 2013, is amended to read as follows:

43 b. For the budget year beginning July 1, 2008, and
44 succeeding budget years, the department of management
45 shall annually determine an adjusted additional
46 property tax levy and a statewide maximum adjusted
47 additional property tax levy rate, not to exceed the
48 statewide average additional property tax levy rate,
49 calculated by dividing the total adjusted additional
50 property tax levy dollars statewide by the statewide

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1 total net taxable valuation. For purposes of this
2 paragraph, the adjusted additional property tax levy
3 shall be that portion of the additional property
4 tax levy corresponding to the state cost per pupil
5 multiplied by a school district's weighted enrollment,
6 ~~and~~ then multiplied by one hundred percent less the
7 regular program foundation base per pupil percentage
8 pursuant to section 257.1, and then reduced by the

amount of property tax replacement received under section 257.16B. The district shall receive adjusted additional property tax levy aid in an amount equal to the difference between the adjusted additional property tax levy rate and the statewide maximum adjusted additional property tax levy rate, as applied per thousand dollars of assessed valuation on all taxable property in the district. ~~The statewide maximum adjusted additional property tax levy rate shall be annually determined by the department taking into account amounts allocated pursuant to section 257.15, subsection 4.~~ The statewide maximum adjusted additional property tax levy rate shall be annually determined by the department taking into account amounts allocated pursuant to section 257.15, subsection 4, and the balance of the property tax equity and relief fund created in section 257.16A at the end of the calendar year.

Sec. 11. Section 257.8, subsections 1 and 2, Code 2013, are amended to read as follows:

1. State percent of growth. ~~The state percent of growth for the budget year beginning July 1, 2010, is two percent.~~ The state percent of growth for the budget year beginning July 1, 2012, is two percent. The state percent of growth for the budget year beginning July 1, 2013, is two percent. The state percent of growth for the budget year beginning July 1, 2014, is two percent. The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

2. Categorical state percent of growth. ~~The categorical state percent of growth for the budget year beginning July 1, 2010, is two percent.~~ The categorical state percent of growth for the budget year beginning July 1, 2012, is two percent. The categorical state percent of growth for the budget

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year beginning July 1, 2013, is two percent. The categorical state percent of growth for the budget year beginning July 1, 2014, is two percent. The categorical state percent of growth for each budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's

8 budget under section 8.21. The establishment of the
9 categorical state percent of growth for a budget year
10 shall be the only subject matter of the bill which
11 enacts the categorical state percent of growth for a
12 budget year. The categorical state percent of growth
13 may include state percents of growth for the teacher
14 salary supplement, the professional development
15 supplement, and the early intervention supplement.

16 Sec. 12. Section 257.15, subsection 4, paragraph b,
17 Code 2013, is amended to read as follows:

18 b. After lowering all school district adjusted
19 additional property tax levy rates to the statewide
20 maximum adjusted additional property tax levy rate
21 under paragraph "a", the department of management shall
22 use any remaining funds at the end of the calendar
23 year to further lower additional property taxes by
24 increasing for the budget year beginning the following
25 July 1, the state foundation base percentage. Moneys
26 used pursuant to this paragraph shall supplant an equal
27 amount of the appropriation made from the general fund
28 of the state pursuant to section 257.16 that represents
29 the increase in state foundation aid.

30 Sec. 13. NEW SECTION. 257.16B School district
31 property tax replacement payments.

32 1. For each fiscal year beginning on or after July
33 1, 2013, there is appropriated from the general fund
34 of the state to the department of education an amount
35 necessary to make all school district property tax
36 replacement payments under this section, as calculated
37 in subsection 2, paragraph "c".

38 2. For each budget year beginning on or after July
39 1, 2013, the department of management shall calculate
40 for each school district all of the following:

41 a. The state cost per pupil for the budget year
42 beginning July 1, 2012, multiplied by one hundred
43 percent less the regular program foundation base per
44 pupil percentage pursuant to section 257.1.

45 b. The state cost per pupil for the budget year
46 multiplied by one hundred percent less the regular
47 program foundation base per pupil percentage pursuant
48 to section 257.1.

49 c. The amount of each school district's property
50 tax replacement payment. Each school district's

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1 property tax replacement payment equals the school
2 district's weighted enrollment for the budget year
3 multiplied by the remainder of the amount calculated
4 for the school district under paragraph "b" minus
5 the amount calculated for the school district under
6 paragraph "a".

3. School district property tax replacement payments under this section shall be paid by the department of education at the same time and in the same manner as foundation aid is paid and may be included in the monthly payment of state aid under section 257.16, subsection 2.

Sec. 14. CODE SECTION 257.8 — IMPLEMENTATION. The requirements of section 257.8, subsections 1 and 2, regarding the enactment of bills establishing the regular program state percent of growth and the categorical state percent of growth within thirty days of the submission in the year preceding the base year of the governor's budget and regarding the subject matter limitation of such bills do not apply to this division of this Act.

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

DIVISION III

SCHOOL DISTRICT FUNDING TERMINOLOGY

Sec. 16. Section 256C.4, subsection 1, paragraph f, Code 2013, is amended to read as follows:

f. The receipt of funding by a school district for the purposes of this chapter, the need for additional funding for the purposes of this chapter, or the enrollment count of eligible students under this chapter shall not be considered to be unusual circumstances, create an unusual need for additional funds, or qualify under any other circumstances that may be used by the school budget review committee to grant supplemental aid to or establish modified ~~allowable growth~~ supplemental state aid for a school district under section 257.31.

Sec. 17. Section 257.2, subsection 1, Code 2013, is amended by striking the subsection.

Sec. 18. Section 257.2, subsection 12, Code 2013, is amended to read as follows:

12. "State percent of growth" means the percent of growth which is established by statute pursuant to section 257.8, and which is used in determining the ~~allowable growth~~ supplemental state aid.

Sec. 19. Section 257.2, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "Supplemental state aid" means

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the amount by which state cost per pupil and district cost per pupil will increase from one budget year to the next.

Sec. 20. Section 257.6, subsection 1, paragraph a, subparagraph (5), Code 2013, is amended to read as

6 follows:

7 (5) Resident pupils receiving competent private
8 instruction from a licensed practitioner provided
9 through a public school district pursuant to chapter
10 299A shall be counted as three-tenths of one pupil.
11 Revenues received by a school district attributed to
12 a school district's weighted enrollment pursuant to
13 this subparagraph shall be expended for the purpose
14 for which the weighting was assigned under this
15 subparagraph. If the school district determines that
16 the expenditures associated with providing competent
17 private instruction pursuant to chapter 299A are
18 in excess of the revenue attributed to the school
19 district's weighted enrollment for such instruction in
20 accordance with this subparagraph, the school district
21 may submit a request to the school budget review
22 committee for modified ~~allowable growth~~ supplemental
23 state aid in accordance with section 257.31, subsection
24 5, paragraph "n". A home school assistance program
25 shall not provide moneys received pursuant to this
26 subparagraph, nor resources paid for with moneys
27 received pursuant to this subparagraph, to parents or
28 students utilizing the program. Moneys received by a
29 school district pursuant to this subparagraph shall be
30 used as provided in section 299A.12.

31 Sec. 21. Section 257.8, subsections 3, 6, and 7,
32 Code 2013, are amended to read as follows:

33 3. ~~Allowable growth~~ Supplemental state aid
34 calculation. The department of management shall
35 calculate the regular program ~~allowable growth~~
36 supplemental state aid for a budget year by multiplying
37 the state percent of growth for the budget year by
38 the regular program state cost per pupil for the base
39 year and shall calculate the special education support
40 services ~~allowable growth~~ supplemental state aid for
41 the budget year by multiplying the state percent of
42 growth for the budget year by the special education
43 support services state cost per pupil for the base
44 year.

45 6. Combined ~~allowable growth~~ supplemental state
46 aid. The combined ~~allowable growth~~ supplemental state
47 aid per pupil for each school district is the sum of
48 the regular program ~~allowable growth~~ supplemental
49 state aid per pupil and the special education support
50 services ~~allowable growth~~ supplemental state aid per

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1 pupil for the budget year, which may be modified as
2 follows:

3 a. By the school budget review committee under
4 section 257.31.

b. By the department of management under section 257.36.

7. ~~Alternate allowable growth supplemental state aid~~ — definitions. For budget years beginning July 1, 2000, and subsequent budget years, references to the terms ~~“allowable growth”~~ “supplemental state aid”, “regular program state cost per pupil”, and “regular program district cost per pupil” shall mean those terms as calculated for those school districts that calculated regular program ~~allowable growth~~ supplemental state aid for the school budget year beginning July 1, 1999, with the additional thirty-eight dollars specified in section 257.8, subsection 4, Code 2013.

Sec. 22. Section 257.8, subsections 4 and 5, Code 2013, are amended by striking the subsections.

Sec. 23. Section 257.9, subsection 1, paragraph b, Code 2013, is amended to read as follows:

b. The total calculated under this subsection shall be divided by the total of the budget enrollments of all school districts for the budget year beginning July 1, 1990, calculated under section 257.6, subsection 4, if section 257.6, subsection 4, had been in effect for that budget year. The regular program state cost per pupil for the budget year beginning July 1, 1991, is the amount calculated by the department of management under this subsection plus ~~an allowable growth a supplemental state aid~~ amount, as defined in this division of this Act, that is equal to the state percent of growth for the budget year multiplied by the amount calculated by the department of management under this subsection.

Sec. 24. Section 257.9, subsections 2, 4, 6, 7, 8, 9, and 10, Code 2013, are amended to read as follows:

2. Regular program state cost per pupil for 1992–1993 and succeeding years. For the budget year beginning July 1, 1992, and succeeding budget years, the regular program state cost per pupil for a budget year is the regular program state cost per pupil for the base year plus the regular program ~~allowable growth~~ supplemental state aid for the budget year.

4. Special education support services state cost per pupil for 1992–1993 and succeeding years. For the budget year beginning July 1, 1992, and succeeding budget years, the special education support services state cost per pupil for the budget year is the special

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1 education support services state cost per pupil for the
2 base year plus the special education support services
3 ~~allowable growth~~ supplemental state aid for the budget

4 year.

5 6. Teacher salary supplement state cost per
6 pupil. For the budget year beginning July 1, 2009, for
7 the teacher salary supplement state cost per pupil, the
8 department of management shall add together the teacher
9 compensation allocation made to each district for the
10 fiscal year beginning July 1, 2008, pursuant to section
11 284.13, subsection 1, paragraph "h", Code 2009, and
12 the phase II allocation made to each district for the
13 fiscal year beginning July 1, 2008, pursuant to section
14 294A.9, Code 2009, and divide that sum by the statewide
15 total budget enrollment for the fiscal year beginning
16 July 1, 2009. The teacher salary supplement state
17 cost per pupil for the budget year beginning July 1,
18 2010, and succeeding budget years, shall be the amount
19 calculated by the department of management under this
20 subsection for the base year plus ~~an allowable growth~~
21 a supplemental state aid amount that is equal to the
22 teacher salary supplement categorical state percent of
23 growth, pursuant to section 257.8, subsection 2, for
24 the budget year, multiplied by the amount calculated
25 by the department of management under this subsection
26 for the base year.

27 7. Professional development supplement state cost
28 per pupil. For the budget year beginning July 1, 2009,
29 for the professional development supplement state
30 cost per pupil, the department of management shall
31 add together the professional development allocation
32 made to each district for the fiscal year beginning
33 July 1, 2008, pursuant to section 284.13, subsection
34 1, paragraph "d", Code 2009, and divide that sum
35 by the statewide total budget enrollment for the
36 fiscal year beginning July 1, 2009. The professional
37 development supplement state cost per pupil for the
38 budget year beginning July 1, 2010, and succeeding
39 budget years, shall be the amount calculated by the
40 department of management under this subsection for
41 the base year plus ~~an allowable growth~~ a supplemental
42 state aid amount that is equal to the professional
43 development supplement categorical state percent of
44 growth, pursuant to section 257.8, subsection 2, for
45 the budget year, multiplied by the amount calculated
46 by the department of management under this subsection
47 for the base year.

48 8. Early intervention supplement state cost per
49 pupil. For the budget year beginning July 1, 2009,
50 for the early intervention supplement state cost per

1 pupil, the department of management shall add together
2 the early intervention allocation made to each district

for the fiscal year beginning July 1, 2008, pursuant to section 256D.4, Code 2009, and divide that sum by the statewide total budget enrollment for the fiscal year beginning July 1, 2009. The early intervention supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus ~~an allowable growth~~ a supplemental state aid amount that is equal to the early intervention supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

9. Area education agency teacher salary supplement state cost per pupil. For the budget year beginning July 1, 2009, for the area education agency teacher salary supplement state cost per pupil, the department of management shall add together the teacher compensation allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "i", Code 2009, and the phase II allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 294A.9, Code 2009, and divide that sum by the statewide special education support services weighted enrollment for the fiscal year beginning July 1, 2009. The area education agency teacher salary supplement state cost per pupil for the budget year beginning July 1, 2010, and succeeding budget years, shall be the amount calculated by the department of management under this subsection for the base year plus ~~an allowable growth~~ a supplemental state aid amount that is equal to the teacher salary supplement categorical state percent of growth, pursuant to section 257.8, subsection 2, for the budget year, multiplied by the amount calculated by the department of management under this subsection for the base year.

10. Area education agency professional development supplement state cost per pupil. For the budget year beginning July 1, 2009, for the area education agency professional development supplement state cost per pupil, the department of management shall add together the professional development allocation made to each area education agency for the fiscal year beginning July 1, 2008, pursuant to section 284.13, subsection 1, paragraph "d", Code 2009, and divide that sum by

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1 the statewide special education support services
2 weighted enrollment for the fiscal year beginning
3 July 1, 2009. The area education agency professional
4 development supplement state cost per pupil for the
5 budget year beginning July 1, 2010, and succeeding
6 budget years, shall be the amount calculated by the
7 department of management under this subsection for
8 the base year plus ~~an allowable growth~~ a supplemental
9 state aid amount that is equal to the professional
10 development supplement categorical state percent of
11 growth, pursuant to section 257.8, subsection 2, for
12 the budget year, multiplied by the amount calculated
13 by the department of management under this subsection
14 for the base year.

15 Sec. 25. Section 257.10, subsection 1, Code 2013,
16 is amended to read as follows:

17 1. Regular program district cost per pupil for
18 1991–1992. For the budget year beginning July 1, 1991,
19 in order to determine the regular program district
20 cost per pupil for a district, the department of
21 management shall divide the product of the regular
22 program district cost per pupil of the district for
23 the base year, as regular program district cost per
24 pupil would have been calculated under section 442.9,
25 Code 1989, multiplied by its budget enrollment for
26 the base year as budget enrollment would have been
27 calculated under section 442.4, Code 1989, plus the
28 amount added to district cost pursuant to section
29 442.21, Code 1989, for each school district, by the
30 budget enrollment of the school district for the budget
31 year beginning July 1, 1990, calculated under section
32 257.6, subsection 4, as if section 257.6, subsection 4,
33 had been in effect for that budget year. The regular
34 program district cost per pupil for the budget year
35 beginning July 1, 1991, is the amount calculated by the
36 department of management under this subsection plus
37 the ~~allowable growth~~ supplemental state aid amount,
38 as defined in this division of this Act, calculated
39 for regular program state cost per pupil, except that
40 if the regular program district cost per pupil for
41 the budget year calculated under this subsection in
42 any school district exceeds one hundred ten percent
43 of the regular program state cost per pupil for the
44 budget year, the department of management shall reduce
45 the regular program district cost per pupil of that
46 district for the budget year to an amount equal to
47 one hundred ten percent of the regular program state
48 cost per pupil for the budget year, and if the regular
49 program district cost per pupil for the budget year
50 calculated under this subsection in any school district

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1 is less than the regular program state cost per pupil
2 for the budget year, the department of management shall
3 increase the regular program district cost per pupil of
4 that district to an amount equal to the regular program
5 state cost per pupil for the budget year.

6 Sec. 26. Section 257.10, subsection 2, paragraph a,
7 Code 2013, is amended to read as follows:

8 a. For the budget year beginning July 1, 1992, and
9 succeeding budget years, the regular program district
10 cost per pupil for each school district for a budget
11 year is the regular program district cost per pupil for
12 the base year plus the regular program ~~allowable growth~~
13 supplemental state aid for the budget year except as
14 otherwise provided in this subsection.

15 Sec. 27. Section 257.10, subsection 4, paragraph a,
16 Code 2013, is amended to read as follows:

17 a. For the budget year beginning July 1, 1992, and
18 succeeding budget years, the special education support
19 services district cost per pupil for the budget year is
20 the special education support services district cost
21 per pupil for the base year plus the special education
22 support services ~~allowable growth~~ supplemental state
23 aid for the budget year.

24 Sec. 28. Section 257.10, subsection 5, Code 2013,
25 is amended to read as follows:

26 5. Combined district cost per pupil. The combined
27 district cost per pupil for a school district is the
28 sum of the regular program district cost per pupil
29 and the special education support services district
30 cost per pupil. Combined district cost per pupil does
31 not include modified ~~allowable growth~~ supplemental
32 state aid added for school districts that have a
33 negative balance of funds raised for special education
34 instruction programs, modified ~~allowable growth~~
35 supplemental state aid granted by the school budget
36 review committee for a single school year, or modified
37 ~~allowable growth~~ supplemental state aid added for
38 programs for dropout prevention.

39 Sec. 29. Section 257.10, subsection 9, paragraph a,
40 Code 2013, is amended to read as follows:

41 a. For the budget year beginning July 1, 2009,
42 the department of management shall add together the
43 teacher compensation allocation made to each district
44 for the fiscal year beginning July 1, 2008, pursuant
45 to section 284.13, subsection 1, paragraph "h", Code
46 2009, and the phase II allocation made to each district
47 for the fiscal year beginning July 1, 2008, pursuant
48 to section 294A.9, Code 2009, and divide that sum by
49 the district's budget enrollment in the fiscal year
50 beginning July 1, 2009, to determine the teacher salary

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1 supplement district cost per pupil. For the budget
2 year beginning July 1, 2010, and succeeding budget
3 years, the teacher salary supplement district cost per
4 pupil for each school district for a budget year is
5 the teacher salary supplement program district cost
6 per pupil for the base year plus the teacher salary
7 supplement ~~state allowable growth~~ supplemental state
8 aid amount for the budget year.

9 Sec. 30. Section 257.10, subsection 10, paragraph
10 a, Code 2013, is amended to read as follows:

11 a. For the budget year beginning July 1, 2009, the
12 department of management shall divide the professional
13 development allocation made to each district for the
14 fiscal year beginning July 1, 2008, pursuant to section
15 284.13, subsection 1, paragraph "d", Code 2009, by
16 the district's budget enrollment in the fiscal year
17 beginning July 1, 2009, to determine the professional
18 development supplement cost per pupil. For the
19 budget year beginning July 1, 2010, and succeeding
20 budget years, the professional development supplement
21 district cost per pupil for each school district for a
22 budget year is the professional development supplement
23 district cost per pupil for the base year plus the
24 professional development supplement ~~state allowable~~
25 ~~growth~~ supplemental state aid amount for the budget
26 year.

27 Sec. 31. Section 257.10, subsection 11, paragraph
28 a, Code 2013, is amended to read as follows:

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

43 Sec. 32. Section 257.13, subsections 2 and 3, Code
44 2013, are amended to read as follows:

45 2. The board of directors of a school district that
46 wishes to receive an on-time funding budget adjustment
47 shall adopt a resolution to receive the adjustment and
48 notify the school budget review committee annually,
49 but not earlier than November 1, as determined by the
50 department of education. The school budget review

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1 committee shall establish a modified ~~allowable growth~~
2 supplemental state aid in an amount determined pursuant
3 to subsection 1.

4 3. If the board of directors of a school district
5 determines that a need exists for additional funds
6 exceeding the authorized budget adjustment for on-time
7 funding pursuant to this section, a request for
8 modified ~~allowable growth~~ supplemental state aid base
9 upon increased enrollment may be submitted to the
10 school budget review committee as provided in section
11 257.31.

12 Sec. 33. Section 257.31, subsection 5, unnumbered
13 paragraph 1, Code 2013, is amended to read as follows:

14 If a district has unusual circumstances, creating
15 an unusual need for additional funds, including
16 but not limited to the circumstances enumerated in
17 paragraphs "a" through "n", the committee may grant
18 supplemental aid to the district from any funds
19 appropriated to the department of education for
20 the use of the school budget review committee for
21 the purposes of this subsection. The school budget
22 review committee shall review a school district's
23 unexpended fund balance prior to any decision regarding
24 unusual finance circumstances. Such aid shall be
25 miscellaneous income and shall not be included in
26 district cost. In addition to or as an alternative to
27 granting supplemental aid the committee may establish
28 a modified ~~allowable growth~~ supplemental state aid
29 for the district by increasing its ~~allowable growth~~
30 supplemental state aid. The school budget review
31 committee shall review a school district's unspent
32 balance prior to any decision to increase modified
33 ~~allowable growth~~ supplemental state aid under this
34 subsection.

35 Sec. 34. Section 257.31, subsection 6, paragraph a,
36 Code 2013, is amended to read as follows:

37 a. The committee shall establish a modified
38 ~~allowable growth~~ supplemental state aid for a district
39 by increasing its ~~allowable growth~~ supplemental
40 state aid when the district submits evidence that it
41 requires additional funding for removal, management,
42 or abatement of environmental hazards due to a state
43 or federal requirement. Environmental hazards
44 shall include but are not limited to the presence of
45 asbestos, radon, or the presence of any other hazardous
46 material dangerous to health and safety.

47 Sec. 35. Section 257.31, subsection 7, paragraph b,
48 Code 2013, is amended to read as follows:

49 b. Other expenditures, including but not limited
50 to expenditures for salaries or recurring costs, are

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1 not authorized under this subsection. Expenditures
2 authorized under this subsection shall not be included
3 in ~~allowable growth~~ supplemental state aid or district
4 cost, and the portion of the unexpended fund balance
5 which is authorized to be spent shall be regarded as if
6 it were miscellaneous income. Any part of the amount
7 not actually spent for the authorized purpose shall
8 revert to its former status as part of the unexpended
9 fund balance.

10 Sec. 36. Section 257.31, subsection 14, paragraph
11 b, subparagraph (3), Code 2013, is amended to read as
12 follows:

13 (3) A school district is only eligible to receive
14 supplemental aid payments during the budget year if
15 the school district certifies to the school budget
16 review committee that for the year following the
17 budget year it will notify the school budget review
18 committee to instruct the director of the department of
19 management to increase the district's ~~allowable growth~~
20 supplemental state aid and will fund the ~~allowable~~
21 ~~growth~~ supplemental state aid increase either by using
22 moneys from its unexpended fund balance to reduce the
23 district's property tax levy or by using cash reserve
24 moneys to equal the amount of the deficit that would
25 have been property taxes and any part of the state aid
26 portion of the deficit not received as supplemental aid
27 under this subsection. The director of the department
28 of management shall make the necessary adjustments to
29 the school district's budget to provide the modified
30 ~~allowable growth~~ supplemental state aid and shall make
31 the supplemental aid payments.

32 Sec. 37. Section 257.32, subsection 1, paragraph a,
33 Code 2013, is amended to read as follows:

34 a. An area education agency budget review procedure
35 is established for the school budget review committee
36 created in section 257.30. The school budget review
37 committee, in addition to its duties under section
38 257.31, shall meet and hold hearings each year to
39 review unusual circumstances of area education
40 agencies, either upon the committee's motion or upon
41 the request of an area education agency. The committee
42 may grant supplemental aid to the area education agency
43 from funds appropriated to the department of education
44 for area education agency budget review purposes, or
45 an amount may be added to the area education agency
46 special education support services ~~allowable growth~~
47 supplemental state aid for districts in an area or
48 an additional amount may be added to district cost
49 for media services or educational services for all
50 districts in an area for the budget year either on a

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1 temporary or permanent basis, or both.

2 Sec. 38. Section 257.37, subsections 1 and 3, Code
3 2013, are amended to read as follows:

4 1. For the budget year beginning July 1, 1991,
5 and succeeding budget years, the total amount funded
6 in each area for media services shall be computed as
7 provided in this subsection. For the budget year
8 beginning July 1, 1991, the total amount funded in
9 each area for media services in the base year shall
10 be divided by the enrollment served in the base year
11 to provide an area media services cost per pupil in
12 the base year, and the department of management shall
13 compute the state media services cost per pupil in the
14 base year which is equal to the average of the area
15 media services costs per pupil in the base year. For
16 the budget year beginning July 1, 1991, and succeeding
17 budget years, the department of management shall
18 compute the ~~allowable growth~~ supplemental state aid
19 for media services in the budget year by multiplying
20 the state media services cost per pupil in the base
21 year times the state percent of growth for the budget
22 year, and the total amount funded in each area for
23 media services cost in the budget year equals the
24 area media services cost per pupil in the base year
25 plus the ~~allowable growth~~ supplemental state aid for
26 media services in the budget year times the enrollment
27 served in the budget year. Funds shall be paid to area
28 education agencies as provided in section 257.35.

29 3. For the budget year beginning July 1, 1991, and
30 succeeding budget years, the total amount funded in
31 each area for educational services shall be computed
32 as provided in this subsection. For the budget year
33 beginning July 1, 1991, the total amount funded in each
34 area for educational services in the base year shall
35 be divided by the enrollment served in the area in
36 the base year to provide an area educational services
37 cost per pupil in the base year, and the department
38 of management shall compute the state educational
39 services cost per pupil in the base year, which is
40 equal to the average of the area educational services
41 costs per pupil in the base year. For the budget
42 year beginning July 1, 1991, and succeeding budget
43 years, the department of management shall compute the
44 ~~allowable growth~~ supplemental state aid for educational
45 services by multiplying the state educational services
46 cost per pupil in the base year times the state percent
47 of growth for the budget year, and the total amount
48 funded in each area for educational services for the
49 budget year equals the area educational services cost
50 per pupil for the base year plus the ~~allowable growth~~

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1 supplemental state aid for educational services in the
2 budget year times the enrollment served in the area in
3 the budget year. Funds shall be paid to area education
4 agencies as provided in section 257.35.

5 Sec. 39. Section 257.37A, subsection 1, paragraph
6 a, Code 2013, is amended to read as follows:

7 a. For the budget year beginning July 1, 2009,
8 the department of management shall add together the
9 teacher compensation allocation made to each area
10 education agency for the fiscal year beginning July
11 1, 2008, pursuant to section 284.13, subsection 1,
12 paragraph "i", Code 2009, and the phase II allocation
13 made to each area education agency for the fiscal year
14 beginning July 1, 2008, pursuant to section 294.A.9,
15 Code 2009, and divide that sum by the special education
16 support services weighted enrollment in the fiscal
17 year beginning July 1, 2009, to determine the area
18 education agency teacher salary supplement cost per
19 pupil. For the budget year beginning July 1, 2010,
20 and succeeding budget years, the area education agency
21 teacher salary supplement district cost per pupil
22 for each area education agency for a budget year is
23 the area education agency teacher salary supplement
24 district cost per pupil for the base year plus the
25 area education agency teacher salary supplement ~~state~~
26 ~~allowable growth~~ supplemental state aid amount for the
27 budget year.

28 Sec. 40. Section 257.37A, subsection 2, paragraph
29 a, Code 2013, is amended to read as follows:

30 a. For the budget year beginning July 1, 2009,
31 the department of management shall divide the area
32 education agency professional development supplement
33 made to each area education agency for the fiscal year
34 beginning July 1, 2008, pursuant to section 284.13,
35 subsection 1, paragraph "d", Code 2009, by the special
36 education support services weighted enrollment in
37 the fiscal year beginning July 1, 2009, to determine
38 the professional development supplement cost per
39 pupil. For the budget year beginning July 1, 2010,
40 and succeeding budget years, the area education agency
41 professional development supplement district cost per
42 pupil for each area education agency for a budget year
43 is the area education agency professional development
44 supplement district cost per pupil for the base year
45 plus the area education agency professional development
46 supplement ~~state allowable growth~~ supplemental state
47 aid amount for the budget year.

48 Sec. 41. Section 257.38, subsection 1, unnumbered
49 paragraph 1, Code 2013, is amended to read as follows:

50 Boards of school districts, individually or jointly

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1 with boards of other school districts, requesting
2 to use modified ~~allowable growth~~ supplemental state
3 aid for programs for returning dropouts and dropout
4 prevention, shall submit comprehensive program plans
5 for the programs and budget costs, including annual
6 requests for modified ~~allowable growth~~ supplemental
7 state aid for funding the programs, to the department
8 of education as a component of the comprehensive school
9 improvement plan submitted to the department pursuant
10 to section 256.7, subsection 21. The program plans
11 shall include:

12 Sec. 42. Section 257.38, subsection 2, Code 2013,
13 is amended to read as follows:

14 2. Program plans shall identify the parts of the
15 plan that will be implemented first upon approval
16 of the request. If a district is requesting to use
17 modified ~~allowable growth~~ supplemental state aid
18 to finance the program, the school district shall
19 not identify more than five percent of its budget
20 enrollment for the budget year as returning dropouts
21 and potential dropouts.

22 Sec. 43. Section 257.40, Code 2013, is amended to
23 read as follows:

24 257.40 Approval of programs for returning dropouts
25 and dropout prevention — annual report.

26 1. The board of directors of a school district
27 requesting to use modified ~~allowable growth~~
28 supplemental state aid for programs for returning
29 dropouts and dropout prevention shall submit requests
30 for modified at-risk ~~allowable growth~~ supplemental
31 state aid, including budget costs, to the department
32 not later than December 15 of the year preceding the
33 budget year during which the program will be offered.
34 The department shall review the request and shall prior
35 to January 15 either grant approval for the request
36 or return the request for approval with comments of
37 the department included. An unapproved request for a
38 program may be resubmitted with modifications to the
39 department not later than February 1. Not later than
40 February 15, the department shall notify the department
41 of management and the school budget review committee of
42 the names of the school districts for which programs
43 using modified ~~allowable growth~~ supplemental state aid
44 for funding have been approved and the approved budget
45 of each program listed separately for each school
46 district having an approved request.

47 2. Beginning January 15, 2007, the department shall
48 submit an annual report to the chairpersons and ranking
49 members of the senate and house education committees
50 that includes the ways school districts in the previous

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1 school year used modified ~~allowable growth~~ supplemental
2 state aid approved under subsection 1; identifies,
3 by grade level, age, and district size, the students
4 in the dropout and dropout prevention programs for
5 which the department approves a request; describes
6 school district progress toward increasing student
7 achievement and attendance for the students in the
8 programs; and describes how the school districts are
9 using the revenues from the modified ~~allowable growth~~
10 supplemental state aid to improve student achievement
11 among minority subgroups.

12 Sec. 44. Section 257.41, subsections 1 and 3, Code
13 2013, are amended to read as follows:

14 1. Budget. The budget of an approved program for
15 returning dropouts and dropout prevention for a school
16 district, after subtracting funds received from other
17 sources for that purpose, shall be funded annually on
18 a basis of one-fourth or more from the district cost
19 of the school district and up to three-fourths by an
20 increase in ~~allowable growth~~ supplemental state aid as
21 defined in section 257.8. Annually, the department of
22 management shall establish a modified ~~allowable growth~~
23 supplemental state aid for each such school district
24 equal to the difference between the approved budget
25 for the program for returning dropouts and dropout
26 prevention for that district and the sum of the amount
27 funded from the district cost of the school district
28 plus funds received from other sources.

29 3. Limitation. For the fiscal year beginning
30 July 1, 2013, and each succeeding fiscal year, the
31 ratio of the amount of modified ~~allowable growth~~
32 supplemental state aid established by the department
33 of management compared to the school district's total
34 regular program district cost shall not exceed two and
35 one-half percent. However, if the school district's
36 highest such ratio so determined for any fiscal year
37 beginning on or after July 1, 2009, but before July 1,
38 2013, exceeded two and one-half percent, the ratio may
39 exceed two and one-half percent but shall not exceed
40 the highest such ratio established during that period.

41 Sec. 45. Section 257.46, subsection 2, Code 2013,
42 is amended to read as follows:

43 2. The remaining portion of the budget shall be
44 funded by the thirty-eight dollar increase in ~~allowable~~
45 ~~growth~~ supplemental state aid, as defined in this
46 division of this Act, for the school budget year
47 beginning July 1, 1999, multiplied by a district's
48 budget enrollment. The thirty-eight dollar increase
49 for the school budget year beginning July 1, 1999,
50 shall increase in subsequent years by each year's state

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1 percent of growth. School districts shall annually
2 report the amount expended for a gifted and talented
3 program to the department of education. The proportion
4 of a school district's budget which corresponds to
5 the thirty-eight dollar increase in ~~allowable growth~~
6 supplemental state aid, as defined in this division of
7 this Act, for the school budget year beginning July 1,
8 1999, added to the amount in subsection 1, shall be
9 utilized exclusively for a school district's gifted and
10 talented program.

11 Sec. 46. Section 273.23, subsection 8, Code 2013,
12 is amended to read as follows:

13 8. For the school year beginning on the effective
14 date of an area education agency reorganization as
15 provided in this subchapter, the special education
16 support services cost per pupil shall be based upon
17 the combined base year budgets for special education
18 support services of the area education agencies that
19 reorganized to form the newly formed area education
20 agency, divided by the total of the weighted enrollment
21 for special education support services in the
22 reorganized area education agency for the base year
23 plus the ~~allowable growth~~ supplemental state aid amount
24 per pupil for special education support services for
25 the budget year as calculated in section 257.8.

26 Sec. 47. Section 280.4, subsection 3, Code 2013, is
27 amended to read as follows:

28 3. In order to provide funds for the excess costs
29 of instruction of limited English proficient students
30 above the costs of instruction of pupils in a regular
31 curriculum, students identified as limited English
32 proficient shall be assigned an additional weighting
33 of twenty-two hundredths, and that weighting shall
34 be included in the weighted enrollment of the school
35 district of residence for a period not exceeding four
36 years. However, the school budget review committee may
37 grant supplemental aid or modified ~~allowable growth~~
38 supplemental state aid to a school district to continue
39 funding a program for students after the expiration of
40 the four-year period.

41 Sec. 48. APPLICABILITY. This division of this Act
42 applies to school budget years beginning on or after
43 July 1, 2014.

44 DIVISION IV

45 IOWA ONLINE INITIATIVE — FEES

46 Sec. 49. Section 256.42, Code 2013, is amended by
47 adding the following new subsection:

48 NEW SUBSECTION. 8. a. Beginning July 1, 2016,
49 the department shall establish fees payable by
50 school districts and accredited nonpublic schools

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1 participating in the initiative. Fees collected
2 pursuant to this subsection shall be deposited in the
3 general fund of the state and shall be established
4 so as not to exceed the cost of administering this
5 section.

6 b. Costs of administering this section include
7 the costs of providing professional development
8 necessary to prepare teachers to participate in
9 the initiative, providing supervision of usage of
10 the initiative by licensed teachers, acquiring and
11 maintaining equipment and services necessary for use of
12 the initiative, facilitating access to the initiative
13 by school districts and accredited nonpublic schools,
14 and necessary recordkeeping and accounting. Costs of
15 administering this section do not include any of the
16 following:

17 (1) Costs of course development.

18 (2) Costs of purchasing access to course materials
19 unless such costs are charged on the basis of usage.

20 DIVISION V

21 TRAINING AND EMPLOYMENT OF TEACHERS

22 Sec. 50. Section 261.2, subsection 8, Code 2013, is
23 amended to read as follows:

24 8. Submit by January 15 annually a report to the
25 general assembly which provides, by program, the number
26 of individuals who received loan forgiveness in the
27 previous fiscal year, the amount paid to individuals
28 under sections 261.23, ~~and 261.73, and 261.112~~, and
29 the institutions from which individuals graduated, and
30 that includes any proposed statutory changes and the
31 commission's findings and recommendations.

32 Sec. 51. NEW SECTION. 261.110 Teach Iowa scholar
33 program.

34 1. A teach Iowa scholar program is established
35 to provide teach Iowa scholar grants to selected
36 high-caliber teachers. The commission shall administer
37 the program in collaboration with the department of
38 education.

39 2. An Iowa resident or nonresident applicant shall
40 be eligible for a teach Iowa scholar grant if the
41 applicant meets all of the criteria specified under, or
42 established in accordance with, subsection 3.

43 3. Criteria for eligibility shall be established by
44 the commission and shall include but are not limited
45 to the following:

46 a. The applicant was in the top twenty-five percent
47 academically of students exiting a teacher preparation
48 program approved by the state board of education
49 pursuant to section 256.7, subsection 3, or a similar
50 teacher preparation program in another state, or had

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1 earned other comparable academic credentials.
2 b. The applicant is preparing to teach in fields
3 including but not limited to science, technology,
4 engineering, or mathematics; or is preparing to
5 teach in a hard-to-staff subject as identified by the
6 department. The department shall annually identify and
7 designate hard-to-staff subjects for the purpose of
8 this paragraph.

9 4. A selected applicant who meets all of the
10 eligibility requirements of this section shall be
11 eligible for a teach Iowa scholar grant for each year
12 of full-time employment completed in this state as a
13 teacher for a school district, charter school, area
14 education agency, or accredited nonpublic school. A
15 teach Iowa scholar grant shall not exceed four thousand
16 dollars per year per recipient. Grants awarded under
17 this section shall not exceed a total of twenty
18 thousand dollars per recipient over a five-year period.

19 5. The commission, in collaboration with the
20 department of education, shall adopt rules pursuant
21 to chapter 17A to administer this section. The rules
22 shall include but shall not be limited to a process
23 for use by the commission to determine which eligible
24 applicants will receive teach Iowa scholar grants.

25 6. A teach Iowa scholar fund is established in the
26 state treasury. The fund shall be administered by the
27 commission and shall consist of moneys appropriated by
28 the general assembly and any other moneys received by
29 the commission for deposit in the fund. The moneys in
30 the fund are appropriated to the commission for the
31 teach Iowa scholar program. Notwithstanding section
32 8.33, moneys in the fund at the close of the fiscal
33 year shall not revert to the general fund of the state
34 but shall remain available for expenditure for the
35 teach Iowa scholar program for subsequent fiscal years.
36 Notwithstanding section 12C.7, subsection 2, interest
37 or earnings on moneys in the fund shall be credited to
38 the fund.

39 Sec. 52. REPEAL. Section 261.112, Code 2013, is
40 repealed.

41 Sec. 53. SCHOOL YEAR-LONG STUDENT TEACHING FIELD
42 EXPERIENCE REQUIREMENT — STUDY.

43 1. a. Each practitioner preparation program
44 offered at an institution of higher learning governed
45 by the state board of regents shall convene a
46 study committee of education faculty members to
47 study the feasibility of establishing professional
48 development schools for preservice teacher candidates
49 in collaboration with school districts, and the
50 feasibility of requiring students enrolled in

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1 practitioner preparation programs to complete a field
2 experience lasting one full school year.

3 b. Each study committee shall evaluate for its
4 institution the following issues relating specifically
5 to a proposed professional development school and
6 relating specifically to a proposed full school year of
7 student teaching field experience:

8 (1) The impact on the likelihood a student will
9 graduate within four years, including but not limited
10 to consideration of the cost to a student, student debt
11 load, and class scheduling.

12 (2) The impact on university faculty and the need
13 to employ more faculty, including the need to deliver
14 coursework and supervision to student teachers in the
15 field.

16 (3) The availability of an adequate number of
17 placements in prekindergarten through grade twelve
18 schools and the impact on a school district, including
19 but not limited to the district's cost to compensate
20 cooperating teachers.

21 (4) The likely impact on the abilities and
22 performance of a student teacher and whether the
23 benefits outweigh the costs.

24 (5) The likely impact on student achievement of
25 students in the student teacher's classroom.

26 c. The study committees convened pursuant to
27 paragraph "a" shall submit their findings and
28 recommendations in a report to the state board of
29 regents, the department of education, the board of
30 educational examiners, the governor, and the general
31 assembly by December 2, 2013.

32 2. The Iowa association of independent colleges
33 is encouraged to form a study committee comprised
34 of education faculty members with duties similar to
35 those provided for in subsection 1 for its member
36 institutions which offer approved practitioner
37 preparation programs, and to submit any resulting
38 findings and recommendations to the general assembly
39 by December 2, 2013.

40 Sec. 54. TRANSITION FUNDING PROVISIONS. On July 1,
41 2014, any unobligated and unencumbered moneys in the
42 teacher shortage loan forgiveness repayment fund shall
43 revert to the general fund of the state. Any remaining
44 obligations of the teacher shortage loan forgiveness
45 program continuing on or after July 1, 2014, shall
46 be met with moneys in the teach Iowa scholar fund
47 established by section 261.110.

48 Sec. 55. EFFECTIVE DATE. The following provisions
49 of this division of this Act take effect July 1, 2014:

50 1. The section of this division of this Act

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1 amending section 261.2.

2 2. The section of this division of this Act

3 repealing section 261.112.

4 DIVISION VI

5 TEACHER AND ADMINISTRATOR DEVELOPMENT SYSTEM

6 Sec. 56. Section 256.7, Code 2013, is amended by

7 adding the following new subsections:

8 NEW SUBSECTION. 33. Adopt rules establishing a
9 statewide system of evaluation and performance review
10 requirements for teachers and a statewide system of
11 evaluation requirements for administrators. The
12 systems shall align with Iowa teaching standards
13 or the Iowa standards for school administrators, as
14 appropriate, and shall use clear and concise evaluation
15 and performance review criteria and descriptors;
16 provide for a fair and balanced use of student outcome
17 measures, comprised of objective, reliable measurers
18 of student growth, classroom observations and student
19 surveys; include a tiered evaluation or performance
20 review system that differentiates at least four tiers
21 of teacher performance; and be applicable to all
22 teachers and school administrators, as appropriate, in
23 a charter school, school district, or area education
24 agency.

25 NEW SUBSECTION. 34. a. Develop by July 1,
26 2015, additional Iowa teaching standards designed
27 specifically for purposes of chapters 279 and 284.
28 The additional standards shall align with nationally
29 accepted teaching standards. The Iowa teaching
30 standards developed pursuant to this paragraph "a"
31 shall be based on significant input from the council on
32 educator development established and convened by the
33 director.

34 b. Develop additional Iowa standards for school
35 administrators designed specifically for purposes of
36 chapters 272 and 284A. The standards shall be based
37 on significant input from Iowa administrators and
38 align with nationally accepted school administrator
39 standards.

40 c. Submit by October 15, 2015, to the general
41 assembly recommendations relating to implementation
42 of the additional standards developed pursuant to
43 this subsection for changes in policy or statute.
44 If implementation of the additional Iowa teaching
45 standards developed pursuant to paragraph "a" or
46 implementation of the additional Iowa standards for
47 school administrators development pursuant to paragraph
48 "b" require a change in policy or statute, the change
49 shall not be made without statutory approval.

50 Sec. 57. Section 256.9, subsections 46 and 51, Code

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1 2013, are amended to read as follows:

2 46. Develop core knowledge and skill criteria,
3 ~~based upon significantly shaped by the Iowa teaching~~
4 ~~standards and the interstate teacher assessment and~~
5 ~~support consortium's model core teaching standards,~~
6 for the evaluation, the advancement, and for teacher
7 career development purposes pursuant to chapter 284.
8 The criteria shall further define the characteristics
9 of quality teaching as established by the Iowa teaching
10 standards ~~and the interstate teacher assessment and~~
11 ~~support consortium's model core teaching standards.~~

12 The director, in consultation with the board of
13 educational examiners, shall also develop a transition
14 plan for implementation of the career development
15 standards developed pursuant to section 256.7,
16 subsection 25, with regard to licensure renewal
17 requirements. The plan shall include a requirement
18 that practitioners be allowed credit for career
19 development completed prior to implementation of the
20 career development standards developed pursuant to
21 section 256.7, subsection 25.

22 51. Develop, and periodically review and revise as
23 necessary, Iowa standards for school administrators,
24 including knowledge and skill criteria, and develop,
25 based on the Iowa standards for administrators,
26 mentoring and induction, evaluation processes,
27 and professional development plans pursuant to
28 chapter 284A. The criteria shall further define
29 the characteristics of quality administrators
30 as established by the Iowa standards for school
31 administrators.

32 Sec. 58. Section 256.9, Code 2013, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 63. Do all of the following by
35 July 1, 2015, in order to develop and implement an Iowa
36 educator development system:

37 a. Based upon the standards developed pursuant
38 to section 256.7, subsection 34, the director shall
39 develop core knowledge and skill criteria for the
40 evaluation and advancement of teachers, and for teacher
41 career development purposes pursuant to chapter 284.
42 The criteria shall further define the characteristics
43 of quality teaching as significantly shaped by the
44 Iowa teaching standards and the interstate teacher
45 assessment and support consortium's model core teaching
46 standards.

47 b. Review and, where necessary, revise the
48 standards and requirements for the evaluator training
49 program established pursuant to section 284.10.

50 c. Develop and implement a coaching and support

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1 system for teachers aligned with the Iowa teacher
2 career paths, leadership roles, and compensation
3 framework established pursuant to section 284.15, if
4 enacted.

5 d. Develop and implement a coaching and support
6 system for administrators aligned with the beginning
7 administrator mentoring and induction program created
8 pursuant to section 284A.5.

9 Sec. 59. Section 272.9A, subsection 1, Code 2013,
10 is amended to read as follows:

11 1. ~~Beginning July 1, 2007, requirements~~
12 Requirements for administrator licensure beyond an
13 initial license shall include completion of a beginning
14 administrator mentoring and induction program and
15 demonstration of competence on the ~~administrator Iowa~~
16 standards for school administrators adopted pursuant to
17 ~~section 284A.3~~ 256.7, subsection 27.

18 Sec. 60. Section 279.14, subsection 1, Code 2013,
19 is amended to read as follows:

20 1. The board shall establish ~~written~~ evaluation
21 criteria and shall ~~establish and annually~~ implement
22 evaluation procedures. The evaluation criteria and
23 procedures shall be consistent with the statewide
24 system of performance review requirements established
25 by the state board pursuant to section 256.7,
26 subsection 33, and the provisions of chapter 284.

27 If an exclusive bargaining representative has been
28 certified, the board shall negotiate in good faith with
29 respect to evaluation procedures pursuant to chapter
30 20.

31 Sec. 61. Section 279.23A, Code 2013, is amended to
32 read as follows:

33 279.23A Evaluation criteria and procedures.

34 The board shall establish written evaluation
35 criteria and shall establish and annually implement
36 evaluation procedures. The evaluation criteria and
37 procedures shall be consistent with the statewide
38 system of evaluation requirements for administrators
39 established by the state board pursuant to section
40 256.7, subsection 33, and with the provisions of

41 chapter 284A. The board shall also establish written
42 job descriptions for all supervisory positions.

43 Sec. 62. Section 284.3, subsections 2 and 3, Code
44 2013, are amended to read as follows:

45 2. A school board shall provide for the following:

46 a. For purposes of comprehensive evaluations
47 for beginning teachers required to allow beginning
48 teachers to progress to career teachers, standards
49 and criteria that are the Iowa teaching standards
50 specified in subsection 1 and the criteria for the

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1 Iowa teaching standards developed by the ~~department~~
2 ~~in accordance with section 256.9, subsection 46~~
3 ~~director~~. These standards and criteria shall be set
4 forth in an instrument provided by the department. The
5 comprehensive evaluation and instrument are not subject
6 to negotiations or grievance procedures pursuant
7 to chapter 20 or determinations made by the board
8 of directors under section 279.14. A local school
9 board and its certified bargaining representative may
10 negotiate, pursuant to chapter 20, evaluation and
11 grievance procedures for beginning teachers that are
12 not in conflict with this chapter. If, in accordance
13 with section 279.19, a beginning teacher appeals the
14 determination of a school board to an adjudicator under
15 section 279.17, the adjudicator selected shall have
16 successfully completed training related to the Iowa
17 teacher standards, the criteria adopted by the state
18 board of education in accordance with subsection 3, and
19 any additional training required under rules adopted by
20 the public employment relations board in cooperation
21 with the state board of education.

22 b. For purposes of performance reviews for teachers
23 other than beginning teachers, evaluations that
24 contain, at a minimum, the Iowa teaching standards
25 specified in subsection 1 and the interstate teacher
26 assessment and support consortium's model core
27 teaching standards, as well as ~~the criteria for~~
28 ~~the Iowa additional~~ teaching standards developed
29 by the ~~department in accordance with section 256.9,~~
30 ~~subsection 46~~ state board if implementation of the
31 additional standards receives statutory approval,
32 and a balanced use of student outcome measurers,
33 comprised of objective, reliable measures of student
34 growth, classroom observation, and student surveys.
35 A local school board and its certified bargaining
36 representative may negotiate, pursuant to chapter
37 20, additional teaching standards and criteria. A
38 local school board and its certified bargaining
39 representative shall negotiate, pursuant to chapter 20,
40 evaluation and grievance procedures for teachers other
41 than beginning teachers that are not in conflict with
42 this chapter.

43 3. The state board shall adopt by rule pursuant to
44 chapter 17A the criteria developed by the ~~department in~~
45 ~~accordance with section 256.9, subsection 46 director.~~

46 Sec. 63. Section 284.8, subsection 2, Code 2013, is
47 amended to read as follows:

48 2. If a supervisor or an evaluator determines, at
49 any time, as a result of a teacher's performance that
50 the teacher is not meeting district expectations under

Page 28

1 the Iowa teaching standards specified in section 284.3,
2 subsection 1, paragraphs “a” through “h”, the criteria
3 for the Iowa teaching standards developed by the
4 ~~department in accordance with section 256.9, subsection~~
5 ~~46~~ director, and any other standards or criteria
6 established in the collective bargaining agreement,
7 the evaluator shall, at the direction of the teacher’s
8 supervisor, recommend to the district that the teacher
9 participate in an intensive assistance program. The
10 intensive assistance program and its implementation
11 are subject to negotiation and grievance procedures
12 established pursuant to chapter 20. All school
13 districts shall be prepared to offer an intensive
14 assistance program.

15 Sec. 64. Section 284A.2, subsection 3, Code 2013,
16 is amended to read as follows:

17 3. “Comprehensive evaluation” means a summative
18 evaluation of a beginning administrator conducted by
19 an evaluator in accordance with section ~~284A.3~~ 284A.4
20 for purposes of determining a beginning administrator’s
21 level of competency for recommendation for licensure
22 based on the Iowa standards for school administrators
23 adopted pursuant to section 256.7, subsection 27.

24 Sec. 65. Section 284A.3, Code 2013, is amended to
25 read as follows:

26 284A.3 Iowa standards for school ~~administrators~~
27 administrator evaluations.

28 By July 1, 2008, each school board shall provide
29 for evaluations for administrators under individual
30 professional development plans developed in accordance
31 with section 279.23A, and the Iowa standards for
32 school administrators and related criteria adopted
33 by the state board in accordance with section 256.7,
34 subsection 27. A local school board may establish
35 additional administrator standards and related
36 criteria. This section is repealed July 1, 2015.

37 Sec. 66. COUNCIL ON EDUCATOR DEVELOPMENT
38 ESTABLISHED.

39 1. The director of the department of education
40 shall establish and convene a council on educator
41 development to review the current teacher and
42 administrator evaluation requirements and the
43 teacher performance review requirements, and to make
44 recommendations to the director regarding improvement
45 to the evaluation and performance review requirements
46 for teachers and to the evaluation requirements for
47 administrators.

48 2. The council shall make recommendations to the
49 director concerning development of the following:

50 a. A holistic vision of teacher and administrator

Page 29

1 development and dissemination of this vision to
2 schools, school districts, and area education agencies.
3 b. Methods designed to foster a culture of
4 continuous learning and improvement within schools,
5 school districts, and area education agencies with
6 differentiated supports for educators.
7 c. Iowa teaching standards and the administrator
8 standards for school administrators.
9 d. Performance review for teachers and evaluation
10 criteria for teachers and administrators.
11 e. A method for incorporating a fair and balanced
12 use of student outcome measures comprised of objective,
13 reliable measures of student growth, classroom
14 observation, and student surveys, into teacher
15 evaluations.
16 f. A means to differentiate teacher performance
17 into four tiers.
18 3. The council shall be comprised of at least
19 seventeen voting members appointed by the director as
20 follows:
21 a. Eight members representing education
22 stakeholders; four of whom shall be practitioners
23 knowledgeable about the Iowa core curriculum, and four
24 of whom shall be knowledgeable about current education
25 research and practice in educator quality.
26 b. One member representing the department of
27 education, who shall serve as chairperson of the
28 council.
29 c. One member representing the area education
30 agencies.
31 d. One member representing a certified employee
32 organization representing teachers licensed under
33 chapter 272.
34 e. One member representing a statewide organization
35 representing school administrators licensed under
36 chapter 272.
37 f. One member representing rural school districts
38 selected by a statewide organization representing the
39 boards of directors of school districts.
40 g. One member representing an organization made
41 up of Iowa school districts with the largest student
42 enrollments.
43 h. One member representing Iowa's approved teacher
44 preparation programs.
45 i. One member representing Iowa's approved
46 administrator preparation programs.
47 j. One member representing parents of Iowa
48 elementary or secondary students.
49 k. Other education stakeholders as determined by
50 the director.

Page 30

1 4. Four members of the general assembly shall serve
2 as ex officio, nonvoting members of the council, with
3 one member to be appointed by each of the following:
4 the majority leader of the senate, the minority
5 leader of the senate, the speaker of the house of
6 representatives, and the minority leader of the house
7 of representatives.

8 5. The council shall submit its findings and
9 recommendations to the state board of education, the
10 governor, and the general assembly by January 1, 2015.

11 6. The director shall consider the findings and
12 recommendations of the council to revise evaluator
13 training in accordance with section 256.9, subsection
14 63; and to develop a statewide system of performance
15 review requirements for teachers and a statewide system
16 of evaluation requirements for administrators which the
17 director shall submit to the state board of education
18 for approval.

19 DIVISION VII

20 IOWA TEACHER CAREER AND COMPENSATION MATTERS

21 Sec. 67. Section 284.7, subsection 1, paragraph
22 a, subparagraph (2), Code 2013, is amended to read as
23 follows:

24 (2) Beginning July 1, ~~2008~~ 2014, the minimum
25 salary for a beginning teacher shall be ~~twenty-eight~~
26 ~~thirty-three~~ thousand ~~five hundred~~ dollars.

27 Sec. 68. Section 284.7, subsection 1, paragraph b,
28 subparagraph (2), Code 2013, is amended by striking the
29 subparagraph.

30 Sec. 69. EFFECTIVE DATE. This division of this Act
31 takes effect July 1, 2014.

32 DIVISION VIII

33 TRANSPORTATION ASSISTANCE AID

34 Sec. 70. Section 257.31, subsection 17, paragraph
35 a, Code 2013, is amended to read as follows:

36 a. If a district's average transportation costs
37 per pupil exceed the state average transportation
38 costs per pupil determined under paragraph "c" by ~~one~~
39 ~~hundred fifty~~ seventy percent, the committee may grant
40 transportation assistance aid to the district. Such
41 aid shall be miscellaneous income and shall not be
42 included in district cost.

43 Sec. 71. APPLICABILITY. This division of this Act
44 applies to school budget years beginning on or after
45 July 1, 2014.

46 DIVISION IX

47 INDEPENDENT ACCREDITATION OF NONPUBLIC SCHOOLS

48 Sec. 72. Section 256.11, Code 2013, is amended by
49 adding the following new subsection:

50 NEW SUBSECTION. 16. a. Notwithstanding

Page 31

1 subsections 1 through 12, a nonpublic school may be
2 accredited by an approved independent accrediting
3 agency instead of by the state board as provided in
4 this subsection. The state board shall maintain a list
5 of approved independent accrediting agencies comprised
6 of at least six regional or national nonprofit,
7 nongovernmental agencies recognized as reliable
8 authorities concerning the quality of education offered
9 by a school and shall publish the list of independent
10 accrediting agencies on the department's internet site.
11 The list shall include accrediting agencies that, as
12 of January 1, 2013, accredited a nonpublic school in
13 this state that was concurrently accredited under
14 this section; and any agency that has a formalized
15 partnership agreement with another agency on the list
16 and has member schools in this state as of January 1,
17 2013.

18 b. A nonpublic school that participates in the
19 accreditation process offered by an independent
20 accrediting agency on the approved list published
21 pursuant to paragraph "a" shall be deemed to meet the
22 education standards of this section. However, such a
23 school shall comply with statutory health and safety
24 requirements for school facilities.

25 c. If the state board takes preliminary action to
26 remove an agency from the approved list published on
27 the department's internet site pursuant to paragraph
28 "a", the department shall, at least one year prior to
29 removing the agency from the approved list, notify the
30 nonpublic schools participating in the accreditation
31 process offered by the agency of the state board's
32 intent to remove the accrediting agency from its
33 approved list of independent accrediting agencies.
34 The notice shall also be posted on the department's
35 internet site and shall contain the proposed date
36 of removal. The nonpublic school shall attain
37 accreditation under this subsection or subsections 1
38 through 12 not later than one year following the date
39 on which the state board removes the agency from its
40 list of independent accrediting agencies.

41 DIVISION X

42 COMPETENCY-BASED TASK FORCE — GRANT PROGRAM

43 Sec. 73. NEW SECTION. 256.24 Competency-based
44 education grant program.

45 1. Contingent on a specific appropriation for
46 these purposes, the department shall establish a
47 competency-based education grant program to award
48 grants to not more than ten school districts annually
49 for purposes of developing, implementing, and
50 evaluating competency-based education pilot and

Page 32

1 demonstration projects.

2 2. The department shall develop grant application,
3 selection, and evaluation criteria.

4 3. Each pilot or demonstration project shall
5 be conducted for a minimum of one year, but may be
6 conducted for multiple school years as proposed by the
7 applicant and approved by the department.

8 4. Grant moneys shall be distributed to selected
9 school districts by the department no later than
10 December 1, 2013. Grant amounts shall be distributed
11 as determined by the department.

12 5. The department shall submit progress reports
13 analyzing the status and preliminary findings of
14 the projects to the state board, the governor, and
15 the general assembly by January 15 annually. The
16 department shall summarize the projects' findings,
17 including student achievement results, and submit the
18 summary and any recommendations in a final report to
19 the state board, the governor, and the general assembly
20 by January 15, 2019.

21 Sec. 74. 2012 Iowa Acts, chapter 1119, section 2,
22 subsection 2, is amended by adding the following new
23 paragraph:

24 NEW PARAGRAPH. f. Develop a draft strategic plan
25 and proposed timeline for statewide implementation of
26 competency-based learning for consideration by the
27 general assembly.

28 Sec. 75. EFFECTIVE UPON ENACTMENT. The following
29 provision or provisions of this division of this Act,
30 being deemed of immediate importance, takes effect upon
31 enactment:

32 1. The section of this Act amending 2012 Iowa Acts,
33 chapter 1119, section 2, subsection 2.>

JONI K. ERNST

S-3085

HOUSE AMENDMENT TO SENATE FILE 202

1 Amend Senate File 202, as passed by the Senate, as
2 follows:

3 1. Page 2, by striking lines 12 through 15 and
4 inserting:

5 <A minor who is twelve years of age or older shall
6 have the legal capacity to act and give consent to
7 the provision of tobacco cessation coaching services
8 pursuant to a tobacco cessation telephone and
9 internet-based program approved by the department.

10 Consent shall not be subject to>

S-3086HOUSE AMENDMENT TO
SENATE FILE 288

- 1 Amend Senate File 288, as passed by the Senate, as
- 2 follows:
- 3 1. Page 3, lines 23 and 24, by striking <and
- 4 conviction> and inserting <~~and conviction~~>
- 5 2. Page 6, line 8, after <defendant> by inserting
- 6 <, other than a child being prosecuted as a youthful
- 7 offender,>
- 8 3. Page 8, line 5, after <confinement> by inserting
- 9 <as prescribed by law for the offense>

S-3087

- 1 Amend Senate File 275 as follows:
- 2 1. Page 2, after line 5 by inserting:
- 3 <Sec. ____ Section 562B.10, subsection 4, Code
- 4 2013, is amended to read as follows:
- 5 4. Rental agreements shall be for a term of at
- 6 least one year unless otherwise specified in the
- 7 rental agreement. Rental agreements shall be canceled
- 8 terminated by at least sixty days' written notice
- 9 given by either party a tenant unless the tenant is
- 10 terminating the rental agreement pursuant to a section
- 11 of this chapter which allows for a shorter notice
- 12 period. A landlord shall not cancel a rental agreement
- 13 solely for the purpose of making the tenant's mobile
- 14 home space available for another mobile home. Rental
- 15 agreements shall be terminated by a landlord, or not
- 16 renewed by a landlord, in a time and manner which
- 17 complies with this chapter.
- 18 Sec. ____ Section 562B.10, Code 2013, is amended by
- 19 adding the following new subsection:
- 20 NEW SUBSECTION. 4A. a. A landlord may terminate a
- 21 tenancy during the initial twelve months of the tenancy
- 22 if the tenant engages in any of the following:
- 23 (1) A material noncompliance with the rental
- 24 agreement.
- 25 (2) A material violation of the manufactured
- 26 mobile home community or mobile home park rules or
- 27 regulations.
- 28 (3) Any other violation of this chapter for which
- 29 termination is a remedy.
- 30 b. A landlord may only terminate a tenancy after
- 31 the initial twelve months, or may only fail to renew a
- 32 tenancy, for any of the following reasons:
- 33 (1) A legitimate and material business reason the
- 34 impact of which is not specific to one tenant.
- 35 (2) A change in the use of the land if a change in

36 the use of the land is included in the rental agreement
37 as grounds for termination or nonrenewal.

38 (3) Any of the reasons included in paragraph "a".

39 c. A landlord may terminate or not renew a tenancy
40 pursuant to paragraph "b", subparagraphs (1) and (2),
41 by a written notice given to the tenant at least sixty
42 days prior to the periodic rental date specified in the
43 notice. The notice shall specify all facts which give
44 rise to the notice of termination or failure to renew.>

45 2. Title page, line 1, after <Act> by inserting
46 <relating to mobile and manufactured housing by>

47 3. Title page, line 1, after <fund> by inserting <,
48 providing for minimum duration of rental agreements,
49 and providing for termination or nonrenewal of rental
50 agreements>

Page 2

- 1 4. By renumbering as necessary.

THOMAS G. COURTNEY

S-3088

- 1 Amend Senate File 423 as follows:

- 2 1. Page 46, after line 27 by inserting:

3 <DIVISION ____

4 PRIVATE INSTRUCTION EXEMPTION

5 Sec. ____ Section 299.4, subsection 1, Code 2013,

6 is amended to read as follows:

- 7 1. The parent, guardian, or legal custodian of a
8 child who is of compulsory attendance age, who places
9 the child under competent private instruction under
10 ~~either section 299A.2 or 299A.3~~, not in an accredited
11 school or a home school assistance program operated by
12 a school district or accredited nonpublic school, shall
13 furnish a report in duplicate on forms provided by the
14 public school district, to the district by the earliest
15 starting date specified in section 279.10, subsection
16 1. The secretary shall retain and file one copy and
17 forward the other copy to the district's area education
18 agency. The report shall state the name and age of the
19 child, the period of time during which the child has
20 been or will be under competent private instruction
21 for the year, an outline of the course of study, texts
22 used, and the name and address of the instructor. The
23 parent, guardian, or legal custodian of a child, who is
24 placing the child under competent private instruction
25 for the first time, shall also provide the district
26 with evidence that the child has had the immunizations
27 required under section 139A.8, and, if the child is
28 elementary school age, a blood lead test in accordance

29 with section 135.105D. The term “outline of course of
 30 study” shall include subjects covered, lesson plans,
 31 and time spent on the areas of study.

32 Sec. ____ Section 299A.1, unnumbered paragraph 2,
 33 Code 2013, is amended to read as follows:

34 For purposes of this chapter, “competent private
 35 instruction” means private instruction provided on a
 36 daily basis for at least one hundred forty-eight days
 37 during a school year, to be met by attendance for at
 38 least thirty-seven days each school quarter, by or
 39 under the supervision of a licensed practitioner in the
 40 manner provided under section 299A.2, ~~or other person~~
 41 ~~under section 299A.3~~, which results in the student
 42 making adequate progress.

43 Sec. ____ Section 299A.3, unnumbered paragraph 1,
 44 Code 2013, is amended to read as follows:

45 A parent, guardian, or legal custodian of a child of
 46 compulsory attendance age providing ~~competent~~ private
 47 instruction to the child ~~shall~~ may meet all of the
 48 following requirements:>

49 2. Title page, line 5, after <schools;> by
 50 inserting <providing for a private instruction

Page 2

1 exemption;>

2 3. By renumbering as necessary.

DENNIS GUTH

S-3089

1 Amend House File 602, as passed by the House, as
 2 follows:

3 1. Page 1, by striking lines 1 and 2.

4 2. By striking page 4, line 35, through page 8,
 5 line 30.

6 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3090

1 Amend Senate File 374 as follows:

2 1. Page 3, line 13, by striking <subsections> and
 3 inserting <subsection>

4 2. Page 3, by striking lines 25 through 29.

DAVID JOHNSON

S-3091

- 1 Amend House File 544, as passed by the House, as
2 follows:
- 3 1. Page 1, line 27, after <commission.> by
4 inserting <The commission shall adopt rules to
5 emphasize the admission of homeless honorably
6 discharged veterans.>
- 7 2. Page 5, line 10, after <member.> by inserting
8 <For an individual member who is also a patient, the
9 interdisciplinary resident care committee shall also
10 include a mental health treatment staff member.>
- 11 3. By renumbering as necessary.

STEVEN J. SODDERS

S-3092

- 1 Amend Senate File 374 as follows:
- 2 1. Page 3, by striking lines 6 and 7 and inserting
3 <is currently prescribed, and substituting a brand
4 version for a generic version.>
- 5 2. Page 3, line 13, by striking <subsections> and
6 inserting <subsection>
- 7 3. Page 3, line 16, after <dispense> by inserting
8 <no more than>
- 9 4. Page 3, line 24, after <subsection.> by
10 inserting <If a pharmacist dispenses an emergency
11 supply under this subsection, any differential in
12 cost to the pharmacy or patient resulting from the
13 substitution shall be covered by the patient's health
14 carrier as defined in section 514J.102.>
- 15 5. Page 3, by striking lines 25 through 29.
- 16 6. By renumbering as necessary.

MARY JO WILHELM

S-3093

- 1 Amend Senate File 396 as follows:
- 2 1. Page 5, line 23, by striking <nonprofessional>
- 3 2. Page 5, by striking lines 25 through 27 and
4 inserting <subchapter IV.>
- 5 3. Page 29, line 12, after <date> by inserting <of
6 this division>
- 7 4. Page 29, line 15, after <this> by inserting
8 <division of this>
- 9 5. Page 29, line 18, after <this> by inserting
10 <division of this>
- 11 6. Page 29, line 24, after <this> by inserting
12 <division of this>
- 13 7. Page 29, line 28, after <this> by inserting

14 <division of this>
15 8. Page 30, line 1, after <this> by inserting
16 <division of this>
17 9. Page 30, line 18, after <this> by inserting
18 <division of this>
19 10. Page 30, line 22, after <this> by inserting
20 <division of this>
21 11. Page 30, line 30, after <this> by inserting
22 <division of this>
23 12. Page 31, lines 16 and 17, by striking
24 <PROVISIONS — STANDING APPROPRIATION.> and inserting
25 <PROVISIONS.>
26 13. Page 31, line 18, by striking <1.>
27 14. Page 31, line 20, after <date> by inserting <of
28 this division>
29 15. Page 31, line 22, after <date> by inserting <of
30 this division>
31 16. Page 31, by striking lines 23 through 35.
32 17. Page 32, line 32, after <with> by inserting
33 <affected executive branch agencies and>
34 18. Page 33, after line 33 by inserting:
35 <Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES
36 — HUMAN RESOURCE MANAGEMENT SYSTEM — REQUEST FOR
37 PROPOSALS. The department of administrative services
38 shall issue a request for proposals for a human
39 resource management system, including a payroll
40 system, by December 31, 2013. The human resource
41 management system is a human resource technology system
42 that is intended to automate the core administrative
43 functions of human resources, replace the existing
44 mainframe computer system utilized for this function,
45 and increase the efficiency of the department and the
46 office of the chief information officer, specifically
47 in the areas of human resources, information
48 technology, and the state accounting enterprise.>
49 19. By striking page 35, line 19, through page 42,
50 line 26.

Page 2

1 20. By striking page 42, line 29, through page 43,
2 line 17.
3 21. Page 45, after line 29 by inserting:
4 <DIVISION ____
5 PUBLIC SAFETY COMMUNICATIONS
6 Sec. ____ NEW SECTION. 34A.11 Communications —
7 single point-of-contact.
8 1. The joint E911 service board in each enhanced
9 911 service area shall designate a person to serve
10 as a single point-of-contact to facilitate the
11 communication of needs, issues, or concerns regarding
12 emergency communications, interoperability, and other

13 matters applicable to emergency E911 communications
14 and migration to an internet protocol-enabled next
15 generation network. The person designated as the
16 single point-of-contact shall be responsible for
17 facilitating the communication of such needs, issues,
18 or concerns between public or private safety agencies
19 within the service area, the E911 program manager,
20 the E911 communications council, the statewide
21 interoperable communications system board established
22 in section 80.28, and any other person, entity, or
23 agency the person deems necessary or appropriate.
24 The person designated shall also be responsible for
25 responding to surveys or requests for information
26 applicable to the service area received from a federal,
27 state, or local agency, entity, or board.

28 2. In the event a joint E911 service board fails
29 to designate a single point-of-contact by November 1,
30 2013, the chairperson of the joint E911 service board
31 shall serve in that capacity. The E911 service board
32 shall submit the name and contact information for the
33 person designated as the single point-of-contact to the
34 E911 program manager by January 1 annually.

35 3. The provisions of this section shall be
36 equally applicable to an alternative legal entity
37 created pursuant to chapter 28E if such an entity is
38 established as an alternative to a joint E911 service
39 board as provided in section 34A.3. If such an entity
40 is established, the governing body of that entity shall
41 designate the single point-of-contact for the entity,
42 and the chairperson or representative official of
43 the governing body shall serve in the event a single
44 point-of-contact is not designated.>

45 22. Title page, line 2, by striking <making an
46 appropriation,>

47 23. By renumbering, redesignating, and correcting
48 internal references as necessary.

JEFF DANIELSON

S-3094

HOUSE AMENDMENT TO SENATE FILE 427

1 Amend Senate File 427, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 1, line 31, by striking <direct>
- 4 2. Page 2, line 10, by striking <direct>
- 5 3. Page 3, line 25, by striking <The board> and
6 inserting <Consistent with fire safety rules and
7 standards promulgated by the state fire marshal, the
8 board>

- 9 4. Page 3, line 31, after <rule.> by inserting
10 <The board shall work in consultation with the state
11 fire marshal to ensure that proposed amendments do
12 not conflict with the fire safety rules and standards
13 promulgated by the state fire marshal.>
14 5. Page 4, line 5, after <restrictive.> by
15 inserting <A local jurisdiction that adopts standards
16 that are more restrictive than the state plumbing code
17 or the state mechanical code shall promptly provide
18 copies of those standards to the board. The board
19 shall maintain on its internet site the text of all
20 local jurisdiction standards that differ from the
21 applicable statewide code.>
22 6. By striking page 8, line 28, through page 9,
23 line 1.
24 7. Page 15, line 15, by striking <board> and
25 inserting <department>
26 8. Page 16, by striking lines 1 through 8 and
27 inserting:
28 <Sec. ____ ADMINISTRATIVE RULES. The department
29 shall adopt all initial rules, and amendments to
30 existing rules, necessary for the implementation of
31 this Act.>
32 9. By renumbering as necessary.

S-3095

- 1 Amend Senate File 407 as follows:
2 1. Page 2, after line 17 by inserting:
3 <3. The state board of regents shall prohibit
4 the designation of a portion of the tuition moneys
5 collected from resident students by institutions of
6 higher education governed by the board for use for
7 student aid purposes. However, such institutions
8 may designate that a portion of the tuition moneys
9 collected from nonresident students be used for such
10 purposes.>
11 2. Page 4, after line 33 by inserting:
12 <Sec. ____ TUITION REDUCTION. A state
13 postsecondary institution which sets aside a portion of
14 the tuition moneys collected from resident students for
15 student aid purposes in the fiscal year beginning July
16 1, 2012, shall reduce the tuition for resident students
17 by an equivalent amount for the fiscal year beginning
18 July 1, 2013.>
19 3. By renumbering as necessary.

AMY SINCLAIR

S-3096

- 1 Amend Senate File 230 as follows:
- 2 1. Page 1, line 11, after <state.> by inserting
- 3 <"In-state construction contract" does not include any
- 4 agreement between this state and any other state.>
- 5 2. Page 1, line 17, by striking <meditation,> and
- 6 inserting <mediation,>
- 7 3. Page 1, lines 20 and 21, by striking
- 8 <Notwithstanding any contractual provision to the
- 9 contrary, the> and inserting <The>
- 10 4. Page 1, after line 25 by inserting:
- 11 <Sec. ____ EFFECTIVE DATE. This Act takes effect
- 12 January 1, 2014.>
- 13 5. Title page, line 2, after <law> by inserting
- 14 <and including effective date provisions>
- 15 6. By renumbering as necessary.

JANET PETERSEN

S-3097

- 1 Amend House File 210, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 26 through 34.
- 4 2. By renumbering as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair**S-3098**

- 1 Amend Senate File 396 as follows:
- 2 1. Page 5, line 23, by striking <nonprofessional>
- 3 2. Page 5, by striking lines 25 through 27 and
- 4 inserting <subchapter IV.>
- 5 3. Page 29, line 12, after <date> by inserting <of
- 6 this division>
- 7 4. Page 29, line 15, after <this> by inserting
- 8 <division of this>
- 9 5. Page 29, line 18, after <this> by inserting
- 10 <division of this>
- 11 6. Page 29, line 24, after <this> by inserting
- 12 <division of this>
- 13 7. Page 29, line 28, after <this> by inserting
- 14 <division of this>
- 15 8. Page 30, line 1, after <this> by inserting
- 16 <division of this>
- 17 9. Page 30, line 18, after <this> by inserting
- 18 <division of this>
- 19 10. Page 30, line 22, after <this> by inserting
- 20 <division of this>

21 11. Page 30, line 30, after <this> by inserting
22 <division of this>
23 12. Page 31, lines 16 and 17, by striking
24 <PROVISIONS — STANDING APPROPRIATION.> and inserting
25 <PROVISIONS.>
26 13. Page 31, line 18, by striking <1.>
27 14. Page 31, line 20, after <date> by inserting <of
28 this division>
29 15. Page 31, line 22, after <date> by inserting <of
30 this division>
31 16. Page 31, by striking lines 23 through 35.
32 17. By striking page 32, line 3, through page 33,
33 line 33, and inserting:
34 <Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES
35 — HUMAN RESOURCE MANAGEMENT SYSTEM — REQUEST FOR
36 PROPOSALS. The department of administrative services
37 shall issue a request for proposals for a human
38 resource management system, including a payroll
39 system, by December 31, 2013. The human resource
40 management system is a human resource technology system
41 that is intended to automate the core administrative
42 functions of human resources, replace the existing
43 mainframe computer system utilized for this function,
44 and increase the efficiency of the department and the
45 office of the chief information officer, specifically
46 in the areas of human resources, information
47 technology, and the state accounting enterprise.>
48 18. By striking page 35, line 19, through page 42,
49 line 26.
50 19. By striking page 42, line 29, through page 43,

Page 2

1 line 17.
2 20. Page 45, after line 29 by inserting:
3 <DIVISION ____
4 PUBLIC SAFETY COMMUNICATIONS
5 Sec. ____ NEW SECTION. 34A.11 Communications —
6 single point-of-contact.
7 1. The joint E911 service board in each enhanced
8 911 service area shall designate a person to serve
9 as a single point-of-contact to facilitate the
10 communication of needs, issues, or concerns regarding
11 emergency communications, interoperability, and other
12 matters applicable to emergency E911 communications
13 and migration to an internet protocol-enabled next
14 generation network. The person designated as the
15 single point-of-contact shall be responsible for
16 facilitating the communication of such needs, issues,
17 or concerns between public or private safety agencies
18 within the service area, the E911 program manager,
19 the E911 communications council, the statewide

20 interoperable communications system board established
21 in section 80.28, and any other person, entity, or
22 agency the person deems necessary or appropriate.
23 The person designated shall also be responsible for
24 responding to surveys or requests for information
25 applicable to the service area received from a federal,
26 state, or local agency, entity, or board.
27 2. In the event a joint E911 service board fails
28 to designate a single point-of-contact by November 1,
29 2013, the chairperson of the joint E911 service board
30 shall serve in that capacity. The E911 service board
31 shall submit the name and contact information for the
32 person designated as the single point-of-contact to the
33 E911 program manager by January 1 annually.
34 3. The provisions of this section shall be
35 equally applicable to an alternative legal entity
36 created pursuant to chapter 28E if such an entity is
37 established as an alternative to a joint E911 service
38 board as provided in section 34A.3. If such an entity
39 is established, the governing body of that entity shall
40 designate the single point-of-contact for the entity,
41 and the chairperson or representative official of
42 the governing body shall serve in the event a single
43 point-of-contact is not designated.>
44 21. Title page, line 2, by striking <making an
45 appropriation,>
46 22. By renumbering, redesignating, and correcting
47 internal references as necessary.

JEFF DANIELSON

S-3099

1 Amend Senate File 363 as follows:
2 1. Page 2, line 1, after <disease.> by inserting
3 <If a person commits a class "C" felony under this
4 subsection, and the person against whom the class "C"
5 felony is committed is pregnant at the time of the
6 exposure, the person exposing the uninfected person
7 to the contagious or infectious disease commits an
8 additional class "C" felony for each unborn child
9 constituting the pregnancy notwithstanding the actual
10 result of the exposure to each unborn child.>
11 2. Page 2, line 8, after <disease.> by inserting
12 <If a person commits a class "D" felony under this
13 subsection, and the person against whom the class "D"
14 felony is committed is pregnant at the time of the
15 exposure, the person exposing the uninfected person
16 to the contagious or infectious disease commits an
17 additional class "D" felony for each unborn child
18 constituting the pregnancy notwithstanding the actual
19 result of the exposure to each unborn child.>

20 3. Page 2, line 16, after <disease.> by inserting
21 <If a person commits an aggravated misdemeanor under
22 this subsection, and the person against whom the
23 aggravated misdemeanor is committed is pregnant at
24 the time of the exposure, the person exposing the
25 uninfected person to the contagious or infectious
26 disease commits an additional aggravated misdemeanor
27 for each unborn child constituting the pregnancy
28 notwithstanding the actual result of the exposure to
29 each unborn child.>

NANCY J. BOETTGER

S-3100

1 Amend Senate File 384 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 Section 1. Section 702.11, subsection 2, Code 2013,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. h. Removal of an officer's
7 communication or control device in violation of section
8 708.12, subsection 3, paragraph "f".
9 Sec. 2. NEW SECTION. 708.12 Removal of an
10 officer's communication or control device.
11 1. As used in this section, "officer" means peace
12 officer as defined in section 724.2A or a correctional
13 officer.
14 2. A person who knowingly or intentionally removes
15 or attempts to remove a communication device or any
16 device used for control from the possession of an
17 officer, when the officer is in the performance of any
18 act which is within the scope of the lawful duty or
19 authority of that officer and the person knew or should
20 have known the individual to be an officer, commits the
21 offense of removal of an officer's communication or
22 control device.
23 3. a. A person who removes or attempts to remove
24 an officer's communication or control device is guilty
25 of a simple misdemeanor.
26 b. A person who knowingly or intentionally removes
27 or attempts to remove a communication or control device
28 from the possession of an officer with the intent to
29 interfere with the communications or duties of the
30 officer, is guilty of a serious misdemeanor.
31 c. If a violation of paragraph "a" results in
32 bodily injury to the officer the person is guilty of a
33 serious misdemeanor.
34 d. If a violation of paragraph "a" results in
35 serious injury to the officer the person is guilty of
36 an aggravated misdemeanor.
37 e. If a violation of paragraph "a" occurs and the

38 person knowingly or intentionally causes bodily injury
39 to the officer the person is guilty of an aggravated
40 misdemeanor.

41 f. If a violation of paragraph "a" occurs and the
42 person knowingly or intentionally causes serious injury
43 to the officer the person is guilty of a class "D"
44 felony.

45 Sec. 3. Section 719.1, subsections 1 and 2, Code
46 2013, are amended to read as follows:

47 1. a. A person who knowingly resists or obstructs
48 anyone known by the person to be a peace officer,
49 emergency medical care provider under chapter 147A,
50 or fire fighter, whether paid or volunteer, in the

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1 performance of any act which is within the scope of the
2 lawful duty or authority of that officer, emergency
3 medical care provider under chapter 147A, or fire
4 fighter, whether paid or volunteer, or who knowingly
5 resists or obstructs the service or execution by any
6 authorized person of any civil or criminal process or
7 order of any court, commits a simple misdemeanor. In
8 addition to any other penalties, the punishment imposed
9 for a violation of this subsection shall include
10 assessment of a fine of not less than two hundred fifty
11 dollars. ~~However, if~~

12 b. If a person commits interference with official
13 acts, as defined in this subsection, which results
14 in bodily injury, the person commits a serious
15 misdemeanor.

16 c. If a person commits interference with official
17 acts, as defined in this subsection, which results
18 in serious injury, the person commits an aggravated
19 misdemeanor.

20 d. If a person commits an interference with
21 official acts, as defined in this subsection, and in so
22 doing inflicts bodily injury other than serious injury,
23 that person commits an aggravated misdemeanor.
24 e. If a person commits an interference with
25 official acts, as defined in this subsection, and in so
26 doing inflicts or attempts to inflict serious injury,
27 or displays a dangerous weapon, as defined in section
28 702.7, or is armed with a firearm, that person commits
29 a class "D" felony.

30 2. a. A person under the custody, control, or
31 supervision of the department of corrections who
32 knowingly resists, obstructs, or interferes with a
33 correctional officer, agent, employee, or contractor,
34 whether paid or volunteer, in the performance of
35 the person's official duties, commits a serious
36 misdemeanor.

37 b. If a person violates this subsection and in so
38 doing commits an assault, as defined in section 708.1,
39 the person commits an aggravated misdemeanor.
40 c. If a person violates this subsection and the
41 violation results in bodily injury to another, the
42 person commits an aggravated misdemeanor.
43 d. If a person violates this subsection and the
44 violation results in serious injury to another, the
45 person commits a class "D" felony.
46 e. If a person violates this subsection and in so
47 doing inflicts or attempts to inflict bodily injury
48 other than serious injury to another, displays a
49 dangerous weapon, as defined in section 702.7, or is
50 armed with a firearm, the person commits a class "D"

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1 felony.
2 f. If a person violates this subsection and uses
3 or attempts to use a dangerous weapon, as defined in
4 section 702.7, or inflicts serious injury to another,
5 the person commits a class "C" felony.>

ROBERT M. HOGG
CHARLES SCHNEIDER

S-3101

1 Amend Senate File 371 as follows:
2 1. By striking page 2, line 30, through page 3,
3 line 1, and inserting <based upon criteria established
4 by the department.>
5 2. Page 3, after line 13 by inserting:
6 <h. Special registration plates with a processed
7 emblem that were approved and in production prior to
8 the effective date of this Act shall continue to be
9 issued according to the terms of the law under which
10 those plates were authorized.>
11 3. By renumbering as necessary.

CHRIS BRASE

S-3102

1 Amend Senate File 363 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. LEGISLATIVE FINDINGS. The general
5 assembly finds that establishing a sound criminal
6 justice and public health policy toward individuals
7 living with a contagious or infectious disease is

8 consistent with an evidence-based approach to disease
9 control that focuses on prevention strategies that
10 include notification of current and previously exposed
11 partners, evidence-based behavioral risk-reduction
12 programming, promotion of voluntary disclosure to
13 sexual and needle-sharing partners, and suppression of
14 viral load through engagement in care and treatment
15 programs.

16 Sec. 2. Section 141A.3, subsection 2, Code 2013, is
17 amended by adding the following new paragraph:
18 NEW PARAGRAPH. 0e. Subject to availability
19 of funding, develop and implement a comprehensive
20 prevention program for individuals with HIV that
21 includes engagement and retention in HIV care
22 activities, risk reduction and behavioral prevention
23 programming, partner notification services, case
24 management and other supportive services, and
25 assistance with health insurance coverage or medication
26 costs for low-income individuals.>

27 2. Title page, line 1, by striking <the intentional
28 transmission of a>

29 3. Title page, line 2, by striking <disease, and
30 providing penalties.> and inserting <diseases.>

STEVEN J. SODDERS

S-3103

1 Amend Senate File 374 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. DRUG PRODUCT SELECTION EDUCATION. The
5 board of pharmacy, in collaboration with the board of
6 medicine, shall develop and distribute an education
7 plan to create awareness among doctors and pharmacists
8 about the importance of the state's drug product
9 selection law in managing patients with epilepsy. The
10 board of pharmacy shall submit a report to the general
11 assembly on the status of the education effort by
12 January 1, 2015.>

MICHAEL BREITBACH

S-3104

1 Amend the amendment, S-3102, to Senate File 363 as
2 follows:

3 1. Page 1, by striking lines 4 through 30 and
4 inserting:

5 <<Section 1. LEGISLATIVE FINDINGS. The general
6 assembly finds that establishing a sound criminal
7 justice and public health policy toward individuals

8 living with a contagious or infectious disease is
9 consistent with an evidence-based approach to disease
10 control that focuses on prevention strategies that
11 include notification of current and previously exposed
12 partners, evidence-based behavioral risk-reduction
13 programming, promotion of voluntary disclosure to
14 sexual and needle-sharing partners, and suppression of
15 viral load through engagement in care and treatment
16 programs.

17 Sec. 2. NEW SECTION. 709D.1 Title.

18 This chapter shall be known and may be cited as the
19 “Contagious or Infectious Disease Transmission Act”.

20 Sec. 3. NEW SECTION. 709D.2 Definitions.

21 As used in this chapter, unless the context
22 otherwise requires:

23 1. “Contagious or infectious disease” means
24 hepatitis in any form, meningococcal disease, AIDS or
25 HIV as defined in section 141A.1, or tuberculosis.

26 2. “Exposes” means engaging in conduct that poses
27 a substantial risk of transmission, but does not
28 include conduct posing a low or negligible risk of
29 transmission, consistent with guidance issued by the
30 centers for disease control and prevention of the
31 United States department of health and human services.

32 3. “Practical means to prevent transmission” means
33 substantial compliance with a treatment regimen
34 prescribed by a health care provider that measurably
35 limits the risk of transmission of the contagious
36 or infectious disease, substantial compliance with
37 behavioral recommendations of the infected person’s
38 health care provider or public health officials to
39 measurably limit the risk of transmission of the
40 contagious or infectious disease, or other methods
41 generally accepted by the medical profession to
42 measurably limit the risk of transmission of the
43 contagious or infectious disease, such as use of
44 a medically indicated respiratory mask or use of a
45 prophylactic device.

46 Sec. 4. NEW SECTION. 709D.3 Criminal transmission
47 of a contagious or infectious disease.

48 1. A person commits a class “C” felony when the
49 person knows the person is infected with a contagious
50 or infectious disease and exposes an uninfected person

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1 to the contagious or infectious disease with the intent
2 that the uninfected person contract the contagious or
3 infectious disease, and the conduct results in the
4 uninfected person becoming infected with the contagious
5 or infectious disease.

6 2. A person commits a class “D” felony when the

7 person knows the person is infected with a contagious
8 or infectious disease and exposes an uninfected person
9 to the contagious or infectious disease with the intent
10 that the uninfected person contract the contagious or
11 infectious disease, but the conduct does not result
12 in the uninfected person becoming infected with the
13 contagious or infectious disease.

14 3. A person commits an aggravated misdemeanor
15 when the person knows the person is infected with
16 a contagious or infectious disease and exposes an
17 uninfected person to the contagious or infectious
18 disease acting with a reckless disregard as to whether
19 the uninfected person contracts the contagious or
20 infectious disease, and the conduct results in the
21 uninfected person becoming infected with the contagious
22 or infectious disease.

23 4. A person commits a serious misdemeanor when the
24 person knows the person is infected with a contagious
25 or infectious disease and exposes an uninfected person
26 to the contagious or infectious disease acting with a
27 reckless disregard as to whether the uninfected person
28 contracts the contagious or infectious disease, but
29 the conduct does not result in the uninfected person
30 becoming infected with the contagious or infectious
31 disease.

32 5. The act of becoming pregnant while infected
33 with a contagious or infectious disease, continuing
34 a pregnancy while infected with a contagious or
35 infectious disease, or declining treatment for a
36 contagious or infectious disease during pregnancy shall
37 not constitute a crime under this chapter.

38 6. Evidence that a person knows the person is
39 infected with a contagious or infectious disease and
40 has engaged in conduct that exposes others to the
41 contagious or infectious disease, regardless of the
42 frequency of the conduct, is insufficient on its own
43 to prove the intent to transmit the contagious or
44 infectious disease.

45 7. A person does not act with the intent required
46 pursuant to subsection 1 or 2, or with the reckless
47 disregard required pursuant to subsection 3 or
48 4, if the person takes practical means to prevent
49 transmission, or if the person informs the uninfected
50 person that the person has a contagious or infectious

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1 disease and offers to take practical means to
2 prevent transmission but that offer is rejected by
3 the uninfected person subsequently exposed to the
4 infectious or contagious disease.

5 8. It is an affirmative defense to a charge under

6 this section if the person exposed to the contagious or
7 infectious disease knew that the infected person was
8 infected with the contagious or infectious disease at
9 the time of the exposure and consented to exposure with
10 that knowledge.

11 Sec. 5. Section 141A.3, subsection 2, Code 2013, is
12 amended by adding the following new paragraph:

13 NEW PARAGRAPH. 0e. Subject to availability
14 of funding, develop and implement a comprehensive
15 prevention program for individuals with HIV that
16 includes engagement and retention in HIV care
17 activities, risk reduction and behavioral prevention
18 programming, partner notification services, case
19 management and other supportive services, and
20 assistance with health insurance coverage or medication
21 costs for low-income individuals.

22 Sec. 6. Section 141A.9, subsection 2, paragraph i,
23 Code 2013, is amended to read as follows:

24 i. Pursuant to sections 915.42 and 915.43, to a
25 convicted or alleged sexual assault offender; the
26 physician or other health care provider who orders the
27 test of a convicted or alleged offender; the victim;
28 the parent, guardian, or custodian of the victim if
29 the victim is a minor; the physician of the victim if
30 requested by the victim; the victim counselor or person
31 requested by the victim to provide counseling regarding
32 the HIV-related test and results; the victim's spouse;
33 persons with whom the victim has engaged in vaginal,
34 anal, or oral intercourse subsequent to the sexual
35 assault; members of the victim's family within the
36 third degree of consanguinity; and the county attorney
37 who ~~may use the results as evidence in the prosecution~~
38 ~~of sexual assault under chapter 915, subchapter V, or~~
39 ~~prosecution of the offense of criminal transmission~~
40 ~~of HIV under chapter 709C filed the petition for~~
41 HIV-related testing under section 915.42. For the
42 purposes of this paragraph, "victim" means victim as
43 defined in section 915.40.

44 Sec. 7. Section 692A.101, subsection 1, paragraph
45 a, subparagraph (9), Code 2013, is amended by striking
46 the subparagraph.

47 Sec. 8. Section 692A.102, subsection 1, paragraph
48 c, subparagraph (23), Code 2013, is amended by striking
49 the subparagraph.

50 Sec. 9. Section 915.43, subsections 4 and 5, Code

1 2013, are amended to read as follows:

2 4. Results of a test performed under this
3 subchapter, except as provided in subsection 13,
4 shall be disclosed only to the physician or other

5 practitioner who orders the test of the convicted or
6 alleged offender; the convicted or alleged offender;
7 the victim; the victim counselor or person requested
8 by the victim to provide counseling regarding the
9 HIV-related test and results; the physician of
10 the victim if requested by the victim; the parent,
11 guardian, or custodian of the victim, if the victim is
12 a minor; and the county attorney who filed the petition
13 for HIV-related testing under this chapter, ~~who may use~~
14 ~~the results to file charges of criminal transmission of~~
15 ~~HIV under chapter 709C.~~ Results of a test performed
16 under this subchapter shall not be disclosed to any
17 other person without the written informed consent of
18 the convicted or alleged offender. A person to whom
19 the results of a test have been disclosed under this
20 subchapter is subject to the confidentiality provisions
21 of section 141A.9, and shall not disclose the results
22 to another person except as authorized by section
23 141A.9, subsection 2, paragraph "i".
24 5. If testing is ordered under this subchapter,
25 the court shall also order periodic testing of the
26 convicted offender during the period of incarceration,
27 probation, or parole or of the alleged offender during
28 a period of six months following the initial test if
29 the physician or other practitioner who ordered the
30 initial test of the convicted or alleged offender
31 certifies that, based upon prevailing scientific
32 opinion regarding the maximum period during which the
33 results of an HIV-related test may be negative for a
34 person after being HIV-infected, additional testing is
35 necessary to determine whether the convicted or alleged
36 offender was HIV-infected at the time the sexual
37 assault or alleged sexual assault was perpetrated.
38 The results of the test conducted pursuant to this
39 subsection shall be released only to the physician or
40 other practitioner who orders the test of the convicted
41 or alleged offender, the convicted or alleged offender,
42 the victim counselor or person requested by the victim
43 to provide the counseling regarding the HIV-related
44 test and results who shall disclose the results to the
45 petitioner, the physician of the victim, if requested
46 by the victim, and the county attorney who ~~may use~~
47 ~~the results as evidence in the prosecution of the~~
48 ~~sexual assault or in the prosecution of the offense of~~
49 ~~criminal transmission of HIV under chapter 709C~~ filed
50 the petition for HIV-related testing under section

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- 1 915.42.
- 2 Sec. 10. REPEAL. Chapter 709C, Code 2013, is
- 3 repealed.>

4 2. Title page, line 1, by striking <relating to the
5 intentional transmission of> and inserting <creating
6 criminal offenses relating to>>

STEVEN J. SODDERS

S-3105

1 Amend House File 472, as passed by the House, as
2 follows:
3 1. Page 1, line 13, after <therapist,> by inserting
4 <school nurse,>

BRIAN SCHOENJAHN
AMY SINCLAIR

S-3106

1 Amend House File 215, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5

<DIVISION I
6 INSTRUCTIONAL HOURS

7 Section 1. Section 256.7, subsection 19, Code 2013,
8 is amended to read as follows:
9 19. Define ~~the minimum school day as a day~~
10 ~~consisting of five and one half hours of instructional~~
11 ~~time for grades one through twelve. The minimum days~~
12 ~~or hours as time that shall be exclusive of the lunch~~
13 ~~period, but may include passing time between classes.~~
14 Time spent on parent-teacher conferences shall be
15 considered instructional time. ~~A school or school~~
16 ~~district may record a day of school with less than the~~
17 ~~minimum instructional hours as a minimum school day if~~
18 ~~any of the following apply:~~
19 ~~a. If emergency health or safety factors require~~
20 ~~the late arrival or early dismissal of students on a~~
21 ~~specific day.~~
22 ~~b. If the total hours of instructional school~~
23 ~~time for grades one through twelve for any five~~
24 ~~consecutive school days equal a minimum of twenty seven~~
25 ~~and one half hours, even though any one day of~~
26 ~~school is less than the minimum instructional hours~~
27 ~~because of a staff development opportunity provided~~
28 ~~for the professional instructional staff or because~~
29 ~~parent teacher conferences have been scheduled~~
30 ~~beyond the regular school day. Furthermore, if the~~
31 ~~total hours of instructional time for the first four~~
32 ~~consecutive days equal at least twenty seven and~~
33 ~~one half hours because parent teacher conferences~~
34 ~~have been scheduled beyond the regular school day, a~~

35 ~~school or school district may record zero hours of~~
36 ~~instructional time on the fifth consecutive school day~~
37 ~~as a minimum school day.~~

38 Sec. 2. Section 256F.4, subsection 5, Code 2013, is
39 amended to read as follows:

40 5. A charter school or innovation zone school shall
41 provide instruction for at least the number of days
42 or hours required by section 279.10, subsection 1, ~~or~~
43 ~~shall provide at least the equivalent number of total~~
44 ~~hours.~~

45 Sec. 3. Section 279.10, subsection 1, Code 2013, is
46 amended to read as follows:

47 1. The school year for each school district and
48 accredited nonpublic school shall begin on the first
49 day of July 1 and each regularly established elementary
50 and secondary school shall begin no sooner than a day

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1 during the calendar week in which the first day of
2 September falls but no later than the first Monday
3 in December. However, if the first day of September
4 falls on a Sunday, school may begin on a day during
5 the calendar week which immediately precedes the
6 first day of September. ~~School shall continue for~~
7 ~~at least one hundred eighty days, except as provided~~
8 ~~in subsection 3, and may be maintained~~ The school
9 calendar shall include not less than one hundred
10 eighty days, except as provided in subsection 3,
11 or one thousand eighty hours of instruction during
12 the entire calendar year. However, if The board of
13 directors of a school district and the authorities in
14 charge of an accredited nonpublic school shall set the
15 number of days or hours of required attendance for the
16 school year as provided in section 299.1, subsection
17 2, but the board of directors of a school district
18 shall hold a public hearing on any proposed school
19 calendar prior to adopting the school calendar. If the
20 board of directors of a district or the authorities
21 in charge of an accredited nonpublic school extends
22 the school calendar because inclement weather caused
23 the school district or accredited nonpublic school to
24 temporarily close school during the regular school
25 calendar, the school district or accredited nonpublic
26 school may excuse a graduating senior who has met
27 district or school requirements for graduation from
28 attendance during the extended school calendar. A
29 school corporation may begin employment of personnel
30 for in-service training and development purposes before
31 the date to begin elementary and secondary school.
32 Sec. 4. Section 279.10, subsection 2, Code 2013, is
33 amended to read as follows:

34 2. The board of directors shall hold a public
35 hearing on any proposal relating to the school calendar
36 prior to submitting it to the department of education
37 for approval.

38 Sec. 5. Section 299.1, subsection 2, Code 2013, is
39 amended to read as follows:

40 2. The board of directors of a public school
41 district or the governing body of an accredited
42 nonpublic school shall set the number of days or
43 hours of required attendance for the schools under
44 its control. The board of directors of a public
45 school district or the governing body of an accredited
46 nonpublic school may, by resolution, require attendance
47 for the entire time when the schools are in session in
48 any school year and adopt a policy or rules relating
49 to the reasons considered to be valid or acceptable
50 excuses for absence from school.

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1 Sec. 6. Section 299.4, subsection 1, Code 2013, is
2 amended to read as follows:

3 1. The parent, guardian, or legal custodian of a
4 child who is of compulsory attendance age, who places
5 the child under competent private instruction under
6 either section 299A.2 or 299A.3, not in an accredited
7 school or a home school assistance program operated by
8 a school district or accredited nonpublic school, shall
9 furnish a report in duplicate on forms provided by the
10 public school district, to the district by ~~the earliest~~
11 ~~starting date specified in section 279.10, subsection 1~~
12 September 1 of the school year in which the child will
13 be under competent private instruction. The secretary
14 shall retain and file one copy and forward the other
15 copy to the district's area education agency. The
16 report shall state the name and age of the child, the
17 period of time during which the child has been or will
18 be under competent private instruction for the year,
19 an outline of the course of study, texts used, and
20 the name and address of the instructor. The parent,
21 guardian, or legal custodian of a child, who is placing
22 the child under competent private instruction for
23 the first time, shall also provide the district with
24 evidence that the child has had the immunizations
25 required under section 139A.8, and, if the child is
26 elementary school age, a blood lead test in accordance
27 with section 135.105D. The term "outline of course of
28 study" shall include subjects covered, lesson plans,
29 and time spent on the areas of study.

30 Sec. 7. EFFECTIVE DATE. This division of this Act
31 takes effect July 1, 2014.

32 DIVISION II

IOWA ONLINE INITIATIVE — FEES

Sec. 8. Section 256.42, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 8. a. Beginning July 1, 2016, the department shall establish fees payable by school districts and accredited nonpublic schools participating in the initiative. Fees collected pursuant to this subsection shall be deposited in the general fund of the state and shall be established so as not to exceed the cost of administering this section.

b. Costs of administering this section include the costs of providing professional development necessary to prepare teachers to participate in the initiative, providing supervision of usage of the initiative by licensed teachers, acquiring and maintaining equipment and services necessary for use of the initiative, facilitating access to the initiative

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by school districts and accredited nonpublic schools, and necessary recordkeeping and accounting. Costs of administering this section do not include any of the following:

(1) Costs of course development.

(2) Costs of purchasing access to course materials unless such costs are charged on the basis of usage.

DIVISION III

TRAINING AND EMPLOYMENT OF TEACHERS

Sec. 9. NEW SECTION. 256.96 Online state job posting system.

1. The department shall provide for the operation of an online state job posting system. The system shall be designed and implemented for the online posting of job openings offered by school districts, charter schools, area education agencies, the department, and accredited nonpublic schools. The system shall be accessible via the department's internet site. The system shall include a mechanism for the electronic submission of job openings for posting on the system as provided in subsection 2. The system and each job posting on the system shall include a statement that an employer submitting a job opening for posting on the system will not discriminate in hiring on the basis of race, ethnicity, national origin, gender, age, physical disability, sexual orientation, gender identity, religion, marital status, or status as a veteran. The department may contract for, or partner with another entity for, the use of an existing internet site to operate the online state job posting system if the existing internet site is more

32 effective and economical than the department's internet
33 site.

34 2. A school district, charter school, or area
35 education agency shall submit all of its job openings
36 to the department for posting on the system. The
37 department shall post all of its job openings on the
38 system. An accredited nonpublic school may submit job
39 openings to the department for posting on the system.

40 3. This section shall not be construed to do any of
41 the following:

42 a. Prohibit any employer from advertising job
43 openings and recruiting employees independently of the
44 system.

45 b. Prohibit any employer from using another method
46 of advertising job openings or another applicant
47 tracking system in addition to the system.

48 c. Provide the department with any regulatory
49 authority in the hiring process or hiring decisions of
50 any employer other than the department.

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1 Sec. 10. NEW SECTION. 261.110 Teach Iowa scholar
2 program.

3 1. Contingent on a specific appropriation for these
4 purposes, a teach Iowa scholar program is established
5 to provide teach Iowa scholar grants to selected
6 high-caliber teachers. The commission shall administer
7 the program in consultation with the department of
8 education.

9 2. An Iowa resident applicant shall be eligible
10 for a teach Iowa scholar grant if the applicant meets
11 all of the criteria specified under, or established in
12 accordance with, subsection 3.

13 3. Criteria for eligibility shall be established by
14 the commission and shall include but are not limited
15 to the following:

16 a. The applicant was in the top twenty-five percent
17 academically of students exiting a teacher preparation
18 program approved by the state board of education
19 pursuant to section 256.7, subsection 3, or a similar
20 teacher preparation program in another state, had
21 earned other comparable academic credentials, or had
22 achieved comparable assessment scores.

23 b. The applicant is preparing to teach in fields
24 including but not limited to science, technology,
25 engineering, or mathematics; English as a second
26 language or special education instruction; or is
27 preparing to teach in a hard-to-staff subject as
28 identified by the department. The department shall
29 take into account the varying regional needs in the
30 state for teachers in these subject areas when applying

31 the criterion of this paragraph. The department shall
32 annually identify and designate hard-to-staff subjects
33 for the purpose of this paragraph. The eligibility
34 of an applicant who receives a teach Iowa scholar
35 grant and who is preparing to teach in a hard-to-staff
36 subject as identified by the department shall not be
37 affected in subsequent years if the department does not
38 continue to identify that subject as a hard-to-staff
39 subject.

40 4. A selected applicant who meets all of the
41 eligibility requirements of this section shall be
42 eligible for a teach Iowa scholar grant for each year
43 of full-time employment completed in this state as a
44 teacher for a school district, charter school, area
45 education agency, or accredited nonpublic school. A
46 teach Iowa scholar grant shall not exceed four thousand
47 dollars per year per recipient. Grants awarded under
48 this section shall not exceed a total of twenty
49 thousand dollars per recipient over a five-year period.
50 5. The commission shall adopt rules pursuant to

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1 chapter 17A to administer this section. The rules
2 shall include but shall not be limited to a process
3 for use by the commission to determine which eligible
4 applicants will receive teach Iowa scholar grants.

5 6. A teach Iowa scholar fund is established in the
6 state treasury. The fund shall be administered by the
7 commission and shall consist of moneys appropriated by
8 the general assembly and any other moneys received by
9 the commission for deposit in the fund.

10 DIVISION IV

11 TEACHER AND ADMINISTRATOR MATTERS

12 Sec. 11. Section 256.9, subsection 51, Code 2013,
13 is amended to read as follows:

14 51. Develop, and periodically review and
15 revise as necessary, with significant input from
16 Iowa administrators. Iowa standards for school
17 administrators, including knowledge and skill
18 criteria, and develop, based on the Iowa standards
19 for administrators, mentoring and induction,
20 evaluation processes, and professional development
21 plans pursuant to chapter 284A. The standards shall
22 align with nationally accepted school administrator
23 standards, and be designed specifically for purposes
24 of chapters 272 and 284A. The criteria shall further
25 define the characteristics of quality administrators
26 as established by the Iowa standards for school
27 administrators.

28 Sec. 12. Section 256.9, Code 2013, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 63. a. Develop and implement a
31 coaching and support system for teachers aligned with
32 the state models and comparable systems approved as
33 provided in section 284.15.

34 b. Develop and implement a coaching and support
35 system for administrators aligned with the beginning
36 administrator mentoring and induction program created
37 pursuant to section 284A.5.

38 Sec. 13. Section 284.8, subsection 1, Code 2013, is
39 amended to read as follows:

40 1. a. A school district shall provide for an
41 annual review of each teacher's performance for
42 purposes of assisting teachers in making continuous
43 improvement, developing skills to enrich a teacher's
44 professional life while increasing student learning,
45 documenting continued competence in the Iowa teaching
46 standards, identifying teachers in need of improvement,
47 or ~~to determine~~ determining whether the teacher's
48 practice meets school district expectations for
49 career advancement in accordance with ~~section 284.7~~
50 this chapter. The review shall include, at minimum,

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1 classroom observation of the teacher, the teacher's
2 progress, and implementation of the teacher's
3 individual professional development plan, subject
4 to the level of resources provided to implement the
5 plan; and shall include supporting documentation from
6 parents, students, and other teachers.

7 b. The first and second year of review shall
8 be conducted by a peer group of at least three but
9 not more than six teachers selected by the building
10 principal in consultation with teachers and the
11 building's certified bargaining representative, if
12 any. Each teacher shall be assigned to a peer group
13 and shall receive adequate training prior to conducting
14 a peer group review. A teacher who participates in a
15 peer group review shall be provided release time for
16 the training and for the time spent in conducting the
17 peer group review. If the process requires that a
18 participating teacher work beyond regular hours, the
19 teacher shall be paid the teacher's per diem rate.
20 The peer group shall be established to reflect common
21 grade level, subject matter expertise, curriculum, and
22 proximity or other previously established grouping
23 of individuals employed to provide instruction to
24 students. The peer group shall review all of the peer
25 group members. Peer group reviews shall be supportive
26 and formative and shall be conducted on an informal,
27 confidential, collaborative basis that is focused
28 on assisting each peer group member in achieving

the goals of the teacher's individual professional development plan. If a conflict develops between persons participating in a peer group review, an effort shall be made to mediate the conflict.

c. Peer group reviews shall not be the basis for recommending that a teacher participate in an intensive assistance program, and shall not be used to determine the compensation, promotion, layoff, or termination of a teacher, or any other determination affecting a teacher's employment status. However, as a result of a peer group review, a teacher may elect to participate in an intensive assistance program.

d. Members of the peer group shall be reviewed every third year by at least one evaluator certified in accordance with section 284.10.

e. The teacher who is the subject of a peer review shall have exclusive right to all documentation created as a result of the peer group review process. Content of a peer group review shall not be incorporated into a summative evaluation.

DIVISION V

IOWA TEACHER CAREER AND COMPENSATION MATTERS

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Sec. 14. Section 257.1, subsection 2, paragraph b, Code 2013, is amended to read as follows:

b. For the budget year commencing July 1, 1999, and for each succeeding budget year the regular program foundation base per pupil is eighty-seven and five-tenths percent of the regular program state cost per pupil. For the budget year commencing July 1, 1991, and for each succeeding budget year the special education support services foundation base is seventy-nine percent of the special education support services state cost per pupil. The combined foundation base is the sum of the regular program foundation base, the special education support services foundation base, the total teacher salary supplement district cost, the total professional development supplement district cost, the total early intervention supplement district cost, the total teacher leadership supplement district cost, the total area education agency teacher salary supplement district cost, and the total area education agency professional development supplement district cost.

Sec. 15. Section 257.1, subsection 3, Code 2013, is amended to read as follows:

3. Computations rounded. In making computations and payments under this chapter, except in the case of computations relating to funding of special education support services, media services, and educational

28 services provided through the area education agencies,
29 and the teacher salary supplement, the professional
30 development supplement, ~~and~~ the early intervention
31 supplement, and the teacher leadership supplement, the
32 department of management shall round amounts to the
33 nearest whole dollar.

34 Sec. 16. Section 257.4, subsection 1, paragraph
35 a, Code 2013, is amended by adding the following new
36 subparagraph:

37 NEW SUBPARAGRAPH. (8) The total teacher leadership
38 supplement district cost.

39 Sec. 17. Section 257.8, subsection 2, Code 2013, is
40 amended to read as follows:

41 2. Categorical state percent of growth. The
42 categorical state percent of growth for the budget
43 year beginning July 1, 2010, is two percent. The
44 categorical state percent of growth for the budget
45 year beginning July 1, 2012, is two percent. The
46 categorical state percent of growth for each budget
47 year shall be established by statute which shall
48 be enacted within thirty days of the submission in
49 the year preceding the base year of the governor's
50 budget under section 8.21. The establishment of the

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1 categorical state percent of growth for a budget year
2 shall be the only subject matter of the bill which
3 enacts the categorical state percent of growth for a
4 budget year. The categorical state percent of growth
5 may include state percents of growth for the teacher
6 salary supplement, the professional development
7 supplement, ~~and~~ the early intervention supplement, and
8 the teacher leadership supplement.

9 Sec. 18. Section 257.9, Code 2013, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 11. Teacher leadership supplement
12 state cost per pupil. For the budget year beginning
13 July 1, 2014, the teacher leadership supplement state
14 cost per pupil shall be four hundred dollars payable
15 to the school districts implementing a state model
16 or comparable system approved as provided in section
17 284.15. The teacher leadership supplement state cost
18 per pupil for the budget year beginning July 1, 2015,
19 and succeeding budget years, shall be the teacher
20 leadership supplement state cost per pupil for the
21 base year plus an allowable growth amount that is
22 equal to the teacher leadership supplement categorical
23 state percent of growth, pursuant to section 257.8,
24 subsection 2, for the budget year, multiplied by the
25 teacher leadership supplement state cost per pupil for
26 the base year.

27 Sec. 19. Section 257.10, subsection 8, paragraph a,
28 Code 2013, is amended to read as follows:

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

44 Sec. 20. Section 257.10, Code 2013, is amended by
45 adding the following new subsection:

46 NEW SUBSECTION. 12. Teacher leadership supplement
47 cost per pupil and district cost.

48 a. For the budget year beginning July 1, 2014, the
49 teacher leadership supplement district cost per pupil
50 shall be four hundred dollars. For the budget year

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1 beginning July 1, 2015, and succeeding budget years,
2 the teacher leadership supplement district cost per
3 pupil for each school district for a budget year is the
4 teacher leadership supplement program district cost per
5 pupil for the base year plus the teacher leadership
6 supplement state allowable growth amount for the budget
7 year.

8 b. For the budget year beginning July 1, 2015,
9 and succeeding budget years, if the department of
10 management determines that the unadjusted teacher
11 leadership supplement district cost of a school
12 district for a budget year is less than one hundred
13 percent of the unadjusted teacher leadership
14 supplement district cost for the base year for the
15 school district, the school district shall receive a
16 budget adjustment for that budget year equal to the
17 difference.

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

23 (2) The total teacher leadership supplement
24 district cost is the sum of the unadjusted teacher
25 leadership supplement district cost plus the budget

26 adjustment for that budget year.
27 d. For the budget year beginning July 1, 2014,
28 and succeeding budget years, the use of the funds
29 calculated under this subsection shall comply with the
30 requirements of chapter 284 and shall be distributed
31 to teachers pursuant to section 284.15 and to pay
32 salary supplements to teachers assigned to leadership
33 roles, to increase the percentages of teachers
34 assigned to leadership roles, to increase the minimum
35 teacher salaries, to cover the costs for the time when
36 teachers assigned to leadership roles are not providing
37 instruction to students in a classroom, for coverage
38 of a classroom when an initial or career teacher is
39 observing or coteaching with a teacher assigned to a
40 leadership role, for professional development time to
41 learn best practices associated with the leadership
42 process, for other costs associated with a comparable
43 system pursuant to section 284.15, and to accomplish
44 goals that include improving instruction and elevating
45 the quality of teaching and student learning.
46 Sec. 21. Section 257.16, subsection 4, Code 2013,
47 is amended to read as follows:
48 4. Notwithstanding any provision to the contrary,
49 if the governor orders budget reductions in accordance
50 with section 8.31, the teacher salary supplement

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1 district cost, the professional development supplement
2 district cost, ~~and~~ the early intervention supplement
3 district cost, and the teacher leadership supplement
4 district cost as calculated under section 257.10,
5 subsections 9, 10, ~~and~~ 11, and 12, and the area
6 education agency teacher salary supplement district
7 cost and the area education agency professional
8 development supplement district cost as calculated
9 under section 257.37A, subsections 1 and 2, shall be
10 paid in full as calculated and the reductions in the
11 appropriations provided in accordance with this section
12 shall be reduced from the remaining moneys appropriated
13 pursuant to this section and shall be distributed on a
14 per pupil basis calculated with the weighted enrollment
15 determined in accordance with section 257.6, subsection
16 5.
17 Sec. 22. Section 284.2, subsections 1 and 8, Code
18 2013, are amended to read as follows:
19 1. "Beginning teacher" means an individual serving
20 under an initial or intern license, issued ~~by the board~~
21 ~~of educational examiners~~ under chapter 272, who is
22 assuming a position as a teacher. "Beginning teacher"
23 includes an individual who is an initial teacher.
24 For purposes of the beginning teacher mentoring

and induction program created pursuant to section 284.5, “beginning teacher” also includes preschool teachers who are licensed ~~by the board of educational examiners~~ under chapter 272 and are employed by a school district or area education agency. “Beginning teacher” does not include a teacher whose employment with a school district or area education agency is probationary unless the teacher is serving under an initial or teacher intern license issued ~~by the board of educational examiners~~ under chapter 272.

8. “Performance review” means a summative evaluation of a teacher other than a beginning teacher ~~and that is~~ used to determine whether the teacher’s practice meets school district expectations and the Iowa teaching standards; and to determine whether the teacher’s practice meets school district expectations for career advancement in accordance with ~~section 284.7 this~~ chapter.

Sec. 23. Section 284.3, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. For purposes of comprehensive evaluations ~~for~~ standards and criteria which measure a beginning teachers required to allow beginning teachers to progress to career teachers, standards and criteria that are teacher’s performance against the Iowa teaching standards specified in subsection 1, and the

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1 criteria for the Iowa teaching standards developed
2 by the department in accordance with section 256.9,
3 subsection 46, to determine whether the teacher’s
4 practice meets the requirements specified for a career
5 teacher. These standards and criteria shall be set
6 forth in an instrument provided by the department. The
7 comprehensive evaluation and instrument are not subject
8 to negotiations or grievance procedures pursuant
9 to chapter 20 or determinations made by the board
10 of directors under section 279.14. A local school
11 board and its certified bargaining representative may
12 negotiate, pursuant to chapter 20, evaluation and
13 grievance procedures for beginning teachers that are
14 not in conflict with this chapter. If, in accordance
15 with section 279.19, a beginning teacher appeals the
16 determination of a school board to an adjudicator under
17 section 279.17, the adjudicator selected shall have
18 successfully completed training related to the Iowa
19 teacher standards, the criteria adopted by the state
20 board ~~of education~~ in accordance with subsection 3, and
21 any additional training required under rules adopted by
22 the public employment relations board in cooperation
23 with the state board ~~of education~~.

24 Sec. 24. Section 284.3A, subsection 2, paragraph a,
25 Code 2013, is amended to read as follows:
26 a. For the school budget year beginning July 1,
27 2010, and each succeeding school year, school districts
28 and area education agencies shall combine payments made
29 to teachers under sections 257.10 and 257.37A with
30 regular wages to create a combined salary. The teacher
31 contract issued under section 279.13 must include
32 the combined salary. If a school district or area
33 education agency uses a salary schedule, a combined
34 salary schedule shall be used for regular wages and
35 for distribution of payments under sections 257.10 and
36 257.37A, incorporating the salary minimums ~~required in~~
37 ~~section 284.7 in accordance with this chapter.~~ The
38 combined salary schedule must use only the combined
39 salary and cannot differentiate regular salaries and
40 distribution of payments under sections 257.10 and
41 257.37A.
42 Sec. 25. Section 284.5, subsection 4, Code 2013, is
43 amended to read as follows:
44 4. Each school district and area education
45 agency shall develop ~~an initial beginning teacher~~
46 ~~mentoring and induction~~ a plan for the program. A
47 school district shall include its plan in the school
48 district's comprehensive school improvement plan
49 submitted pursuant to section 256.7, subsection 21.
50 The ~~beginning teacher mentoring and induction~~ plan

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1 shall, at a minimum, provide for a two-year sequence
2 of induction program content and activities to support
3 the Iowa teaching standards and beginning teacher
4 professional and personal needs; mentor training
5 that includes, at a minimum, skills of classroom
6 demonstration and coaching, and district expectations
7 for beginning teacher competence on Iowa teaching
8 standards; placement of mentors and beginning teachers;
9 the process for dissolving mentor and beginning teacher
10 partnerships; district organizational support for
11 release time for mentors and beginning teachers to
12 plan, provide demonstration of classroom practices,
13 observe teaching, and provide feedback; structure
14 for mentor selection and assignment of mentors to
15 beginning teachers; a district facilitator; and
16 program evaluation. In addition, for beginning
17 prekindergarten through grade three teachers, the plan
18 shall provide that such a teacher shall be mentored
19 in the teacher's classroom by a skilled mentor, and
20 the plan for mentoring such teachers shall incorporate
21 any recommendations offered by the Iowa reading
22 research center established pursuant to section 256.9.

23 subsection 53, paragraph “c”.

24 Sec. 26. Section 284.6, subsection 8, Code 2013, is
25 amended to read as follows:

26 8. For each year in which a school district
27 receives funds calculated and paid to school
28 districts for professional development pursuant to
29 section 257.10, subsection 10, or section 257.37A,
30 subsection 2, the school district shall create quality
31 professional development opportunities. Not less
32 than thirty-six hours in the school calendar, held
33 outside of the minimum school day, shall be set aside
34 during nonpreparation time or designated professional
35 development time to allow practitioners to collaborate
36 with each other to deliver educational programs and
37 assess student learning, or to engage in peer group
38 review pursuant to section 284.8, subsection 1. The
39 ~~goal for the use of the funds is to provide one~~
40 ~~additional contract day or the equivalent thereof~~
41 ~~for professional development and use of the funds is~~
42 ~~limited may be used to providing provide~~ professional
43 development to teachers, including additional salaries
44 for time beyond the normal negotiated agreement; pay
45 for substitute teachers, professional development
46 materials, speakers, and professional development
47 content; and costs associated with implementing the
48 individual professional development plans. The use of
49 the funds shall be balanced between school district,
50 attendance center, and individual professional

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1 development plans, making every reasonable effort to
2 provide equal access to all teachers.

3 Sec. 27. Section 284.7, subsection 1, paragraph
4 a, subparagraph (2), Code 2013, is amended to read as
5 follows:

6 ~~(2) Beginning July 1, 2008~~ Except as provided in
7 a state model or comparable system approved pursuant
8 to section 284.15, the minimum salary for a beginning
9 teacher shall be twenty-eight thousand dollars.

10 Sec. 28. Section 284.7, subsection 1, paragraph
11 b, subparagraph (2), Code 2013, is amended to read as
12 follows:

13 ~~(2) Beginning July 1, 2008~~ Except as provided in
14 a state model or comparable system approved pursuant
15 to section 284.15, the minimum salary for a first-year
16 career teacher shall be thirty thousand dollars.

17 Sec. 29. Section 284.7, subsection 5, Code 2013,
18 is amended by striking the subsection and inserting in
19 lieu thereof the following:

20 5. This section is repealed July 1, 2016.

21 Sec. 30. NEW SECTION. 284.11 State supplemental

22 assistance for teachers in high-need schools.
23 1. Findings and intent. The general assembly finds
24 that Iowa school districts need to be more competitive
25 in recruiting and retaining talented teachers to teach
26 in high-need schools. Therefore, it is the intent
27 of the general assembly to encourage school districts
28 to provide supplemental assistance to teachers to
29 teach in high-need schools. This section provides for
30 state assistance to allow school districts to provide
31 supplemental assistance to motivate teachers to teach
32 in high-need schools.
33 2. Department's responsibilities. Contingent
34 on a specific appropriation for these purposes, the
35 department shall do the following:
36 a. Collect relevant data and establish a list of
37 high-need schools eligible for state supplemental
38 assistance. The department shall establish a process
39 and criteria to determine which schools are placed
40 on the list and the department shall revise the list
41 annually. Criteria for the determination of which
42 high-need schools shall be placed on the list shall be
43 based upon factors that include but are not limited
44 to the socioeconomic status of the students enrolled
45 in the school, the percentage of the school's student
46 body who are limited English proficient students,
47 student academic growth, certified instructional staff
48 attrition, and geographic balance. The department
49 may approve or disapprove requests for revision of
50 the list, which a school district submits pursuant to

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1 subsection 3.
2 b. Develop a standardized process for distributing
3 any moneys appropriated for supplemental assistance
4 for high-need schools. In determining the process for
5 distribution of such moneys, the department shall take
6 into consideration the amount of moneys appropriated
7 for supplemental assistance for teachers in high-need
8 schools for the given year and the minimal amount of
9 moneys needed per teacher to provide an incentive for
10 a teacher to accept a teaching position in a high-need
11 school. A school district receiving moneys pursuant to
12 this section shall certify annually to the department
13 how the moneys distributed to the school district
14 pursuant to this section were used by the school
15 district.
16 c. Review the use and effectiveness of the funds
17 distributed to school districts for supplemental
18 assistance for teachers in high-need schools under this
19 section. The department shall submit its findings and
20 recommendations in a report to the general assembly by

21 January 15 annually.

22 3. School district request for approval. A school
23 district may request on an annual basis approval from
24 the department for additions to the list of high-need
25 schools the department maintains pursuant to subsection
26 2 based upon the unique local conditions and needs of
27 the school district. The criteria used to determine
28 the placement of high-need schools on the list in
29 accordance with subsection 2, does not restrict the
30 department from adding a high-need school to the list
31 as requested by a school district on the basis of
32 unique local conditions and needs pursuant to this
33 subsection.

34 4. Eligibility. Teachers of all subjects taught in
35 a school included in the department's list of high-need
36 schools shall be eligible to receive supplemental
37 assistance offered in accordance with this section.
38 Notwithstanding any provision of law to the contrary,
39 the department's determination of state supplemental
40 assistance for teachers in high-need schools is not
41 subject to appeal.

42 Sec. 31. NEW SECTION. 284.15 Career path,
43 leadership role, and compensation model and comparable
44 system requirements.

45 1. Common provisions for models and comparable
46 systems. Except as otherwise provided in this section,
47 all models specified in sections 284.16, 284.17,
48 and 284.18, and any comparable system described in
49 section 284.19, shall be approved under subsection
50 12, shall meet the requirements of this section, and

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1 shall provide for a minimum salary and a residency as
2 provided in section 284.16, subsection 2, paragraph
3 "a".

4 2. Salary supplements and appeal. The salary
5 supplement received by teachers pursuant to section
6 257.10, subsection 12, shall fully cover the salary
7 costs of any additional contract days required of
8 teachers under a state model or comparable system
9 approved pursuant to this section. If a teacher
10 ends or completes a leadership role assignment, the
11 teacher shall no longer receive a salary supplement for
12 performance in a leadership role unless the teacher
13 is issued a new contract for assignment in another
14 leadership role. Notwithstanding any provision of
15 law to the contrary, the determinations of salary
16 supplements paid from moneys received pursuant to
17 section 257.10, subsection 12, are not subject to
18 appeal.

19 3. Review councils. The school board implementing

20 a state model pursuant to section 284.16, 284.17, or
21 284.18, shall appoint a site-based review council
22 if the school district has a certified enrollment of
23 six hundred or more students, or a district-based
24 review council if the school district has a certified
25 enrollment of less than six hundred students.

26 a. Each council shall be comprised of equal numbers
27 of teachers and administrators. Teacher members
28 shall include teachers who have been nominated by
29 the certified employee organization that represents
30 the school district's teachers, if such organization
31 exists, or, if such organization does not exist, by a
32 teacher quality committee.

33 b. The council shall accept and review
34 applications for initial or renewal leadership role
35 assignments which are submitted to the school's
36 or school district's administration and shall make
37 recommendations regarding the applications to the
38 superintendent of the school district. In developing
39 recommendations, the council shall utilize measures
40 of teacher effectiveness and professional growth,
41 consider the needs of the school district, and review
42 the performance and professional development of the
43 applicants. Any teacher recommended by a review
44 council for assignment or reassignment in a leadership
45 role shall have demonstrated to the council's
46 satisfaction competency on the Iowa teaching standards
47 as set forth in section 284.3.

48 4. Leadership role assignment. An assignment to a
49 teacher leadership role pursuant to this chapter shall
50 be subject to review by the school's or the school

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1 district's administration, in consultation with the
2 review council, at least annually. The review shall
3 include peer feedback on the effectiveness of the
4 teacher's performance of duty specific to the teacher's
5 leadership role. A teacher who completes the time
6 period of assignment in a teacher leadership role
7 may submit to the school's or the school district's
8 administration an application for assignment in a
9 new role or for reassignment as appropriate. The
10 administration shall share the application with the
11 review council constituted pursuant to subsection 3,
12 paragraph "a".

13 5. Status quo. A teacher employed in a school
14 district shall not receive less compensation in that
15 district than the teacher received in the school year
16 preceding participation, as set forth in section 284.4,
17 due to implementation of a state model or comparable
18 system approved pursuant to this section. A teacher

19 who achieves national board for professional teaching
20 standards certification and meets the requirements of
21 section 256.44 shall continue to receive the award
22 as specified in section 256.44 in addition to the
23 compensation set forth in this chapter.

24 6. Early implementation. Prior to July 1, 2016, a
25 school district may apply to the commission on educator
26 leadership and compensation for early implementation
27 of a state model set forth in section 284.16, 284.17,
28 or 284.18, or a comparable system set forth in section
29 284.19. The commission may deny early implementation
30 of an otherwise qualified state model or comparable
31 system if the amount specified for the teacher
32 leadership supplement state cost per pupil pursuant
33 to section 257.9, subsection 11, and amount specified
34 for the teacher leadership supplement district cost
35 per pupil pursuant to section 257.10, subsection 12,
36 is insufficient to fully fund the teacher leadership
37 supplement for all eligible school districts.

38 7. Implementation. On or after July 1, 2016, each
39 school district shall implement a state model set forth
40 in section 284.16, 284.17, or 284.18, or a comparable
41 system set forth in section 284.19 for which the school
42 district received approval pursuant to this section.
43 Compliance with this section shall be determined by
44 the accreditation team authorized pursuant to section
45 256.11. A school district shall not be required to
46 fully implement a state model or comparable system
47 pursuant to this section if implementation costs
48 exceed the moneys received by the school district
49 under section 257.10, subsection 12. However, if the
50 school district's implementation costs exceed such

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1 funds, the school district shall implement as much
2 of the approved state model or comparable system as
3 reasonably possible, and shall, at a minimum, meet the
4 minimum salary requirements for an Iowa teacher as
5 provided in section 284.16, subsection 2, paragraph
6 "a", subparagraph (1).

7 8. Approval. The department shall establish an
8 application process for approval of the implementation
9 of a state model set forth in section 284.16, 284.17,
10 or 284.18, or a comparable system set forth in section
11 284.19, which a school district may implement pursuant
12 to subsection 6, or shall implement in accordance with
13 subsection 7.

14 9. Teachers emeritus. A school district is
15 encouraged to utilize appropriately licensed teachers
16 emeritus in the implementation of this section and
17 sections 284.16 through 284.19.

18 10. Attendance center applicability. A state model
19 or comparable system approved and implemented by a
20 school district in accordance with this section and
21 sections 284.16 through 284.19 shall be applicable to
22 teachers in every attendance center operated by the
23 school district.

24 11. Planning grants. Contingent on a specific
25 appropriation for these purposes, a school district
26 may apply to the commission on educator leadership
27 and compensation established pursuant to subsection
28 12 for a planning grant to design an implementation
29 strategy for a state model set forth in section 284.16,
30 284.17, or 284.18, or a comparable system set forth
31 in section 284.19. The planning grant shall be used
32 to facilitate a local decision-making process that
33 includes representation of administrators, teachers,
34 and parents and guardians of students. The department
35 shall establish and make available an application for
36 the awarding of planning grants for purposes of this
37 subsection.

38 12. Commission on educator leadership and
39 compensation. The department shall establish, and
40 provide staffing and administrative support for a
41 commission on educator leadership and compensation.
42 The commission shall monitor with fidelity the
43 implementation of the state models and comparable
44 systems by school districts approved pursuant to
45 this section. The commission shall evaluate the
46 applications submitted for approval pursuant to
47 this section and shall approve or disapprove such
48 applications. If the commission disapproves an
49 application, the commission shall specify the reasons
50 for disapproval. A school district that receives

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1 approval to implement a state model or comparable
2 system under this section is eligible to receive funds
3 under section 257.10, subsection 12. In addition,
4 the commission shall review the use and effectiveness
5 of the funds distributed to school districts for
6 supplemental assistance to teachers in high-need
7 schools under section 284.11.

8 a. The commission shall be comprised of the
9 following:

10 (1) Five teachers selected by the Iowa state
11 education association.

12 (2) Three administrators selected by the school
13 administrators of Iowa.

14 (3) Two school board members selected by the Iowa
15 association of school boards.

16 (4) Each president or president's designee of

17 the Iowa state education association, the school
18 administrators of Iowa, and the Iowa association of
19 school boards.

20 (5) The director or the director's designee.

21 b. Members shall be appointed to staggered
22 three-year terms which shall begin and end as provided
23 in section 69.19. Appointments shall comply with
24 sections 69.16, 69.16A, and 69.16C. Vacancies on the
25 commission shall be filled in the same manner as the
26 original appointment. A person appointed to fill a
27 vacancy shall serve only for the unexpired portion
28 of the term. Members are entitled to reimbursement
29 of actual expenses incurred in performance of their
30 official duties.

31 c. By December 15 annually, the commission shall
32 submit its findings and any recommendations, including
33 but not limited to any recommendations for changes
34 relating to this section and sections 284.16 through
35 284.19, and for changes to section 284.11 relating to
36 state supplemental assistance to teachers in high-need
37 schools, in a report to the director, the state board,
38 the governor, and the general assembly.

39 13. Teacher leadership supplement foundation

40 aid. a. Teacher leadership supplement foundation
41 aid calculated under section 257.10, subsection 12,
42 shall be paid as part of the state aid payments made to
43 school districts in accordance with section 257.16.

44 b. Notwithstanding section 284.3A, teacher
45 leadership supplement foundation aid shall not be
46 combined with regular wages to create a combined
47 salary.

48 c. The teacher leadership supplement district cost
49 as calculated under section 257.10, subsection 12, is
50 not subject to a uniform reduction in accordance with

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1 section 8.31.

2 d. Except as otherwise provided by law for a fiscal
3 year, of the amount appropriated statewide for that
4 fiscal year for payment of the teacher leadership
5 supplement pursuant to section 257.10, subsection 12,
6 the department may use an amount not to exceed five
7 hundred thousand dollars to provide administration and
8 oversight of the state models and comparable systems
9 approved and implemented pursuant to this section and
10 section 284.16, 284.17, 284.18, or 284.19; and to fund
11 up to two full-time equivalent positions which shall be
12 in addition to the number of positions authorized for
13 the fiscal year.

14 Sec. 32. NEW SECTION. 284.16 Teacher leadership
15 framework model.

16 1. Teacher leadership framework model —
17 purposes. To promote continuous improvement in Iowa's
18 quality teaching workforce and to give Iowa teachers
19 the opportunity for career recognition that reflects
20 the various roles teachers play as educational leaders,
21 a teacher leadership framework model is established
22 for teachers employed by school districts. A teacher
23 employed by an area education agency may be included in
24 a framework model established by a school district if
25 the area education agency and the school district enter
26 into a contract for such purpose. The framework model
27 is designed to accomplish the following goals:
28 a. To attract able and promising new teachers by
29 offering competitive starting salaries and offering
30 short-term and long-term professional development and
31 leadership opportunities.
32 b. To retain effective teachers by providing
33 enhanced career opportunities.
34 c. To promote collaboration by developing and
35 supporting opportunities for teachers in schools and
36 school districts statewide to learn from each other.
37 d. To reward professional growth and effective
38 teaching by providing for career opportunities that
39 come with increased leadership responsibilities and
40 involve increased compensation.
41 e. To improve student achievement by strengthening
42 instruction.
43 2. Model requirements. The teacher leadership
44 framework model requirements shall be as follows:
45 a. Initial teacher.
46 (1) The salary for an initial teacher who has
47 successfully completed an approved practitioner
48 preparation program as defined in section 272.1 or
49 holds an initial or intern teacher license issued
50 under chapter 272, and who participates in the initial

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1 teacher mentoring and induction program as provided in
2 this chapter, shall be at least thirty-five thousand
3 dollars, which shall also constitute the minimum salary
4 for an Iowa teacher.
5 (2) An initial teacher shall complete a teacher
6 residency during the first year of employment that has
7 all of the following characteristics:
8 (a) Mentoring by a mentor teacher or lead teacher.
9 (b) Sufficient collaboration time for the initial
10 teacher in the residency year to be able to observe and
11 learn from more experienced teachers, mentor teachers,
12 and lead teachers employed by school districts located
13 in this state.
14 (c) A teaching load of not more than seventy-five

15 percent student instruction to allow the initial
16 teacher time for observation and learning.
17 (d) A teaching contract issued under section
18 279.13 that establishes an employment period which
19 is five days longer than that required for career
20 teachers employed by the school district of employment.
21 The five additional contract days shall be used to
22 strengthen instructional leadership in accordance with
23 this section.
24 (e) Frequent observation, evaluation, and
25 professional development opportunities.
26 b. Career teacher. A career teacher is a teacher
27 who meets the requirements of section 284.17,
28 subsection 1, paragraph "b", subparagraph (1).
29 Beginning July 1, 2014, the minimum salary for a
30 first-year career teacher shall be thirty-seven
31 thousand dollars.
32 c. Model teacher. A model teacher is a teacher
33 who meets the requirements of paragraph "b", has met
34 the requirements established by the school district
35 that employs the teacher, is evaluated by the school
36 district as demonstrating the competencies of a model
37 teacher, has participated in a rigorous review process,
38 and has been recommended for a one-year assignment
39 as a model teacher by a site-based or district-based
40 review council appointed pursuant to section 284.15,
41 subsection 3. A school district shall set as a
42 goal the designation of at least ten percent of
43 its teachers as model teachers, though the district
44 may enter into an agreement with one or more other
45 districts or an area education agency to meet this
46 goal through a collaborative arrangement. The terms
47 of the teaching contracts issued under section 279.13
48 to model teachers shall exceed by five days the terms
49 of teaching contracts issued under section 279.13 to
50 career teachers, and the five additional contract days

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1 shall be used to strengthen instructional leadership in
2 accordance with this section. A model teacher shall
3 receive annually a salary supplement of at least two
4 thousand dollars.
5 d. Mentor teacher. A mentor teacher is a
6 teacher who is evaluated by the school district as
7 demonstrating the competencies and superior teaching
8 skills of a mentor teacher, and has been recommended
9 for a one-year assignment as a mentor teacher by a
10 site-based or district-based review council appointed
11 pursuant to section 284.15, subsection 3. In addition,
12 a mentor teacher shall hold a valid license issued
13 under chapter 272, participate in teacher professional

14 development as outlined in this chapter, demonstrate
15 continuous improvement in teaching, and possess the
16 skills and qualifications to assume leadership roles.
17 A mentor teacher shall have a teaching load of not
18 more than seventy-five percent student instruction to
19 allow the teacher to mentor other teachers. A school
20 district shall set as a goal the designation of at
21 least ten percent of its teachers as mentor teachers,
22 though the district may enter into an agreement with
23 one or more other districts or an area education
24 agency to meet this goal through a collaborative
25 arrangement. The terms of the teaching contracts
26 issued under section 279.13 to mentor teachers shall
27 exceed by ten days the terms of teaching contracts
28 issued under section 279.13 to career teachers, and
29 the ten additional contract days shall be used to
30 strengthen instructional leadership in accordance with
31 this section. A mentor teacher shall receive annually
32 a salary supplement of at least five thousand dollars.
33 e. Lead teacher. A lead teacher is a teacher
34 who holds a valid license issued under chapter 272
35 and has been recommended for a one-year assignment
36 as a lead teacher by a site-based or district-based
37 review council appointed pursuant to section 284.15,
38 subsection 3. The recommendation from the council must
39 assert that the teacher possesses superior teaching
40 skills and the ability to lead adult learners. A lead
41 teacher shall assume leadership roles that may include
42 but are not limited to the planning and delivery of
43 professional development activities designed to improve
44 instructional strategies; the facilitation of an
45 instructional leadership team within the lead teacher's
46 building, school district, or other school districts;
47 the mentoring of other teachers; and participation in
48 the evaluation of student teachers. A lead teacher
49 shall have a teaching load of not more than fifty
50 percent student instruction to allow the lead teacher

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1 to spend time on co-teaching; co-planning; peer
2 reviews; observing career teachers, model teachers,
3 and mentor teachers; and other duties mutually agreed
4 upon by the superintendent and the lead teacher. A
5 school district shall set as a goal the designation of
6 at least five percent of its teachers as lead teachers,
7 though the district may enter into an agreement with
8 one or more other districts or an area education
9 agency to meet this goal through a collaborative
10 arrangement. The terms of the teaching contracts
11 issued under section 279.13 to lead teachers shall
12 exceed by fifteen days the terms of teaching contracts

issued under section 279.13 to career teachers, and the fifteen additional contract days shall be used to strengthen instructional leadership in accordance with this section. A lead teacher shall receive annually a salary supplement of at least ten thousand dollars.

3. Requirements for implementation and receipt of teacher leadership supplement funds. Except as otherwise provided in section 284.15, a school district shall meet the requirements of section 284.15 in order to implement a teacher leadership framework model pursuant to this section and to be eligible to receive funds under section 257.10, subsection 12.

Sec. 33. NEW SECTION. 284.17 Iowa teacher career path model.

1. Iowa teacher career path model. To promote continuous improvement in Iowa's quality teaching workforce and to give Iowa teachers the opportunity for career recognition that reflects the various roles teachers play as educational leaders, an Iowa teacher career path model is established for teachers employed by school districts. The Iowa teacher career path model requirements and the model's salary minimums are as follows:

a. Beginning teacher.

(1) A beginning teacher is a teacher who meets the following requirements:

(a) Has successfully completed an approved practitioner preparation program as defined in section 272.1 or holds an intern teacher license issued under chapter 272.

(b) Holds an initial or intern teacher license issued under chapter 272.

(c) Participates in the beginning teacher mentoring and induction program as provided in this chapter.

(2) Beginning July 1, 2014, the minimum salary for a beginning teacher shall be thirty-five thousand dollars.

b. Career teacher.

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(1) A career teacher is a teacher who holds a statement of professional recognition issued under chapter 272 or who meets the following requirements:

(a) Has successfully completed the beginning teacher mentoring and induction program and has successfully completed a comprehensive evaluation.

(b) Is reviewed by the school district as demonstrating the competencies of a career teacher.

(c) Holds a valid license issued under chapter 272.

(d) Participates in teacher professional development as set forth in this chapter and

12 demonstrates continuous improvement in teaching.

13 (2) Beginning July 1, 2014, the minimum salary
14 for a first-year career teacher shall be thirty-seven
15 thousand dollars.

16 c. Career II teacher.

17 (1) A career II teacher is a teacher who meets the
18 requirements of paragraph "b", has met the requirements
19 established by the school district that employs the
20 teacher, and is evaluated by the review council as
21 demonstrating the competencies of a career II teacher.
22 The teacher shall have successfully completed a
23 performance review in order to be classified as a
24 career II teacher. Beginning July 1, 2014, the annual
25 teacher leadership supplement paid to a first-year
26 career II teacher shall be five thousand dollars.

27 (2) The contract term for a career II teacher
28 shall exceed the contract term issued to a career
29 teacher under section 279.13 by an additional five
30 days. Approximately twenty-five percent of the career
31 II teacher's total contract time shall be spent on
32 noninstructional duties, which may include but not be
33 limited to time spent mentoring beginning and career
34 teachers and supervising student teachers who are
35 participating in a field experience pursuant to section
36 272.25. Allocation of the career II teacher's time
37 shall be mutually agreed to by the teacher and the
38 school district.

39 (3) As an alternative to the twenty-five percent
40 noninstructional time requirement of subparagraph
41 (2), a career II teacher may spend at least five hours
42 per week as a peer coach in addition to the normal
43 teaching load. Compensation for peer coaching duties
44 shall be computed using the career II teacher's hourly
45 rate of compensation for the additional duties, which
46 shall be performed during normal, noninstructional
47 contract time. For purposes of this subparagraph,
48 "peer coaching" means additional guidance in one or
49 more aspects of the teaching profession provided to one
50 or more teachers. Assignment as a peer coach shall

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1 be based on either a request from a principal or from
2 an individual teacher upon approval of a principal.
3 Peer coaching shall include detailed preliminary
4 discussions as to areas in which the teachers being
5 coached desire to improve; formulation of an action
6 plan to bring about such improvement; in-class
7 supervision by the peer coach; postclass discussion of
8 strengths, weaknesses, and strategies for improvement;
9 and dialogue between the peer coach and students and
10 school officials regarding the teachers being coached.

11 A peer coach shall coordinate peer coaching activities
12 relating to training and professional development with
13 an area education agency where appropriate.

14 d. Advanced teacher.

15 (1) An advanced teacher is a teacher who meets the
16 following requirements:

17 (a) Receives the recommendation of the review
18 council that the teacher possesses superior teaching
19 skills and that the teacher should be classified as an
20 advanced teacher.

21 (b) Holds a valid license issued under chapter 272.

22 (c) Participates in teacher professional
23 development as outlined in this chapter and
24 demonstrates continuous improvement in teaching.

25 (d) Possesses the skills and qualifications to
26 assume leadership roles.

27 (2) Beginning July 1, 2014, the annual teacher
28 leadership supplement paid to a first-year advanced
29 teacher shall be thirteen thousand five hundred
30 dollars.

31 (3) The contract term for an advanced teacher shall
32 exceed the contract term issued to a career teacher
33 under section 279.13 by an additional ten days. The
34 goal of the contract shall be that at least fifty
35 percent of the advanced teacher's total contract time
36 be spent on noninstructional duties, which may include
37 but not be limited to time spent mentoring beginning
38 and career teachers and supervising student teachers
39 who are participating in a field experience pursuant to
40 section 272.25; developing, planning, and organizing
41 professional development; organizing peer review
42 groups; and selecting course materials. Allocation of
43 the advanced teacher's time shall be mutually agreed to
44 by the teacher and the school district.

45 (4) An advanced teacher may engage in peer
46 coaching under the conditions specified in paragraph
47 "c", subparagraph (3), and if so, compensation for
48 peer coaching duties shall be computed using the
49 advanced teacher's hourly rate of compensation for the
50 additional duties, which shall be performed during

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1 normal noninstructional contract time.

2 2. Staffing goals. Each school district approved
3 under section 284.15 to implement the model in
4 accordance with this section shall meet the following
5 staffing requirements:

6 a. Employ at least one career II teacher in each
7 elementary school.

8 b. Employ at least one advanced teacher for every
9 three career II teachers employed.

10 c. Employ at least one career II teacher for each
11 of the following subject areas taught in secondary
12 school: English, mathematics, science, and social
13 studies.

14 3. Requirements for implementation and receipt
15 of teacher leadership supplement funds. Except as
16 otherwise provided in section 284.15, a school district
17 shall meet the requirements of section 284.15 in order
18 to implement an Iowa teacher career path model pursuant
19 to this section and to be eligible to receive funds
20 under section 257.10, subsection 12.

21 Sec. 34. NEW SECTION. 284.18 Instructional coach
22 model.

23 1. Instructional coach model. The instructional
24 coach and curriculum and professional development
25 leader model shall include, at a minimum, the following
26 components:

27 a. Beginning and career teacher levels. The
28 beginning teacher and career teacher levels and minimum
29 salaries specified in section 284.17, subsection 1,
30 paragraphs “a” and “b”, and the residency requirement
31 for a first-year beginning teacher that shall be the
32 same as set forth for an initial teacher in section
33 284.16, subsection 2, paragraph “a”, subparagraph (2).

34 b. Instructional coach level. An instructional
35 coach shall, at a minimum, meet the requirements
36 specified for a career teacher in section 284.17,
37 subsection 1, paragraph “b”, and engage full-time
38 in instructional coaching. For purposes of this
39 paragraph, “instructional coaching” means additional
40 guidance in one or more aspects of the teaching
41 profession provided to teachers. Assignment as an
42 instructional coach shall be based on either a request
43 from a principal or from an individual teacher upon
44 approval of a principal. Instructional coaching
45 shall include detailed preliminary discussions as
46 to areas in which the teachers being coached desire
47 to improve; formulation of an action plan to bring
48 about such improvement; in-class supervision by the
49 instructional coach; postclass discussion of strengths,
50 weaknesses, and strategies for improvement; and

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1 dialogue between the instructional coach and students
2 and school officials regarding the teachers being
3 coached. An instructional coach shall coordinate
4 instructional coaching activities relating to training
5 and professional development with an area education
6 agency where appropriate. An instructional coach shall
7 receive a stipend of not less than five thousand nor
8 more than seven thousand dollars annually in addition

to the teacher's salary as a career teacher. A school district approved to implement the instructional coach model pursuant to section 284.15 shall employ at least one instructional coach at each attendance center or at least one instructional coach for every five hundred students enrolled in an attendance center, whichever number is greater.

c. A curriculum and professional development leader level. A curriculum and professional development leader shall at a minimum receive additional training during the summer at the expense of the school district. While receiving training pursuant to this paragraph "c", the teacher shall be paid an additional salary amount for time beyond the school district's normal teaching contract at the applicable per diem rate. The contract term for a curriculum and professional development leader shall exceed the contract term issued to a model teacher under section 279.13 by an additional fifteen days, and the curriculum and professional development leader shall receive a stipend of not less than ten thousand nor more than twelve thousand dollars annually in addition to the teacher's salary as a career teacher. A curriculum and professional development leader shall do the following:

(1) Provide and demonstrate teaching on an ongoing basis.

(2) Routinely work strategically with teachers in planning, monitoring, reviewing, and implementing best instructional practices.

(3) Observe and coach teachers in effective instructional practices.

(4) Support teacher growth and reflective practices.

(5) Work with and train classroom teachers to provide interventions aligned by subject area.

(6) Support instruction and learning through the use of technology.

(7) Actively participate in collaborative problem solving and reflective practices which include but are not limited to professional study groups, peer observations, grade level planning, and weekly team

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meetings.

2. Requirements for implementation and receipt of teacher leadership supplement funds. Except as otherwise provided in section 284.15, a school district shall meet the requirements of section 284.15 in order to implement an instructional coach model pursuant to this section and to be eligible to receive funds under

8 section 257.10, subsection 12.
9 Sec. 35. NEW SECTION. 284.19 Comparable system
10 criteria.
11 1. Minimum requirements for comparable systems. Any
12 Iowa teacher career path, leadership role, and
13 compensation model or comparable system approved
14 pursuant to section 284.15 and this section shall
15 include, at a minimum, the following components:
16 a. A minimum salary and a residency as provided in
17 section 284.16, subsection 2, paragraph "a".
18 b. Additional levels of compensation for
19 differentiated teacher roles, which shall not be less
20 than the per diem rate established for regular teaching
21 duties at the specified level prior to implementation
22 of the comparable system.
23 c. Multiple, differentiated teacher leadership
24 roles beyond the beginning or initial teacher and
25 career teacher levels, with a goal of making such
26 levels available to at least twenty-five percent of the
27 teacher workforce. Compensation at the differentiated
28 levels shall be commensurate with the additional
29 responsibilities of teachers who accept leadership
30 roles.
31 d. A rigorous selection process that involves
32 teachers in determining placement in, and retention
33 of, teacher leadership positions. The process shall
34 include the following components:
35 (1) A requirement that a teacher chosen for a
36 leadership role have not less than three years of
37 teaching experience and one year of teaching experience
38 in the school district.
39 (2) Exclusion of a teacher in a leadership role
40 from supervisory duties.
41 (3) A requirement that teacher leaders be
42 responsible for modeling best instructional practice,
43 mentoring initial teachers, acting as liaisons with
44 families, and helping colleagues prepare for peer group
45 reviews and evaluations conducted pursuant to section
46 284.8. Teacher leaders shall not be responsible for
47 purely administrative duties.
48 (4) Authorization for teacher leaders to
49 participate in a peer group review under section 284.8.
50 e. A professional development system facilitated

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1 by teachers and aligned with the Iowa professional
2 development model adopted by the state board.
3 f. Hiring permanent professional staff, including
4 but not limited to retired teachers, at competitive
5 rates, in order for an attendance center or school
6 district to give teacher leaders time to focus on

7 leadership duties.

8 2. Requirements for implementation and receipt
9 of teacher leadership supplement funds. Except as
10 otherwise provided in section 284.15, a school district
11 shall meet the requirements of section 284.15 in order
12 to implement a comparable system pursuant to this
13 section and to be eligible to receive funds under
14 section 257.10, subsection 12.

15 DIVISION VI

16 MISCELLANEOUS PROVISIONS

17 Sec. 36. Section 256.9, subsection 53, paragraph c,
18 unnumbered paragraph 1, Code 2013, is amended to read
19 as follows:

20 Establish in collaboration with the state board of
21 regents, subject to an appropriation of funds by the
22 general assembly contingent on a specific appropriation
23 for such purpose, an Iowa reading research center.

24 Sec. 37. Section 256.9, subsection 53, paragraph
25 c, subparagraph (3), Code 2013, is amended to read as
26 follows:

27 (3) The center shall submit a report of its
28 activities to the general assembly by January 15
29 annually. By January 15, 2015, the annual report
30 shall include but not be limited to recommendations
31 regarding the following measures to support schools
32 in implementing chapter 284 with regard to the
33 prekindergarten through grade three years;

34 (a) Tools and strategies for assessing early
35 elementary school teachers to determine whether they
36 have the skills and abilities to serve as mentor
37 or lead teachers to other early elementary school
38 teachers.

39 (b) Specific training and professional development
40 to support the mentoring responsibilities of mentor
41 teachers and lead teachers.

42 (c) Assessment tools to identify struggling readers
43 and evidence-based measures designed to respond to the
44 needs of such students.

45 (d) Resources, guides, and informational materials
46 which parents and teachers may share to promote early
47 literacy.

48 Sec. 38. NEW SECTION. 256.24 Competency-based
49 education grant program.

50 1. Contingent on a specific appropriation for

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1 these purposes, the department shall establish a
2 competency-based education grant program to award
3 grants to not more than ten school districts annually
4 for purposes of developing, implementing, and
5 evaluating competency-based education pilot and

6 demonstration projects.

7 2. The department shall develop grant application,
8 selection, and evaluation criteria.

9 3. Each pilot or demonstration project shall
10 be conducted for a minimum of one year, but may be
11 conducted for multiple school years as proposed by the
12 applicant and approved by the department.

13 4. Grant moneys shall be distributed to selected
14 school districts by the department no later than
15 December 1, 2013. Grant amounts shall be distributed
16 as determined by the department.

17 5. The department shall submit progress reports
18 analyzing the status and preliminary findings of
19 the projects to the state board, the governor, and
20 the general assembly by January 15 annually. The
21 department shall summarize the projects' findings,
22 including student achievement results, and submit the
23 summary and any recommendations in a final report to
24 the state board, the governor, and the general assembly
25 by January 15, 2019.

26 Sec. 39. NEW SECTION. 256.27 Economically
27 challenged schools grant program.

28 1. Contingent on a specific appropriation for
29 these purposes, the department shall establish an
30 economically challenged schools grant program to
31 award funds to school district attendance centers to
32 create pilot projects designed to meet the needs of
33 prekindergarten through grade twelve students who
34 are not proficient in reading or mathematics and to
35 involve the students' parents in supporting project
36 activities. Pilot project activities may include but
37 are not limited to establishing a longer school day,
38 longer school calendar, summer school, or intensive
39 reading and mathematics programs for such students.

40 2. The department shall develop grant application,
41 selection, and evaluation criteria. The priorities
42 for the grant funds shall include applications from
43 school districts with high percentages of students
44 who are below grade level in proficiency, or who are
45 eligible for free and reduced price meals under the
46 federal National School Lunch Act and the federal Child
47 Nutrition Act of 1966, 42 U.S.C. § 1751–1785, and shall
48 include providing project services on a voluntary
49 basis to students deemed at risk of not succeeding
50 in reading or mathematics. The department shall make

1 every reasonable effort to equitably distribute grant
2 funds geographically among rural and urban areas.

3 3. Each pilot project shall be conducted for a
4 minimum of one year, but may be conducted for multiple

5 school years as proposed by the applicant and approved
6 by the department.

7 4. The department shall submit progress reports
8 analyzing the status and preliminary findings of
9 the projects to the state board, the governor, and
10 the general assembly by January 15 annually. The
11 department shall summarize the projects' findings,
12 including student achievement results, and submit the
13 summary and any recommendations in a final report to
14 the state board, the governor, and the general assembly
15 by January 15, 2019.

16 5. This section is repealed effective June 30,
17 2019.

18 Sec. 40. NEW SECTION. 256.34 World language
19 education pilot project.

20 1. Contingent on a specific appropriation for
21 these purposes, the department shall establish a world
22 language education pilot project to enhance foreign
23 language education in Iowa schools. The department
24 shall administer the pilot project in partnership with
25 the university of northern Iowa and up to three school
26 districts. The department shall establish criteria for
27 the selection of school districts to participate in the
28 pilot project.

29 2. The department shall establish a world language
30 education administrative team to be composed of school
31 administrators from school districts participating
32 in the pilot project. Team members shall conduct
33 fact finding visits to schools in the United States
34 and at least one foreign school that exemplify best
35 practices for world class foreign language education
36 delivery models. A fact finding visit to a foreign
37 school pursuant to this section shall not be funded
38 with state moneys. Team members shall work with the
39 department and university of northern Iowa to develop
40 standards and benchmarks based on the latest edition of
41 the national standards for foreign language learning,
42 to develop a written and verbal assessment system that
43 measures foreign language competencies, and to support
44 participating school districts in the development of
45 curricula based on the latest edition of the national
46 standards for foreign language learning.

47 3. Each school district participating in the pilot
48 project, in coordination with the department, shall
49 compare on an annual basis its results under the pilot
50 project with state data to determine the outcomes of

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1 the pilot project for student learning.

2 4. The world language education administrative
3 team, in coordination with the department and the

4 university of northern Iowa, shall submit its findings
5 and recommendations regarding the pilot project and
6 foreign language education in this state in a report to
7 the general assembly by December 19, 2014.

8 Sec. 41. Section 256C.4, subsection 1, paragraph e,
9 Code 2013, is amended to read as follows:

10 e. Preschool foundation aid funding shall not
11 be used for the costs of constructing a facility in
12 connection with an approved local program. Preschool
13 foundation aid funding may be used by approved local
14 programs and community providers for professional
15 development for preschool teachers, for instructional
16 equipment, for material and equipment designed to
17 develop pupils' large and small motor skills, and for
18 other direct costs. Preschool foundation aid funding
19 received by an approved local program that remain
20 unexpended or unobligated at the end of a fiscal year
21 shall be used to build the approved local program's
22 preschool program capacity in the next succeeding
23 fiscal year.

24 Sec. 42. Section 257.11, Code 2013, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 7A. Economically challenged schools
27 grant program. Pupils who are eligible for free and
28 reduced price meals under the federal National School
29 Lunch Act and the federal Child Nutrition Act of 1966,
30 42 U.S.C. § 1751–1785, and who are enrolled in a school
31 district that is approved to create a pilot project
32 pursuant to section 256.27 shall receive a supplemental
33 weighting of one-tenth of one pupil. This subsection
34 is repealed effective June 30, 2018.

35 Sec. 43. Section 272.2, subsection 13, Code 2013,
36 is amended to read as follows:

37 13. Adopt rules to provide for nontraditional
38 preparation options for licensing persons who hold
39 a bachelor's degree from an accredited college or
40 university, ~~who but~~ do not meet other requirements for
41 licensure. However, prior to issuing licenses pursuant
42 to this subsection, the board shall recommend licensing
43 criteria to the general assembly. Licenses shall not
44 be issued under this subsection except pursuant to
45 statutory licensing criteria enacted pursuant to such
46 recommendations.

47 Sec. 44. Section 279.9, Code 2013, is amended to
48 read as follows:

49 279.9 Use of tobacco, alcoholic beverages, or
50 controlled substances.

- 1 ~~1. The rules shall prohibit the use of tobacco,~~
- 2 including nicotine products, and the use or possession

of alcoholic liquor, wine, or beer or any controlled substance as defined in section 124.101, subsection 5, by any student ~~of the schools and the~~, or by anyone on school grounds, is prohibited. A school board may suspend or expel a student for a violation of a rule under this section. For violation of this section, a school board may remove a person from school grounds and may bar the person's future presence on school grounds.

2. As used in this section, "nicotine product" means any product containing nicotine or any other preparation of tobacco not described in section 453A.1, and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body. "Nicotine product" does not include any cessation product specifically approved by the United States food and drug administration for use in reducing, treating, or eliminating nicotine or tobacco dependence.

Sec. 45. Section 279.60, subsections 1 and 2, Code 2013, are amended to read as follows:

1. Each school district shall administer ~~a kindergarten readiness~~ the teaching strategies gold early childhood assessment ~~prescribed by the department of education~~ to every resident prekindergarten or four-year-old child whose parent or guardian enrolls the child in the district, and to every kindergarten student enrolled in the district not later than the date specified in section 257.6, subsection 1. The assessment shall be aligned with state early learning standards and preschool programs shall be encouraged to administer the assessment at least at the beginning and end of the preschool program, with the assessment information entered into the statewide longitudinal data system. The department shall work to develop agreements with head start programs to incorporate similar information about four-year-old children served by head start into the statewide longitudinal data system.

2. ~~a. Each school district shall administer the dynamic indicators of basic early literacy skills kindergarten benchmark assessment or other kindergarten benchmark assessment adopted by the department of education in consultation with the early childhood Iowa state board to every kindergarten student enrolled in the district not later than the date specified in~~

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~~section 257.6, subsection 1.~~ The school district shall also collect information from each parent, guardian, or legal custodian of a kindergarten student enrolled in the district, including but not limited to whether the student attended preschool, factors identified by the early childhood Iowa office pursuant to section 256I.5, and other demographic factors. Each school district shall report the results of the community strategies employed during the prior school year pursuant to section 279.68, subsection 4, paragraph "a", the assessment administered pursuant to subsection 1, and the preschool information collected to the department of education in the manner prescribed by the department not later than January 1 of that school year. The early childhood Iowa office in the department of management shall have access to the raw data. The department shall review the information submitted pursuant to this section and shall submit its findings and recommendations annually in a report to the governor, the general assembly, the early childhood Iowa state board, and the early childhood Iowa area boards.

~~b. This subsection is repealed July 1, 2013.~~

Sec. 46. REPEAL. Section 256D.9, Code 2013, is repealed.

Sec. 47. COMPETENCY-BASED EDUCATION TASK FORCE RECOMMENDATIONS. Contingent on a specific appropriation for these purposes, the department of education shall implement the recommendations of the competency-based education task force established pursuant to 2012 Iowa Acts, chapter 1119, section 2, relating to the development of model competencies, to investigating and providing examples of templates that will effectively and efficiently record and report student achievement in a competency-based environment, to developing the assessment validation rubric and model assessments aligned to the competencies, and to creating opportunities for professional development for preservice and in-service for practitioners.

Sec. 48. SCHOOL DISTRICT REPORTING REQUIREMENT TASK FORCE — STATE BOARD OF EDUCATION.

1. a. A reporting requirement review task force is established consisting of five members who shall be appointed by the director of the department of education as follows:

(1) One member from nominees submitted by an organization representing the boards of Iowa school districts.

(2) One member from nominees submitted by an organization representing Iowa school administrators.

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(3) One member from nominees submitted by the largest statewide certified employee organization representing Iowa teachers.

(4) One member representing the department of education.

(5) One member representing the general public.

b. The member representing the department of education shall convene the initial meeting, at which the members shall elect a chairperson.

2. The department of education shall compile a list of reports that school districts are required to submit to the department biennially or more frequently.

The department shall submit the list to the reporting requirement review task force by September 3, 2013.

3. The task force shall review the list submitted by the department pursuant to subsection 2. For each reporting requirement listed, the task force shall produce written justification for continuing, modifying, or eliminating the requirement. The task force shall compile its written justifications in a report the task force shall submit to the state board of education and to the general assembly by December 2, 2013.

4. The state board of education shall review the report submitted pursuant to subsection 3, and shall determine which of the task force recommendations for modifying or eliminating requirements may be accomplished by administrative rule and which must be accomplished by statute. The state board shall submit its findings and recommendations, including plans for board action relating to administrative rules and board recommendations for specific statutory changes, in a report to the general assembly by February 3, 2014.

Sec. 49. SCHOOL YEAR-LONG STUDENT TEACHING FIELD EXPERIENCE REQUIREMENT — STUDY.

1. a. Each practitioner preparation program offered at an institution of higher learning governed by the state board of regents shall convene a study committee of education faculty members to study the feasibility of establishing professional development schools for preservice teacher candidates in collaboration with school districts, and the feasibility of requiring students enrolled in practitioner preparation programs to complete a field experience lasting one full school year.

b. Each study committee shall evaluate for its institution the following issues relating specifically to a proposed professional development school and relating specifically to a proposed full school year of student teaching field experience:

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(1) The impact on the likelihood a student will graduate within four years, including but not limited to consideration of the cost to a student, student debt load, and class scheduling.

(2) The impact on university faculty and the need to employ more faculty, including the need to deliver coursework and supervision to student teachers in the field.

(3) The availability of an adequate number of placements in prekindergarten through grade twelve schools and the impact on a school district, including but not limited to the district's cost to compensate cooperating teachers.

(4) The likely impact on the abilities and performance of a student teacher and whether the benefits outweigh the costs.

(5) The likely impact on student achievement of students in the student teacher's classroom.

c. The study committees convened pursuant to paragraph "a" shall submit their findings and recommendations in a report to the state board of regents, the department of education, the board of educational examiners, the governor, and the general assembly by December 2, 2013.

2. The Iowa association of independent colleges is encouraged to form a study committee comprised of education faculty members with duties similar to those provided for in subsection 1 for its member institutions which offer approved practitioner preparation programs, and to submit any resulting findings and recommendations to the general assembly by December 2, 2013.

Sec. 50. EFFECTIVE DATE. The following provision or provisions of this division of this Act take effect June 30, 2013:

1. The section of this division of this Act amending section 279.60, subsection 2, paragraph "b".

Sec. 51. EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division of this Act repealing section 256D.9.

2. The section of this division of this Act amending section 272.2.

DIVISION VII

STATE SCHOOL FOUNDATION PROGRAM

Sec. 52. Section 257.8, subsections 1 and 2, Code 2013, are amended to read as follows:

1. State percent of growth. ~~The state percent of~~

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1 ~~growth for the budget year beginning July 1, 2010,~~
2 ~~is two percent.~~ The state percent of growth for the
3 budget year beginning July 1, 2012, is two percent.
4 The state percent of growth for the budget year
5 beginning July 1, 2013, is four percent. The state
6 percent of growth for the budget year beginning July
7 1, 2014, is four percent. The state percent of growth
8 for each subsequent budget year shall be established
9 by statute which shall be enacted within thirty days
10 of the submission in the year preceding the base year
11 of the governor's budget under section 8.21. The
12 establishment of the state percent of growth for a
13 budget year shall be the only subject matter of the
14 bill which enacts the state percent of growth for a
15 budget year.

16 2. Categorical state percent of growth. ~~The~~
17 ~~categorical state percent of growth for the budget~~
18 ~~year beginning July 1, 2010, is two percent.~~ The
19 categorical state percent of growth for the budget
20 year beginning July 1, 2012, is two percent. ~~The~~
21 categorical state percent of growth for the budget
22 year beginning July 1, 2013, is four percent. The
23 categorical state percent of growth for the budget
24 year beginning July 1, 2014, is four percent. The
25 categorical state percent of growth for each budget
26 year shall be established by statute which shall
27 be enacted within thirty days of the submission in
28 the year preceding the base year of the governor's
29 budget under section 8.21. The establishment of the
30 categorical state percent of growth for a budget year
31 shall be the only subject matter of the bill which
32 enacts the categorical state percent of growth for a
33 budget year. The categorical state percent of growth
34 may include state percents of growth for the teacher
35 salary supplement, the professional development
36 supplement, and the early intervention supplement.
37 Sec. 53. CODE SECTION 257.8 — IMPLEMENTATION. The
38 requirements of section 257.8, subsections 1 and
39 2, regarding the enactment of bills establishing
40 the regular program state percent of growth and the
41 categorical state percent of growth within thirty days
42 of the submission in the year preceding the base year
43 of the governor's budget and regarding the subject
44 matter limitation of such bills do not apply to this
45 division of this Act.

46 Sec. 54. EFFECTIVE UPON ENACTMENT. This division
47 of this Act, being deemed of immediate importance,
48 takes effect upon enactment.

49 Sec. 55. APPLICABILITY. This division of this
50 Act is applicable for computing state aid under the

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1 state school foundation program for the school budget
2 years beginning July 1, 2013, and July 1, 2014, as
3 appropriate.

4 DIVISION VIII

5 PARENT LIAISON COUNSELOR PILOT PROGRAM

6 Sec. 56. NEW SECTION. 280.30 Parent liaison
7 counselor pilot program.

8 1. A parent liaison counselor pilot program is
9 established to be administered by the department of
10 education. The goals of the program shall be to raise
11 student achievement, as measured by increasing high
12 school graduation rates, increasing the percentage of
13 high school graduates who are qualified to enroll in a
14 college or university, and increasing the percentage of
15 students who successfully complete college preparatory
16 coursework while enrolled in high school. The
17 department of education shall adopt measures which
18 reflect the goals of the program for the purpose of
19 assessing the effectiveness of the program.

20 2. A school district identified by the department
21 of education as having a persistently lowest-achieving
22 school may participate in the program and shall
23 employ one parent liaison counselor. A parent liaison
24 counselor shall be a guidance counselor licensed under
25 chapter 272 who is currently employed by the school
26 district. The guidance counselor shall be issued a
27 full-time contract for the full school year. The
28 additional contract days shall be used to administer
29 the program.

30 3. A parent liaison counselor shall have the
31 following duties:

32 a. Meeting and working with targeted students
33 and the parents of targeted students, whether at a
34 student's home or in a student's school, regarding
35 course selection, career planning, and postsecondary
36 preparation.

37 b. For targeted students in middle school, focusing
38 primarily on helping targeted students and the parents
39 of targeted students with advance planning and course
40 selection for high school.

41 4. For purposes of this section, targeted students
42 are students who have unrealized academic potential and
43 whose circumstances inhibit their academic performance,
44 including but not limited to students who are limited
45 English proficient, students in special education,
46 students in individualized education programs, students
47 from families with a family income at or below two
48 hundred percent of the federal poverty level as defined
49 by the most recently revised poverty income guidelines
50 published by the United States department of health

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1 and human services, students with ongoing attendance
 2 issues, and other at-risk student populations
 3 identified by the department of education.
 4 5. The department of education shall submit a
 5 report to the general assembly, annually by December
 6 15, on the parent liaison counselor pilot program.
 7 6. This section is repealed June 30, 2016.>
 8 2. Title page, by striking lines 6 through 10 and
 9 inserting <establishing a fee; and including effective
 10 date and applicability>

COMMITTEE ON EDUCATION
 HERMAN C. QUIRMBACH, Chair

S—3107

1 Amend House File 500, as passed by the House, as
 2 follows:
 3 1. Page 1, line 3, by striking <Regular audits
 4 every three years> and inserting <Regular audits A
 5 required annual audit>
 6 2. Page 1, line 16, after <member> by inserting
 7 <who is an elected official>

COMMITTEE ON EDUCATION
 HERMAN C. QUIRMBACH, Chair

S—3108

1 Amend Senate File 407 as follows:
 2 1. Page 2, after line 17, by inserting:
 3 <3. The state board of regents shall prohibit
 4 the designation of a portion of the tuition moneys
 5 collected from resident students by institutions of
 6 higher education governed by the board for use for
 7 student aid purposes. However, such institutions
 8 may designate that a portion of the tuition moneys
 9 collected from nonresident students be used for such
 10 purposes.>
 11 2. By renumbering as necessary.

BRAD ZAUN

S—3109

1 Amend House File 119, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 1 through 11 and
 4 inserting:
 5 <Sec. ____ Section 232.37, subsections 1 and 2,

Code 2013, are amended to read as follows:

1. After a petition has been filed the court shall set a time for an adjudicatory hearing and unless the ~~parties~~ persons named in subsection 2 voluntarily appear, shall issue a summons requiring the child to appear before the court at a time and place stated and requiring the person who has custody or control of the child to appear before the court and to bring the child with the person at that time. The summons shall attach a copy of the petition and shall give notification of the right to counsel provided for in section 232.11.

2. Notice of the pendency of the case shall be served upon the known parents, guardians or legal custodians of a child if these persons are not summoned to appear as provided in subsection 1, and the department. Notice shall also be served upon the child and upon the child's guardian ad litem, if any. The notice shall attach a copy of the petition and shall give notification of the right to counsel provided for in section 232.11.>

2. Page 1, line 22, after ~~subsection 2~~ by inserting < unless the department is represented by the attorney general >

3. Page 2, line 11, by striking ~~<of human services>~~

4. Page 2, line 23, after ~~<petition>~~ by inserting < unless the department has intervened as a party, in which case the attorney general shall represent the interests of the state and the county attorney shall represent the interests of the county >

5. Page 3, line 3, after ~~<attorney>~~ by inserting < unless the department has intervened as a party, >

6. Page 3, line 9, after ~~<attorney>~~ by inserting < unless the department has intervened as a party, >

7. Page 3, after line 11 by inserting:
<5. The county attorney shall comply with the requirements of chapter 232B and the federal Indian Child Welfare Act, Pub. L. No. 95-608, when either chapter 232B or the federal Indian Child Welfare Act, is determined to be applicable in any proceeding under this division.>

8. Page 3, line 21, by striking ~~<2011>~~ and inserting ~~<2013>~~

9. Page 4, lines 10 and 11, by striking ~~<other than the department of human services.>~~

10. Page 4, line 32, after ~~<petition>~~ by inserting

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1 < unless the department has intervened as a party, in
2 which case the attorney general shall represent the
3 interests of the state and the county attorney shall
4 represent the interests of the county >

- 5 11. Page 5, line 14, after <232.90> by inserting
6 <unless the department has intervened as a party, in
7 which case the attorney general shall represent the
8 interests of the state and the county attorney shall
9 represent the interests of the county>
10 12. Title page, line 1, after <attorney> by
11 inserting <and attorney general>

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3110

- 1 Amend Senate File 430 as follows:
2 1. Page 12, line 23, by striking <December 1> and
3 inserting <January 15>
4 2. Page 19, after line 5 by inserting:
5 <Sec. ____ Section 90A.7, Code 2013, is amended to
6 read as follows:
7 90A.7 Rules.
8 1. The commissioner shall adopt rules, pursuant
9 to chapter 17A, that the commissioner determines are
10 reasonably necessary to administer and enforce this
11 chapter.
12 2. The commissioner shall adopt rules establishing
13 an event fee to cover the costs of the administration
14 of this chapter.
15 3. The commissioner may adopt the rules of a
16 recognized national or world boxing organization that
17 sanctions a boxing match in this state to regulate the
18 match if the organization's rules provide protection to
19 the boxers participating in the match which is equal
20 to or greater than the protections provided by this
21 chapter or by rules adopted pursuant to this chapter.
22 As used in this paragraph, "recognized national or world
23 boxing organization" includes, but is not limited to,
24 the international boxing federation, the world boxing
25 association, and the world boxing council.
26 Sec. ____ Section 90A.10, subsection 1, Code 2013,
27 is amended to read as follows:
28 1. Moneys collected pursuant to sections 90A.3 and
29 section 90A.9 in excess of the amount of moneys needed
30 to administer this chapter from a professional boxing
31 event are appropriated to the department of workforce
32 development and shall be used by the commissioner to
33 award grants to organizations that promote amateur
34 boxing matches in this state. All other moneys
35 collected by the commissioner pursuant to this chapter
36 are appropriated to the department of workforce
37 development and shall be used by the commissioner to
38 administer this chapter. Section 8.33 applies only to
39 moneys in excess of the first twenty thousand dollars

40 appropriated each fiscal year.>

41 3. Page 21, after line 26 by inserting:

42 <Sec. ____ 2012 Iowa Acts, chapter 1136, section
43 17, is amended by adding the following new subsection:

44 NEW SUBSECTION. 5. Notwithstanding section
45 8.33, moneys appropriated in this section that remain
46 unencumbered or unobligated at the close of the fiscal
47 year shall not revert but shall remain available for
48 expenditure for the purposes designated until the close
49 of the succeeding fiscal year.

50 Sec. ____ EFFECTIVE UPON ENACTMENT. The sections

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1 of this division of this Act amending 2011 Iowa Acts,
2 chapter 130, section 48, and 2012 Iowa Acts, chapter
3 1136, section 17, being deemed of immediate importance,
4 take effect upon enactment.>

5 4. Page 21, after line 32 by inserting:

6 <Sec. ____ RETROACTIVE APPLICABILITY. The section
7 of this division of this Act amending 2012 Iowa Acts,
8 chapter 1136, section 17, applies retroactively to July
9 1, 2012.>

10 5. Page 23, after line 8 by inserting:

11 <d. For purposes of establishing and administering
12 a small business microloan program to provide loans to
13 local economic development organizations to provide
14 microloans to small businesses:

15 \$ 500,000

16 The authority shall adopt rules pursuant to chapter
17 17A necessary for the administration of the program
18 including but not limited to eligibility requirements
19 for economic development organizations and small
20 businesses.>

21 6. Page 23, by striking lines 15 through 23.

22 7. By renumbering, redesignating, and correcting
23 internal references as necessary.

WILLIAM A. DOTZLER, JR.

S-3111

1 Amend House File 545, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, line 11, after <organization.> by
4 inserting <A veteran seeking moneys for expenses
5 pursuant to this paragraph "m" shall not be subject to
6 an income limit.>

JEFF DANIELSON

S-3112

1 Amend the amendment, S-3102, to Senate File 363, as
2 follows:

3 1. Page 1, by striking lines 1 through 30 and
4 inserting:

5 <Amend Senate File 363 as follows:

6 1. By striking everything after the enacting clause
7 and inserting:

8 <Section 1. **LEGISLATIVE FINDINGS.** The general
9 assembly finds that establishing a sound criminal
10 justice and public health policy toward individuals
11 living with a contagious or infectious disease is
12 consistent with an evidence-based approach to disease
13 control that focuses on prevention strategies that
14 include notification of current and previously exposed
15 partners, evidence-based behavioral risk-reduction
16 programming, promotion of voluntary disclosure to
17 sexual and needle-sharing partners, and suppression of
18 viral load through engagement in care and treatment
19 programs.

20 Sec. 2. **NEW SECTION.** 709D.1 Title.

21 This chapter shall be known and may be cited as the
22 “Contagious or Infectious Disease Transmission Act”.

23 Sec. 3. **NEW SECTION.** 709D.2 Definitions.

24 As used in this chapter, unless the context
25 otherwise requires:

26 1. “Contagious or infectious disease” means
27 hepatitis in any form, meningococcal disease, AIDS or
28 HIV as defined in section 141A.1, or tuberculosis.

29 2. “Exposes” means engaging in conduct that poses
30 a substantial risk of transmission, but does not
31 include conduct posing a low or negligible risk of
32 transmission, consistent with guidance issued by the
33 centers for disease control and prevention of the
34 United States department of health and human services.

35 3. “Practical means to prevent transmission” means
36 substantial compliance with a treatment regimen
37 prescribed by a health care provider that measurably
38 limits the risk of transmission of the contagious
39 or infectious disease, substantial compliance with
40 behavioral recommendations of the infected person’s
41 health care provider or public health officials to
42 measurably limit the risk of transmission of the
43 contagious or infectious disease, or other methods
44 generally accepted by the medical profession to
45 measurably limit the risk of transmission of the
46 contagious or infectious disease, such as use of
47 a medically indicated respiratory mask or use of a
48 prophylactic device.

49 Sec. 4. **NEW SECTION.** 709D.3 Criminal transmission
50 of a contagious or infectious disease.

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- 1 1. A person commits a class "C" felony when the
2 person knows the person is infected with a contagious
3 or infectious disease and exposes an uninfected person
4 to the contagious or infectious disease with the intent
5 that the uninfected person contract the contagious or
6 infectious disease, and the conduct results in the
7 uninfected person becoming infected with the contagious
8 or infectious disease. If a person commits a class "C"
9 felony under this subsection, and the person against
10 whom the class "C" felony is committed is pregnant
11 at the time of the exposure, the person exposing the
12 uninfected person to the contagious or infectious
13 disease commits an additional class "C" felony for each
14 unborn child constituting the pregnancy notwithstanding
15 the actual result of the exposure to each unborn child.
- 16 2. A person commits a class "D" felony when the
17 person knows the person is infected with a contagious
18 or infectious disease and exposes an uninfected person
19 to the contagious or infectious disease with the intent
20 that the uninfected person contract the contagious or
21 infectious disease, but the conduct does not result
22 in the uninfected person becoming infected with the
23 contagious or infectious disease. If a person commits
24 a class "D" felony under this subsection, and the
25 person against whom the class "D" felony is committed
26 is pregnant at the time of the exposure, the person
27 exposing the uninfected person to the contagious or
28 infectious disease commits an additional class "D"
29 felony for each unborn child constituting the pregnancy
30 notwithstanding the actual result of the exposure to
31 each unborn child.
- 32 3. A person commits an aggravated misdemeanor
33 when the person knows the person is infected with
34 a contagious or infectious disease and exposes an
35 uninfected person to the contagious or infectious
36 disease acting with a reckless disregard as to whether
37 the uninfected person contracts the contagious or
38 infectious disease, and the conduct results in the
39 uninfected person becoming infected with the contagious
40 or infectious disease. If a person commits an
41 aggravated misdemeanor under this subsection, and the
42 person against whom the aggravated misdemeanor is
43 committed is pregnant at the time of the exposure, the
44 person exposing the uninfected person to the contagious
45 or infectious disease commits an additional aggravated
46 misdemeanor for each unborn child constituting the
47 pregnancy notwithstanding the actual result of the
48 exposure to each unborn child.
- 49 4. A person commits a serious misdemeanor when the
50 person knows the person is infected with a contagious

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1 or infectious disease and exposes an uninfected person
2 to the contagious or infectious disease acting with a
3 reckless disregard as to whether the uninfected person
4 contracts the contagious or infectious disease, but
5 the conduct does not result in the uninfected person
6 becoming infected with the contagious or infectious
7 disease. If a person commits a serious misdemeanor
8 under this subsection, and the person against whom
9 the serious misdemeanor is committed is pregnant at
10 the time of the exposure, the person exposing the
11 uninfected person to the contagious or infectious
12 disease commits an additional serious misdemeanor
13 for each unborn child constituting the pregnancy
14 notwithstanding the actual result of the exposure to
15 each unborn child.

16 5. The act of becoming pregnant while infected
17 with a contagious or infectious disease, continuing
18 a pregnancy while infected with a contagious or
19 infectious disease, or declining treatment for a
20 contagious or infectious disease during pregnancy shall
21 not constitute a crime under this chapter.

22 6. Evidence that a person knows the person is
23 infected with a contagious or infectious disease and
24 has engaged in conduct that exposes others to the
25 contagious or infectious disease, regardless of the
26 frequency of the conduct, is insufficient on its own
27 to prove the intent to transmit the contagious or
28 infectious disease.

29 7. A person does not act with the intent required
30 pursuant to subsection 1 or 2, or with the reckless
31 disregard required pursuant to subsection 3 or
32 4, if the person takes practical means to prevent
33 transmission, or if the person informs the uninfected
34 person that the person has a contagious or infectious
35 disease and offers to take practical means to
36 prevent transmission but that offer is rejected by
37 the uninfected person subsequently exposed to the
38 infectious or contagious disease.

39 8. It is an affirmative defense to a charge under
40 this section if the person exposed to the contagious or
41 infectious disease knew that the infected person was
42 infected with the contagious or infectious disease at
43 the time of the exposure and consented to exposure with
44 that knowledge.

45 Sec. 5. Section 141A.3, subsection 2, Code 2013, is
46 amended by adding the following new paragraph:

47 NEW PARAGRAPH. 0e. Subject to availability
48 of funding, develop and implement a comprehensive
49 prevention program for individuals with HIV that
50 includes engagement and retention in HIV care

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1 activities, risk reduction and behavioral prevention
2 programming, partner notification services, case
3 management and other supportive services, and
4 assistance with health insurance coverage or medication
5 costs for low-income individuals.

6 Sec. 6. Section 141A.9, subsection 2, paragraph i,
7 Code 2013, is amended to read as follows:

8 i. Pursuant to sections 915.42 and 915.43, to a
9 convicted or alleged sexual assault offender; the
10 physician or other health care provider who orders the
11 test of a convicted or alleged offender; the victim;
12 the parent, guardian, or custodian of the victim if
13 the victim is a minor; the physician of the victim if
14 requested by the victim; the victim counselor or person
15 requested by the victim to provide counseling regarding
16 the HIV-related test and results; the victim's spouse;
17 persons with whom the victim has engaged in vaginal,
18 anal, or oral intercourse subsequent to the sexual
19 assault; members of the victim's family within the
20 third degree of consanguinity; and the county attorney
21 who ~~may use the results as evidence in the prosecution~~
22 ~~of sexual assault under chapter 915, subchapter V, or~~
23 ~~prosecution of the offense of criminal transmission~~
24 ~~of HIV under chapter 709C filed the petition for~~
25 HIV-related testing under section 915.42. For the
26 purposes of this paragraph, "victim" means victim as
27 defined in section 915.40.

28 Sec. 7. Section 692A.101, subsection 1, paragraph
29 a, subparagraph (9), Code 2013, is amended by striking
30 the subparagraph.

31 Sec. 8. Section 692A.102, subsection 1, paragraph
32 c, subparagraph (23), Code 2013, is amended by striking
33 the subparagraph.

34 Sec. 9. Section 915.43, subsections 4 and 5, Code
35 2013, are amended to read as follows:

36 4. Results of a test performed under this
37 subchapter, except as provided in subsection 13,
38 shall be disclosed only to the physician or other
39 practitioner who orders the test of the convicted or
40 alleged offender; the convicted or alleged offender;
41 the victim; the victim counselor or person requested
42 by the victim to provide counseling regarding the
43 HIV-related test and results; the physician of
44 the victim if requested by the victim; the parent,
45 guardian, or custodian of the victim, if the victim is
46 a minor; and the county attorney who filed the petition
47 for HIV-related testing under this chapter, ~~who may use~~
48 ~~the results to file charges of criminal transmission of~~
49 ~~HIV under chapter 709C.~~ Results of a test performed
50 under this subchapter shall not be disclosed to any

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1 other person without the written informed consent of
2 the convicted or alleged offender. A person to whom
3 the results of a test have been disclosed under this
4 subchapter is subject to the confidentiality provisions
5 of section 141A.9, and shall not disclose the results
6 to another person except as authorized by section
7 141A.9, subsection 2, paragraph “i”.

8 5. If testing is ordered under this subchapter,
9 the court shall also order periodic testing of the
10 convicted offender during the period of incarceration,
11 probation, or parole or of the alleged offender during
12 a period of six months following the initial test if
13 the physician or other practitioner who ordered the
14 initial test of the convicted or alleged offender
15 certifies that, based upon prevailing scientific
16 opinion regarding the maximum period during which the
17 results of an HIV-related test may be negative for a
18 person after being HIV-infected, additional testing is
19 necessary to determine whether the convicted or alleged
20 offender was HIV-infected at the time the sexual
21 assault or alleged sexual assault was perpetrated.
22 The results of the test conducted pursuant to this
23 subsection shall be released only to the physician or
24 other practitioner who orders the test of the convicted
25 or alleged offender, the convicted or alleged offender,
26 the victim counselor or person requested by the victim
27 to provide the counseling regarding the HIV-related
28 test and results who shall disclose the results to the
29 petitioner, the physician of the victim, if requested
30 by the victim, and the county attorney who ~~may use~~
31 ~~the results as evidence in the prosecution of the~~
32 ~~sexual assault or in the prosecution of the offense of~~
33 ~~criminal transmission of HIV under chapter 709C filed~~
34 the petition for HIV-related testing under section
35 915.42.

36 Sec. 10. REPEAL. Chapter 709C, Code 2013, is
37 repealed.>

38 2. Title page, line 1, by striking <relating to the
39 intentional transmission of> and inserting <creating
40 criminal offenses relating to>>

NANCY J. BOETTGER

S-3113

1 Amend House File 556, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 137, lines 23 and 24, by striking <556.17,

4 subsection 2, paragraph “b”; and 572.34, subsections 5
5 through 8;> and inserting <and 556.17, subsection 2,
6 paragraph “b”;>

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3114

1 Amend House File 472, as passed by the House, as
2 follows:
3 1. Page 3, after line 15 by inserting:
4 <Sec. ____ Section 282.12, subsection 2, Code 2013,
5 is amended to read as follows:
6 2. For one-way sharing, the sending district
7 shall pay ~~no less than one-half a percentage~~ of the
8 district cost per pupil of the sending district that
9 is proportionate to the percentage of the pupil's
10 school day during which the pupil attends classes in
11 the receiving district minus any actual costs incurred
12 by the sending district including but not limited to
13 transportation and administration costs, if such costs
14 are specified in the agreement.
15 Sec. ____ APPLICABILITY. The section of this Act
16 amending section 282.12 applies to sharing agreements
17 entered into on or after July 1, 2013.>
18 2. Title page, line 3, by striking <agencies> and
19 inserting <agencies, modifying the funding requirements
20 for whole grade sharing agreements, and including
21 applicability provisions>
22 3. By renumbering as necessary.

TOD R. BOWMAN

S-3115

1 Amend Senate File 418 as follows:
2 1. Page 1, line 3, after <3.> by inserting <a.>
3 2. Page 1, by striking line 8 and inserting
4 <abandoned as provided in section 459.201.>
5 3. Page 1, by striking line 9 and inserting:
6 <b. In calculating animal unit capacity for
7 purposes of an election to be considered a small>
8 4. Page 1, by striking line 13 and inserting <used
9 to do any of the following:
10 (1) House animals.
11 (2) Store manure.>
12 5. Page 1, by striking lines 29 through 31 and
13 inserting:
14 <a. The confinement feeding operation has a
15 capacity of five hundred or fewer animal units
16 which shall be calculated by determining all of the

17 following:

18 (1) The number of animal units housed at the
19 confinement feeding operation at any one time during
20 the period of election.

21 (2) The animal unit capacity of each confinement
22 feeding operation building that is used to store
23 manure during the period of the election. However,
24 this subparagraph does not apply if a confinement
25 feeding operation building stores manure pursuant
26 to a temporary approval issued by the department.
27 The department shall not issue a temporary approval
28 unless the manure is stored on an emergency basis
29 for a limited period. The department shall establish
30 terms and conditions for a temporary approval. The
31 department may issue one or more extensions to a
32 temporary approval if necessary.>

33 6. By renumbering, redesignating, and correcting
34 internal references as necessary.

DR. JOE M. SENG

S-3116

1 Amend the amendment, S-3106, to House File 215,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. By striking page 1, line 3, through page 39,
5 line 10, and inserting:

6 <_. By striking everything after the enacting
7 clause and inserting:

8 <Section 1. NEW SECTION. 256.27 Assessment of
9 departmental effectiveness.

10 1. Five-year assessment.

11 a. Using the fiscal year beginning July 1, 2012, as
12 a base year, the department shall determine the annual
13 progress made by the department by assessing increases
14 in the following levels:

15 (1) The number of grade four students proficient
16 in reading, mathematics, and science, with a goal of
17 ninety percent proficiency.

18 (2) The number of grade eight students proficient
19 in reading, mathematics, and science, with a goal of
20 eighty-five percent proficiency.

21 (3) The number of grade eleven students proficient
22 in the following:

23 (a) Reading and mathematics, with a goal of eighty
24 percent proficiency.

25 (b) Science, with a goal of eighty-five percent
26 proficiency.

27 (4) The performance of Iowa students on the
28 national assessment for educational progress, with a
29 goal of placing Iowa in the top five states in the

30 nation for grades four, eight, and eleven in reading,
31 mathematics, and science.

32 (5) The number of students entering Iowa
33 postsecondary schools majoring in physical and
34 biological sciences, mathematics, and engineering.

35 (6) Negotiating agreements with the institutions of
36 higher education governed by the state board of regents
37 for the adoption of alternative certification programs
38 for teachers.

39 (7) Developing an action plan to fill critical
40 need teaching positions, including but not limited to
41 positions teaching science and mathematics.

42 b. The department shall submit its findings and
43 recommendations in a report to the general assembly by
44 November 1, 2018.

45 2. If the report submitted pursuant to subsection
46 1, paragraph "b", establishes that the department
47 failed to meet the goals established in subsection
48 1, paragraph "a", a department of education
49 elimination commission is established to review all
50 programs, policies, duties, and other functions and

Page 2

1 responsibilities of the department of education which
2 are funded in whole or part with federal, state, or
3 local government revenues. The commission's duties
4 shall include the following:

5 a. Review of the state board's duties, policies,
6 and responsibilities and the programs and other
7 functions established in or administered by the
8 department.

9 b. Identification of programs, responsibilities,
10 or functions recommended for elimination or for
11 performance by school districts.

12 3. The commission shall consist of the governor and
13 the following members:

14 a. The director of the department of management or
15 the director's designee.

16 b. The executive director of Iowa's area education
17 agencies.

18 c. Seven members appointed by the governor as
19 follows:

20 (1) One member representing a company employing
21 more than five hundred people. The individual should
22 have management experience.

23 (2) One member representing a company employing
24 more than one hundred people but fewer than five
25 hundred people. The individual should have management
26 experience.

27 (3) One member representing a company employing
28 fewer than one hundred people. The individual should

29 have management experience.
30 (4) One member who is the chief executive officer
31 of a company with multiple stand-alone locations,
32 employing over fifty thousand people, and having annual
33 sales of more than six billion dollars.
34 (5) One member representing an accredited
35 postsecondary institution.
36 (6) One member representing school districts.
37 (7) One member from an organization representing
38 teachers in the state.
39 4. The governor shall serve as chairperson of
40 the commission. The director of the department of
41 management shall serve as chairperson in the absence
42 of the governor. The department of management shall
43 provide staffing assistance to the commission.
44 5. The commission shall submit its findings and
45 recommendations in a report to the governor and the
46 general assembly.>
47 _____. Title page, by striking lines 1 through 11 and
48 inserting <An Act providing for an assessment of the
49 department of education's effectiveness and for the
50 establishment of a department of education elimination

Page 3

1 commission.>>

BRAD ZAUN
MARK CHELGREN

S-3117

1 Amend House File 381, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 99D.7, subsection 5, paragraph
5 b, Code 2013, is amended to read as follows:
6 b. The commission shall, beginning January 1, 2012,
7 regulate the purse structure for all horse racing so
8 that seventy-six percent is designated for thoroughbred
9 racing, fifteen and one-quarter percent is designated
10 for quarter horse racing, and eight and ~~three-quarter~~
11 three-quarters percent is designated for standardbred
12 racing. The purse moneys designated for standardbred
13 racing may only be used to support standardbred harness
14 racing purses at the state fair, county fairs, or other
15 harness racing tracks approved by the commission, or
16 for the construction, maintenance, or repair of harness
17 racing tracks located in Iowa and at the fairgrounds
18 for such fairs or other harness racing tracks located
19 in Iowa and approved by the commission. The horse
20 racetrack in Polk county shall not provide funding to

- 21 support standardbred racing at such county fairs that
22 is not otherwise provided for in this paragraph.>
23 2. Title page, line 1, after <concerning> by
24 inserting <horse racing, including the use of purse
25 moneys for harness racing tracks and>
26 3. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT
JEFF DANIELSON, Chair

S-3118

- 1 Amend the amendment, S-3106, to House File 215,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 34, after line 23 by inserting:
5 <Sec. ____ Section 282.12, subsection 2, Code 2013,
6 is amended to read as follows:
7 2. For one-way sharing, the sending district
8 shall pay ~~no less than one-half a percentage of the~~
9 district cost per pupil of the sending district that
10 is proportionate to the percentage of the pupil's
11 school day during which the pupil attends classes in
12 the receiving district minus any actual costs incurred
13 by the sending district including but not limited to
14 transportation and administration costs, if such costs
15 are specified in the agreement.>
16 2. Page 36, after line 45 by inserting:
17 <Sec. ____ APPLICABILITY. The section of this
18 division of this Act amending section 282.12 applies
19 to sharing agreements entered into on or after July 1,
20 2013.>
21 3. By renumbering as necessary.

TOD R. BOWMAN

S-3119

- 1 Amend House File 533, as passed by the House, as
2 follows:
3 1. Page 3, after line 17 by inserting:
4 <4. Fund closure. A school corporation shall close
5 an entrepreneurial education fund at the request of
6 the student organization or club for which the school
7 corporation established the fund. All moneys in the
8 fund on the date of closure and any subsequent return
9 on an investment made with moneys from the fund shall
10 be deposited in the school corporation's student
11 activity fund established under section 298A.8.>
12 2. Page 3, line 18, by striking <4.> and inserting
13 <5.>

14 3. Page 3, line 21, by striking <venture.> and
15 inserting <venture, or rendering other labor or
16 services in return for compensation. "Entrepreneurial
17 activities" does not include charitable contributions
18 or other donations or gifts received by the student
19 organization or club for which no labor or services are
20 rendered.>

COMMITTEE ON EDUCATION
HERMAN C. QUIRMBACH, Chair

S-3120

- 1 Amend House File 454, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, line 9, by striking <financial
4 literacy.>

COMMITTEE ON EDUCATION
HERMAN C. QUIRMBACH, Chair

S-3121

- 1 Amend House File 152, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 468.187, Code 2013, is amended
5 to read as follows:
6 468.187 Agreements with ~~outside~~ owners or other
7 districts.
8 1. Levee and drainage districts are empowered to
9 enter into agreements with the owners of lands lying
10 inside or outside of said districts, or with other
11 levee and drainage districts or municipalities, to
12 provide levee protection or drainage for such lands on
13 such terms as the board may agree and subject to the
14 following terms and conditions:
15 ~~1. a.~~ The facilities of the district furnishing
16 the service shall not be overburdened.
17 ~~2. b.~~ There shall be no additional cost to the
18 district furnishing the service.
19 ~~3. c.~~ The agreement shall be in writing, be made
20 a part of the drainage records and shall include all
21 of the following:
22 ~~a. (1)~~ The description of the lands to be served;
23 ~~b. (2)~~ The location of tile lines constructed or
24 to be constructed;
25 ~~c. (3)~~ The consideration to be paid to the
26 district furnishing the service and the classification
27 of the lands to be served; ~~and~~.

28 ~~4.~~ (4) Such other provisions as the board deems
29 necessary.
30 2. The provisions in an agreement described in
31 subsection 1 modify other provisions of this chapter
32 applicable to such lands.>
33 2. Page 2, line 27, after <trustees.> by inserting
34 <The two additional persons shall be elected at
35 large by all qualified voters for the entire drainage
36 or levee district. Of the five persons elected as
37 trustees of the new drainage or levee district, not
38 more than two persons shall be elected from the same
39 specified election district.>
40 3. Title page, by striking lines 1 and 2 and
41 inserting <An Act relating to drainage or levee
42 districts by providing for agreements with owners
43 of land located within districts, providing for the
44 management of districts by a board of trustees, and
45 including effective date provisions.>
46 4. By renumbering, redesignating, and correcting
47 internal references as necessary.

COMMITTEE ON AGRICULTURE
DR. JOE M. SENG, Chair

S-3122

1 Amend Senate File 413 as follows:
2 1. Page 1, line 4, by striking <1. The> and
3 inserting <The>
4 2. By striking page 1, line 9, through page 2, line
5 7, and inserting <purposes.
6 Sec. ____ Section 461C.2, subsection 5, Code 2013,
7 is amended to read as follows:
8 5. "Recreational purpose" means the following
9 or any combination thereof: Hunting, trapping,
10 horseback riding, fishing, swimming, boating, camping,
11 picnicking, hiking, pleasure driving, motorcycling,
12 all-terrain vehicle riding, nature study, water
13 skiing, snowmobiling, other summer and winter sports,
14 agricultural tours, and viewing or enjoying historical,
15 archaeological, agricultural, scenic, or scientific
16 sites while going to and from or actually engaged
17 therein.>
18 3. Page 2, line 11, by striking <1. Except> and
19 inserting <Except>
20 4. Page 2, by striking lines 18 through 28 and
21 inserting:
22 <Sec. ____ Section 461C.4, Code 2013, is amended to
23 read as follows:
24 461C.4 Users not invitees or licensees.
25 1. Except as specifically recognized by or provided
26 in section 461C.6, a holder of land who either directly

27 or indirectly invites or permits without charge any
28 person or group of persons to use such property for
29 recreational purposes or urban deer control does not
30 thereby:

31 ~~1. a.~~ Extend any assurance that the premises are
32 safe for any purpose.

33 ~~2. b.~~ Confer upon such person the legal status
34 of an invitee or licensee to whom the duty of care is
35 owed.

36 ~~3. c.~~ Assume responsibility for or incur liability
37 for any injury to person or property caused by an act
38 or omission of such persons.

39 2. This chapter is applicable to a holder of land
40 who excludes some members of the public from using the
41 land for recreational purposes or urban deer control.>

42 5. By renumbering as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3123

1 Amend House File 356, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, line 2, by striking <ten> and inserting
4 <five>

5 2. Page 2, line 7, after <issued.> by inserting
6 <However, in the event that the judgment or the right
7 to collect thereon is sold by the judgment creditor
8 or otherwise assigned to a third party for value,
9 such judgment shall be null and void, all liens shall
10 be extinguished, and no execution shall be issued
11 after the expiration of two years from the date of
12 entry of the judgment, exclusive of any time during
13 which execution on the judgment was stayed pending a
14 bankruptcy action or order of court.>

15 3. By renumbering as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3124

1 Amend House File 357, as passed by the House, as
2 follows:

3 1. Page 1, lines 12 and 13, by striking ~~<or~~
4 ~~district of the court to which they are nominated>~~ and
5 inserting <or judicial district of the court to which
6 they are nominated>

7 2. Page 2, after line 7 by inserting:
8 <Sec. ____ Section 602.6201, subsection 2, Code
9 2013, is amended to read as follows:

- 10 2. ~~A Upon assuming office, a district judge~~
11 ~~must be a resident of the judicial district, or~~
12 ~~judicial election district, if applicable, in which~~
13 ~~appointed and retained. Subject to the provision~~
14 ~~for reassignment of judges under section 602.6108,~~
15 ~~a district judge shall serve in the district of the~~
16 ~~judge's residence while in office, regardless of the~~
17 ~~number of judgeships to which the district is entitled~~
18 ~~under the formula prescribed by the supreme court in~~
19 ~~subsection 3.>~~
20 3. By renumbering as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3125

- 1 Amend House File 398, as passed by the House, as
2 follows:
3 1. By striking page 1, line 16, through page 2,
4 line 14, and inserting:
5 <Sec. ____ Section 522B.11, Code 2013, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 8. a. An insurance producer has
8 no duty to an intended beneficiary of a life insurance
9 policy unless the policy owner's intent to name that
10 person as a beneficiary of the insurance policy or
11 contract is proven by clear written evidence.
12 b. The general assembly declares that the holding
13 of Pitts v. Farm Bureau Life Ins. Co., 818 N.W.2d
14 91 (Iowa 2012) is abrogated to the extent that the
15 holding allowed a policy owner's intent to be proven by
16 oral testimony of a person claiming to be an intended
17 beneficiary.>
18 2. By renumbering as necessary.

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3126

- 1 Amend House File 527, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 3 through 6 and
4 inserting:
5 <NEW SUBSECTION. 01. "Aggravated misdemeanor" means
6 an offense classified as an aggravated misdemeanor
7 committed by a person eighteen years of age or older on
8 or after the effective date of this Act, other than any
9 of the following offenses:
10 a. A violation of chapter 321.
11 b. A second offense violation of section 321J.2,

12 unless the person has more than one previous offense as
13 determined pursuant to section 321J.2, subsection 8,
14 within the twelve-year period immediately preceding the
15 commission of the aggravated misdemeanor.
16 c. A violation of chapter 716B.
17 d. A violation of chapter 717A.
18 e. A violation of section 725.7.>
19 2. Page 1, lines 9 and 10, by striking <or
20 aggravated misdemeanor>

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3127

1 Amend House File 538, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking line 3 and inserting:
4 1. The>
5 2. Page 1, line 6, after <hearings.> by inserting
6 <The pool of alternate members shall be deemed a
7 separate appointive board for purposes of complying
8 with the requirements of sections 69.16 and 69.16A.>
9 3. Page 1, line 18, by striking <sections 17A.11
10 and> and inserting <section>

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3128

1 Amend House File 566, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, line 33, by striking <five> and
4 inserting <two>

COMMITTEE ON JUDICIARY
ROBERT M. HOGG, Chair

S-3129

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 3 through 12.
4 2. Page 8, by striking lines 11 through 14 and
5 inserting <person. However, a subscriber director
6 of a dental service corporation may be an employee,
7 officer, director, or trustee of a hospital that does
8 not contract with the dental service corporation. A

- 9 subscriber>
10 3. By striking page 15, line 27, through page 17,
11 line 4.
12 4. By renumbering as necessary.

COMMITTEE ON COMMERCE
MATT McCOY, Chair

S-3130

- 1 Amend House File 223, as passed by the House, as
2 follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 100.1, Code 2013, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 8. To order the suspension of
7 the use of consumer fireworks, display fireworks, or
8 novelties, as described in section 727.2, if the fire
9 marshal determines that the use of such devices would
10 constitute a threat to public safety.
11 Sec. ____ Section 101A.1, subsection 3, Code 2013,
12 is amended to read as follows:
13 3. "Explosive" means any chemical compound, mixture
14 or device, the primary or common purpose of which is to
15 function by explosion with substantially instantaneous
16 release of gas and heat, unless such compound, mixture,
17 or device is otherwise specifically classified by
18 the United States department of transportation. The
19 term "explosive" includes all materials which are
20 classified as a class 1, division 1.1, 1.2, 1.3,
21 or 1.4 explosive by the United States department of
22 transportation, under 49 C.F.R. § 173.50, and all
23 materials classified as explosive materials under 18
24 U.S.C. § 841, and includes, but is not limited to,
25 dynamite, black powder, pellet powders, initiating
26 explosives, blasting caps, electric blasting caps,
27 safety fuse, fuse lighters, fuse igniters, squibs,
28 cordeau detonative fuse, instantaneous fuse, igniter
29 cord, igniters, smokeless propellant, cartridges for
30 propellant-actuated power devices, cartridges for
31 industrial guns, and overpressure devices, but does not
32 include ~~"fireworks" as "consumer fireworks". "display~~
33 ~~fireworks", or "novelties" as those terms are defined~~
34 in section 727.2 or ammunition or small arms primers
35 manufactured for use in shotguns, rifles, and pistols.
36 Commercial explosives are those explosives which
37 are intended to be used in commercial or industrial
38 operations.>
39 2. Page 3, after line 20 by inserting:
40 <Sec. ____ Section 331.301, Code 2013, is amended
41 by adding the following new subsection:
42 NEW SUBSECTION. 17. The board of supervisors may

43 by resolution suspend the use of consumer fireworks,
44 display fireworks, or novelties, as described in
45 section 727.2, if the board determines that the use
46 of such devices would constitute a threat to public
47 safety.

48 Sec. ____ Section 331.304, subsection 9, Code 2013,
49 is amended to read as follows:

50 9. The board, upon application, may grant permits

Page 2

1 for the display of consumer fireworks, display
2 fireworks, and novelties as provided in section 727.2.

3 Sec. ____ Section 364.2, Code 2013, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 6. A city council may by
6 resolution suspend the use of consumer fireworks,
7 display fireworks, or novelties, as described in
8 section 727.2, if the city council determines that the
9 use of such devices would constitute a threat to public
10 safety.

11 Sec. ____ Section 461A.42, subsection 2, Code 2013,
12 is amended to read as follows:

13 2. The use of consumer fireworks, display
14 fireworks, and novelties, as defined in section 727.2,
15 in state parks and preserves is prohibited except as
16 authorized by a permit issued by the department. The
17 commission shall establish, by rule adopted pursuant
18 to chapter 17A, a fireworks permit system which
19 authorizes the issuance of a limited number of permits
20 to qualified persons to use or display fireworks in
21 selected state parks and preserves.

22 Sec. ____ Section 727.2, Code 2013, is amended to
23 read as follows:

24 727.2 Fireworks.

25 1. For purposes of this section:

26 a. "Consumer fireworks" includes all consumer
27 fireworks enumerated in chapter 3 of the American
28 pyrotechnics association's standard 87-1, and that
29 comply with the labeling regulations promulgated by the
30 United States consumer product safety commission.

31 b. The term "fireworks" "Display fireworks" includes
32 any explosive composition, or combination of explosive
33 substances, or article prepared for the purpose of
34 producing a visible or audible effect by combustion,
35 explosion, deflagration, or detonation, and includes
36 blank cartridges, firecrackers, torpedoes, skyrockets,
37 roman candles, or other fireworks of like construction
38 and fireworks containing any explosive or flammable
39 compound, or other device containing any explosive
40 substance. The term "fireworks" "Display fireworks"
41 does not include goldstar producing sparklers on wires

42 ~~which contain no magnesium or chlorate or perchlorate,~~
43 ~~flitter sparklers in paper tubes that do not exceed~~
44 ~~one eighth of an inch in diameter, toy snakes which~~
45 ~~contain no mercury, or caps used in cap pistols~~
46 novelties or consumer fireworks enumerated in chapter
47 3 of the American pyrotechnics association's standard
48 87-1.
49 c. "Novelties" includes all novelties enumerated in
50 chapter 3 of the American pyrotechnics association's

Page 3

1 standard 87-1, and that comply with the labeling
2 regulations promulgated by the United States consumer
3 product safety commission.

4 2. A person, firm, partnership, or corporation who
5 offers for sale, exposes for sale, sells at retail,
6 or uses or explodes any display fireworks, commits
7 a simple misdemeanor. ~~In addition to any other~~
8 ~~penalties, the punishment imposed for a violation of~~
9 ~~this section shall include assessment of, punishable~~
10 ~~by a fine of not less than two hundred fifty dollars.~~
11 ~~However, the a city council of a city or a county~~
12 ~~board of supervisors may, upon application in writing,~~
13 ~~grant a permit for the display of display fireworks by~~
14 ~~municipalities, fair associations, amusement parks,~~
15 ~~and other organizations or groups of individuals~~
16 ~~approved by the city or the county board of supervisors~~
17 ~~when the display fireworks display will be handled~~
18 ~~by a competent operator, but no such permit shall be~~
19 ~~required for the display of display fireworks at the~~
20 ~~Iowa state fairgrounds by the Iowa state fair board,~~
21 ~~at incorporated county fairs, or at district fairs~~
22 ~~receiving state aid. Sales of display fireworks for~~
23 ~~such display may be made for that purpose only.~~

24 3. a. A person who uses or explodes display
25 fireworks while the use of such devices is suspended
26 by a resolution adopted by the county or city in which
27 the firework is used commits a simple misdemeanor,
28 punishable by a fine of not less than two hundred fifty
29 dollars.

30 b. A person who uses or explodes display fireworks
31 while the use of such devices is suspended by an order
32 of the state fire marshal commits a simple misdemeanor,
33 punishable by a fine of not less than two hundred fifty
34 dollars.

35 4. a. A person who is at least eighteen years of
36 age or a firm, partnership, or corporation may possess
37 or transfer, offer for sale, expose for sale, or sell
38 at retail to a person who is eighteen years of age
39 or older novelties or consumer fireworks. During the
40 period beginning June 1 and ending August 1 each year,

41 and the period beginning December 15 and ending January
42 3 each year, a person who is eighteen years of age or
43 older may, without a permit, use or explode novelties
44 or consumer fireworks. However, a city council or a
45 county board of supervisors may, upon application in
46 writing, grant a permit for the display of novelties
47 or consumer fireworks during other times of the year
48 by municipalities, fair associations, amusement parks,
49 and other organizations or groups of individuals
50 approved by the city council or the county board of

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1 supervisors when the novelties or consumer fireworks
2 will be handled by a competent operator, but no such
3 permit shall be required for the display of novelties
4 or consumer fireworks at the Iowa state fairgrounds
5 by the Iowa state fair board, at incorporated county
6 fairs, or at district fairs receiving state aid.
7 b. A person, firm, partnership, or corporation who
8 transfers or sells novelties or consumer fireworks to
9 a person who is less than eighteen years of age commits
10 a simple misdemeanor, punishable by a fine of not less
11 than two hundred fifty dollars. A person who is less
12 than eighteen years of age who purchases, possesses,
13 uses, or explodes novelties or consumer fireworks
14 commits a simple misdemeanor, punishable by a fine of
15 not less than two hundred fifty dollars.

16 c. (1) A person who uses or explodes novelties
17 or consumer fireworks while the use of such devices
18 is suspended by a resolution adopted by the county or
19 city in which the firework is used commits a simple
20 misdemeanor, punishable by a fine of not less than two
21 hundred fifty dollars.

22 (2) A person who uses or explodes novelties or
23 consumer fireworks while the use of such devices is
24 suspended by an order of the state fire marshal commits
25 a simple misdemeanor, punishable by a fine of not less
26 than two hundred fifty dollars.

27 ~~2. 5.~~ a. This section does not prohibit the sale
28 by a resident, dealer, manufacturer, or jobber of such
29 fireworks as are not prohibited by this section, or
30 the sale of any kind of fireworks if they are to be
31 shipped out of the state, or the sale or use of blank
32 cartridges for a show or the theater, or for signal
33 purposes in athletic sports or by railroads or trucks,
34 for signal purposes, or by a recognized military
35 organization.

36 b. This section does not apply to any substance
37 or composition prepared and sold for medicinal or
38 fumigation purposes.

39 c. This section does not apply to

40 goldstar-producing sparklers on wires which contain no
41 magnesium or chlorate or perchlorate. flitter sparklers
42 in paper tubes that do not exceed one-eighth of an inch
43 in diameter. toy snakes which contain no mercury, or
44 caps used in cap pistols.>
45 3. Title page, line 1, by striking <concerning>
46 and inserting <relating to fireworks and explosives
47 including the possession, sale, transfer, purchase, and
48 use of fireworks, and the>
49 4. Title page, line 2, after <explosives> by
50 inserting <, and providing penalties>

Page 5

- 1 5. By renumbering as necessary.

JAKE CHAPMAN
DAVID JOHNSON
MARK SEGEBART
BILL ANDERSON
RICK BERTRAND
KENT SORENSON
DENNIS GUTH
KEN ROZENBOOM
AMY SINCLAIR
TIM L. KAPUCIAN
BRAD ZAUN
JONI K. ERNST
MICHAEL BREITBACH
DAN ZUMBACH

S-3131

- 1 Amend House File 512, as passed by the House, as
2 follows:
3 1. Page 1, line 3, after <3.> by inserting <a.>
4 2. Page 1, by striking line 8 and inserting
5 <abandoned as provided in section 459.201.>
6 3. Page 1, by striking line 9 and inserting:
7 <b. In calculating animal unit capacity for
8 purposes of an election to be considered a small>
9 4. Page 1, by striking line 13 and inserting <used
10 to do any of the following:
11 (1) House animals.
12 (2) Store manure.>
13 5. Page 1, by striking lines 29 through 31 and
14 inserting:
15 <a. The confinement feeding operation has a
16 capacity of five hundred or fewer animal units
17 which shall be calculated by determining all of the
18 following:
19 (1) The number of animal units housed at the

20 confinement feeding operation at any one time during
21 the period of election.

22 (2) The animal unit capacity of each confinement
23 feeding operation building that is used to store
24 manure during the period of the election. However,
25 this subparagraph does not apply if a confinement
26 feeding operation building stores manure pursuant
27 to a temporary approval issued by the department.
28 The department shall not issue a temporary approval
29 unless the manure is stored on an emergency basis
30 for a limited period. The department shall establish
31 terms and conditions for a temporary approval. The
32 department may issue one or more extensions to a
33 temporary approval if necessary.>

34 6. By renumbering, redesignating, and correcting
35 internal references as necessary.

DR. JOE M. SENG

S-3132

1 Amend Senate File 431 as follows:
2 1. Page 1, line 2, by striking <paragraph> and
3 inserting <paragraphs>
4 2. Page 1, after line 7 by inserting:
5 <NEW PARAGRAPH. d. A taxpayer must submit an
6 application to the department for each separate and
7 distinct solar installation. The application must
8 be approved by the department in order to claim the
9 tax credit. The application must be filed by May 1
10 following the year of the installation of the solar
11 energy system.>

ROBERT M. HOGG

S-3133

1 Amend House File 495, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, after line 30 by inserting:
4 <Sec. ____ Section 631.14, subsection 2, Code 2013,
5 is amended to read as follows:
6 2. In actions concerning residential rental
7 property that is titled in the name of one or more
8 individuals, an employee of one or more of the titled
9 owners, or an officer or employee of a property
10 management entity acting on behalf of one or more of
11 the titled owners, may bring or defend an action in
12 the name of the ~~titled owners, the property management~~
13 ~~entity, or the name by which the property is commonly~~
14 ~~known real party in interest.~~
15 ~~Notwithstanding any other provision to the contrary,~~

16 ~~if the defendant or plaintiff has been improperly named~~
17 ~~in the petition in an action concerning residential~~
18 ~~rental property, the real party in interest shall be~~
19 ~~substituted at the time the error is identified and the~~
20 ~~action shall not be dismissed or delayed except to the~~
21 ~~extent necessary to identify and serve the real parties~~
22 ~~in interest.>~~
23 2. By renumbering as necessary.

THOMAS G. COURTNEY

S-3134

1 Amend Senate File 230 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. NEW SECTION. 537A.6 In-state
5 construction contracts — Iowa law to govern.
6 1. As used in this section, “in-state construction
7 contract” means a public, private, foreign, or domestic
8 agreement relating to construction, alteration, repair,
9 or maintenance of any real property in this state
10 and includes agreements for architectural services,
11 demolition, design services, development, engineering
12 services, excavation, or any other improvement to real
13 property in this state, including buildings, shafts,
14 wells, and structures, whether on, above, or under real
15 property in this state. “In-state construction contract”
16 does not include any agreement between this state and
17 any other state.
18 2. A provision of an in-state construction contract
19 is void and unenforceable as contrary to public policy
20 if the provision does any of the following:
21 a. Makes the in-state construction contract subject
22 to the laws of another state.
23 b. Requires any litigation, mediation, arbitration,
24 or other dispute resolution proceeding arising from
25 the in-state construction contract to be conducted in
26 another state.
27 3. Notwithstanding any contractual provision to the
28 contrary, the laws of this state shall apply to every
29 in-state construction contract.
30 4. Any litigation, mediation, arbitration, or other
31 dispute resolution proceeding arising from or relating
32 to an in-state construction contract shall be conducted
33 in this state.
34 Sec. 2. EFFECTIVE DATE. This Act takes effect
35 January 1, 2014.>
36 2. Title page, line 2, after <law> by inserting
37 <and including effective date provisions>

JANET PETERSEN

S-3135

- 1 Amend House File 211, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, lines 22 and 23, by striking
- 4 <Notwithstanding any contractual provision to the
- 5 contrary, the> and inserting <The>

JANET PETERSEN

S-3136

- 1 Amend House File 602, as passed by the House, as
- 2 follows:
- 3 1. Page 4, after line 34 by inserting:
- 4 <Sec. ____ JOB ACCESS AND REVERSE COMMUTE GRANT
- 5 PROGRAM. Notwithstanding section 321.145, subsection
- 6 2, paragraph “c”, there is appropriated from the
- 7 statutory allocations fund to the department of
- 8 transportation for the fiscal year beginning July
- 9 1, 2013, and ending June 30, 2014, from the revenues
- 10 remaining after the operation of section 321.145,
- 11 subsection 2, paragraphs “a” and “b”, the following
- 12 amount, or so much thereof as is necessary, to be used
- 13 for the purposes designated:
- 14 For continuation of the job access and reverse
- 15 commute grant program:
- 16 \$ 350,000
- 17 Moneys appropriated in this section shall be
- 18 distributed by the department in the form of grants to
- 19 cities, nonprofit organizations, or operators of public
- 20 transportation services for the fiscal year beginning
- 21 July 1, 2013, and ending June 30, 2014, to continue
- 22 an existing access to jobs project or reverse commute
- 23 project serving a city with a population of 50,000 or
- 24 more and the surrounding metropolitan area. A grant
- 25 awarded under this section shall not exceed 90 percent
- 26 of the cost of a program’s operation for the fiscal
- 27 year beginning July 1, 2013, and ending June 30, 2014.
- 28 In awarding grants under this section, the department
- 29 shall use criteria established under former 49 U.S.C.
- 30 § 5316 establishing the federal job access and reverse
- 31 commute formula grant program.>
- 32 2. By renumbering as necessary.

LIZ MATHIS

S-3137

- 1 Amend House File 477, as passed by the House, as
- 2 follows:
- 3 1. Page 1, after line 34 by inserting:

4 <Sec. ____ NEW SECTION. 321.240 Mobile radar
5 camera enforcement prohibited.
6 The state or a local authority shall not operate or
7 authorize the use of a mobile radar speed camera for
8 the enforcement of vehicular speed laws. For purposes
9 of this section, "mobile radar speed camera" means
10 a mobile automated traffic enforcement system that
11 operates in conjunction with a speed measuring device,
12 as defined in section 321.232, to record images of
13 vehicles traveling in violation of a speed limit.>
14 2. Title page, line 1, after <to> by inserting
15 <speed enforcement technology, including the use of
16 mobile radar speed cameras and>
17 3. By renumbering as necessary.

BRAD ZAUN
KENT SORENSON

S-3138

1 Amend House File 245, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 30, through page 2,
4 line 5, and inserting <Notwithstanding section 8.33,
5 or any other provision of law to the contrary, the
6 unencumbered or unobligated balance of the cigarette
7 fire safety standard fund at the close of the fiscal
8 year beginning July 1, 2012, shall not revert but shall
9 remain available for expenditure for purposes of the
10 regional emergency response training centers, on an
11 equal basis, until the close of the succeeding fiscal
12 year.
13 Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
14 being deemed of immediate importance, takes effect upon
15 enactment.>
16 2. By renumbering as necessary.

JEFF DANIELSON

S-3139

1 Amend House File 477, as passed by the House, as
2 follows:
3 1. Page 1, line 4, by striking <sell, operate, or
4 possess> and inserting <sell, or operate ~~or possess~~>
5 2. Page 1, lines 13 and 14, by striking <sold,
6 operated, or possessed> and inserting <sold or
7 operated>
8 3. By renumbering as necessary.

MARK CHELGREN

S-3140

- 1 Amend the amendment, S-3117, to House File 381,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, after line 22 by inserting:
5 <Sec. ____ Section 99D.11, subsection 6, paragraph
6 c, subparagraph (4), Code 2013, is amended to read as
7 follows:
8 (4) An unlicensed advance deposit wagering operator
9 or an individual taking or receiving wagers from
10 residents of this state ~~on races conducted at the horse~~
11 ~~racetrack located in Polk county~~ is guilty of a class
12 "D" felony. >>
13 2. Page 1, line 25, after <tracks> by inserting <,
14 advance deposit wagering,>

JEFF DANIELSON

S-3141HOUSE AMENDMENT TO
SENATE FILE 272

- 1 Amend Senate File 272, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 2, after line 10 by inserting:
4 <DIVISION ____
5 EMINENT DOMAIN
6 Sec. ____ NEW SECTION. 6A.15 Property on state
7 historic registry.
8 1. Property listed on the state register of
9 historic places maintained by the historical division
10 of the department of cultural affairs shall not be
11 removed from the register solely for the purpose of
12 allowing acquisition of the property by condemnation,
13 unless such condemnation is undertaken by the
14 department of transportation.
15 2. Property listed on the state register of
16 historic places maintained by the historical division
17 of the department of cultural affairs shall not be
18 condemned by the state or a political subdivision
19 unless a joint resolution authorizing commencement of
20 the condemnation proceedings is approved by a vote of
21 at least two-thirds of the members of both chambers
22 of the general assembly and signed by the governor.
23 The approval requirements of this subsection shall not
24 apply to condemnation undertaken by the department of
25 transportation.
26 Sec. ____ Section 6A.19, Code 2013, is amended to
27 read as follows:
28 6A.19 Interpretative clause.

29 A grant in this chapter of right to take private
30 property for a public use shall not be construed as
31 limiting a like grant elsewhere in the Code for another
32 and different use. Unless specifically provided by
33 law, this chapter shall not be construed to limit or
34 otherwise affect the application of chapters 478 and
35 479 to the eminent domain authority of the utilities
36 division of the department of commerce.

37 Sec. ____ Section 6A.22, subsection 2, paragraph
38 c, subparagraph (1), Code 2013, is amended to read as
39 follows:

40 (1) (a) If private property is to be condemned for
41 development or creation of a lake, only that number
42 of acres justified as reasonable and necessary for
43 a surface drinking water source, and not otherwise
44 acquired, may be condemned. In addition, the acquiring
45 agency shall conduct a review of prudent and feasible
46 alternatives to provision of a drinking water source
47 prior to making a determination that such lake
48 development or creation is reasonable and necessary.
49 Development or creation of a lake as a surface drinking
50 water source includes all of the following:

Page 2

1 (i) Construction of the dam, including sites for
2 suitable borrow material and the auxiliary spillway.
3 (ii) The water supply pool.
4 (iii) The sediment pool.
5 (iv) The flood control pool.
6 (v) The floodwater retarding pool.
7 (vi) The surrounding area upstream of the dam
8 no higher in elevation than the top of the dam's
9 elevation.
10 (vii) The appropriate setback distance required
11 by state or federal laws and regulations to protect
12 drinking water supply.
13 (b) For purposes of this subparagraph (1), "number
14 of acres justified as reasonable and necessary for
15 a surface drinking water source" means according to
16 guidelines of the United States natural resource
17 conservation service and according to analyses of
18 ~~surface~~ drinking water capacity needs conducted
19 by one or more registered professional engineers.
20 The registered professional engineers may, if
21 appropriate, employ standards or guidelines other
22 than the guidelines of the United States natural
23 resource conservation service when determining the
24 number of acres justified as reasonable and necessary
25 for a surface drinking water source. The data and
26 information used by the registered professional
27 engineers shall include data and information relating

28 to population and commercial enterprise activity for
29 the area from the two most recent federal decennial
30 censuses unless the district court of the county in
31 which the property is situated has determined by a
32 preponderance of the evidence that such data would
33 not accurately predict the population and commercial
34 enterprise activity of the area in the future.
35 (c) A second review or analysis of the drinking
36 water capacity needs shall be performed upon receipt
37 by the acquiring agency of a petition signed by not
38 less than twenty-five percent of the affected property
39 owners. The registered professional engineer to
40 perform the second review or analysis shall be selected
41 by a committee appointed by the affected property
42 owners and whose membership is comprised of at least
43 fifty percent property owners affected by the proposed
44 condemnation action. The acquiring agency shall be
45 responsible for paying the fees and expenses of such
46 an engineer.
47 (d) If private property is to be condemned for
48 development or creation of a lake, the plans, analyses,
49 applications, including any application for funding,
50 and other planning activities of the acquiring agency

Page 3

1 shall not include or provide for the use of the lake
2 for recreational purposes.
3 Sec. ____ Section 6B.54, subsection 10, paragraph
4 a, Code 2013, is amended by adding the following new
5 subparagraph:
6 NEW SUBPARAGRAPH. (3) Reasonable attorney fees and
7 reasonable costs not to exceed one hundred thousand
8 dollars, attributable to a determination that the
9 creation of a lake through condemnation includes a
10 future recreational use or that a violation of section
11 6A.22, subsection 2, paragraph “c”, subparagraph (1),
12 subparagraph division (d), has occurred, if such fees
13 and costs are not otherwise provided under section
14 6B.33.
15 Sec. ____ NEW SECTION. 6B.56B Disposition of
16 condemned property — two-year time period.
17 1. When two years have elapsed since property
18 was condemned for the creation of a lake according
19 to the requirements of section 6A.22, subsection 2,
20 paragraph “c”, subparagraph (1), and the property has
21 not been used for or construction has not progressed
22 substantially from the date the property was condemned
23 for the purpose stated in the application filed
24 pursuant to section 6B.3, and the acquiring agency has
25 not taken action to dispose of the property pursuant
26 to section 6B.56, the acquiring agency shall, within

27 sixty days, adopt a resolution offering the property
28 for sale to the prior owner at a price as provided in
29 section 6B.56. If the resolution adopted approves an
30 offer of sale to the prior owner, the offer shall be
31 made in writing and mailed by certified mail to the
32 prior owner. The prior owner has one hundred eighty
33 days after the offer is mailed to purchase the property
34 from the acquiring agency.

35 2. If the acquiring agency has not adopted a
36 resolution described in subsection 1 within the
37 sixty-day time period, the prior owner may, in writing,
38 petition the acquiring agency to offer the property
39 for sale to the prior owner at a price as provided in
40 section 6B.56. Within sixty days after receipt of
41 such a petition, the acquiring agency shall adopt a
42 resolution described in subsection 1. If the acquiring
43 agency does not adopt such a resolution within sixty
44 days after receipt of the petition, the acquiring
45 agency is deemed to have offered the property for sale
46 to the prior owner.

47 3. The acquiring agency shall give written notice
48 to the owner of the right to purchase the property
49 under this section at the time damages are paid to the
50 owner.

Page 4

1 Sec. ____ Section 403.7, subsection 1, unnumbered
2 paragraph 1, Code 2013, is amended to read as follows:
3 A municipality shall have the right to acquire by
4 condemnation any interest in real property, including a
5 fee simple title thereto, which it may deem necessary
6 for or in connection with an urban renewal project
7 under this chapter, subject to the limitations on
8 eminent domain authority in ~~chapter~~ chapters 6A and 6B.
9 However, a municipality shall not condemn agricultural
10 land included within an economic development area
11 for any use unless the owner of the agricultural land
12 consents to condemnation or unless the municipality
13 determines that the land is necessary or useful for any
14 of the following:

15 Sec. ____ NEW SECTION. 423B.11 Use of revenues —
16 limitation.

17 The revenue raised by a local sales and services
18 tax imposed under this chapter by a county shall not
19 be expended for any purpose related to a project that
20 includes the condemnation of private property for
21 the creation of a lake according to the requirements
22 of section 6A.22, subsection 2, paragraph “c”,
23 subparagraph (1), if the local sales and services tax
24 has not been approved at election in the area where the
25 property to be condemned is located.

26 Sec. ____ Section 455A.5, Code 2013, is amended by
27 adding the following new subsection:
28 NEW SUBSECTION. 7. The authority granted to the
29 commission to acquire real property for purposes
30 of carrying out a duty related to development or
31 maintenance of the recreation resources of the state,
32 including planning, acquisition, and development of
33 recreational projects, and areas and facilities related
34 to such projects, shall not include the authority to
35 acquire real property by eminent domain.
36 Sec. ____ Section 456A.24, subsection 2, unnumbered
37 paragraph 1, Code 2013, is amended to read as follows:
38 Acquire by purchase, ~~condemnation~~, lease, agreement,
39 gift, and devise lands or waters suitable for the
40 purposes hereinafter enumerated, and rights-of-way
41 thereto, and to maintain the same for the following
42 purposes, ~~to wit~~:
43 Sec. ____ Section 456A.24, Code 2013, is amended by
44 adding the following new subsection:
45 NEW SUBSECTION. 15. The authority granted the
46 department to acquire real property for any statutory
47 purpose relating to the development or maintenance
48 of the recreation resources of the state, including
49 planning, acquisition, and development of recreational
50 projects, and areas and facilities related to such

Page 5

1 projects, shall not include the authority to acquire
2 real property by eminent domain.
3 Sec. ____ Section 461A.7, Code 2013, is amended to
4 read as follows:
5 461A.7 ~~Eminent domain~~ Purchase of lands — public
6 parks.
7 The commission may purchase ~~or condemn~~ lands from
8 willing sellers for public parks. ~~No A~~ contract for
9 the purchase of such public parks shall not be made to
10 an amount in excess of funds appropriated therefor by
11 the general assembly.
12 Sec. ____ Section 461A.10, Code 2013, is amended to
13 read as follows:
14 461A.10 Title to lands.
15 The title to all lands purchased, ~~condemned~~, or
16 donated; hereunder, for park ~~or highway~~ purposes and
17 the title to all lands purchased, condemned, or donated
18 hereunder for highway purposes, shall be taken in the
19 name of the state and if thereafter it shall be deemed
20 advisable to sell any portion of the land so purchased
21 or condemned, the proceeds of such sale shall be placed
22 to the credit of the ~~said~~ public state parks fund to be
23 used for such park purposes.
24 Sec. ____ Section 463C.8, subsection 1, paragraph

25 k, Code 2013, is amended to read as follows:

26 k. The power to acquire, own, hold, administer,
27 and dispose of property, except that such power is not
28 a grant of authority to acquire property by eminent
29 domain.

30 Sec. ____ REPEAL. Sections 461A.9 and 461A.75,
31 Code 2013, are repealed.

32 Sec. ____ SEVERABILITY. If any provision of this
33 division of this Act is held invalid, the invalidity
34 shall not affect other provisions or applications of
35 this division of this Act which can be given effect
36 without the invalid provision, and to this end the
37 provisions of this division of this Act are severable
38 as provided in section 4.12.

39 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
40 of this Act, being deemed of immediate importance,
41 takes effect upon enactment.

42 Sec. ____ APPLICABILITY. Except as otherwise
43 provided in this division of this Act, this division
44 of this Act applies to projects or condemnation
45 proceedings pending or commenced on or after the
46 effective date of this division of this Act.

47 Sec. ____ RETROACTIVE APPLICABILITY.
48 Notwithstanding any provision of law to the contrary,
49 the following provision or provisions of this division
50 of this Act apply retroactively to projects or

Page 6

1 condemnation proceedings pending or commenced on or
2 after February 15, 2013:

3 1. The section of this division of this Act
4 amending section 6A.22.

5 2. The section of this division of this Act
6 enacting section 6B.56B.>

7 2. Title page, by striking lines 1 and 2 and
8 inserting <An Act relating to the use of public and
9 private land, including the registration and titling>

10 3. Title page, line 4, after <program> by inserting
11 <, and to eminent domain authority and procedures, and
12 including effective date, retroactive applicability,
13 and other applicability provisions>

14 4. By renumbering as necessary.

S-3142

HOUSE AMENDMENT TO SENATE FILE 358

1 Amend Senate File 358, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 2, line 35, through page 3,

4 line 5, and inserting:

5 4. a. A vendee of a real estate contract or bond
6 for deed, the vendor of which is barred by this section
7 from maintaining an action to foreclose or enforce
8 the contract or bond, or a vendee who is entitled
9 to immediate issuance of a deed in fulfillment of
10 contract or bond and who is in physical possession of
11 the property, may serve the vendor with a demand for a
12 deed as provided in the contract. For purposes of this
13 subsection, "vendee" includes a vendee's successor in
14 interest. The notice may be served personally>

15 2. By renumbering as necessary.

S-3143

HOUSE AMENDMENT TO SENATE FILE 224

1 Amend Senate File 224, as passed by the Senate, as
2 follows:

3 1. Page 1, after line 15 by inserting:

4 <Sec. ____ Section 321.190, subsection 1, paragraph
5 d, Code 2013, is amended to read as follows:

6 d. The fee for a nonoperator's identification
7 card shall be ~~five~~ eight dollars and the card shall
8 be valid for a period of ~~five~~ eight years from the
9 date of issuance. ~~A nonoperator's identification~~
10 ~~card shall be issued without expiration to anyone age~~
11 ~~seventy or over.~~ If an applicant for a nonoperator's
12 identification card is a foreign national who is
13 temporarily present in this state, the nonoperator's
14 identification card shall be issued only for the
15 length of time the foreign national is authorized to be
16 present as determined by the department, not to exceed
17 two years. An issuance fee shall not be charged for
18 a person whose driver's license or driving privilege
19 has been suspended under section 321.210, subsection
20 1, paragraph "a", subparagraph (3), or voluntarily
21 surrendered by the person in lieu of suspension under
22 section 321.210, subsection 1, paragraph "a".>

23 2. Page 1, after line 31 by inserting:

24 <Sec. ____ Section 321.196, subsection 1, Code
25 2013, is amended to read as follows:

26 1. Except as otherwise provided, if the licensee
27 is between the ages of seventeen years eleven months
28 and seventy-two years on the date of issuance of the
29 license, a driver's license, other than an instruction
30 permit, chauffeur's instruction permit, or commercial
31 driver's instruction permit issued under section
32 321.180, expires ~~five~~ eight years from the licensee's
33 birthday anniversary occurring in the year of issuance
34 ~~if the licensee is between the ages of seventeen years~~

35 ~~eleven months and seventy years on the date of issuance~~
36 ~~of the license, but not to exceed the licensee's~~
37 ~~seventy-fourth birthday.~~ If the licensee is under the
38 age of seventeen years eleven months or age ~~seventy~~
39 ~~seventy-two~~ or over, the license is effective for
40 a period of two years from the licensee's birthday
41 anniversary occurring in the year of issuance. A
42 licensee whose license is restricted due to vision
43 or other physical deficiencies may be required to
44 renew the license every two years. If a licensee
45 is a foreign national who is temporarily present in
46 this state, the license shall be issued only for the
47 length of time the foreign national is authorized to be
48 present as verified by the department, not to exceed
49 two years.
50 Sec. ____ EFFECTIVE UPON ENACTMENT. The following

Page 2

1 provision or provisions of this Act, being deemed of
2 immediate importance, take effect upon enactment:
3 1. The section of this Act amending section
4 321.190, subsection 1, paragraph "d".
5 2. The section of this Act amending section
6 321.196, subsection 1.
7 3. Title page, line 1, after <to> by inserting
8 <the period of validity of driver's licenses and
9 nonoperator's identification cards,>
10 4. Title page, line 3, by striking <cards.>
11 and inserting <cards, and including effective date
12 provisions.>
13 5. By renumbering as necessary.

S-3144

1 Amend House File 355, as passed by the House, as
2 follows:
3 1. Page 1, line 14, after <department.> by
4 inserting <An applicant shall not be eligible for
5 electronic renewal of a driver's license if the most
6 recent previous renewal of the applicant's driver's
7 license occurred electronically.>

TOD R. BOWMAN

S-3145

1 Amend Senate File 435 as follows:
2 1. Page 15, line 29, by striking <3,237,636> and
3 inserting <3,487,636>

DR. JOE M. SENG
DENNIS H. BLACK
ROBERT E. DVORSKY

S-3146

- 1 Amend the amendment, S-3129, to House File 489,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by striking lines 4 through 9 and
- 5 inserting:
- 6 <____. By striking page 7, line 28, through page 9,
- 7 line 29.>
- 8 2. By renumbering as necessary.

MATT McCOY

S-3147

- 1 Amend House File 614, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 13, by striking lines 10 through 15 and
- 4 inserting:
- 5 <e. To be credited to the property tax relief fund
- 6 created in section 426B.1:
- 7 (1) FFY 2013-2014
- 8 \$ 7,480,233
- 9 Of the amount allocated in this subparagraph, up
- 10 to \$600,000 may be used by the department of human
- 11 services for distribution to counties for state case
- 12 services provided in prior fiscal years for persons
- 13 with mental illness, intellectual disability, or a
- 14 developmental disability in accordance with section
- 15 331.440, Code 2013.>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, Chair

S-3148

- 1 Amend House File 603, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting clause
- 4 and inserting:
- 5 <DIVISION I
- 6 FY 2013-2014
- 7 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.
- 8 1. There is appropriated from the general fund of
- 9 the state to the department of administrative services
- 10 for the fiscal year beginning July 1, 2013, and ending
- 11 June 30, 2014, the following amounts, or so much
- 12 thereof as is necessary, to be used for the purposes
- 13 designated, and for not more than the following
- 14 full-time equivalent positions:
- 15 a. For salaries, support, maintenance, and
- 16 miscellaneous purposes:
- 17 \$ 4,067,924

18	.....	FTEs	73.49
19	b. For the payment of utility costs:		
20	.....	\$	2,676,460
21	.....	FTEs	1.00
22	Notwithstanding section 8.33, any excess moneys		
23	appropriated for utility costs in this lettered		
24	paragraph shall not revert to the general fund of the		
25	state at the end of the fiscal year but shall remain		
26	available for expenditure for the purposes of this		
27	lettered paragraph during the succeeding fiscal year.		
28	c. For Terrace Hill operations:		
29	.....	\$	405,914
30	.....	FTEs	5.00
31	2. Members of the general assembly serving as		
32	members of the deferred compensation advisory board		
33	shall be entitled to receive per diem and necessary		
34	travel and actual expenses pursuant to section 2.10,		
35	subsection 5, while carrying out their official duties		
36	as members of the board.		
37	3. Any moneys and premiums collected by the		
38	department for workers' compensation shall be		
39	segregated into a separate workers' compensation		
40	fund in the state treasury to be used for payment of		
41	state employees' workers' compensation claims and		
42	administrative costs. Notwithstanding section 8.33,		
43	unencumbered or unobligated moneys remaining in this		
44	workers' compensation fund at the end of the fiscal		
45	year shall not revert but shall be available for		
46	expenditure for purposes of the fund for subsequent		
47	fiscal years.		
48	Sec. 2. REVOLVING FUNDS. There is appropriated		
49	to the department of administrative services for the		
50	fiscal year beginning July 1, 2013, and ending June		

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1 30, 2014, from the revolving funds designated in
2 chapter 8A and from internal service funds created
3 by the department such amounts as the department
4 deems necessary for the operation of the department
5 consistent with the requirements of chapter 8A.
6 Sec. 3. FUNDING FOR IOWACCESS.
7 1. Notwithstanding section 321A.3, subsection
8 1, for the fiscal year beginning July 1, 2013, and
9 ending June 30, 2014, the first \$750,000 collected
10 by the department of transportation and transferred
11 to the treasurer of state with respect to the fees
12 for transactions involving the furnishing of a
13 certified abstract of a vehicle operating record under
14 section 321A.3, subsection 1, shall be transferred
15 to the IowaAccess revolving fund for the purposes of
16 developing, implementing, maintaining, and expanding

electronic access to government records as provided by law.

2. All fees collected with respect to transactions involving IowAccess shall be deposited in the IowAccess revolving fund and shall be used only for the support of IowAccess projects.

Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION CHARGE. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, the monthly per contract administrative charge which may be assessed by the department of administrative services shall be \$2 per contract on all health insurance plans administered by the department.

Sec. 5. AUDITOR OF STATE.

1. There is appropriated from the general fund of the state to the office of the auditor of state for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated, and for not more than the following full-time equivalent positions:

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	1,047,256
..... FTEs		103.00

2. The auditor of state may retain additional full-time equivalent positions as is reasonable and necessary to perform governmental subdivision audits which are reimbursable pursuant to section 11.20 or 11.21, to perform audits which are requested by and reimbursable from the federal government, and to perform work requested by and reimbursable from departments or agencies pursuant to section 11.5A or 11.5B. The auditor of state shall notify the

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department of management, the legislative fiscal committee, and the legislative services agency of the additional full-time equivalent positions retained.

3. The auditor of state shall allocate moneys from the appropriation in this section solely for audit work related to the comprehensive annual financial report, federally required audits, and investigations of embezzlement, theft, or other significant financial irregularities until the audit of the comprehensive annual financial report is complete.

Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There is appropriated from the general fund of the state to the Iowa ethics and campaign disclosure board for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much

thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

.....	\$	570,335
.....	FTEs	5.00

Sec. 7. DEPARTMENT OF COMMERCE.

1. There is appropriated from the general fund

of the state to the department of commerce for the

fiscal year beginning July 1, 2013, and ending June 30,

2014, the following amounts, or so much thereof as is

necessary, for the purposes designated:

a. ALCOHOLIC BEVERAGES DIVISION

For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

.....	\$	1,220,391
.....	FTEs	18.50

b. PROFESSIONAL LICENSING AND REGULATION BUREAU

For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

.....	\$	601,537
.....	FTEs	12.50

2. There is appropriated from the department of

commerce revolving fund created in section 546.12

to the department of commerce for the fiscal year

beginning July 1, 2013, and ending June 30, 2014, the

following amounts, or so much thereof as is necessary,

for the purposes designated:

a. BANKING DIVISION

For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

.....	\$	9,167,235
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1	FTEs	74.50
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b. CREDIT UNION DIVISION

For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

6	\$	1,794,256
7	FTEs	15.00

c. INSURANCE DIVISION

(1) For salaries, support, maintenance, and

miscellaneous purposes, and for not more than the

following full-time equivalent positions:

12	\$	5,032,989
13	FTEs	100.15

(2) The insurance division may reallocate

authorized full-time equivalent positions as necessary to respond to accreditation recommendations or requirements.

(3) The insurance division expenditures for examination purposes may exceed the projected receipts, refunds, and reimbursements, estimated pursuant to section 505.7, subsection 7, including the expenditures for retention of additional personnel, if the expenditures are fully reimbursable and the division first does both of the following:

(a) Notifies the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(b) Files with each of the entities named in subparagraph division (a) the legislative and regulatory justification for the expenditures, along with an estimate of the expenditures.

d. UTILITIES DIVISION

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

..... \$	8,179,405
..... FTEs	79.00

(2) The utilities division may expend additional moneys, including moneys for additional personnel, if those additional expenditures are actual expenses which exceed the moneys budgeted for utility regulation and the expenditures are fully reimbursable. Before the division expends or encumbers an amount in excess of the moneys budgeted for regulation, the division shall first do both of the following:

(a) Notify the department of management, the legislative services agency, and the legislative fiscal committee of the need for the expenditures.

(b) File with each of the entities named in subparagraph division (a) the legislative and

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regulatory justification for the expenditures, along with an estimate of the expenditures.

3. CHARGES. Each division and the office of consumer advocate shall include in its charges assessed or revenues generated an amount sufficient to cover the amount stated in its appropriation and any state-assessed indirect costs determined by the department of administrative services.

Sec. 8. DEPARTMENT OF COMMERCE — PROFESSIONAL LICENSING AND REGULATION BUREAU. There is appropriated from the housing trust fund created pursuant to section 16.181, to the bureau of professional licensing and regulation of the banking division of the department of

14 commerce for the fiscal year beginning July 1, 2013,
15 and ending June 30, 2014, the following amount, or
16 so much thereof as is necessary, to be used for the
17 purposes designated:
18 For salaries, support, maintenance, and
19 miscellaneous purposes:
20 \$ 62,317

21 Sec. 9. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
22 COMMISSION — REGIONAL TELECOMMUNICATIONS

23 COUNCILS. There is appropriated from the general
24 fund of the state to the Iowa telecommunications and
25 technology commission for the fiscal year beginning
26 July 1, 2013, and ending June 30, 2014, the following
27 amounts, or so much thereof as is necessary, to be used
28 for the purposes designated:
29 For state aid for regional telecommunications
30 councils:
31 \$ 992,913

32 The regional telecommunications councils established
33 in section 8D.5 shall use the moneys appropriated in
34 this section to provide coordination of technical
35 assistance for network classrooms, planning and
36 troubleshooting for local area networks, scheduling of
37 video sites, and other related support activities.
38 Moneys appropriated in this section shall be
39 distributed by the commission to the regional
40 telecommunications councils based upon usage by
41 region. The regional telecommunications councils shall
42 report to the Iowa telecommunications and technology
43 commission by January 31, 2014, for the immediately
44 preceding six-month period beginning on July 1, 2013,
45 and ending December 31, 2013, and by July 31, 2014, for
46 the immediately preceding six-month period beginning
47 on January 1, 2014, and ending on June 30, 2014. The
48 report shall include information requested by the
49 commission related to the activities supported through
50 this appropriation.

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1 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There
2 is appropriated from the general fund of the state to
3 the offices of the governor and the lieutenant governor
4 for the fiscal year beginning July 1, 2013, and ending
5 June 30, 2014, the following amounts, or so much
6 thereof as is necessary, to be used for the purposes
7 designated:
8 1. GENERAL OFFICE
9 For salaries, support, maintenance, and
10 miscellaneous purposes, and for not more than the
11 following full-time equivalent positions:
12 \$ 2,196,455

13	.....	FTEs	20.00
14	2. TERRACE HILL QUARTERS		
15	For salaries, support, maintenance, and		
16	miscellaneous purposes for the governor's quarters		
17	at terrace hill, and for not more than the following		
18	full-time equivalent positions:		
19	.....	\$	93,111
20	.....	FTEs	2.00
21	Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL		
22	POLICY. There is appropriated from the general fund		
23	of the state to the governor's office of drug control		
24	policy for the fiscal year beginning July 1, 2013, and		
25	ending June 30, 2014, the following amount, or so much		
26	thereof as is necessary, to be used for the purposes		
27	designated:		
28	For salaries, support, maintenance, and		
29	miscellaneous purposes, including statewide		
30	coordination of the drug abuse resistance education		
31	(D.A.R.E.) programs or similar programs, and for not		
32	more than the following full-time equivalent positions:		
33	.....	\$	241,134
34	.....	FTEs	4.00
35	Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is		
36	appropriated from the general fund of the state to		
37	the department of human rights for the fiscal year		
38	beginning July 1, 2013, and ending June 30, 2014, the		
39	following amounts, or so much thereof as is necessary,		
40	to be used for the purposes designated:		
41	1. CENTRAL ADMINISTRATION DIVISION		
42	For salaries, support, maintenance, and		
43	miscellaneous purposes, and for not more than the		
44	following full-time equivalent positions:		
45	.....	\$	224,184
46	.....	FTEs	5.65
47	2. COMMUNITY ADVOCACY AND SERVICES DIVISION		
48	For salaries, support, maintenance, and		
49	miscellaneous purposes, and for not more than the		
50	following full-time equivalent positions:		

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1	\$	1,028,077
2	FTEs	9.62
3	3. COMMUNITY ACTION AGENCIES DIVISION		
4	For qualifying energy conservation programs for		
5	low-income persons, including but not limited to energy		
6	weatherization projects, which target the highest		
7	energy users, and including administrative costs:		
8	.....	\$	281,129
9	Sec. 13. DEPARTMENT OF INSPECTIONS AND		
10	APPEALS. There is appropriated from the general fund		
11	of the state to the department of inspections and		

12	appeals for the fiscal year beginning July 1, 2013, and		
13	ending June 30, 2014, the following amounts, or so much		
14	thereof as is necessary, for the purposes designated:		
15	1. ADMINISTRATION DIVISION		
16	For salaries, support, maintenance, and		
17	miscellaneous purposes, and for not more than the		
18	following full-time equivalent positions:		
19	.....	\$	545,242
20	.....	FTEs	13.65
21	2. ADMINISTRATIVE HEARINGS DIVISION		
22	For salaries, support, maintenance, and		
23	miscellaneous purposes, and for not more than the		
24	following full-time equivalent positions:		
25	.....	\$	678,942
26	.....	FTEs	23.00
27	3. INVESTIGATIONS DIVISION		
28	a. For salaries, support, maintenance, and		
29	miscellaneous purposes, and for not more than the		
30	following full-time equivalent positions:		
31	.....	\$	2,573,089
32	.....	FTEs	61.50
33	b. The department, in coordination with the		
34	investigations division, shall submit a report to the		
35	general assembly by December 1, 2013, concerning the		
36	division's activities relative to fraud in public		
37	assistance programs for the fiscal year beginning July		
38	1, 2012, and ending June 30, 2013. The report shall		
39	include but is not limited to a summary of the number		
40	of cases investigated, case outcomes, overpayment		
41	dollars identified, amount of cost avoidance, and		
42	actual dollars recovered.		
43	4. HEALTH FACILITIES DIVISION		
44	a. For salaries, support, maintenance, and		
45	miscellaneous purposes, and for not more than the		
46	following full-time equivalent positions:		
47	.....	\$	5,092,033
48	.....	FTEs	113.00
49	b. The department shall, in coordination with		
50	the health facilities division, make the following		

- 1 information available to the public as part of the
2 department's development efforts to revise the
3 department's internet website:
4 (1) The number of inspections conducted by the
5 division annually by type of service provider and type
6 of inspection.
7 (2) The total annual operations budget for the
8 division, including general fund appropriations and
9 federal contract dollars received by type of service
10 provider inspected.

(3) The total number of full-time equivalent positions in the division, to include the number of full-time equivalent positions serving in a supervisory capacity, and serving as surveyors, inspectors, or monitors in the field by type of service provider inspected.

(4) Identification of state and federal survey trends, cited regulations, the scope and severity of deficiencies identified, and federal and state fines assessed and collected concerning nursing and assisted living facilities and programs.

c. It is the intent of the general assembly that the department and division continuously solicit input from facilities regulated by the division to assess and improve the division's level of collaboration and to identify new opportunities for cooperation.

5. EMPLOYMENT APPEAL BOARD

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

.....	\$	42,215
.....	FTEs	11.00

b. The employment appeal board shall be reimbursed by the labor services division of the department of workforce development for all costs associated with hearings conducted under chapter 91C, related to contractor registration. The board may expend, in addition to the amount appropriated under this subsection, additional amounts as are directly billable to the labor services division under this subsection and to retain the additional full-time equivalent positions as needed to conduct hearings required pursuant to chapter 91C.

6. CHILD ADVOCACY BOARD

a. For foster care review and the court appointed special advocate program, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,680,290
.....	FTEs	32.25

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b. The department of human services, in coordination with the child advocacy board and the department of inspections and appeals, shall submit an application for funding available pursuant to Tit. IV-E of the federal Social Security Act for claims for child advocacy board administrative review costs.

c. The court appointed special advocate program shall investigate and develop opportunities for expanding fund-raising for the program.

10 d. Administrative costs charged by the department
11 of inspections and appeals for items funded under this
12 subsection shall not exceed 4 percent of the amount
13 appropriated in this subsection.

14 7. FOOD AND CONSUMER SAFETY

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

18	\$	1,279,331
19	FTEs	23.25

20 Sec. 14. DEPARTMENT OF INSPECTIONS AND APPEALS

21 — WELFARE FRAUD ANNUAL MEETING — MEDICAID FRAUD

22 FUND APPROPRIATION. There is appropriated from the

23 Medicaid fraud fund created in section 249A.7 to
24 the investigations division of the department of
25 inspections and appeals for the fiscal year beginning
26 July 1, 2013, and ending June 30, 2014, the following
27 amount, or so much thereof as is necessary, to be used
28 for the purposes designated:

29 For costs associated with central staff attending
30 the united council on welfare fraud annual meeting:

31	\$	5,000
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32 Sec. 15. DEPARTMENT OF INSPECTIONS AND APPEALS

33 — MUNICIPAL CORPORATION FOOD INSPECTIONS. For the

34 fiscal year beginning July 1, 2013, and ending June 30,
35 2014, the department of inspections and appeals shall
36 retain any license fees generated during the fiscal
37 year as a result of actions under section 137F.3A
38 occurring during the period beginning July 1, 2009, and
39 ending June 30, 2014, for the purpose of enforcing the
40 provisions of chapters 137C, 137D, and 137F.

41 Sec. 16. RACING AND GAMING COMMISSION.

42 1. RACETRACK REGULATION

43 There is appropriated from the gaming regulatory
44 revolving fund established in section 99F.20 to the
45 racing and gaming commission of the department of
46 inspections and appeals for the fiscal year beginning
47 July 1, 2013, and ending June 30, 2014, the following
48 amount, or so much thereof as is necessary, to be used
49 for the purposes designated:

50 For salaries, support, maintenance, and

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1 miscellaneous purposes for the regulation of
2 pari-mutuel racetracks, and for not more than the
3 following full-time equivalent positions:

4	\$	3,068,492
5	FTEs	32.03

6 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

7 There is appropriated from the gaming regulatory
8 revolving fund established in section 99F.20 to the

9 racing and gaming commission of the department of
 10 inspections and appeals for the fiscal year beginning
 11 July 1, 2013, and ending June 30, 2014, the following
 12 amount, or so much thereof as is necessary, to be used
 13 for the purposes designated:

14 For salaries, support, maintenance, and
 15 miscellaneous purposes for administration and
 16 enforcement of the excursion boat gambling and gambling
 17 structure laws, and for not more than the following
 18 full-time equivalent positions:

19	\$	3,170,719
20	FTEs	40.72

21 Of the moneys appropriated in this subsection, no
 22 more than \$125,000 shall be used for costs associated
 23 with conducting a socioeconomic study on the impact of
 24 gambling on Iowans.

25 Sec. 17. ROAD USE TAX FUND APPROPRIATION —
 26 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 27 appropriated from the road use tax fund created in
 28 section 312.1 to the administrative hearings division
 29 of the department of inspections and appeals for the
 30 fiscal year beginning July 1, 2013, and ending June 30,
 31 2014, the following amount, or so much thereof as is
 32 necessary, for the purposes designated:

33 For salaries, support, maintenance, and
 34 miscellaneous purposes:

35	\$	1,623,897
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36 Sec. 18. DEPARTMENT OF MANAGEMENT.

37 1. There is appropriated from the general fund
 38 of the state to the department of management for the
 39 fiscal year beginning July 1, 2013, and ending June 30,
 40 2014, the following amounts, or so much thereof as is
 41 necessary, to be used for the purposes designated:

42 For salaries, support, maintenance, and
 43 miscellaneous purposes, and for not more than the
 44 following full-time equivalent positions:

45	\$	2,550,220
46	FTEs	21.00

47 2. Of the moneys appropriated in this section, the
 48 department shall use a portion for enterprise resource
 49 planning, providing for a salary model administrator,
 50 conducting performance audits, and for the department's

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1 LEAN process.

2 Sec. 19. ROAD USE TAX APPROPRIATION — DEPARTMENT
 3 OF MANAGEMENT. There is appropriated from the road use
 4 tax fund created in section 312.1 to the department
 5 of management for the fiscal year beginning July 1,
 6 2013, and ending June 30, 2014, the following amount,
 7 or so much thereof as is necessary, to be used for the

8 purposes designated:
 9 For salaries, support, maintenance, and
 10 miscellaneous purposes:
 11 \$ 56,000
 12 Sec. 20. IOWA PUBLIC INFORMATION BOARD. There is
 13 appropriated from the general fund of the state to
 14 the Iowa public information board for the fiscal year
 15 beginning July 1, 2013, and ending June 30, 2014, the
 16 following amounts, or so much thereof as is necessary,
 17 to be used for the purposes designated:
 18 For salaries, support, maintenance, and
 19 miscellaneous purposes and for not more than the
 20 following full-time equivalent positions:
 21 \$ 450,000
 22 FTEs 3.00
 23 Sec. 21. DEPARTMENT OF REVENUE.
 24 1. There is appropriated from the general fund
 25 of the state to the department of revenue for the
 26 fiscal year beginning July 1, 2013, and ending June 30,
 27 2014, the following amounts, or so much thereof as is
 28 necessary, to be used for the purposes designated:
 29 For salaries, support, maintenance, and
 30 miscellaneous purposes, and for not more than the
 31 following full-time equivalent positions:
 32 \$ 18,080,840
 33 FTEs 245.24
 34 2. Of the funds appropriated pursuant to this
 35 section, \$400,000 shall be used to pay the direct
 36 costs of compliance related to the collection and
 37 distribution of local sales and services taxes imposed
 38 pursuant to chapters 423B and 423E, and \$200,000 shall
 39 be used to pay for administrative costs.
 40 3. The director of revenue shall prepare and issue
 41 a state appraisal manual and the revisions to the
 42 state appraisal manual as provided in section 421.17,
 43 subsection 17, without cost to a city or county.
 44 Sec. 22. MOTOR VEHICLE FUEL TAX
 45 APPROPRIATION. There is appropriated from the motor
 46 fuel tax fund created by section 452A.77 to the
 47 department of revenue for the fiscal year beginning
 48 July 1, 2013, and ending June 30, 2014, the following
 49 amount, or so much thereof as is necessary, to be used
 50 for the purposes designated:

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1 For salaries, support, maintenance, miscellaneous
 2 purposes, and for administration and enforcement of the
 3 provisions of chapter 452A and the motor vehicle use
 4 tax program:
 5 \$ 1,305,775
 6 Sec. 23. SECRETARY OF STATE.

1. There is appropriated from the general fund of the state to the office of the secretary of state for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	2,796,699
.....	FTEs	29.00

2. The state department or state agency which provides data processing services to support voter registration file maintenance and storage shall provide those services without charge.

Sec. 24. SECRETARY OF STATE FILING FEES REFUND.

Notwithstanding the obligation to collect fees pursuant to the provisions of section 489.117, subsection 1, paragraphs "a" and "o", section 490.122, subsection 1, paragraphs "a" and "s", and section 504.113, subsection 1, paragraphs "a", "c", "d", "j", "k", "l", and "m", for the fiscal year beginning July 1, 2013, the secretary of state may refund these fees to the filer pursuant to rules established by the secretary of state. The decision of the secretary of state not to issue a refund under rules established by the secretary of state is final and not subject to review pursuant to chapter 17A.

Sec. 25. TREASURER OF STATE.

1. There is appropriated from the general fund of the state to the office of treasurer of state for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	1,084,392
.....	FTEs	28.80

2. The office of treasurer of state shall supply clerical, secretarial, and other administrative support for the executive council.

Sec. 26. ROAD USE TAX APPROPRIATION — OFFICE OF TREASURER OF STATE.

There is appropriated from the road use tax fund created in section 312.1 to

the office of treasurer of state for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:
For enterprise resource management costs related to

6	the distribution of road use tax funds:		
7	.....	\$	93,148
8	Sec. 27. IPERS — GENERAL OFFICE. There is		
9	appropriated from the Iowa public employees' retirement		
10	system fund to the Iowa public employees' retirement		
11	system for the fiscal year beginning July 1, 2013, and		
12	ending June 30, 2014, the following amount, or so much		
13	thereof as is necessary, to be used for the purposes		
14	designated:		
15	For salaries, support, maintenance, and other		
16	operational purposes to pay the costs of the Iowa		
17	public employees' retirement system, and for not more		
18	than the following full-time equivalent positions:		
19	.....	\$	17,686,968
20	..... FTEs		90.13
21	Sec. 28. INTEGRATED INFORMATION FOR IOWA		
22	SYSTEM. There is appropriated from the general fund of		
23	the state to the following departments and agencies for		
24	the fiscal year beginning July 1, 2013, and ending June		
25	30, 2014, the following amounts, or so much thereof as		
26	is necessary, to be used for the payment of services		
27	provided by the department of administrative services		
28	related to the integrated information for Iowa system:		
29	1. Department on aging:		
30	.....	\$	5,687
31	2. Department of agriculture and land stewardship:		
32	.....	\$	24,164
33	3. Department for the blind:		
34	.....	\$	6,543
35	4. Iowa state civil rights commission:		
36	.....	\$	2,178
37	5. College student aid commission:		
38	.....	\$	17,166
39	6. Department of corrections:		
40	.....	\$	12,228
41	7. Department of corrections for the Fort Madison		
42	correctional facility:		
43	.....	\$	28,799
44	8. Department of corrections for the Anamosa		
45	correctional facility:		
46	.....	\$	22,967
47	9. Department of corrections for the Oakdale		
48	correctional facility:		
49	\$	57,645
50	10. Department of corrections for the Newton		

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1	correctional facility:		
2	\$	18,818
3	11. Department of corrections for the Mount		
4	Pleasant correctional facility:		

5	.....	\$	20,708
6	12. Department of corrections for the Rockwell City		
7	correctional facility:		
8	.....	\$	7,205
9	13. Department of corrections for the Clarinda		
10	correctional facility:		
11	.....	\$	17,703
12	14. Department of corrections for the Mitchellville		
13	correctional facility:		
14	.....	\$	13,431
15	15. Department of corrections for the Fort Dodge		
16	correctional facility:		
17	.....	\$	18,416
18	16. Department of cultural affairs:		
19	.....	\$	5,069
20	17. Economic development authority:		
21	.....	\$	47,407
22	18. Department of education:		
23	.....	\$	215,235
24	19. Department of education for the vocational		
25	rehabilitation services division:		
26	.....	\$	33,032
27	20. Department of education for the public		
28	broadcasting division:		
29	.....	\$	7,537
30	21. Department of human services for payments		
31	associated with administration:		
32	.....	\$	24,831
33	22. Department of human services for payments		
34	associated with assistance payments:		
35	.....	\$	581,192
36	23. Department of human services for the civil		
37	commitment unit for sexual offenders:		
38	.....	\$	8,599
39	24. Department of human services for payments		
40	associated with field operations:		
41	.....	\$	189,899
42	25. Department of human services for the state		
43	resource center at Glenwood:		
44	.....	\$	74,650
45	26. Department of human services for the state		
46	resource center at Woodward:		
47	.....	\$	65,728
48	27. Department of human services for the Iowa		
49	juvenile home at Toledo:		
50	.....	\$	7,766

1	28. Department of human services for the state		
2	training school at Eldora:		
3	.....	\$	11,233

4	29. Department of human services for the Cherokee		
5	mental health institute:		
6	.....	\$	10,273
7	30. Department of human services for the Clarinda		
8	mental health institute:		
9	.....	\$	5,821
10	31. Department of human services for the		
11	Independence mental health institute:		
12	.....	\$	15,304
13	32. Department of human services for the Mount		
14	Pleasant mental health institute:		
15	.....	\$	7,375
16	33. Office of the state public defender:		
17	.....	\$	20,061
18	34. Iowa law enforcement academy:		
19	.....	\$	1,516
20	35. Department of justice:		
21	.....	\$	21,975
22	36. Department of natural resources:		
23	.....	\$	95,607
24	37. Board of parole:		
25	.....	\$	748
26	38. Department of public defense:		
27	.....	\$	27,436
28	39. Department of public defense for the homeland		
29	security and emergency management division or its		
30	successor:		
31	.....	\$	55,346
32	40. Public employment relations board:		
33	.....	\$	526
34	41. Department of public health:		
35	.....	\$	51,018
36	42. Department of public safety:		
37	.....	\$	87,295
38	43. State board of regents:		
39	.....	\$	29,709
40	44. Department of veterans affairs:		
41	.....	\$	2,443
42	45. Department of veterans affairs for the Iowa		
43	veterans home:		
44	.....	\$	69,282
45	46. Department of workforce development:		
46	.....	\$	274,819
47	47. Judicial branch:		
48	.....	\$	137,380
49	48. Iowa general assembly:		
50	.....	\$	26,548

from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the payment of services provided by the department of administrative services related to the integrated information for Iowa system:

..... \$ 1,425

DIVISION II

IOWA PUBLIC INFORMATION BOARD

Sec. 30. 2012 Iowa Acts, chapter 1115, section 9, subsections 1, 4, and 6, are amended to read as follows:

1. Employ one employee as executive director who is an attorney admitted to practice law in the courts of this state to execute its authority ~~and prosecute~~ including prosecuting respondents in proceedings before the board and ~~to represent~~ representing the board in proceedings before a court, as appropriate.

4. Receive complaints alleging violations of chapter 21 or 22, seek resolution of such complaints through informal assistance ~~or through mediation and settlement~~, formally investigate such complaints, decide after such an investigation whether there is probable cause to believe a violation of chapter 21 or 22 has occurred, and if probable cause has been found prosecute the respondent before the board in a contested case proceeding conducted according to the provisions of chapter 17A.

6. The board may examine a record of a governmental body or a government body that is the subject matter of a complaint, including any record that is confidential by law. Confidential records provided to the board by a governmental body or a government body shall continue to maintain their confidential status. Any member or employee of the board is subject to the same policies and penalties regarding the confidentiality of the document as an employee of the governmental body or a government body.

Sec. 31. 2012 Iowa Acts, chapter 1115, section 12, is amended by striking the section and inserting in lieu thereof the following:

SEC. 12. NEW SECTION. 23.9 Informal assistance.

After accepting a complaint, the board shall promptly work with the parties, through employees on its own staff, to reach an informal, expeditious resolution of the complaint.

2 subsection 1, is amended to read as follows:

3 1. If any party declines ~~mediation or settlement~~
4 ~~informal assistance~~ or if ~~mediation or settlement~~
5 ~~informal assistance~~ fails to resolve the matter to
6 the satisfaction of all parties, the board shall
7 initiate a formal investigation concerning the facts
8 and circumstances set forth in the complaint. The
9 board shall, after an appropriate investigation, make
10 a determination as to whether the complaint is within
11 the board's jurisdiction and whether there is probable
12 cause to believe that the facts and circumstances
13 alleged in the complaint constitute a violation of
14 chapter 21 or 22.

15 Sec. 33. 2012 Iowa Acts, chapter 1115, section
16 13, subsection 3, paragraph a, is amended to read as
17 follows:

18 a. If the board finds the complaint is within the
19 board's jurisdiction and there is probable cause to
20 believe there has been a violation of chapter 21 or 22,
21 the board shall issue a written order to that effect
22 and shall commence a contested case proceeding under
23 chapter 17A against the respondent. ~~Notwithstanding~~
24 ~~section 17A.10A, if~~ If there are no material facts in
25 dispute, the board may order that the contested case
26 procedures relating to the presentation of evidence
27 shall not apply ~~as provided in section 17A.10A. An~~
28 ~~attorney selected by the~~ The executive director of the
29 board ~~or an attorney selected by the executive director~~
30 shall prosecute the respondent in the contested case
31 proceeding. At the termination of the contested case
32 proceeding the board shall, by a majority vote of its
33 members, render a final decision as to the merits of
34 the complaint. If the board finds that the complaint
35 has merit, the board may issue any appropriate order to
36 ensure enforcement of chapter 21 or 22 including but
37 not limited to an order requiring specified action or
38 prohibiting specified action and any appropriate order
39 to remedy any failure of the respondent to observe any
40 provision of those chapters.

41 DIVISION III

42 AUDITS

43 Sec. 34. Section 331.502, Code 2013, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 41A. Have the authority to audit,
46 at the auditor's discretion, the financial condition
47 and transactions of all county funds and accounts for
48 compliance with state and federal law.>

49 2. By renumbering, redesignating, and correcting
50 internal references as necessary.

S-3149

1 Amend House File 495, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 2, line 20, through page 3,
4 line 23, and inserting:

5 <Sec. _____. Section 562A.29A, subsection 1,
6 unnumbered paragraph 1, Code 2013, is amended to read
7 as follows:

8 A written notice of termination required under
9 section 562A.27, subsection 1, 2, or 5, a notice of
10 termination and notice to quit required under section
11 562A.27A, a landlord's written notice of termination to
12 the tenant required under section 562A.34, subsection
13 1, 2, or 3, or a notice to quit required by section
14 648.3, shall be served upon the tenant by one or more
15 of the following methods:>

16 2. Page 4, after line 30 by inserting:

17 <Sec. _____. Section 562B.27A, subsection 1,
18 unnumbered paragraph 1, Code 2013, is amended to read
19 as follows:

20 A landlord's written notice of termination to the
21 tenant required under section 562B.10, subsection 4, a
22 notice of termination required under section 562B.25,
23 a notice of termination and notice to quit required
24 under section 562B.25A, or a notice to quit required
25 by section 648.3, shall be served upon the tenant
26 according to one or more of the following methods:>

27 3. By renumbering as necessary.

STEVEN J. SODDERS

S-3150

1 Amend Senate File 440 as follows:

2 1. Page 6, line 21, by striking <29,820,478> and
3 inserting <42,826,316>

4 2. Page 6, line 22, after <2.> by inserting <a.>

5 3. Page 6, after line 34 by inserting:

6 <b. For the purposes of this section, unless the
7 context otherwise requires:

8 (1) "Net expenditures from the county's services
9 fund" means a county's payments for non-Medicaid
10 services, as reported to the department of management
11 pursuant to section 331.403, plus any reimbursement of
12 moneys distributed to the county pursuant to 2012 Iowa
13 Acts, chapter 1128, section 6, as amended by 2012 Iowa
14 Acts, chapter 1133, section 67, and less any moneys
15 expended by the county as a provider of services that
16 were reimbursed to the county.

17 (2) "Population" means the same as defined in

18 section 331.388.

19 (3) "Services fund" means a county's mental health
20 and disabilities services fund created in accordance
21 with section 331.424A.>

22 4. Page 6, line 35, by striking <18,373,854> and
23 inserting <31,388,667>

24 5. Page 7, line 5, by striking <6.00> and inserting
25 <10.25>

26 6. Page 7, line 7, by striking <5.00> and inserting
27 <8.25>

28 7. Page 7, line 15, by striking <totaling
29 \$11,251,443> and inserting <totaling at least
30 \$11,774,275>

31 8. Page 7, by striking line 23 and inserting
32 <during the most recently available twelve-month
33 period. The department shall draw upon the
34 appropriation made from the general fund of the state
35 for the medical assistance program for the fiscal year
36 as necessary for cash flow purposes in order to comply
37 with the date specified for remitting payments to
38 counties in subsection 6, and to distribute at least
39 the amount specified in this subsection.>

40 9. Page 7, line 29, by striking <11,446,624> and
41 inserting <11,437,649>

42 10. Page 8, by striking lines 4 through 10 and
43 inserting <stabilization payment, on or before December
44 1, 2013, the county shall submit a statement of net
45 expenditures from the county's services fund for the
46 fiscal year beginning July 1, 2012. The statement
47 shall be accompanied by the annual financial report
48 for that fiscal year submitted to the department of
49 management pursuant to section 331.403. The department
50 shall determine the county's stabilization payment

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1 amount by subtracting the sum of the county's state
2 payment program remittance and the dollar amount of
3 the county's certified levy amount for the services
4 fund for the fiscal year from the county's statement
5 of total net expenditures.>

6 11. Page 8, line 12, by striking <1.00> and
7 inserting <2.00>

8 12. Page 10, line 1, by striking <2014> and
9 inserting <2013>

10 13. Page 10, line 4, by striking <2013> and
11 inserting <2012>

12 14. Page 15, after line 16 by inserting:

13 <____. An area education agency staff member who
14 works with early childhood services, appointed by the

15 state's area education agency directors.
16 _____. An area education agency staff member who
17 works with children's mental health services, appointed
18 by the state's area education agency directors.>
19 15. By renumbering as necessary.

JACK HATCH

S-3151

1 Amend Senate File 439 as follows:
2 1. Page 1, by striking lines 1 and 2.
3 2. Page 1, line 3, by striking <190B.101> and
4 inserting <190B.1>
5 3. Page 1, line 10, by striking <190B.102> and
6 inserting <190B.2>
7 4. Page 1, after line 12 by inserting:
8 <____. "Department" means the department of
9 revenue.>
10 5. Page 1, line 28, by striking <190B.101> and
11 inserting <190B.1>
12 6. Page 2, line 4, by striking <190B.101> and
13 inserting <190B.1>
14 7. Page 2, by striking lines 10 through 23 and
15 inserting:
16 <____. "Tax credit" means the from farm to food
17 donation tax credit as established in this chapter.>
18 8. By striking page 2, line 24, through page 4,
19 line 31.
20 9. Page 4, line 32, by striking <190B.302> and
21 inserting <190B.3>
22 10. Page 4, line 34, by striking <subchapter> and
23 inserting <chapter>
24 11. Page 5, line 2, by striking <subchapter> and
25 inserting <chapter>
26 12. Page 5, line 6, by striking <subchapter> and
27 inserting <chapter>
28 13. Page 5, line 7, by striking <190B.303> and
29 inserting <190B.4>
30 14. Page 5, line 11, by striking <subchapter> and
31 inserting <chapter>
32 15. Page 5, line 12, by striking <190B.304> and
33 inserting <190B.5>
34 16. Page 5, line 30, by striking <190B.305> and
35 inserting <190B.6>
36 17. Page 6, line 5, by striking <190B.306> and
37 inserting <190B.7>
38 18. Page 6, lines 33 and 34, by striking <190B,
39 subchapter III> and inserting <190B>
40 19. Page 7, line 4, by striking <190B, subchapter
41 III> and inserting <190B>
42 20. Title page, line 3, by striking <appropriations

43 and>

44 21. By renumbering, redesignating, and correcting
45 internal references as necessary.

JERRY BEHN

S-3152

1 Amend Senate File 295 as follows:

2 1. Page 8, after line 30 by inserting:

3 <Sec. ____ Section 441.21, subsection 4, Code 2013,
4 is amended to read as follows:

5 4. For valuations established as of January

6 1, 1979, the percentage of actual value at which

7 agricultural and residential property shall be assessed

8 shall be the quotient of the dividend and divisor as

9 defined in this section. The dividend for each class

10 of property shall be the dividend as determined for

11 each class of property for valuations established as

12 of January 1, 1978, adjusted by the product obtained

13 by multiplying the percentage determined for that year

14 by the amount of any additions or deletions to actual

15 value, excluding those resulting from the revaluation

16 of existing properties, as reported by the assessors

17 on the abstracts of assessment for 1978, plus six

18 percent of the amount so determined. ~~However, if the~~

19 ~~difference between the dividend so determined for~~

20 ~~either class of property and the dividend for that~~

21 ~~class of property for valuations established as of~~

22 ~~January 1, 1978, adjusted by the product obtained by~~

23 ~~multiplying the percentage determined for that year~~

24 ~~by the amount of any additions or deletions to actual~~

25 ~~value, excluding those resulting from the revaluation~~

26 ~~of existing properties, as reported by the assessors~~

27 ~~on the abstracts of assessment for 1978, is less than~~

28 ~~six percent, the 1979 dividend for the other class of~~

29 ~~property shall be the dividend as determined for that~~

30 ~~class of property for valuations established as of~~

31 ~~January 1, 1978, adjusted by the product obtained by~~

32 ~~multiplying the percentage determined for that year~~

33 ~~by the amount of any additions or deletions to actual~~

34 ~~value, excluding those resulting from the revaluation~~

35 ~~of existing properties, as reported by the assessors on~~

36 ~~the abstracts of assessment for 1978, plus a percentage~~

37 ~~of the amount so determined which is equal to the~~

38 ~~percentage by which the dividend as determined for the~~

39 ~~other class of property for valuations established as~~

40 ~~of January 1, 1978, adjusted by the product obtained~~

41 ~~by multiplying the percentage determined for that year~~

42 ~~by the amount of any additions or deletions to actual~~

43 ~~value, excluding those resulting from the revaluation~~
44 ~~of existing properties, as reported by the assessors~~
45 ~~on the abstracts of assessment for 1978, is increased~~
46 ~~in arriving at the 1979 dividend for the other class~~
47 ~~of property.~~ The divisor for each class of property
48 shall be the total actual value of all such property
49 in the state in the preceding year, as reported by the
50 assessors on the abstracts of assessment submitted

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1 for 1978, plus the amount of value added to said
2 total actual value by the revaluation of existing
3 properties in 1979 as equalized by the director of
4 revenue pursuant to section 441.49. The director shall
5 utilize information reported on abstracts of assessment
6 submitted pursuant to section 441.45 in determining
7 such percentage. For valuations established as of
8 January 1, 1980, and each assessment year thereafter
9 beginning before January 1, 2013, the percentage of
10 actual value as equalized by the director of revenue
11 as provided in section 441.49 at which agricultural
12 and residential property shall be assessed shall be
13 calculated in accordance with the methods provided
14 herein including the limitation of increases in
15 agricultural and residential assessed values to the
16 percentage increase of the other class of property if
17 the other class increases less than the allowable limit
18 adjusted to include the applicable and current values
19 as equalized by the director of revenue, as provided in
20 this section, Code 2013, except that any references to
21 six percent in this subsection shall be four percent.
22 For valuations established for the assessment year
23 beginning January 1, 2013, and each assessment year
24 thereafter, the percentage of actual value as equalized
25 by the director of revenue as provided in section
26 441.49 at which agricultural and residential property
27 shall be assessed shall be calculated in accordance
28 with the methods provided in this subsection, except
29 that any references to six percent in this subsection
30 shall be zero percent.>

31 2. Page 9, after line 3 by inserting:

32 <Sec. ____ RETROACTIVE APPLICABILITY. The
33 section of this Act amending section 441.21 applies
34 retroactively to January 1, 2013, for assessment years
35 beginning on or after that date.>

36 3. Title page, line 1, after <Act> by inserting

37 <relating to property taxation by>

38 4. Title page, by striking line 3 and inserting

39 <making appropriations, modifying property assessment

40 limitations, and including implementation, retroactive
41 applicability, and other>
42 5. By renumbering as necessary.

MARK CHELGREN
JACK WHITVER
KENT SORENSON
RICK BERTRAND

S-3153

1 Amend Senate File 295 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

<DIVISION I

PROPERTY ASSESSMENT LIMITATION AND REPLACEMENT

6 Section 1. Section 257.3, subsection 1, Code 2013,
7 is amended by adding the following new paragraph:

8 NEW PARAGRAPH. d. The amount paid to each school
9 district for the commercial and industrial property
10 tax replacement claim under section 441.21A shall be
11 regarded as property tax. The portion of the payment
12 which is foundation property tax shall be determined by
13 applying the foundation property tax rate to the amount
14 computed under section 441.21A, subsection 4, paragraph
15 “a”, and such amount shall be prorated pursuant to
16 section 441.21A, subsection 2, if applicable.

17 Sec. 2. Section 331.512, Code 2013, is amended by
18 adding the following new subsection:

19 NEW SUBSECTION. 13A. Carry out duties relating
20 to the calculation and payment of commercial and
21 industrial property tax replacement claims under
22 section 441.21A.

23 Sec. 3. Section 331.559, Code 2013, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 25A. Carry out duties relating
26 to the calculation and payment of commercial and
27 industrial property tax replacement claims under
28 section 441.21A.

29 Sec. 4. Section 441.21, subsection 4, Code 2013, is
30 amended to read as follows:

31 4. For valuations established as of January
32 1, 1979, the percentage of actual value at which
33 agricultural and residential property shall be assessed
34 shall be the quotient of the dividend and divisor as
35 defined in this section. The dividend for each class
36 of property shall be the dividend as determined for
37 each class of property for valuations established as
38 of January 1, 1978, adjusted by the product obtained
39 by multiplying the percentage determined for that year
40 by the amount of any additions or deletions to actual
41 value, excluding those resulting from the revaluation

42 of existing properties, as reported by the assessors
43 on the abstracts of assessment for 1978, plus six
44 percent of the amount so determined. ~~However, if the~~
45 ~~difference between the dividend so determined for~~
46 ~~either class of property and the dividend for that~~
47 ~~class of property for valuations established as of~~
48 ~~January 1, 1978, adjusted by the product obtained by~~
49 ~~multiplying the percentage determined for that year~~
50 ~~by the amount of any additions or deletions to actual~~

Page 2

1 ~~value, excluding those resulting from the revaluation~~
2 ~~of existing properties, as reported by the assessors~~
3 ~~on the abstracts of assessment for 1978, is less than~~
4 ~~six percent, the 1979 dividend for the other class of~~
5 ~~property shall be the dividend as determined for that~~
6 ~~class of property for valuations established as of~~
7 ~~January 1, 1978, adjusted by the product obtained by~~
8 ~~multiplying the percentage determined for that year~~
9 ~~by the amount of any additions or deletions to actual~~
10 ~~value, excluding those resulting from the revaluation~~
11 ~~of existing properties, as reported by the assessors on~~
12 ~~the abstracts of assessment for 1978, plus a percentage~~
13 ~~of the amount so determined which is equal to the~~
14 ~~percentage by which the dividend as determined for the~~
15 ~~other class of property for valuations established as~~
16 ~~of January 1, 1978, adjusted by the product obtained~~
17 ~~by multiplying the percentage determined for that year~~
18 ~~by the amount of any additions or deletions to actual~~
19 ~~value, excluding those resulting from the revaluation~~
20 ~~of existing properties, as reported by the assessors~~
21 ~~on the abstracts of assessment for 1978, is increased~~
22 ~~in arriving at the 1979 dividend for the other class~~
23 ~~of property. The divisor for each class of property~~
24 ~~shall be the total actual value of all such property~~
25 ~~in the state in the preceding year, as reported by the~~
26 ~~assessors on the abstracts of assessment submitted~~
27 ~~for 1978, plus the amount of value added to said~~
28 ~~total actual value by the revaluation of existing~~
29 ~~properties in 1979 as equalized by the director of~~
30 ~~revenue pursuant to section 441.49. The director shall~~
31 ~~utilize information reported on abstracts of assessment~~
32 ~~submitted pursuant to section 441.45 in determining~~
33 ~~such percentage. For valuations established as of~~
34 ~~January 1, 1980, and each assessment year thereafter~~
35 ~~beginning before January 1, 2013, the percentage of~~
36 ~~actual value as equalized by the director of revenue~~
37 ~~as provided in section 441.49 at which agricultural~~
38 ~~and residential property shall be assessed shall be~~
39 ~~calculated in accordance with the methods provided~~
40 ~~herein including the limitation of increases in~~

41 agricultural and residential assessed values to the
42 percentage increase of the other class of property if
43 the other class increases less than the allowable limit
44 adjusted to include the applicable and current values
45 as equalized by the director of revenue, as provided
46 in this section, Code 2013, except that any references
47 to six percent in this subsection shall be four
48 percent. For valuations established for the assessment
49 year beginning January 1, 2013, each assessment year
50 thereafter, the percentage of actual value as equalized

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1 by the director of revenue as provided in section
2 441.49 at which agricultural and residential property
3 shall be assessed shall be calculated in accordance
4 with the methods provided in this subsection, except
5 that any references to six percent in this subsection
6 shall be zero percent.
7 Sec. 5. Section 441.21, subsection 5, Code 2013, is
8 amended to read as follows:
9 5. a. For valuations established as of January
10 1, 1979, commercial property and industrial property,
11 excluding properties referred to in section 427A.1,
12 subsection 8, shall be assessed as a percentage of
13 the actual value of each class of property. The
14 percentage shall be determined for each class of
15 property by the director of revenue for the state in
16 accordance with the provisions of this section. For
17 valuations established as of January 1, 1979, the
18 percentage shall be the quotient of the dividend and
19 divisor as defined in this section. The dividend
20 for each class of property shall be the total actual
21 valuation for each class of property established for
22 1978, plus six percent of the amount so determined.
23 The divisor for each class of property shall be the
24 valuation for each class of property established for
25 1978, as reported by the assessors on the abstracts
26 of assessment for 1978, plus the amount of value
27 added to the total actual value by the revaluation
28 of existing properties in 1979 as equalized by the
29 director of revenue pursuant to section 441.49. For
30 valuations established as of January 1, 1979, property
31 valued by the department of revenue pursuant to
32 chapters 428, 433, 437, and 438 shall be considered
33 as one class of property and shall be assessed as a
34 percentage of its actual value. The percentage shall
35 be determined by the director of revenue in accordance
36 with the provisions of this section. For valuations
37 established as of January 1, 1979, the percentage
38 shall be the quotient of the dividend and divisor as
39 defined in this section. The dividend shall be the

40 total actual valuation established for 1978 by the
41 department of revenue, plus ten percent of the amount
42 so determined. The divisor for property valued by
43 the department of revenue pursuant to chapters 428,
44 433, 437, and 438 shall be the valuation established
45 for 1978, plus the amount of value added to the total
46 actual value by the revaluation of the property by
47 the department of revenue as of January 1, 1979.
48 For valuations established as of January 1, 1980,
49 commercial property and industrial property, excluding
50 properties referred to in section 427A.1, subsection

Page 4

1 8, shall be assessed at a percentage of the actual
2 value of each class of property. The percentage
3 shall be determined for each class of property by
4 the director of revenue for the state in accordance
5 with the provisions of this section. For valuations
6 established as of January 1, 1980, the percentage
7 shall be the quotient of the dividend and divisor as
8 defined in this section. The dividend for each class
9 of property shall be the dividend as determined for
10 each class of property for valuations established as
11 of January 1, 1979, adjusted by the product obtained
12 by multiplying the percentage determined for that year
13 by the amount of any additions or deletions to actual
14 value, excluding those resulting from the revaluation
15 of existing properties, as reported by the assessors
16 on the abstracts of assessment for 1979, plus four
17 percent of the amount so determined. The divisor
18 for each class of property shall be the total actual
19 value of all such property in 1979, as equalized by
20 the director of revenue pursuant to section 441.49,
21 plus the amount of value added to the total actual
22 value by the revaluation of existing properties in
23 1980. The director shall utilize information reported
24 on the abstracts of assessment submitted pursuant
25 to section 441.45 in determining such percentage.
26 For valuations established as of January 1, 1980,
27 property valued by the department of revenue pursuant
28 to chapters 428, 433, 437, and 438 shall be assessed
29 at a percentage of its actual value. The percentage
30 shall be determined by the director of revenue in
31 accordance with the provisions of this section. For
32 valuations established as of January 1, 1980, the
33 percentage shall be the quotient of the dividend and
34 divisor as defined in this section. The dividend shall
35 be the total actual valuation established for 1979 by
36 the department of revenue, plus eight percent of the
37 amount so determined. The divisor for property valued
38 by the department of revenue pursuant to chapters 428,

39 433, 437, and 438 shall be the valuation established
40 for 1979, plus the amount of value added to the total
41 actual value by the revaluation of the property by
42 the department of revenue as of January 1, 1980. For
43 valuations established as of January 1, 1981, and each
44 assessment year thereafter beginning before January 1,
45 2013, the percentage of actual value as equalized by
46 the director of revenue as provided in section 441.49
47 at which commercial property and industrial property,
48 excluding properties referred to in section 427A.1,
49 subsection 8, shall be assessed shall be calculated in
50 accordance with the methods provided herein, except

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1 that any references to six percent in this subsection
2 shall be four percent. For valuations established
3 as of January 1, 1981, and each year thereafter, the
4 percentage of actual value at which property valued
5 by the department of revenue pursuant to chapters
6 428, 433, 437, and 438 shall be assessed shall be
7 calculated in accordance with the methods provided
8 herein, except that any references to ten percent in
9 this subsection shall be eight percent. Beginning
10 with valuations established as of January 1, 1979,
11 and each assessment year thereafter beginning before
12 January 1, 2013, property valued by the department of
13 revenue pursuant to chapter 434 shall also be assessed
14 at a percentage of its actual value which percentage
15 shall be equal to the percentage determined by the
16 director of revenue for commercial property, industrial
17 property, or property valued by the department of
18 revenue pursuant to chapters 428, 433, 437, and 438,
19 whichever is lowest. For valuations established on
20 or after January 1, 2013, but before January 1, 2017,
21 commercial property and industrial property shall be
22 assessed as provided in paragraphs "b" and "c," as
23 applicable. For valuations established as of January
24 1, 2017, and each assessment year thereafter, the
25 percentage of actual value as equalized by the director
26 of revenue as provided in section 441.49 at which
27 commercial property and industrial property, excluding
28 properties referred to in section 427A.1, subsection
29 8, shall be assessed shall be calculated in accordance
30 with the methods provided in this subsection, except
31 that any references to six percent in this subsection
32 shall be zero percent. For valuations established
33 on or after January 1, 2013, property valued by the
34 department of revenue pursuant to chapter 434 shall
35 be assessed at a percentage of its actual value equal
36 to the percentage of actual value at which property
37 assessed as commercial property is assessed for the

38 same assessment year.
39 b. For valuations established on or after January
40 1, 2013, but before January 1, 2017, commercial
41 property, excluding properties referred to in section
42 427A.1, subsection 8, shall be assessed at a percentage
43 of its actual value, as determined in this paragraph
44 "b". For valuations established for the assessment
45 year beginning January 1, 2013, the percentage of
46 actual value as equalized by the director of revenue
47 as provided in section 441.49 at which commercial
48 property shall be assessed shall be ninety-five
49 percent. For valuations established for the assessment
50 year beginning January 1, 2014, the percentage of

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1 actual value as equalized by the director of revenue
2 as provided in section 441.49 at which commercial
3 property shall be assessed shall be ninety percent.
4 For valuations established for the assessment year
5 beginning January 1, 2015, the percentage of actual
6 value as equalized by the director of revenue as
7 provided in section 441.49 at which commercial property
8 shall be assessed shall be eighty-five percent.
9 For valuations established for the assessment year
10 beginning January 1, 2016, the percentage of actual
11 value as equalized by the director of revenue as
12 provided in section 441.49 at which commercial property
13 shall be assessed shall be eighty percent.
14 c. For valuations established on or after January
15 1, 2013, but before January 1, 2017, industrial
16 property, excluding properties referred to in section
17 427A.1, subsection 8, shall be assessed at a percentage
18 of its actual value, as determined in this paragraph
19 "c". For valuations established for the assessment
20 year beginning January 1, 2013, the percentage of
21 actual value as equalized by the director of revenue
22 as provided in section 441.49 at which industrial
23 property shall be assessed shall be ninety-five
24 percent. For valuations established for the assessment
25 year beginning January 1, 2014, the percentage of
26 actual value as equalized by the director of revenue
27 as provided in section 441.49 at which industrial
28 property shall be assessed shall be ninety percent.
29 For valuations established for the assessment year
30 beginning January 1, 2015, the percentage of actual
31 value as equalized by the director of revenue as
32 provided in section 441.49 at which industrial property
33 shall be assessed shall be eighty-five percent.
34 For valuations established for the assessment year
35 beginning January 1, 2016, the percentage of actual
36 value as equalized by the director of revenue as

37 provided in section 441.49 at which industrial property
38 shall be assessed shall be eighty percent.

39 Sec. 6. NEW SECTION. 441.21A Commercial and
40 industrial property tax replacement — replacement
41 claims.

42 1. a. For each fiscal year beginning on or after
43 July 1, 2014, there is appropriated from the general
44 fund of the state to the department of revenue an
45 amount necessary for the payment of all commercial
46 and industrial property tax replacement claims under
47 this section for the fiscal year. However, for a
48 fiscal year beginning on or after July 1, 2018, the
49 total amount of moneys appropriated from the general
50 fund of the state to the department of revenue for

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1 the payment of commercial and industrial property tax
2 replacement claims in that fiscal year shall not exceed
3 the total amount of money that was necessary to pay
4 all commercial and industrial property tax replacement
5 claims for the fiscal year beginning July 1, 2017.

6 b. Moneys appropriated by the general assembly to
7 the department under this subsection for the payment
8 of commercial and industrial property tax replacement
9 claims are not subject to a uniform reduction in
10 appropriations in accordance with section 8.31.

11 2. Beginning with the fiscal year beginning
12 July 1, 2014, each county treasurer shall be paid
13 by the department of revenue an amount equal to the
14 amount of the commercial and industrial property tax
15 replacement claims in the county, as calculated in
16 subsection 4. For fiscal years beginning on or after
17 July 1, 2018, if an amount appropriated for a fiscal
18 year is insufficient to pay all replacement claims,
19 the director of revenue shall prorate the payment of
20 replacement claims to the county treasurers and shall
21 notify the county auditors of the pro rata percentage
22 on or before September 30.

23 3. On or before July 1 of each fiscal year
24 beginning on or after July 1, 2014, the assessor shall
25 report to the county auditor the total actual value of
26 all commercial property and industrial property in the
27 county for the assessment year used to calculate the
28 taxes due and payable in that fiscal year.

29 4. On or before a date established by rule of the
30 department of revenue of each fiscal year beginning on
31 or after July 1, 2014, the county auditor shall prepare
32 a statement, based upon the report received pursuant
33 to subsection 3, listing for each taxing district in
34 the county:

35 a. The difference between the assessed valuation

36 of all commercial property and industrial property for
37 the assessment year used to calculate taxes which are
38 due and payable in the applicable fiscal year and the
39 actual value of all commercial property and industrial
40 property for the same assessment year. If the
41 difference between the assessed value of all commercial
42 property and industrial property and the actual
43 valuation of all commercial property and industrial
44 property is zero, there is no tax replacement for that
45 taxing district for the fiscal year.

46 b. The tax levy rate per one thousand dollars of
47 assessed value for each taxing district for that fiscal
48 year.

49 c. The commercial and industrial property tax
50 replacement claim for each taxing district. The

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1 replacement claim is equal to the amount determined
2 pursuant to paragraph "a", multiplied by the tax rate
3 specified in paragraph "b", and then divided by one
4 thousand dollars.

5 5. For purposes of computing replacement amounts
6 under this section, that portion of an urban renewal
7 area defined as the sum of the assessed valuations
8 defined in section 403.19, subsections 1 and 2, shall
9 be considered a taxing district.

10 6. a. The county auditor shall certify and forward
11 one copy of the statement to the department of revenue
12 not later than a date of each year established by the
13 department of revenue by rule.

14 b. The replacement claims shall be paid to each
15 county treasurer in equal installments in September
16 and March of each year. The county treasurer shall
17 apportion the replacement claim payments among the
18 eligible taxing districts in the county.

19 c. If the taxing district is an urban renewal
20 area, the amount of the replacement claim shall be
21 apportioned and credited to those portions of the
22 assessed value defined in section 403.19, subsections
23 1 and 2, as follows:

24 (1) To that portion defined in section 403.19,
25 subsection 1, an amount of the replacement claim that
26 is proportionate to the amount of actual value of the
27 commercial and industrial property in the urban renewal
28 area as determined in section 403.19, subsection 1,
29 that was subtracted pursuant to section 403.20, as
30 it bears to the total amount of actual value of the
31 commercial and industrial property in the urban renewal
32 area that was subtracted pursuant to section 403.20 for
33 the assessment year for property taxes due and payable
34 in the fiscal year for which the replacement claim is

35 computed.

36 (2) To that portion defined in section 403.19,
37 subsection 2, the remaining amount, if any.

38 d. Notwithstanding the allocation provisions of
39 paragraph "c", the amount of the tax replacement amount
40 that shall be allocated to that portion of the assessed
41 value defined in section 403.19, subsection 2, shall
42 not exceed the amount equal to the amount certified to
43 the county auditor under section 403.19 for the fiscal
44 year in which the claim is paid, after deduction of
45 the amount of other revenues committed for payment
46 on that amount for the fiscal year. The amount not
47 allocated to that portion of the assessed value defined
48 in section 403.19, subsection 2, as a result of the
49 operation of this paragraph, shall be allocated to that
50 portion of assessed value defined in section 403.19,

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1 subsection 1.

2 e. The amount of the replacement claim amount
3 credited to the portion of the assessed value defined
4 in section 403.19, subsection 1, shall be allocated
5 to and when received be paid into the fund for the
6 respective taxing district as taxes by or for the
7 taxing district into which all other property taxes
8 are paid. The amount of the replacement claim amount
9 credited to the portion of the assessed value defined
10 in section 403.19, subsection 2, shall be allocated to
11 and when collected be paid into the special fund of the
12 municipality under section 403.19, subsection 2.

13 Sec. 7. SAVINGS PROVISION. This division of this
14 Act, pursuant to section 4.13, does not affect the
15 operation of, or prohibit the application of, prior
16 provisions of section 441.21, or rules adopted under
17 chapter 17A to administer prior provisions of section
18 441.21, for assessment years beginning before January
19 1, 2013, and for duties, powers, protests, appeals,
20 proceedings, actions, or remedies attributable to an
21 assessment year beginning before January 1, 2013.

22 Sec. 8. EFFECTIVE UPON ENACTMENT. This division of
23 this Act, being deemed of immediate importance, takes
24 effect upon enactment.

25 Sec. 9. RETROACTIVE APPLICABILITY. This division
26 of this Act applies retroactively to January 1, 2013,
27 for assessment years beginning on or after that date.

28 DIVISION II

29 SCHOOL DISTRICT FUNDING

30 Sec. 10. Section 257.1, subsection 2, paragraph b,
31 Code 2013, is amended by striking the paragraph and
32 inserting in lieu thereof the following:

33 b. (1) The regular program foundation base per

34 pupil is the following:

35 (a) For the budget year commencing July 1,
36 2012, and the budget year commencing July 1, 2013,
37 the regular program foundation base per pupil is
38 eighty-seven and five-tenths percent of the regular
39 program state cost per pupil.

40 (b) For the budget year commencing July 1, 2014,
41 the regular program foundation base per pupil is
42 eighty-nine and three hundred seventy-five thousandths
43 percent of the regular program state cost per pupil.

44 (c) For the budget year commencing July 1, 2015,
45 the regular program foundation base per pupil is
46 ninety-one and twenty-five hundredths percent of the
47 regular program state cost per pupil.

48 (d) For the budget year commencing July 1, 2016,
49 the regular program foundation base per pupil is
50 ninety-three and one hundred twenty-five thousandths

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1 percent of the regular program state cost per pupil.

2 (e) For the budget year commencing July 1, 2017,
3 and succeeding budget years, the regular program
4 foundation base per pupil is ninety-five percent of the
5 regular program state cost per pupil.

6 (2) For each budget year, the special education
7 support services foundation base is seventy-nine
8 percent of the special education support services state
9 cost per pupil. The combined foundation base is the
10 sum of the regular program foundation base, the special
11 education support services foundation base, the total
12 teacher salary supplement district cost, the total
13 professional development supplement district cost, the
14 total early intervention supplement district cost, the
15 total area education agency teacher salary supplement
16 district cost, and the total area education agency
17 professional development supplement district cost.

18 DIVISION III

19 HOMESTEAD CREDIT ADJUSTMENT

20 Sec. 11. Section 425.1, subsection 2, Code 2013, is
21 amended to read as follows:

22 2. a. The homestead credit fund shall be
23 apportioned each year so as to give a credit against
24 the tax on each eligible homestead in the state in
25 an amount equal to the actual levy on the first four
26 thousand eight hundred fifty dollars, as adjusted
27 pursuant to paragraph "b", of actual value for each
28 homestead.

29 b. The amount of actual value specified in
30 paragraph "a" shall be adjusted annually as provided in
31 this paragraph. For each fiscal year beginning on or
32 after July 1, 2013, the amount of actual value used to

33 calculate the homestead credit shall be the amount of
 34 actual value used to calculate the homestead credit in
 35 the immediately preceding fiscal year multiplied by the
 36 annual homestead credit factor and then rounded to the
 37 nearest multiple of ten dollars.
 38 c. For the purposes of this subsection, “annual
 39 homestead credit factor” means the sum of one hundred
 40 percent plus the annual percentage change, but not less
 41 than zero, in the consumer price index for all urban
 42 consumers published by the United States department of
 43 labor, bureau of labor statistics, calculated for the
 44 calendar year ending six months prior to the beginning
 45 of the fiscal year for which the homestead credit is
 46 being provided.
 47 Sec. 12. APPLICABILITY. This division of this Act
 48 applies to property taxes due and payable in fiscal
 49 years beginning on or after July 1, 2013.>
 50 2. Title page, by striking lines 1 through 4

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1 and inserting <An Act relating to state and local
 2 finances by establishing and modifying property
 3 assessment limitations, providing for commercial
 4 and industrial property tax replacement payments,
 5 increasing the regular program foundation base
 6 percentage, providing for an adjustment to the amount
 7 of value used to calculate the homestead credit,
 8 making appropriations, and including effective date,
 9 retroactive applicability, and other applicability
 10 provisions.>

RANDY FEENSTRA

S-3154

1 Amend Senate File 440 as follows:
 2 1. Page 6, line 18, by striking <2012> and
 3 inserting <2013>
 4 2. Page 6, line 19, by striking <2013> and
 5 inserting <2014>

JACK WHITVER

S-3155

1 Amend House File 604, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:
 5 <DIVISION I
 6 FY 2013–2014 APPROPRIATIONS — STATUTORY CHANGES

DEPARTMENT FOR THE BLIND

Section 1. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	2,191,815
.....	FTEs	88.00
2. For costs associated with universal access to audio information for blind and print handicapped Iowans:		
.....	\$	50,000

COLLEGE STUDENT AID COMMISSION

Sec. 2. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

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

.....	\$	232,943
.....	FTEs	3.95

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program established in section 261.93:

.....	\$	791,177
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3. HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

For the loan repayment program for health care professionals established pursuant to section 261.19:

.....	\$	400,973
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4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

.....	\$	5,100,233
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5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

.....	\$	5,392,452
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6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

For purposes of the all Iowa opportunity foster care grant program established pursuant to section 261.6:

.....	\$	554,057
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7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM	
a. For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:	
	\$ 2,240,854
b. If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2013–2014 for purposes of the all Iowa opportunity scholarship program exceed \$500,000, “eligible institution” as defined in section 261.87, shall, during fiscal year 2013–2014, include accredited private institutions as defined in section 261.9, subsection 1.	
8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM	
For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:	
	\$ 80,852
9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT PROGRAM	
For purposes of the barber and cosmetology arts and sciences tuition grant program established pursuant to section 261.18:	
	\$ 40,000
10. SKILLED WORKFORCE SHORTAGE TUITION GRANTS	
For purposes of providing skilled workforce shortage tuition grants in accordance with section 261.130:	
	\$ 5,000,000
Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2014.	
11. RURAL IOWA PRIMARY CARE LOAN REPAYMENT PROGRAM	
a. For purposes of the rural Iowa primary care loan repayment program established pursuant to section 261.113:	
	\$ 2,000,000
b. From the moneys appropriated in paragraph “a”, not more than \$150,000 shall be used by the commission for loan repayments for individuals who hold a license issued under chapter 154C and are employed in a critical human service area.	

- (1) The commission shall establish an application process and criteria for loan repayment to licensed social workers and shall determine the amount of time a licensed social worker shall practice in a critical

human service area in order to qualify for loan repayment under this paragraph "b".

(2) The annual amount of loan repayment a recipient may receive under this paragraph "b" shall be \$6,500 or 20 percent of the licensed social worker's total federally guaranteed Stafford loan amount under the federal family education loan program or the federal direct loan program, including principal and interest, whichever amount is less. The total loan repayment a recipient may receive from the commission during a consecutive five-year period shall not exceed the total remaining balance of the recipient's student loan debt or \$25,000, whichever is less.

(3) If a loan repayment recipient fails to meet the criteria and requirements established by the commission pursuant to this paragraph "b", the loan repayment recipient shall repay to the commission any funds paid by the commission on the recipient's loan.

(4) For purposes of this paragraph "b", "critical human service area" includes but is not limited to an area of the state with a shortage of social workers providing health, mental health, substance abuse, aging, HIV/AIDS, victim, or child welfare services, or communities with multilingual needs. An area designated as a mental health professional shortage area by the United States department of health and human services health resources and services administration is critical human service area.

(5) Notwithstanding section 8.33, moneys allocated for purposes of this paragraph "b" that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the following fiscal year.

(6) The commission shall adopt rules pursuant to chapter 17A for the administration of this paragraph "b".

Sec. 3. IOWA TUITION GRANT APPROPRIATIONS FOR FY 2013–2014. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the amounts appropriated from the general fund of the state to the college student aid commission pursuant to these sections for the following designated purposes shall not exceed the following amounts:

1. For Iowa tuition grants under section 261.25,

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subsection 1:

..... \$ 47,513,448

2. For tuition grants for students attending

4 for-profit accredited private institutions located in
5 Iowa under section 261.25, subsection 2:
6 \$ 2,500,000
7 Sec. 4. CHIROPRACTIC LOAN FUNDS. Notwithstanding
8 section 261.72, the moneys deposited in the
9 chiropractic loan revolving fund created pursuant
10 to section 261.72 may be used for purposes of the
11 chiropractic loan forgiveness program established in
12 section 261.73.
13 Sec. 5. WORK-STUDY APPROPRIATION FOR FY
14 2013–2014. Notwithstanding section 261.85, for the
15 fiscal year beginning July 1, 2013, and ending June 30,
16 2014, the amount appropriated from the general fund of
17 the state to the college student aid commission for the
18 work-study program under section 261.85 shall be zero.
19 DEPARTMENT OF EDUCATION
20 Sec. 6. There is appropriated from the general fund
21 of the state to the department of education for the
22 fiscal year beginning July 1, 2013, and ending June 30,
23 2014, the following amounts, or so much thereof as is
24 necessary, to be used for the purposes designated:
25 1. GENERAL ADMINISTRATION
26 For salaries, support, maintenance, miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:
29 \$ 6,413,812
30 FTEs 81.67
31 2. VOCATIONAL EDUCATION ADMINISTRATION
32 For salaries, support, maintenance, miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:
35 \$ 598,197
36 FTEs 11.50
37 3. VOCATIONAL REHABILITATION SERVICES DIVISION
38 a. For salaries, support, maintenance,
39 miscellaneous purposes, and for not more than the
40 following full-time equivalent positions:
41 \$ 5,113,168
42 FTEs 255.00
43 For purposes of optimizing the job placement of
44 individuals with disabilities, the division shall make
45 its best efforts to work with community rehabilitation
46 program providers for job placement and retention
47 services for individuals with significant disabilities
48 and most significant disabilities. By January 15,
49 2014, the division shall submit a written report to the
50 general assembly on the division’s outreach efforts

- 1 with community rehabilitation program providers.
- 2 b. For matching funds for programs to enable

3	persons with severe physical or mental disabilities to		
4	function more independently, including salaries and		
5	support, and for not more than the following full-time		
6	equivalent position:		
7	.....	\$	39,128
8	.....	FTEs	1.00
9	c. For the entrepreneurs with disabilities program		
10	established pursuant to section 259.4, subsection 9:		
11	.....	\$	145,535
12	d. For costs associated with centers for		
13	independent living:		
14	.....	\$	40,294
15	4. STATE LIBRARY		
16	a. For salaries, support, maintenance,		
17	miscellaneous purposes, and for not more than the		
18	following full-time equivalent positions:		
19	.....	\$	2,715,063
20	.....	FTEs	29.00
21	b. For the enrich Iowa program established under		
22	section 256.57:		
23	.....	\$	2,924,228
24	5. PUBLIC BROADCASTING DIVISION		
25	For salaries, support, maintenance, capital		
26	expenditures, miscellaneous purposes, and for not more		
27	than the following full-time equivalent positions:		
28	.....	\$	7,443,096
29	.....	FTEs	82.00
30	6. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS		
31	For reimbursement for vocational education		
32	expenditures made by secondary schools:		
33	.....	\$	2,630,134
34	Moneys appropriated in this subsection shall be used		
35	to reimburse school districts for vocational education		
36	expenditures made by secondary schools to meet the		
37	standards set in sections 256.11, 258.4, and 260C.14.		
38	7. SCHOOL FOOD SERVICE		
39	For use as state matching funds for federal		
40	programs that shall be disbursed according to federal		
41	regulations, including salaries, support, maintenance,		
42	miscellaneous purposes, and for not more than the		
43	following full-time equivalent positions:		
44	.....	\$	2,176,797
45	.....	FTEs	20.58
46	8. EARLY CHILDHOOD IOWA FUND — GENERAL AID		
47	For deposit in the school ready children grants		
48	account of the early childhood Iowa fund created in		
49	section 256L.11:		
50	\$	5,386,113

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1 a. From the moneys deposited in the school ready
2 children grants account for the fiscal year beginning
3 July 1, 2013, and ending June 30, 2014, not more than
4 \$265,950 is allocated for the early childhood Iowa
5 office and other technical assistance activities. The
6 early childhood Iowa state board shall direct staff to
7 work with the early childhood stakeholders alliance
8 created in section 256I.12 to inventory technical
9 assistance needs. Moneys allocated under this lettered
10 paragraph may be used by the early childhood Iowa state
11 board for the purpose of skills development and support
12 for ongoing training of staff. However, except as
13 otherwise provided in this subsection, moneys shall not
14 be used for additional staff or for the reimbursement
15 of staff.

16 b. As a condition of receiving moneys appropriated
17 in this subsection, each early childhood Iowa area
18 board shall report to the early childhood Iowa state
19 board progress on each of the local indicators approved
20 by the area board. Each early childhood Iowa area
21 board must also submit an annual budget for the area's
22 comprehensive school ready children grant developed for
23 providing services for children from birth through five
24 years of age, and provide other information specified
25 by the early childhood Iowa state board, including
26 budget amendments as needed. The early childhood Iowa
27 state board shall establish a submission deadline for
28 the annual budget and any budget amendments that allow
29 a reasonable period of time for preparation by the
30 early childhood Iowa area boards and for review and
31 approval or request for modification of the materials
32 by the early childhood Iowa state board. In addition,
33 each early childhood Iowa area board must continue to
34 comply with reporting provisions and other requirements
35 adopted by the early childhood Iowa state board in
36 implementing section 256I.9.

37 c. Of the amount appropriated in this subsection
38 for deposit in the school ready children grants account
39 of the early childhood Iowa fund, \$2,318,018 shall
40 be used for efforts to improve the quality of early
41 care, health, and education programs. Moneys allocated
42 pursuant to this paragraph may be used for additional
43 staff and for the reimbursement of staff. The early
44 childhood Iowa state board may reserve a portion of the
45 allocation, not to exceed \$88,650, for the technical
46 assistance expenses of the early childhood Iowa state
47 office, including the reimbursement of staff, and
48 shall distribute the remainder to early childhood Iowa
49 areas for local quality improvement efforts through
50 a methodology identified by the early childhood Iowa

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1 state board to make the most productive use of the
2 funding, which may include use of the distribution
3 formula, grants, or other means.

4 d. Of the amount appropriated in this subsection
5 for deposit in the school ready children grants account
6 of the early childhood Iowa fund, \$825,030 shall
7 be used for support of professional development and
8 training activities for persons working in early care,
9 health, and education by the early childhood Iowa
10 state board in collaboration with the professional
11 development component group of the early childhood
12 Iowa stakeholders alliance maintained pursuant to
13 section 256I.12, subsection 7, paragraph “b”, and the
14 early childhood Iowa area boards. Expenditures shall
15 be limited to professional development and training
16 activities agreed upon by the parties participating in
17 the collaboration.

18 9. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION
19 ASSISTANCE

20 a. For deposit in the school ready children grants
21 account of the early childhood Iowa fund created in
22 section 256I.11:

23 \$ 5,428,877

24 b. The amount appropriated in this subsection shall
25 be used for early care, health, and education programs
26 to assist low-income parents with tuition for preschool
27 and other supportive services for children ages three,
28 four, and five who are not attending kindergarten in
29 order to increase the basic family income eligibility
30 requirement to not more than 200 percent of the federal
31 poverty level. In addition, if sufficient funding is
32 available after addressing the needs of those who meet
33 the basic income eligibility requirement, an early
34 childhood Iowa area board may provide for eligibility
35 for those with a family income in excess of the basic
36 income eligibility requirement through use of a sliding
37 scale or other copayment provisions.

38 10. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND
39 PARENT EDUCATION

40 a. For deposit in the school ready children grants
41 account of the early childhood Iowa fund created in
42 section 256I.11:

43 \$ 12,364,434

44 b. The amount appropriated in this subsection
45 shall be used for family support services and parent
46 education programs targeted to families expecting a
47 child or with newborn and infant children through age
48 five and shall be distributed using the distribution
49 formula approved by the early childhood Iowa state
50 board and shall be used by an early childhood Iowa

1	area board only for family support services and parent	
2	education programs targeted to families expecting a	
3	child or with newborn and infant children through age	
4	five.	
5	11. BIRTH TO AGE THREE SERVICES	
6	For expansion of the federal Individuals with	
7	Disabilities Education Improvement Act of 2004, Pub.	
8	L. No. 108-446, as amended to January 1, 2013, birth	
9	through age three services due to increased numbers of	
10	children qualifying for those services:	
11	.....	\$ 1,721,400
12	12 From the moneys appropriated in this subsection,	
13	\$383,769 shall be allocated to the child health	
14	specialty clinic at the state university of Iowa to	
15	provide additional support for infants and toddlers	
16	who are born prematurely, drug-exposed, or medically	
17	fragile.	
18	12. EARLY HEAD START PROJECTS	
19	For early head start projects:	
20	.....	\$ 800,000
21	The moneys appropriated in this subsection shall be	
22	used for implementation and expansion of early head	
23	start pilot projects addressing the comprehensive	
24	cognitive, social, emotional, and developmental needs	
25	of children from birth to age three, including prenatal	
26	support for qualified families. The projects shall	
27	promote healthy prenatal outcomes and healthy family	
28	functioning, and strengthen the development of infants	
29	and toddlers in low-income families. Priority shall	
30	be given to those organizations that have previously	
31	qualified for and received state funding to administer	
32	an early head start project.	
33	13. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS	
34	To provide moneys for costs of providing textbooks	
35	to each resident pupil who attends a nonpublic school	
36	as authorized by section 301.1:	
37	.....	\$ 560,214
38	Funding under this subsection is limited to \$20 per	
39	pupil and shall not exceed the comparable services	
40	offered to resident public school pupils.	
41	14. CORE CURRICULUM AND CAREER INFORMATION AND	
42	DECISION-MAKING SYSTEM	
43	For purposes of implementing the statewide core	
44	curriculum for school districts and accredited	
45	nonpublic schools and a state-designated career	
46	information and decision-making system:	
47	.....	\$ 2,000,000
48	15. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM	
49	For purposes of the student achievement and teacher	
50	quality program established pursuant to chapter	

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1	284, and for not more than the following full-time		
2	equivalent positions:		
3	.....	\$	6,772,506
4	..... FTEs		2.00
5	16. JOBS FOR AMERICA'S GRADUATES		
6	For school districts to provide direct services to		
7	the most at-risk senior high school students enrolled		
8	in school districts through direct intervention by a		
9	jobs for America's graduates specialist:		
10	.....	\$	800,000
11	17. EDUCATION REFORM		
12	For implementation of the education reform		
13	provisions pursuant to 2013 Iowa Acts, House File 215,		
14	if enacted:		
15	.....	\$	8,500,000
16	18. SUCCESSFUL PROGRESSION FOR EARLY READERS		
17	For school districts to provide intensive		
18	instructional services, curricula, initiatives,		
19	programs, and supports in accordance with section		
20	279.68, subsection 2:		
21	.....	\$	12,000,000
22	19. COMPETENCY-BASED EDUCATION		
23	For implementation of the competency-based education		
24	grant program established pursuant to section 256.24		
25	as provided in House File 215, if enacted, and the		
26	competency-based education task force recommendations		
27	as provided in House File 215, if enacted:		
28	.....	\$	825,000
29	a. From the moneys appropriated in this subsection,		
30	not less than \$500,000 shall be used to provide grants		
31	under the competency-based education grant program		
32	established pursuant to section 256.24 as provided in		
33	House File 215, if enacted. Notwithstanding section		
34	8.33, moneys received by the department pursuant to		
35	this lettered paragraph that remain unencumbered or		
36	unobligated at the close of the fiscal year shall not		
37	revert but shall remain available for expenditure for		
38	the purposes specified in this lettered paragraph		
39	until July 1, 2018, or until the Iowa Code section		
40	establishing the competency-based education grant		
41	program is repealed, whichever occurs first.		
42	b. From the moneys appropriated in this subsection,		
43	not less than \$100,000 shall be used for writing model		
44	competencies, not less than \$25,000 shall be used for		
45	plans and templates, not less than \$100,000 shall be		
46	used to develop the assessment validation rubric and		
47	model assessments, and not less than \$100,000 shall be		
48	used to design professional development in accordance		
49	with the recommendations of the competency-based		
50	education task force and as provided in House File 215,		

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1	if enacted.	
2	20. MIDWESTERN HIGHER EDUCATION COMPACT	
3	For distribution to the midwestern higher education	
4	compact to pay Iowa's member state annual obligation:	
5	.....	\$ 100,000
6	Notwithstanding section 8.33, moneys appropriated	
7	for distribution to the midwestern higher education	
8	compact pursuant to this subsection that remain	
9	unencumbered or unobligated at the close of the fiscal	
10	year shall not revert but shall remain available for	
11	expenditure for the purpose designated until the close	
12	of the succeeding fiscal year.	
13	21. COMMUNITY COLLEGES	
14	a. For general state financial aid to merged	
15	areas as defined in section 260C.2 in accordance with	
16	chapters 258 and 260C:	
17	.....	\$ 193,274,647
18	Notwithstanding the allocation formula in section	
19	260C.18C, the funds appropriated in this subsection	
20	shall be allocated as follows:	
21	(1) Merged Area I	\$ 9,572,490
22	(2) Merged Area II	\$ 9,772,970
23	(3) Merged Area III	\$ 9,035,001
24	(4) Merged Area IV	\$ 4,443,196
25	(5) Merged Area V	\$ 10,865,853
26	(6) Merged Area VI	\$ 8,657,389
27	(7) Merged Area VII	\$ 13,121,235
28	(8) Merged Area IX	\$ 16,582,059
29	(9) Merged Area X	\$ 30,143,212
30	(10) Merged Area XI	\$ 31,835,539
31	(11) Merged Area XII	\$ 10,781,694
32	(12) Merged Area XIII	\$ 11,522,373
33	(13) Merged Area XIV	\$ 4,527,071
34	(14) Merged Area XV	\$ 14,202,552
35	(15) Merged Area XVI	\$ 8,212,013
36	b. For distribution to community colleges to	
37	supplement faculty salaries:	
38	.....	\$ 500,000
39	c. For deposit in the gap tuition assistance fund	
40	established pursuant to section 260I.2, subsection 2:	
41	.....	\$ 2,000,000
42	Sec. 7. ONLINE CURRICULUM FOR UNIFORM TRANSFER OF	
43	ACADEMIC CREDIT — STUDY AND REPORT.	
44	1. The department of education shall conduct	
45	a study regarding the establishment of an online	
46	curriculum to facilitate the transfer of academic	
47	credits earned by students residing in child foster	
48	care facilities licensed under section 237.4, and in	
49	institutions controlled by the department of human	
50	services and listed in section 218.1, between those	

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1 facilities and institutions and public and accredited
 2 nonpublic schools. The goal of the curriculum shall
 3 be to minimize wherever possible the loss of academic
 4 credit for coursework completed by such students.

5 2. Instruction provided through the online
 6 curriculum shall be taught by teachers licensed under
 7 chapter 272. All courses in the online curriculum
 8 shall meet existing accreditation standards.

9 3. The department shall submit a report of its
 10 findings and recommendations to the general assembly
 11 by January 3, 2014.

12 STATE BOARD OF REGENTS

13 Sec. 8. There is appropriated from the general fund
 14 of the state to the state board of regents for the
 15 fiscal year beginning July 1, 2013, and ending June 30,
 16 2014, the following amounts, or so much thereof as is
 17 necessary, to be used for the purposes designated:

18 1. OFFICE OF STATE BOARD OF REGENTS

19 a. For salaries, support, maintenance,
 20 miscellaneous purposes, and for not more than the
 21 following full-time equivalent positions:

22	\$	1,065,005
23	FTEs	15.00

24 The state board of regents shall submit a monthly
 25 financial report in a format agreed upon by the state
 26 board of regents office and the legislative services
 27 agency. The report submitted in December 2013 shall
 28 include the five-year graduation rates for the regents
 29 universities.

30 b. For moneys to be allocated to the southwest Iowa
 31 regents resource center in Council Bluffs:

32	\$	182,734
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33 c. For moneys to be allocated to the northwest Iowa
 34 regents resource center in Sioux City under section
 35 262.9, subsection 22:

36	\$	66,601
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37 d. For moneys to be allocated to the quad-cities
 38 graduate studies center:

39	\$	34,513
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40 The board may transfer moneys appropriated under
 41 paragraph "b", "c", or "d", of this subsection to any
 42 of the other centers specified in paragraph "b", "c",
 43 or "d", if the board notifies, in writing, the general
 44 assembly and the legislative services agency of the
 45 amount, the date, and the purpose of the transfer.

46 e. For moneys to be distributed to Iowa public
 47 radio for public radio operations:

48	\$	391,568
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49 f. For purposes of funding a student financial aid
 50 program for Iowa undergraduate students who demonstrate

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1	financial need and who attend an institution of higher		
2	learning governed by the board:		
3	.....	\$	10,000,000
4	2. STATE UNIVERSITY OF IOWA		
5	a. General university, including lakeside		
6	laboratory		
7	For salaries, support, maintenance, equipment,		
8	financial aid, miscellaneous purposes, and for not more		
9	than the following full-time equivalent positions:		
10	.....	\$	222,041,351
11	.....	FTEs	5,058.55
12	b. Oakdale campus		
13	For salaries, support, maintenance, miscellaneous		
14	purposes, and for not more than the following full-time		
15	equivalent positions:		
16	.....	\$	2,186,558
17	.....	FTEs	38.25
18	c. State hygienic laboratory		
19	For salaries, support, maintenance, miscellaneous		
20	purposes, and for not more than the following full-time		
21	equivalent positions:		
22	.....	\$	4,402,615
23	.....	FTEs	102.50
24	d. Family practice program		
25	For allocation by the dean of the college of		
26	medicine, with approval of the advisory board, to		
27	qualified participants to carry out the provisions		
28	of chapter 148D for the family practice program,		
29	including salaries and support, and for not more than		
30	the following full-time equivalent positions:		
31	.....	\$	1,788,265
32	.....	FTEs	190.40
33	e. Child health care services		
34	For specialized child health care services,		
35	including childhood cancer diagnostic and treatment		
36	network programs, rural comprehensive care for		
37	hemophilia patients, and the Iowa high-risk infant		
38	follow-up program, including salaries and support, and		
39	for not more than the following full-time equivalent		
40	positions:		
41	.....	\$	659,456
42	.....	FTEs	57.97
43	f. Statewide cancer registry		
44	For the statewide cancer registry, and for not more		
45	than the following full-time equivalent positions:		
46	.....	\$	149,051
47	.....	FTEs	2.10
48	g. Substance abuse consortium		
49	For moneys to be allocated to the Iowa consortium		
50	for substance abuse research and evaluation, and		

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1	for not more than the following full-time equivalent		
2	position:		
3	\$	55,529
4	FTEs	1.00
5	h. Center for biocatalysis		
6	For the center for biocatalysis, and for not more		
7	than the following full-time equivalent positions:		
8	.....	\$	723,727
9	.....	FTEs	6.28
10	i. Primary health care initiative		
11	For the primary health care initiative in the		
12	college of medicine, and for not more than the		
13	following full-time equivalent positions:		
14	.....	\$	648,930
15	.....	FTEs	5.89
16	From the moneys appropriated in this lettered		
17	paragraph, \$254,889 shall be allocated to the		
18	department of family practice at the state university		
19	of Iowa college of medicine for family practice faculty		
20	and support staff.		
21	j. Birth defects registry		
22	For the birth defects registry, and for not more		
23	than the following full-time equivalent position:		
24	.....	\$	38,288
25	.....	FTEs	1.00
26	k. Larned A. Waterman Iowa nonprofit resource		
27	center		
28	For the Larned A. Waterman Iowa nonprofit resource		
29	center, and for not more than the following full-time		
30	equivalent positions:		
31	.....	\$	162,539
32	.....	FTEs	2.75
33	l. Iowa online advanced placement academy science,		
34	technology, engineering, and mathematics initiative		
35	For the establishment of the Iowa online advanced		
36	placement academy science, technology, engineering, and		
37	mathematics initiative:		
38	.....	\$	481,849
39	m. For the Iowa flood center for use by the		
40	university's college of engineering pursuant to section		
41	466C.1:		
42	.....	\$	1,500,000
43	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
44	a. General university		
45	For salaries, support, maintenance, equipment,		
46	financial aid, miscellaneous purposes, and for not more		
47	than the following full-time equivalent positions:		
48	\$	173,986,353
49	FTEs	3,647.42
50	b. Agricultural experiment station		

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1	For the agricultural experiment station salaries,		
2	support, maintenance, miscellaneous purposes, and		
3	for not more than the following full-time equivalent		
4	positions:		
5	.....	\$	28,111,877
6	.....	FTEs	546.98
7	c. Cooperative extension service in agriculture and		
8	home economics		
9	For the cooperative extension service in agriculture		
10	and home economics salaries, support, maintenance,		
11	miscellaneous purposes, and for not more than the		
12	following full-time equivalent positions:		
13	.....	\$	17,936,722
14	.....	FTEs	383.34
15	d. Leopold center		
16	For agricultural research grants at Iowa state		
17	university of science and technology under section		
18	266.39B, and for not more than the following full-time		
19	equivalent positions:		
20	.....	\$	397,417
21	.....	FTEs	11.25
22	e. Livestock disease research		
23	For deposit in and the use of the livestock disease		
24	research fund under section 267.8:		
25	.....	\$	172,844
26	4. UNIVERSITY OF NORTHERN IOWA		
27	a. General university		
28	For salaries, support, maintenance, equipment,		
29	financial aid, miscellaneous purposes, and for not more		
30	than the following full-time equivalent positions:		
31	.....	\$	87,222,819
32	.....	FTEs	1,447.50
33	b. Recycling and reuse center		
34	For purposes of the recycling and reuse center, and		
35	for not more than the following full-time equivalent		
36	positions:		
37	.....	\$	175,256
38	.....	FTEs	3.00
39	c. Science, technology, engineering, and		
40	mathematics (STEM) collaborative initiative		
41	For purposes of the science, technology,		
42	engineering, and mathematics (STEM) collaborative		
43	initiative established pursuant to section 268.7, and		
44	for not more than the following full-time equivalent		
45	positions:		
46	.....	\$	5,700,000
47	.....	FTEs	6.20
48	(1) From the moneys appropriateded in this lettered		
49	paragraph, up to \$282,000 shall be allocated for		
50	salaries, staffing, and institutional support. The		

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1 remainder of the moneys appropriated in this lettered
2 paragraph shall be expended only to support activities
3 directly related to recruitment of kindergarten
4 through grade 12 mathematics and science teachers and
5 for ongoing mathematics and science programming for
6 students enrolled in kindergarten through grade 12.
7 (2) The university of northern Iowa shall work with
8 the community colleges to develop STEM professional
9 development programs for community college instructors
10 and STEM curriculum development.

11 (3) From the moneys appropriated in this lettered
12 paragraph, up to \$1,000,000 may be used to provide
13 technology education opportunities to high school,
14 career academy, and community college students
15 through a public-private partnerships, as well as
16 opportunities for students and faculties at these
17 institutions to secure broad-based information
18 technology certification. The Iowa governor's STEM
19 advisory council shall utilize a request for proposals
20 process for contracts to make available, through the
21 regional STEM network hubs, at high schools, career
22 academies, and community colleges, instruction on
23 skills and competencies that are essential for the
24 workplace and which are requested by Iowa's employers.
25 Such a contract shall include the following components:

- 26 (a) A research-based curriculum.
- 27 (b) Online access to the curriculum.
- 28 (c) Instructional software for classroom and
29 student use.
- 30 (d) Certification of skills and competencies in
31 a broad base of information technology-related skill
32 areas.
- 33 (e) Professional development for teachers.
- 34 (f) Deployment and program support, including but
35 not limited to integration with current curriculum
36 standards.

37 d. Real estate education program
38 For purposes of the real estate education program,
39 and for not more than the following full-time
40 equivalent position:

41	\$	125,302
42	FTEs	1.00

43 5. STATE SCHOOL FOR THE DEAF

44 For salaries, support, maintenance, miscellaneous
45 purposes, and for not more than the following full-time
46 equivalent positions:

47	\$	9,207,705
48	FTEs	126.60

49 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

50 For salaries, support, maintenance, miscellaneous

1	purposes, and for not more than the following full-time		
2	equivalent positions:		
3	.....	\$	3,838,962
4	.....	FTEs	62.87
5	7. TUITION AND TRANSPORTATION COSTS		
6	For payment to local school boards for the tuition		
7	and transportation costs of students residing in the		
8	Iowa braille and sight saving school and the state		
9	school for the deaf pursuant to section 262.43 and		
10	for payment of certain clothing, prescription, and		
11	transportation costs for students at these schools		
12	pursuant to section 270.5:		
13	.....	\$	11,763
14	8. LICENSED CLASSROOM TEACHERS		
15	For distribution at the Iowa braille and sight		
16	saving school and the Iowa school for the deaf based		
17	upon the average yearly enrollment at each school as		
18	determined by the state board of regents:		
19	.....	\$	82,049
20	Sec. 9. ENERGY COST-SAVINGS PROJECTS —		
21	FINANCING. For the fiscal year beginning July 1,		
22	2013, and ending June 30, 2014, the state board of		
23	regents may use notes, bonds, or other evidences of		
24	indebtedness issued under section 262.48 to finance		
25	projects that will result in energy cost savings in an		
26	amount that will cause the state board to recover the		
27	cost of the projects within an average of six years.		
28	Sec. 10. PRESCRIPTION DRUG COSTS. Notwithstanding		
29	section 270.7, the department of administrative		
30	services shall pay the state school for the deaf and		
31	the Iowa braille and sight saving school the moneys		
32	collected from the counties during the fiscal year		
33	beginning July 1, 2013, for expenses relating to		
34	prescription drug costs for students attending the		
35	state school for the deaf and the Iowa braille and		
36	sight saving school.		
37	Sec. 11. Section 256I.7, subsection 1, paragraph a,		
38	Code 2013, is amended to read as follows:		
39	a. The early childhood Iowa functions for an area		
40	shall be performed under the authority of an early		
41	childhood Iowa area board. The members of an area		
42	board shall be elected officials or members of the		
43	public who are not employed by a provider of services		
44	to or for the area board. In addition, the membership		
45	of an area board shall include representation from		
46	early care, education, health, human services,		
47	business, and faith interests, and at least one parent,		
48	grandparent, or guardian of a child from zero through		
49	age five. <u>However, not more than one member shall</u>		
50	<u>represent the same entity or interest.</u>		

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1 Sec. 12. Section 256I.8, Code 2013, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. An area board shall not be a
4 provider of services to or for the area board.

5 Sec. 13. NEW SECTION. 256I.13 Home visitation
6 program — funding intent.

7 1. In order to implement the legislative intent
8 stated in sections 135.106 and 256I.9, that priority
9 for home visitation program funding be given to
10 programs using evidence-based or promising models
11 for home visitation, it is the intent of the general
12 assembly to phase in the funding priority as follows:

13 a. By July 1, 2013, twenty-five percent of state
14 funds expended for home visiting programs are for
15 evidence-based or promising program models.

16 b. By July 1, 2014, fifty percent of state
17 funds expended for home visiting programs are for
18 evidence-based or promising program models.

19 c. By July 1, 2015, seventy-five percent of state
20 funds expended for home visiting programs are for
21 evidence-based or promising program models.

22 d. By July 1, 2016, ninety percent of state
23 funds expended for home visiting programs are for
24 evidence-based or promising program models. The
25 remaining ten percent of funds may be used for
26 innovative program models that do not yet meet the
27 definition of evidence-based or promising programs.

28 2. For the purposes of this section, unless the
29 context otherwise requires or unless otherwise provided
30 under federal law:

31 a. “Evidence-based program” means a program that
32 is based on scientific evidence demonstrating that
33 the program model is effective. An evidence-based
34 program shall be reviewed on site and compared to
35 program model standards by the model developer or the
36 developer’s designee at least every five years to
37 ensure that the program continues to maintain fidelity
38 with the program model. The program model shall have
39 had demonstrated significant and sustained positive
40 outcomes in an evaluation utilizing a well-designed and
41 rigorous randomized controlled research design or a
42 quasi-experimental research design, and the evaluation
43 results shall have been published in a peer-reviewed
44 journal.

45 b. “Family support programs” includes group-based
46 parent education or home visiting programs that are
47 designed to strengthen protective factors, including
48 parenting skills, increasing parental knowledge of
49 child development, and increasing family functioning
50 and problem solving skills. A family support program

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1 may be used as an early intervention strategy to
2 improve birth outcomes, parental knowledge, family
3 economic success, the home learning environment, family
4 and child involvement with others, and coordination
5 with other community resources. A family support
6 program may have a specific focus on preventing child
7 maltreatment or ensuring children are safe, healthy,
8 and ready to succeed in school.
9 c. "Promising program" means a program that meets
10 all of the following requirements:
11 (1) The program conforms to a clear, consistent
12 family support model that has been in existence for at
13 least three years.
14 (2) The program is grounded in relevant empirically
15 based knowledge.
16 (3) The program is linked to program-determined
17 outcomes.
18 (4) The program is associated with a national
19 or state organization that either has comprehensive
20 program standards that ensure high-quality service
21 delivery and continuous program quality improvement
22 or the program model has demonstrated through the
23 program's benchmark outcomes that the program has
24 achieved significant positive outcomes equivalent
25 to those achieved by program models with published
26 significant and sustained results in a peer-reviewed
27 journal.
28 (5) The program has been awarded the Iowa family
29 support credential and has been reviewed on site
30 at least every five years to ensure the program's
31 adherence to the Iowa family support standards approved
32 by the state board or a comparable set of standards.
33 The on-site review is completed by an independent
34 review team that is not associated with the program or
35 the organization administering the program.
36 3. a. The data reporting requirements adopted by
37 the state board pursuant to section 256I.4 for the
38 family support programs targeted to families expecting
39 a child or with newborn and infant children through age
40 five and funded through the state board shall require
41 the programs to participate in a state-administered
42 internet-based data collection system. The data
43 reporting requirements shall be developed in a manner
44 to provide for compatibility with local data collection
45 systems. The state board's annual report submitted
46 each January to the governor and general assembly under
47 section 256I.4 shall include family support program
48 outcomes beginning with the January 2015 report.
49 b. The data on families served that is collected by
50 the family support programs funded through the early

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1 childhood Iowa initiative shall include but is not
2 limited to basic demographic information, services
3 received, funding utilized, and program outcomes for
4 the children and families served. The state board
5 shall adopt performance benchmarks for the family
6 support programs and shall revise the Iowa family
7 support credential to incorporate the performance
8 benchmarks on or before January 1, 2014.

9 c. The state board shall identify minimum
10 competency standards for the employees and supervisors
11 of family support programs funded through the early
12 childhood Iowa initiative. The state board shall
13 submit recommendations concerning the standards to the
14 governor and general assembly on or before January 1,
15 2014.

16 d. The state board shall adopt criminal and child
17 abuse record check requirements for the employees and
18 supervisors of family support programs funded through
19 the early childhood Iowa initiative.

20 e. The state board shall develop a plan to
21 implement a coordinated intake and referral process for
22 publicly funded family support programs in order to
23 engage the families expecting a child or with newborn
24 and infant children through age five in all communities
25 in the state by July 1, 2015.

26 Sec. 14. Section 261.113, subsections 1, 2, 6, 8,
27 and 10, Code 2013, are amended to read as follows:

28 1. Program established. A rural Iowa primary
29 care loan repayment program is established to be
30 administered by the college student aid commission
31 for purposes of providing loan repayments for medical
32 students, physician assistant students, and advanced
33 registered nurse practitioner students who agree
34 to practice as physicians, physician assistants,
35 or advanced registered nurse practitioners in
36 service commitment areas for five years and meet the
37 requirements of this section.

38 2. Eligibility. An individual is eligible to
39 apply to enter into a program agreement with the
40 commission if the individual is enrolled full-time in
41 and receives a recommendation from the state university
42 of Iowa college of medicine or Des Moines university —
43 osteopathic medical center in a curriculum leading to
44 a doctor of medicine degree, ~~or~~ a doctor of osteopathy
45 degree, a master of physician assistant studies degree,
46 or a master of science in nursing degree.

47 6. Selection of service commitment area. A loan
48 repayment recipient shall notify the commission of the
49 recipient's service commitment area prior to beginning
50 practice in the area in accordance with subsection 3,

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1 paragraph "d", or subsection 3A, paragraph "c", as
2 appropriate. The commission may waive the requirement
3 that the loan repayment recipient practice in the same
4 service commitment area for all sixty months.
5 8. Part-time practice — agreement amended. A
6 person who entered into an agreement pursuant to
7 subsection 3 or 3A may apply to the commission to amend
8 the agreement to allow the person to engage in less
9 than the full-time practice specified in the agreement
10 and either under subsection 3, paragraph "d", or under
11 subsection 3A, paragraph "c", as appropriate. If the
12 commission determines exceptional circumstances exist,
13 the commission and the person may consent to amend the
14 agreement under which the person shall engage in less
15 than full-time practice ~~of medicine and surgery or~~
16 ~~osteopathic medicine and surgery specializing in family~~
17 ~~medicine, pediatrics, psychiatry, internal medicine,~~
18 ~~or general surgery in a service commitment area for~~
19 ~~an extended period of part-time practice determined~~
20 by the commission to be proportional to the amount
21 of full-time practice remaining under the original
22 agreement.
23 10. Trust fund established. A rural Iowa primary
24 care trust fund is created in the state treasury as a
25 separate fund under the control of the commission. The
26 commission shall remit all repayments made pursuant to
27 this section to the rural Iowa primary care trust fund.
28 All moneys deposited or paid into the trust fund are
29 appropriated and made available to the commission to
30 be used for meeting the requirements of this section.
31 Moneys in the fund up to the total amount that an
32 eligible student may receive for an eligible loan in
33 accordance with this section and upon fulfilling the
34 requirements of subsection 3 or 3A, shall be considered
35 encumbered for the duration of the agreement entered
36 into pursuant to subsection 3 or 3A. Notwithstanding
37 section 8.33, any balance in the fund on June 30 of
38 each fiscal year shall not revert to the general fund
39 of the state, but shall be available for purposes of
40 this section in subsequent fiscal years.
41 Sec. 15. Section 261.113, Code 2013, is amended by
42 adding the following new subsection:
43 NEW SUBSECTION. 3A. Program agreements for
44 physician assistant students and advanced registered
45 nurse practitioner students. A program agreement shall
46 be entered into by an eligible physician assistant
47 student or an advanced registered nurse practitioner
48 student and the commission when the eligible student
49 begins the curriculum leading to a master of physician
50 assistant studies degree or a master of science in

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nursing degree. Under the agreement, to receive loan repayments pursuant to subsection 5, paragraph “c”, an eligible student shall agree to and shall fulfill all of the following requirements:

a. Receive a master of physician assistant studies degree or a master of science in nursing degree from an eligible university.

b. Apply for and obtain a license to practice as a physician assistant under chapter 148C or an advanced registered nurse practitioner under chapter 152 or 152E.

c. Within nine months of receiving a degree in accordance with paragraph “a” and receiving a license in accordance with paragraph “b”, engage in full-time primary practice as a physician assistant or an advanced registered nurse practitioner for a period of sixty consecutive months in the service commitment area specified under subsection 6, unless the loan repayment recipient receives a waiver from the commission to complete the months of practice required under the agreement in another service commitment area pursuant to subsection 6.

Sec. 16. Section 261.113, subsection 5, paragraphs a and b, Code 2013, are amended to read as follows:

a. The amount of loan repayment an eligible student who enters into an agreement pursuant to subsection 3 shall receive ~~upon fulfilling the requirements of subsection 3 if in compliance with obligations under the agreement~~ shall be not more than ~~fifty~~ forty thousand dollars annually for an eligible loan. Payments under this section are limited to a ~~four-year~~ consecutive five-year period and shall not exceed a total of two hundred thousand dollars.

b. The commission shall not enter into more than ~~twenty~~ twenty-five program agreements annually. Fifty percent of the agreements shall be entered into by students attending each university described in subsection 2. However, if there are fewer than ten eligible student applicants at one university, eligible student applicants enrolled in the other university may be awarded the remaining agreements.

Sec. 17. Section 261.113, subsection 5, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The annual amount of loan repayment an eligible student who enters into an agreement pursuant to subsection 3A shall receive shall not exceed twenty percent of the eligible student’s eligible loan. A physician assistant or advanced registered nurse practitioner in compliance with subsection 3A shall be eligible for the loan

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1 repayment under this section for not more than five
2 consecutive years. Not more than twenty percent of
3 the funds available for purposes of this section shall
4 be expended for agreements entered into pursuant to
5 subsection 3A.

6 Sec. 18. Section 261.113, subsection 9, paragraph
7 a, unnumbered paragraph 1, Code 2013, is amended to
8 read as follows:

9 The obligation to engage in practice in accordance
10 with subsection 3 or subsection 3A shall be postponed
11 for the following purposes:

12 Sec. 19. Section 261.113, subsection 9, paragraph
13 a, subparagraph (6), Code 2013, is amended to read as
14 follows:

15 (6) Any period of temporary medical incapacity
16 during which the person obligated is unable, due to
17 a medical condition, to engage in full-time practice
18 as required under subsection 3, paragraph "d", or
19 subsection 3A, paragraph "c", as appropriate.

20 Sec. 20. Section 261.113, subsection 9, paragraph
21 b, Code 2013, is amended to read as follows:

22 b. Except for a postponement under paragraph "a",
23 subparagraph (6), an obligation to engage in practice
24 under an agreement entered into pursuant to subsection
25 3 or 3A, shall not be postponed for more than two
26 years from the time the full-time practice was to have
27 commenced under the agreement.

28 Sec. 21. Section 261.113, subsection 9, paragraph
29 c, unnumbered paragraph 1, Code 2013, is amended to
30 read as follows:

31 An obligation to engage in ~~full-time~~ practice under
32 an agreement entered into pursuant to subsection 3
33 or 3A shall be considered satisfied when any of the
34 following conditions are met:

35 Sec. 22. Section 261.113, subsection 9, paragraph
36 c, subparagraph (3), Code 2013, is amended to read as
37 follows:

38 (3) The person who entered into the agreement,
39 due to a permanent disability, is unable to meet
40 the requirements for practice medicine and surgery
41 or osteopathic medicine and surgery as required
42 under subsection 3, paragraph "d", or subsection 3A,
43 paragraph "c", as appropriate.

44 Sec. 23. Section 261.113, subsection 11, paragraph
45 c, Code 2013, is amended to read as follows:

46 c. "Service commitment area" means a city in Iowa
47 with a population of less than twenty-six thousand
48 that is located more than twenty miles from a city
49 with a population of fifty thousand or more and which
50 provides a twenty thousand dollar contribution for

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1 deposit in the rural Iowa primary care trust fund
2 for each physician, physician assistant, or advanced
3 registered nurse practitioner in the community who is
4 participating in the loan repayment program.

5 Sec. 24. Section 262.9, subsection 19, Code 2013,
6 is amended by adding the following new paragraph:

7 NEW PARAGRAPH. c. Prohibit the designation
8 of a portion of the tuition moneys collected from
9 resident students by institutions of higher education
10 governed by the board for use for student aid purposes.
11 However, such institutions may designate that a portion
12 of the tuition moneys collected from nonresident
13 students be used for such purposes.

14 Sec. 25. Section 262.9, subsection 22, Code 2013,
15 is amended to read as follows:

16 22. Assist a nonprofit organization located in
17 Sioux City in the creation of a ~~tristate graduate~~
18 northwest Iowa regents resource center, comparable
19 to the ~~quad cities graduate~~ southwest Iowa regents
20 resource center, located in ~~the quad cities in Iowa~~
21 Council Bluffs. The purpose of the Sioux City ~~graduate~~
22 regents resource center shall be to create graduate
23 postsecondary education opportunities for students
24 living in northwest Iowa.

25 Sec. 26. Section 273.3, Code 2013, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 24. Be authorized to sell software
28 and support services, professional development programs
29 and materials, online professional development, and
30 online training to entities other than school districts
31 within the state and to school districts and other
32 public agencies located outside of the state. The
33 board may also sell to school districts within this
34 state software and support services, professional
35 development programs and materials, online professional
36 development, and online training which the area
37 education agency is not otherwise required to provide
38 to a school district under this chapter or chapter 256B
39 or 257.

40 Sec. 27. Section 284.13, subsection 1, paragraphs
41 a, b, c, and d, Code 2013, are amended to read as
42 follows:

43 a. For the fiscal year beginning July 1,
44 ~~2012~~ 2013, and ending June 30, ~~2013~~ 2014, to the
45 department of education, the amount of ~~five~~ eight
46 hundred ~~eighty-five~~ forty-six thousand ~~two~~ hundred
47 fifty dollars for the issuance of national board
48 certification awards in accordance with section 256.44.
49 Of the amount allocated under this paragraph, not
50 less than eighty-five thousand dollars shall be used

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1 to administer the ambassador to education position in
2 accordance with section 256.45.

3 b. For the fiscal year beginning July 1, ~~2012~~ 2013
4 and ending June 30, ~~2013~~ 2014, an amount up to ~~two~~
5 ~~three million four nine hundred sixty-three~~ thirty-four
6 ~~thousnad five one hundred ninety~~ twenty-four dollars
7 for first-year and second-year beginning teachers, to
8 the department of education for distribution to school
9 districts and area education agencies for purposes
10 of the beginning teacher mentoring and induction
11 programs. A school district or area education agency
12 shall receive one thousand three hundred dollars per
13 beginning teacher participating in the program. If the
14 funds appropriated for the program are insufficient
15 to pay mentors, school districts, and area education
16 agencies as provided in this paragraph, the department
17 shall prorate the amount distributed to school
18 districts and area education agencies based upon the
19 amount appropriated. Moneys received by a school
20 district or area education agency pursuant to this
21 paragraph shall be expended to provide each mentor with
22 an award of five hundred dollars per semester, at a
23 minimum, for participation in the school district's or
24 area education agency's beginning teacher mentoring
25 and induction program; to implement the plan; and to
26 pay any applicable costs of the employer's share of
27 contributions to federal social security and the Iowa
28 public employees' retirement system or a pension and
29 annuity retirement system established under chapter
30 294, for such amounts paid by the district or area
31 education agency.

32 c. For the fiscal year beginning July 1, ~~2012~~
33 2013, and ending June 30, ~~2013~~ 2014, up to ~~six~~ eight
34 hundred fifty-five thousand seven hundred twenty-two
35 dollars to the department for purposes of implementing
36 the professional development program requirements of
37 section 284.6, assistance in developing model evidence
38 for teacher quality committees established pursuant
39 to section 284.4, subsection 1, paragraph "c", and
40 the evaluator training program in section 284.10.
41 A portion of the funds allocated to the department
42 for purposes of this paragraph may be used by the
43 department for administrative purposes and for not more
44 than four full-time equivalent positions.

45 d. For the fiscal year beginning July 1, ~~2012~~ 2013,
46 and ending June 30, ~~2013~~ 2014, an amount up to one
47 million one hundred thirty-six thousand four hundred
48 ten dollars to the department for the establishment
49 of teacher development academies in accordance with
50 section 284.6, subsection 10. A portion of the funds

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1 allocated to the department for purposes of this
 2 paragraph may be used for administrative purposes.

3 DIVISION II

4 WORKFORCE TRAINING PROGRAMS — APPROPRIATIONS

5 Sec. 28. DEPARTMENT OF EDUCATION. There is
 6 appropriated from the general fund of the state to the
 7 department of education for the fiscal year beginning
 8 July 1, 2013, and ending June 30, 2014, the following
 9 amount, or so much thereof as is necessary, to be used
 10 for the purposes designated:

11 1. COMMUNITY COLLEGES.

12 a. For deposit in the statewide work-based learning
 13 intermediary network fund created pursuant to section
 14 256.40, subsection 1:

15 \$ 3,000,000

16 b. For deposit in the workforce training and
 17 economic development funds created pursuant to section
 18 260C.18A:

19 \$ 15,500,000

20 From the moneys appropriated in this lettered
 21 paragraph, not more than \$100,000 shall be used by the
 22 department for administration of the workforce training
 23 and economic development funds created pursuant to
 24 section 260C.18A.

25 c. For deposit in the pathways for academic career
 26 and employment fund established pursuant to section
 27 260H.2, subsection 2:

28 \$ 5,000,000

29 d. For distribution to community colleges for the
 30 purposes of implementing adult education and literacy
 31 programs pursuant to section 260C.50:

32 \$ 7,500,000

33 (1) From the moneys appropriated in this paragraph
 34 “d”, \$5,350,000 shall be allocated pursuant to the
 35 formula established in section 260C.18C.

36 (2) From the moneys appropriated in this lettered
 37 paragraph, not more than \$150,000 shall be used by the
 38 department for implementation of adult education and
 39 literacy programs pursuant to section 260C.50.

40 (3) From the moneys appropriated in this lettered
 41 paragraph, not more than \$2,000,000 shall be
 42 distributed as grants to community colleges for the
 43 purpose of adult basic education programs for students
 44 requiring instruction in English as a second language.
 45 The department shall establish an application
 46 process and criteria to award grants pursuant to this
 47 subparagraph (3) to community colleges. The criteria
 48 shall be based on need for instruction in English as a
 49 second language in the region served by each community
 50 college as determined by factors including data from

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1 the latest federal decennial census and outreach
2 efforts to determine regional needs.

3 Sec. 29. Section 256.9, Code 2013, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 63. Administer the workforce
6 training and economic development funds created
7 pursuant to section 260C.18A.

8 Sec. 30. Section 256.40, Code 2013, is amended to
9 read as follows:

10 256.40 Statewide work-based learning intermediary
11 network — fund — steering committee — regional
12 networks.

13 1. A statewide work-based learning intermediary
14 network program is established in the department and
15 shall be administered by the department. A separate,
16 statewide work-based learning intermediary network
17 fund is created in the state treasury under the
18 control of the department. The fund shall consist
19 of all moneys deposited in the fund, including any
20 moneys appropriated by the general assembly and any
21 other moneys available to and obtained or accepted by
22 the department from federal or private sources for
23 purposes of the program. Notwithstanding section
24 8.33, moneys in the fund at the end of a fiscal year
25 shall not revert to the general fund of the state.
26 Notwithstanding section 12C.7, subsection 2, interest
27 or earnings on moneys in the fund shall be credited to
28 the fund.

29 2. The purpose of the program shall be to ~~build~~
30 ~~a seamless career, future workforce, and economic~~
31 ~~development system in Iowa to accomplish all of~~
32 ~~the following~~ prepare students for the workforce
33 by connecting business and the education system and
34 offering relevant, work-based learning activities to
35 students and teachers. The program shall:

36 a. Better prepare students to make informed
37 postsecondary education and career decisions.
38 b. Provide communication and coordination in
39 order to build and sustain relationships between
40 employers and local youth, the education system, and
41 the community at large.

42 c. Connect students to local career opportunities,
43 creating economic capital for the region using a
44 skilled and available workforce.

45 ~~d. Facilitate the sharing of best practices~~
46 ~~statewide by business and education leaders.~~

47 ~~e. d.~~ Provide a one-stop contact point for
48 information useful to both educators and employers,
49 including ~~a state-level clearinghouse for information~~
50 on internships, job shadowing experiences, and other

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1 workplace learning opportunities for ~~students that~~
2 ~~are linked to the state's economic goals~~ students,
3 particularly related to science, technology,
4 engineering, or mathematics occupations, occupations
5 related to critical infrastructure and commercial and
6 residential construction, or targeted industries as
7 defined in section 15.102.

8 ~~f. Implement services for all students, staff, and~~
9 ~~districts within the region and integrate workplace~~
10 ~~skills into the curriculum.~~

11 e. Integrate services provided through the program
12 with other career exploration-related activities such
13 as the student core curriculum plan and the career
14 information and decision-making system developed and
15 administered under section 279.61, where appropriate.

16 f. Facilitate the attainment of portable
17 credentials of value to employers such as the national
18 career readiness certificate, where appropriate.

19 g. Develop work-based capacity with employers.

20 ~~h. Improve the skills of Iowa's future workforce.~~

21 ~~i. h.~~ Provide core services, which may include
22 student job shadowing, student internships, and teacher
23 or student tours.

24 3. The department shall establish and facilitate a
25 steering committee comprised of representatives from
26 the department of workforce development, the economic
27 development authority, the community colleges, the
28 institutions under the control of the state board
29 of regents, accredited private institutions, area
30 education agencies, school districts, and the workplace
31 learning connection. The steering committee shall be
32 responsible for the development and implementation of
33 the statewide work-based learning intermediary network.

34 4. The steering committee shall develop a design
35 for a statewide network comprised of fifteen regional
36 work-based learning intermediary networks. The design
37 shall include network specifications, strategic
38 functions, and desired outcomes. The steering
39 committee shall recommend program parameters and
40 reporting requirements to the department.

41 5. Each regional network shall establish an
42 advisory council to ~~develop and implement~~ provide
43 advice and assistance to the regional network. The
44 advisory council shall include representatives of
45 business and industry, including construction trade
46 industry professionals, and shall meet at least
47 annually.

48 6. Each regional network or consortium of networks
49 shall annually submit a work-based learning plan to
50 the department. Each plan shall include provisions

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1 to provide core services referred to in subsection
2 2, paragraph “h”, to all school districts within the
3 region and for the integration of job shadowing and
4 other work-based learning activities into secondary
5 career and technical education programs.
6 ~~6. 7. a. Funds Moneys~~ deposited in the statewide
7 work-based learning intermediary network fund created
8 in subsection 1 shall be distributed annually to
9 each region for the implementation of the statewide
10 work-based learning intermediary network ~~based upon the~~
11 ~~distribution of the kindergarten through grade twelve~~
12 ~~student enrollments in each region. The amount shall~~
13 ~~not exceed three dollars per student upon approval by~~
14 ~~the department of the region’s work-based learning plan~~
15 ~~submitted pursuant to subsection 6.~~
16 b. If the balance in the statewide work-based
17 learning intermediary network fund on July 1 of a
18 fiscal year is one million five hundred thousand
19 dollars or less, the department shall distribute moneys
20 in the fund to regions or consortium of regions on a
21 competitive basis. If the balance in the statewide
22 work-based learning intermediary network fund on
23 July 1 of a fiscal year is greater than one million
24 five hundred thousand dollars, the department shall
25 distribute one hundred thousand dollars to each region
26 and distribute the remaining moneys pursuant to the
27 formula established in section 260C.18C.
28 ~~7. 8.~~ The department shall provide oversight of
29 the statewide work-based learning intermediary network
30 ~~and shall annually evaluate the statewide and regional~~
31 ~~network progress toward the outcomes identified by~~
32 ~~the steering committee pursuant to subsection 4. The~~
33 ~~department shall require each region to submit an~~
34 ~~annual report on its ongoing implementation of the~~
35 ~~statewide work-based learning intermediary network~~
36 ~~program to the department.~~
37 ~~8. 9.~~ Each regional network shall match the
38 ~~funds moneys~~ received pursuant to subsection ~~6 7~~ with
39 financial resources equal to at least twenty-five
40 percent of the amount of the ~~funds moneys~~ received
41 pursuant to subsection ~~6 7~~. The financial resources
42 used to provide the match may include private
43 donations, in-kind contributions, or public ~~funds~~
44 ~~moneys~~ other than the ~~funds moneys~~ received pursuant to
45 subsection ~~6 7~~.
46 10. The state board of education shall adopt rules
47 under chapter 17A for the administration of this
48 section.
49 Sec. 31. Section 260C.18A, subsection 1, paragraph
50 b, Code 2013, is amended to read as follows:

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b. Moneys in the funds shall consist of any moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the ~~economic development authority~~ department from federal sources or private sources for placement in the funds. Notwithstanding section 8.33, moneys in the funds at the end of each fiscal year shall not revert to any other fund but shall remain in the funds for expenditure in subsequent fiscal years.

Sec. 32. Section 260C.18A, subsection 2, paragraph c, Code 2013, is amended to read as follows:

c. For the development and implementation of career academies designed to provide new career preparation opportunities for high school students that are formally linked with postsecondary career and technical education programs. For purposes of this section, "career academy" means a program of study that combines a minimum of two years of secondary education with an associate degree, or the equivalent, career preparatory program in a nonduplicative, sequential course of study that is standards based, integrates academic and technical instruction, utilizes work-based and worksite learning where appropriate and available, utilizes an individual career planning process with parent involvement, and leads to an associate degree or postsecondary diploma or certificate in a career field that prepares an individual for entry and advancement in a high-skill and reward career field and further education. The ~~economic development authority state board~~, in conjunction with the ~~state board of education~~ and the division of community colleges and workforce preparation of the department of education, shall adopt administrative rules for the development and implementation of such career academies pursuant to section 256.11, subsection 5, paragraph "h", section 260C.1, and Tit. II of Pub. L. No. 105-332, Carl D. Perkins Vocational and Technical Education Act of 1998.

Sec. 33. Section 260C.18A, subsection 2, paragraph e, Code 2013, is amended by striking the paragraph.

Sec. 34. Section 260C.18A, subsection 3, Code 2013, is amended to read as follows:

3. The ~~economic development authority~~ department shall allocate the moneys appropriated pursuant to this section to the community college workforce training and economic development funds utilizing the same distribution formula used for the allocation of state general aid to the community colleges.

Sec. 35. Section 260C.18A, subsection 4, paragraph d, Code 2013, is amended to read as follows:

d. Annually submit the two-year plan and progress

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1 report to the ~~economic development authority~~ department
2 in a manner prescribed by rules adopted by the
3 department pursuant to chapter 17A.

4 Sec. 36. NEW SECTION. 260C.50 Adult education and
5 literacy programs.

6 1. For purposes of this section, “adult education
7 and literacy programs” means adult basic education,
8 adult education leading to a high school equivalency
9 diploma under chapter 259A, English as a second
10 language instruction, workplace and family literacy
11 instruction, or integrated basic education and
12 technical skills instruction.

13 2. The department and the community colleges shall
14 jointly implement adult education and literacy programs
15 to assist adults and youths sixteen years of age and
16 older who are not in school in obtaining the knowledge
17 and skills necessary for further education, work, and
18 community involvement.

19 3. The state board, in consultation with the
20 community colleges, shall prescribe standards for adult
21 education and literacy programs including but not
22 limited to contextualized and integrated instruction,
23 assessments, instructor qualification and professional
24 development, data collection and reporting, and
25 performance benchmarks.

26 4. The state board, in consultation with the
27 community colleges, shall adopt rules pursuant to
28 chapter 17A to administer this section.

29 Sec. 37. Section 260H.2, Code 2013, is amended to
30 read as follows:

31 260H.2 Pathways for academic career and employment
32 program — fund.

33 1. A pathways for academic career and employment
34 program is established to provide funding to
35 community colleges for the development of projects in
36 coordination with the economic development authority,
37 the department of education, the department of
38 workforce development, regional advisory boards
39 established pursuant to section 84A.4, and community
40 partners to implement a simplified, streamlined, and
41 comprehensive process, along with customized support
42 services, to enable eligible participants to acquire
43 effective academic and employment training to secure
44 gainful, quality, in-state employment.

45 2. a. A pathways for academic career and
46 employment fund is created for the community
47 colleges in the state treasury to be administered
48 by the department of education. The moneys in the
49 pathways for academic career and employment fund are
50 appropriated to the department of education for the

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1 pathways for academic career and employment program.
2 b. The aggregate total of grants awarded from the
3 pathways for academic career and employment fund during
4 a fiscal year shall not be more than five million
5 dollars.

6 c. Moneys in the fund shall be allocated pursuant
7 to the formula established in section 260C.18C.
8 Notwithstanding section 8.33, moneys in the fund
9 at the close of the fiscal year shall not revert
10 to the general fund of the state but shall remain
11 available for expenditure for the purpose designated
12 for subsequent fiscal years. Notwithstanding section
13 12C.7, subsection 2, interest or earnings on moneys in
14 the fund shall be credited to the fund.

15 Sec. 38. Section 260H.3, subsection 1, paragraph b,
16 Code 2013, is amended to read as follows:

17 b. Persons earning incomes at or below two hundred
18 fifty percent of the federal poverty level as defined
19 by the most recently revised poverty income guidelines
20 published by the United States department of health and
21 human services.

22 Sec. 39. Section 260H.4, subsection 2, paragraph
23 b, Code 2013, is amended by adding the following new
24 subparagraph:

25 NEW SUBPARAGRAPH. (5) Any other industry
26 designated as in-demand by a regional advisory board
27 established pursuant to section 84A.4.

28 Sec. 40. Section 260H.4, subsection 2, paragraph c,
29 Code 2013, is amended by striking the paragraph.

30 Sec. 41. NEW SECTION. 260H.7A Pathway navigators.

31 1. A community college may use moneys for the
32 pathways for academic career and employment program to
33 employ pathway navigators to assist students applying
34 for or enrolled in eligible pathways for academic
35 career and employment projects.

36 2. Pathway navigators shall provide services and
37 support to aid students in selecting pathways for
38 academic career and employment projects that will
39 result in gainful, quality, in-state employment and
40 to ensuring students are successful once enrolled in
41 pathways for academic career and employment projects.
42 Services the pathway navigators may provide include but
43 are not limited to the following:

44 a. Interviewing and selecting students for
45 enrollment in pathways for academic career and
46 employment projects.

47 b. Assessing students' skills, interests, and
48 previous academic and work experience for purposes
49 of placement in pathways for academic career and
50 employment projects.

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1 c. Working with students to develop academic and
2 career plans and to adjust such plans as needed.

3 d. Assisting students in applying for and receiving
4 resources for financial aid and other forms of tuition
5 assistance.

6 e. Assisting students with the admissions process,
7 remedial education, academic credit transfer, meeting
8 assessment requirements, course registration, and other
9 procedures necessary for successful completion of
10 pathways for academic career and employment projects.

11 f. Assisting in identifying and resolving obstacles
12 to students' successful completion of pathways for
13 academic career and employment projects.

14 g. Connecting students with useful college
15 resources or outside support services such as access to
16 child care, transportation, and tutorial assistance,
17 as needed.

18 h. Maintaining ongoing contact with students
19 enrolled in pathways for academic career and employment
20 projects and ensuring students are making satisfactory
21 progress toward the successful completion of projects.

22 i. Providing support to students transitioning from
23 remedial education, short-term training, and classroom
24 experience to employment.

25 j. Coordinating activities with community-based
26 organizations that serve as key recruiters for pathways
27 for academic career and employment projects and
28 assisting students throughout the recruitment process.

29 k. Coordinating adult basic education services.

30 Sec. 42. NEW SECTION. 260H.7B Regional industry
31 sector partnerships.

32 1. A community college may use moneys for the
33 pathways for academic career and employment program
34 to provide staff and support for the development and
35 implementation of regional industry sector partnerships
36 within the region served by the community college.

37 2. Regional, industry sector partnerships
38 may include but are not limited to the following
39 activities:

40 a. Bringing together representatives from industry
41 sectors, government, education, local workforce
42 boards, community-based organizations, labor, economic
43 development organizations, and other stakeholders
44 within the regional labor market to determine how
45 pathways for academic career and employment projects
46 should address workforce skills gaps, occupational
47 shortages, and wage gaps.

48 b. Integrating pathways for academic career and
49 employment projects and other existing supply-side
50 strategies with workforce needs within the region

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1 served by the community college.

2 c. Developing pathways for academic career and
3 employment projects that focus on the workforce skills,
4 from entry level to advanced, required by industry
5 sectors within the region served by the community
6 college.

7 Sec. 43. Section 260I.4, subsection 6, Code 2013,
8 is amended to read as follows:

9 6. Eligibility for tuition assistance under this
10 chapter shall be limited to persons earning incomes
11 at or below two hundred fifty percent of the federal
12 poverty level as defined by the most recently revised
13 poverty income guidelines published by the United
14 States department of health and human services.

15 Sec. 44. Section 260I.5, Code 2013, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 5. Costs of providing direct
18 staff support services including but not limited to
19 marketing, outreach, application, interview, and
20 assessment processes. Eligible costs for this purpose
21 shall be limited to twenty percent of any allocation
22 of moneys to the two smallest community colleges,
23 ten percent of any allocation of moneys to the two
24 largest community colleges, and fifteen percent of any
25 allocation of moneys to the remaining eleven community
26 colleges. Community college size shall be determined
27 based on the most recent three-year rolling average
28 full-time equivalent enrollment.>

COMMITTEE ON APPROPRIATIONS
ROBERT E. DVORSKY, Chair

S-3156

1 Amend the amendment, S-3150, to Senate File 440 as
2 follows:

3 1. Page 1, line 39, after <subsection.> by
4 inserting <If the procedure for reduced federal funds
5 specified in 2013 Iowa Acts, House File 614, or any
6 other 2013 Iowa Acts, if enacted, reduces the amount
7 of block grant funding available for the purposes of
8 this subsection, the amount drawn from the medical
9 assistance appropriation shall be increased to replace
10 the amount of the reduction.>>

JACK HATCH

S-3157

- 1 Amend House File 592, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 1, through page 3, line
- 4 8.
- 5 2. Page 4, by striking lines 8 through 10.
- 6 3. By renumbering as necessary.

RICH TAYLOR

S-3158

- 1 Amend the amendment, S-3148, to House File 603,
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 17, after line 48 by inserting:
- 5 <DIVISION ____
- 6 TERRACE HILL COMMISSION
- 7 Sec. ____ Section 8A.326, Code 2013, is amended by
- 8 adding the following new subsection:
- 9 NEW SUBSECTION. 1A. The governor may appoint an
- 10 administrator of the Terrace Hill facility who may
- 11 perform any acts which are necessary or desirable to
- 12 coordinate the administration of the Terrace Hill
- 13 facility.
- 14 Sec. ____ Section 8A.326, subsection 2, Code 2013,
- 15 is amended by striking the subsection and inserting in
- 16 lieu thereof the following:
- 17 2. The purpose of the Terrace Hill commission is to
- 18 provide for the preservation, maintenance, renovation,
- 19 landscaping, and administration of the Terrace
- 20 Hill facility. The Terrace Hill facility includes
- 21 the Terrace Hill mansion, carriage house, grounds,
- 22 historical collections, and all other related property.
- 23 Sec. ____ Section 8A.326, subsection 3, Code 2013,
- 24 is amended to read as follows:
- 25 3. The Terrace Hill commission may enter into
- 26 contracts, subject to this chapter, to execute its
- 27 purposes, including, without limitation, contracts
- 28 authorizing nonprofit organizations acting solely for
- 29 the benefit and support of the Terrace Hill facility
- 30 to do any of the following:
- 31 a. Solicit funds and accept donations, gifts, and
- 32 bequests approved by the commission and in accordance
- 33 with priorities established by the commission.
- 34 b. Administer a Terrace Hill membership program.
- 35 c. Maintain the Terrace Hill historical
- 36 collections.>
- 37 2. By renumbering, redesignating, and correcting
- 38 internal references as necessary.

LIZ MATHIS

S-3159

1 Amend the amendment, S-3148, to House File 603,
 2 as amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 10, by striking line 19 and inserting:
 5 <..... \$ 3,045,719>
 6 2. Page 10, by striking lines 21 through 24.
 7 3. Page 17, after line 48 by inserting:
 8 <DIVISION ____
 9 SOCIOECONOMIC STUDY ON GAMBLING
 10 Sec. ____ Section 99F.4, subsection 24, Code 2013,
 11 is amended by striking the subsection.>
 12 4. By renumbering as necessary.

JEFF DANIELSON

S-3160

1 Amend House File 592, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. By striking page 1, line 1, through page 3, line
 4 8.
 5 2. Page 4, line 10, by striking <13B.4A> and
 6 inserting <13B.4, subsection 4, paragraph "d">
 7 3. By renumbering as necessary.

RICH TAYLOR

S-3161

HOUSE AMENDMENT TO
 SENATE FILE 430

1 Amend Senate File 430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:
 5 <DIVISION I
 6 FY 2013-2014
 7 Section 1. DEPARTMENT OF CULTURAL AFFAIRS.
 8 1. There is appropriated from the general fund of
 9 the state to the department of cultural affairs for the
 10 fiscal year beginning July 1, 2013, and ending June 30,
 11 2014, the following amounts, or so much thereof as is
 12 necessary, to be used for the purposes designated:
 13 a. ADMINISTRATION
 14 For salaries, support, maintenance, miscellaneous
 15 purposes, and for not more than the following full-time
 16 equivalent positions for the department:
 17 \$ 171,813

18	.....	FTEs	74.50
19	The department of cultural affairs shall coordinate		
20	activities with the tourism office of the economic		
21	development authority to promote attendance at the		
22	state historical building and at this state's historic		
23	sites.		
24	Full-time equivalent positions authorized under this		
25	paragraph shall be funded, in full or in part, using		
26	moneys appropriated under this paragraph and paragraphs		
27	“c” through “g”.		
28	b. COMMUNITY CULTURAL GRANTS		
29	For planning and programming for the community		
30	cultural grants program established under section		
31	303.3:		
32	.....	\$	172,090
33	c. HISTORICAL DIVISION		
34	For the support of the historical division:		
35	.....	\$	3,017,701
36	d. HISTORIC SITES		
37	For the administration and support of historic		
38	sites:		
39	.....	\$	426,398
40	e. ARTS DIVISION		
41	For the support of the arts division:		
42	.....	\$	1,233,764
43	f. IOWA GREAT PLACES		
44	For the Iowa great places program established under		
45	section 303.3C:		
46	.....	\$	150,000
47	g. ARCHIVE IOWA GOVERNORS' RECORDS		
48	For archiving the records of Iowa governors:		
49	\$	65,933
50	h. RECORDS CENTER RENT		

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1	For payment of rent for the state records center:		
2	\$	227,243
3	i. BATTLE FLAGS		
4	For continuation of the project recommended by the		
5	Iowa battle flag advisory committee to stabilize the		
6	condition of the battle flag collection:		
7	.....	\$	94,000
8	2. Notwithstanding section 8.33, moneys		
9	appropriated in this section that remain unencumbered		
10	or unobligated at the close of the fiscal year shall		
11	not revert but shall remain available for expenditure		
12	for the purposes designated until the close of the		
13	succeeding fiscal year.		
14	Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC		
15	DEVELOPMENT.		
16	1. For the fiscal year beginning July 1, 2013, the		

17 goals for the economic development authority shall be
18 to expand and stimulate the state economy, increase the
19 wealth of Iowans, and increase the population of the
20 state.

21 2. To achieve the goals in subsection 1, the
22 economic development authority shall do all of the
23 following for the fiscal year beginning July 1, 2013:

24 a. Concentrate its efforts on programs and
25 activities that result in commercially viable products
26 and services.

27 b. Adopt practices and services consistent with
28 free market, private sector philosophies.

29 c. Ensure economic growth and development
30 throughout the state.

31 d. Work with businesses and communities to
32 continually improve the economic development climate
33 along with the economic well-being and quality of life
34 for Iowans.

35 e. Coordinate with other state agencies to
36 ensure that they are attentive to the needs of an
37 entrepreneurial culture.

38 f. Establish a strong and aggressive marketing
39 image to showcase Iowa's workforce, existing industry,
40 and potential. A priority shall be placed on
41 recruiting new businesses, business expansion, and
42 retaining existing Iowa businesses. Emphasis shall be
43 placed on entrepreneurial development through helping
44 entrepreneurs secure capital, and developing networks
45 and a business climate conducive to entrepreneurs and
46 small businesses.

47 g. Encourage the development of communities and
48 quality of life to foster economic growth.

49 h. Prepare communities for future growth and
50 development through development, expansion, and

Page 3

1 modernization of infrastructure.

2 i. Develop public-private partnerships with
3 Iowa businesses in the tourism industry, Iowa tour
4 groups, Iowa tourism organizations, and political
5 subdivisions in this state to assist in the development
6 of advertising efforts.

7 j. Develop, to the fullest extent possible,
8 cooperative efforts for advertising with contributions
9 from other sources.

10 Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

11 1. APPROPRIATION

12 a. There is appropriated from the general fund of
13 the state to the economic development authority for the
14 fiscal year beginning July 1, 2013, and ending June 30,
15 2014, the following amount, or so much thereof as is

16 necessary, to be used for the purposes designated in
17 this subsection, and for not more than the following
18 full-time equivalent positions:
19 \$ 13,224,424
20 FTEs 149.00
21 b. (1) For salaries, support, miscellaneous
22 purposes, programs, marketing, and the maintenance of
23 an administration division, a business development
24 division, a community development division, a small
25 business development division, and other divisions the
26 authority may organize.
27 (2) The full-time equivalent positions authorized
28 under this section shall be funded, in whole or in
29 part, by the moneys appropriated under this subsection
30 or by other moneys received by the authority, including
31 certain federal moneys.
32 (3) For business development operations and
33 programs, international trade, export assistance,
34 workforce recruitment, and the partner state program.
35 (4) For transfer to the strategic investment fund
36 created in section 15.313.
37 (5) For community economic development programs,
38 tourism operations, community assistance, plans
39 for Iowa green corps and summer youth programs,
40 the mainstreet and rural mainstreet programs, the
41 school-to-career program, the community development
42 block grant, and housing and shelter-related programs.
43 (6) For achieving the goals and accountability, and
44 fulfilling the requirements and duties required under
45 this Act.
46 c. Notwithstanding section 8.33, moneys
47 appropriated in this subsection that remain
48 unencumbered or unobligated at the close of the fiscal
49 year shall not revert but shall remain available
50 for expenditure for the purposes designated in this

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1 subsection until the close of the succeeding fiscal
2 year.
3 2. FINANCIAL ASSISTANCE RESTRICTIONS
4 a. A business creating jobs through moneys
5 appropriated in subsection 1 shall be subject to
6 contract provisions requiring new and retained jobs to
7 be filled by individuals who are citizens of the United
8 States who reside within the United States or any
9 person authorized to work in the United States pursuant
10 to federal law, including legal resident aliens in the
11 United States.
12 b. Any vendor who receives moneys appropriated in
13 subsection 1 shall adhere to such contract provisions
14 and provide periodic assurances as the state shall

15 require that the jobs are filled solely by citizens of
 16 the United States who reside within the United States
 17 or any person authorized to work in the United States
 18 pursuant to federal law, including legal resident
 19 aliens in the United States.

20 c. A business that receives financial assistance
 21 from the authority from moneys appropriated in
 22 subsection 1 shall only employ individuals legally
 23 authorized to work in this state. In addition to all
 24 other applicable penalties provided by current law, all
 25 or a portion of the assistance received by a business
 26 which is found to knowingly employ individuals not
 27 legally authorized to work in this state is subject to
 28 recapture by the authority.

29 3. USES OF APPROPRIATIONS

30 a. From the moneys appropriated in subsection 1,
 31 the authority may provide financial assistance in the
 32 form of a grant to a community economic development
 33 entity for conducting a local workforce recruitment
 34 effort designed to recruit former citizens of the state
 35 and former students at colleges and universities in the
 36 state to meet the needs of local employers.

37 b. From the moneys appropriated in subsection 1,
 38 the authority may provide financial assistance to early
 39 stage industry companies being established by women
 40 entrepreneurs.

41 c. From the moneys appropriated in subsection 1,
 42 the authority may provide financial assistance in the
 43 form of grants, loans, or forgivable loans for advanced
 44 research and commercialization projects involving
 45 value-added agriculture, advanced technology, or
 46 biotechnology.

47 d. The authority shall not use any moneys
 48 appropriated in subsection 1 for purposes of providing
 49 financial assistance for the Iowa green streets pilot
 50 project or for any other program or project that

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1 involves the installation of geothermal systems for
 2 melting snow and ice from streets or sidewalks.

3 4. WORLD FOOD PRIZE

4 There is appropriated from the general fund of the
 5 state to the economic development authority for the
 6 fiscal year beginning July 1, 2013, and ending June 30,
 7 2014, the following amount for the world food prize
 8 and in lieu of the standing appropriation in section
 9 15.368, subsection 1:

10 \$ 750,000

11 5. IOWA COMMISSION ON VOLUNTEER SERVICE

12 There is appropriated from the general fund of the
 13 state to the economic development authority for the

14 fiscal year beginning July 1, 2013, and ending June 30,
15 2014, the following amount for allocation to the Iowa
16 commission on volunteer service for purposes of the
17 Iowa state commission grant program, the Iowa's promise
18 and Iowa mentoring partnership programs, and for not
19 more than the following full-time equivalent positions:
20 \$ 178,133
21 FTEs 7.00

22 Of the moneys appropriated in this subsection,
23 the authority shall allocate \$75,000 for purposes of
24 the Iowa state commission grant program and \$103,133
25 for purposes of the Iowa's promise and Iowa mentoring
26 partnership programs.
27 Notwithstanding section 8.33, moneys appropriated in
28 this subsection that remain unencumbered or unobligated
29 at the close of the fiscal year shall not revert but
30 shall remain available for expenditure for the purposes
31 designated until the close of the succeeding fiscal
32 year.

33 6. EMPLOYEE STOCK OWNERSHIP PLANS FORMATION
34 ASSISTANCE

35 a. There is appropriated from the general fund of
36 the state to the economic development authority for the
37 fiscal year beginning July 1, 2013, and ending June 30,
38 2014, the following amount to be used for the providing
39 of financial assistance, including establishment of
40 a loan program, and technical assistance, marketing,
41 and education to businesses interested in establishing
42 employee stock ownership plans and for procuring the
43 services of an independent contractor with expertise in
44 the formation of the employee stock ownership plans:
45 \$ 400,000

46 Notwithstanding section 8.33, moneys appropriated in
47 this subsection that remain unencumbered or unobligated
48 at the close of the fiscal year shall not revert but
49 shall remain available for expenditure for the purposes
50 designated until the close of the succeeding fiscal

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1 year. Notwithstanding section 12C.7, subsection 2,
2 earnings or interest on moneys appropriated pursuant
3 to this subsection shall be retained by the economic
4 development authority and used for the purposes
5 designated until expended.

6 b. On or before January 15, 2015, the authority
7 shall submit a report to the general assembly and the
8 governor's office describing the expenditure of funds
9 pursuant to this subsection and evaluating the success
10 of the assistance and promotion program.

11 7. COUNCILS OF GOVERNMENTS — ASSISTANCE
12 There is appropriated from the general fund of the

13 state to the economic development authority for the
 14 fiscal year beginning July 1, 2013, and ending June 30,
 15 2014, the following amount to be used for the purposes
 16 of providing financial assistance to Iowa's councils
 17 of governments:

18 \$ 175,000

19 Sec. 4. VISION IOWA PROGRAM — FTE

20 AUTHORIZATION. For purposes of administrative
 21 duties associated with the vision Iowa program for
 22 the fiscal year beginning July 1, 2013, the economic
 23 development authority is authorized an additional 2.25
 24 FTEs above those otherwise authorized in this division
 25 of this Act.

26 Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From
 27 the moneys collected by the division of insurance in
 28 excess of the anticipated gross revenues under section
 29 505.7, subsection 3, during the fiscal year beginning
 30 July 1, 2013, \$100,000 shall be transferred to the
 31 economic development authority for insurance economic
 32 development and international insurance economic
 33 development.

34 Sec. 6. WORKFORCE DEVELOPMENT FUND. There is
 35 appropriated from the workforce development fund
 36 account created in section 15.342A to the workforce
 37 development fund created in section 15.343 for the
 38 fiscal year beginning July 1, 2013, and ending June
 39 30, 2014, the following amount, for purposes of the
 40 workforce development fund:

41 \$ 4,000,000

42 Sec. 7. IOWA STATE UNIVERSITY.

43 1. There is appropriated from the general fund
 44 of the state to Iowa state university of science
 45 and technology for the fiscal year beginning July
 46 1, 2013, and ending June 30, 2014, the following
 47 amount, or so much thereof as is necessary, to be used
 48 for small business development centers, the science
 49 and technology research park, and the institute for
 50 physical research and technology, and for not more than

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1 the following full-time equivalent positions:

2 \$ 2,424,302
 3 FTEs 56.63

4 2. Of the moneys appropriated in subsection 1,
 5 Iowa state university of science and technology shall
 6 allocate at least \$735,728 for purposes of funding
 7 small business development centers. Iowa state
 8 university of science and technology may allocate
 9 moneys appropriated in subsection 1 to the various
 10 small business development centers in any manner
 11 necessary to achieve the purposes of this subsection.

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

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1 Sec. 8. UNIVERSITY OF IOWA.
2 1. There is appropriated from the general fund
3 of the state to the state university of Iowa for the
4 fiscal year beginning July 1, 2013, and ending June
5 30, 2014, the following amount, or so much thereof
6 as is necessary, to be used for the state university
7 of Iowa research park and for the advanced drug
8 development program at the Oakdale research park,
9 including salaries, support, maintenance, equipment,
10 miscellaneous purposes, and for not more than the

11 following full-time equivalent positions:

12	\$	209,279
13	FTEs	6.00

14 2. The state university of Iowa shall do all of the

15 following:

16 a. Direct expenditures for research toward projects

17 that will provide economic stimulus for Iowa.

18 b. Provide emphasis to providing services to

19 Iowa-based companies.

20 3. Notwithstanding section 8.33, moneys

21 appropriated in this section that remain unencumbered

22 or unobligated at the close of the fiscal year shall

23 not revert but shall remain available for expenditure

24 for the purposes designated until the close of the

25 succeeding fiscal year.

26 Sec. 9. UNIVERSITY OF NORTHERN IOWA.

27 1. There is appropriated from the general fund of

28 the state to the university of northern Iowa for the

29 fiscal year beginning July 1, 2013, and ending June 30,

30 2014, the following amount, or so much thereof as is

31 necessary, to be used for the metal casting institute,

32 the MyEntreNet internet application, and the institute

33 of decision making, including salaries, support,

34 maintenance, miscellaneous purposes, and for not more

35 than the following full-time equivalent positions:

36	\$	574,716
37	FTEs	6.75

38 2. Of the moneys appropriated pursuant to

39 subsection 1, the university of northern Iowa shall

40 allocate at least \$117,639 for purposes of support

41 of entrepreneurs through the university's regional

42 business center.

43 3. The university of northern Iowa shall do all of

44 the following:

45 a. Direct expenditures for research toward projects

46 that will provide economic stimulus for Iowa.

47 b. Provide emphasis to providing services to

48 Iowa-based companies.

49 4. Notwithstanding section 8.33, moneys

50 appropriated in this section that remain unencumbered

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1 or unobligated at the close of the fiscal year shall

2 not revert but shall remain available for expenditure

3 for the purposes designated until the close of the

4 succeeding fiscal year.

5 Sec. 10. REGENTS INNOVATION FUND.

6 1. There is appropriated from the general fund

7 of the state to the state board of regents for the

8 fiscal year beginning July 1, 2013, and ending June 30,

9 2014, the following amount to be used for the purposes

10 provided in this section:
11 \$ 3,000,000
12 Of the moneys appropriated pursuant to this
13 section, 35 percent shall be allocated for Iowa state
14 university, 35 percent shall be allocated for the
15 university of Iowa, and 30 percent shall be allocated
16 for the university of northern Iowa.
17 2. The institutions shall use moneys appropriated
18 in this section for capacity building infrastructure
19 in areas related to technology commercialization,
20 marketing and business development efforts in
21 areas related to technology commercialization,
22 entrepreneurship, and business growth, and
23 infrastructure projects and programs needed to assist
24 in implementation of activities under chapter 262B.
25 3. The institutions shall provide a one-to-one
26 match of additional moneys for the activities funded
27 with moneys appropriated under this section.
28 4. The state board of regents shall annually submit
29 a report by January 15 of each year to the governor,
30 the general assembly, and the legislative services
31 agency regarding the activities, projects, and programs
32 funded with moneys allocated under this section. The
33 report shall be provided in an electronic format and
34 shall include a list of metrics and criteria mutually
35 agreed to in advance by the board of regents and
36 the economic development authority. The metrics and
37 criteria shall allow the governor's office and the
38 general assembly to quantify and evaluate the progress
39 of the board of regents institutions with regard to
40 their activities, projects, and programs in the areas
41 of technology commercialization, entrepreneurship,
42 regional development, and market research.
43 5. Notwithstanding section 8.33, moneys
44 appropriated in this section that remain unencumbered
45 or unobligated at the close of the fiscal year shall
46 not revert but shall remain available for expenditure
47 for the purposes designated until the close of the
48 succeeding fiscal year.
49 Sec. 11. BOARD OF REGENTS REPORT. The state board
50 of regents shall submit a report on the progress of

1 regents institutions in meeting the strategic plan for
2 technology transfer and economic development to the
3 secretary of the senate, the chief clerk of the house
4 of representatives, and the legislative services agency
5 by January 15, 2014.
6 Sec. 12. IOWA FINANCE AUTHORITY.
7 1. There is appropriated from the general fund
8 of the state to the Iowa finance authority for the

9 fiscal year beginning July 1, 2013, and ending June 30,
 10 2014, the following amount, or so much thereof as is
 11 necessary, to be used to provide reimbursement for rent
 12 expenses to eligible persons under the rent subsidy
 13 program:

14 \$ 658,000

15 2. Participation in the rent subsidy program
 16 shall be limited to only those persons who meet the
 17 requirements for the nursing facility level of care for
 18 home and community-based services waiver services as in
 19 effect on July 1, 2013, and to those individuals who
 20 are eligible for the federal money follows the person
 21 grant program under the medical assistance program. Of
 22 the moneys appropriated in this section, not more than
 23 \$35,000 may be used for administrative costs.

24 Sec. 13. IOWA FINANCE AUTHORITY AUDIT. The auditor
 25 of state is requested to review the audit of the Iowa
 26 finance authority performed by the auditor hired by the
 27 authority.

28 Sec. 14. PUBLIC EMPLOYMENT RELATIONS BOARD.

29 1. There is appropriated from the general fund of
 30 the state to the public employment relations board for
 31 the fiscal year beginning July 1, 2013, and ending June
 32 30, 2014, the following amount, or so much thereof as
 33 is necessary, for the purposes designated:

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

37 \$ 1,341,926

38 FTEs 10.00

39 2. Of the moneys appropriated in this section,
 40 the board shall allocate \$15,000 for maintaining a
 41 website that allows searchable access to a database of
 42 collective bargaining information.

43 Sec. 15. DEPARTMENT OF WORKFORCE
 44 DEVELOPMENT. There is appropriated from the general
 45 fund of the state to the department of workforce
 46 development for the fiscal year beginning July 1, 2013,
 47 and ending June 30, 2014, the following amounts, or
 48 so much thereof as is necessary, for the purposes
 49 designated:

50 1. DIVISION OF LABOR SERVICES

Page 11

1 a. For the division of labor services, including
 2 salaries, support, maintenance, miscellaneous
 3 purposes, and for not more than the following full-time
 4 equivalent positions:

5 \$ 3,495,440

6 FTEs 64.00

7 b. From the contractor registration fees, the

8 division of labor services shall reimburse the
9 department of inspections and appeals for all costs
10 associated with hearings under chapter 91C, relating
11 to contractor registration.

12 2. DIVISION OF WORKERS' COMPENSATION

13 a. For the division of workers' compensation,
14 including salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17	\$	3,109,044
18	FTEs	30.00

19 b. The division of workers' compensation shall
20 charge a \$100 filing fee for workers' compensation
21 cases. The filing fee shall be paid by the petitioner
22 of a claim. However, the fee can be taxed as a cost
23 and paid by the losing party, except in cases where
24 it would impose an undue hardship or be unjust under
25 the circumstances. The moneys generated by the filing
26 fee allowed under this subsection are appropriated to
27 the department of workforce development to be used for
28 purposes of administering the division of workers'
29 compensation.

30 3. WORKFORCE DEVELOPMENT OPERATIONS

31 a. For the operation of field offices, the
32 workforce development board, and for not more than the
33 following full-time equivalent positions:

34	\$	9,179,413
35	FTEs	130.00

36 b. Of the moneys appropriated in paragraph "a" of
37 this subsection, the department shall allocate \$150,000
38 to the state library for the purpose of licensing an
39 online resource which prepares persons to succeed in
40 the workplace through programs which improve job skills
41 and vocational test-taking abilities.

42 4. OFFENDER REENTRY PROGRAM

43 a. For the development and administration of an
44 offender reentry program to provide offenders with
45 employment skills, and for not more than the following
46 full-time equivalent positions:

47	\$	284,464
48	FTEs	4.00

49 b. The department of workforce development shall
50 partner with the department of corrections to provide

1 staff within the correctional facilities to improve
2 offenders' abilities to find and retain productive
3 employment.

4 5. NONREVERSION

5 Notwithstanding section 8.33, moneys appropriated in
6 this section that remain unencumbered or unobligated

7 at the close of the fiscal year shall not revert but
8 shall remain available for expenditure for the purposes
9 designated until the close of the succeeding fiscal
10 year.

11 Sec. 16. GENERAL FUND — EMPLOYEE MISCLASSIFICATION
12 PROGRAM. There is appropriated from the general fund
13 of the state to the department of workforce development
14 for the fiscal year beginning July 1, 2013, and
15 ending June 30, 2014, the following amount, or so much
16 thereof as is necessary, to be used for the purposes
17 designated:

18 For enhancing efforts to investigate employers that
19 misclassify workers and for not more than the following
20 full-time equivalent positions:

21	\$	451,458
22	FTEs	8.10

23 Sec. 17. SPECIAL EMPLOYMENT SECURITY CONTINGENCY
24 FUND.

25 1. There is appropriated from the special
26 employment security contingency fund to the department
27 of workforce development for the fiscal year beginning
28 July 1, 2013, and ending June 30, 2014, the following
29 amount, or so much thereof as is necessary, to be used
30 for field offices:

31	\$	1,766,084
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32 2. Any remaining additional penalty and interest
33 revenue collected by the department of workforce
34 development is appropriated to the department for the
35 fiscal year beginning July 1, 2013, and ending June 30,
36 2014, to accomplish the mission of the department.

37 Sec. 18. UNEMPLOYMENT COMPENSATION RESERVE FUND
38 — FIELD OFFICES. Notwithstanding section 96.9,
39 subsection 8, paragraph “e”, there is appropriated
40 from interest earned on the unemployment compensation
41 reserve fund to the department of workforce development
42 for the fiscal year beginning July 1, 2013, and ending
43 June 30, 2014, the following amount or so much thereof
44 as is necessary, for the purposes designated:

45 For the operation of field offices:

46	\$	494,000
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47 Sec. 19. VIRTUAL ACCESS WORKFORCE DEVELOPMENT
48 OFFICES. The department of workforce development shall
49 require a unique identification login for all users
50 of workforce development centers operated through

1 electronic means.
2 Sec. 20. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
3 section 96.9, subsection 4, paragraph “a”, moneys
4 credited to the state by the secretary of the treasury
5 of the United States pursuant to section 903 of

6 the Social Security Act are appropriated to the
7 department of workforce development and shall be
8 used by the department for the administration of
9 the unemployment compensation program only. This
10 appropriation shall not apply to any fiscal year
11 beginning after December 31, 2013.

12 DIVISION II
13 FY 2014–2015

14 Sec. 21. DEPARTMENT OF CULTURAL AFFAIRS.

15 1. There is appropriated from the general fund of
16 the state to the department of cultural affairs for the
17 fiscal year beginning July 1, 2014, and ending June 30,
18 2015, the following amounts, or so much thereof as is
19 necessary, to be used for the purposes designated:

20 a. ADMINISTRATION

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

24	\$	146,041
25	FTEs	74.50

26 The department of cultural affairs shall coordinate
27 activities with the tourism office of the economic
28 development authority to promote attendance at the
29 state historical building and at this state's historic
30 sites.

31 Full-time equivalent positions authorized under this
32 subsection shall be funded, in full or in part, using
33 moneys appropriated under this paragraph and paragraphs
34 "c" through "g".

35 b. COMMUNITY CULTURAL GRANTS

36 For planning and programming for the community
37 cultural grants program established under section
38 303.3:

39	\$	146,277
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40 c. HISTORICAL DIVISION

41 For the support of the historical division:

42	\$	2,565,046
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43 d. HISTORIC SITES

44 For the administration and support of historic
45 sites:

46	\$	362,438
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47 e. ARTS DIVISION

48 For the support of the arts division:

49	\$	1,048,699
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50 f. IOWA GREAT PLACES

1 For the Iowa great places program established under
2 section 303.3C:

3	\$	127,500
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4 g. ARCHIVE IOWA GOVERNORS' RECORDS

5	For archiving the records of Iowa governors:	
6	.....	\$ 56,043
7	h. RECORDS CENTER RENT	
8	For payment of rent for the state records center:	
9	.....	\$ 193,157
10	i. BATTLE FLAGS	
11	For continuation of the project recommended by the	
12	Iowa battle flag advisory committee to stabilize the	
13	condition of the battle flag collection:	
14	.....	\$ 79,900
15	2. Notwithstanding section 8.33, moneys	
16	appropriated in this section that remain unencumbered	
17	or unobligated at the close of the fiscal year shall	
18	not revert but shall remain available for expenditure	
19	for the purposes designated until the close of the	
20	succeeding fiscal year.	
21	Sec. 22. GOALS AND ACCOUNTABILITY — ECONOMIC	
22	DEVELOPMENT.	
23	1. For the fiscal year beginning July 1, 2014, the	
24	goals for the economic development authority shall be	
25	to expand and stimulate the state economy, increase the	
26	wealth of Iowans, and increase the population of the	
27	state.	
28	2. To achieve the goals in subsection 1, the	
29	economic development authority shall do all of the	
30	following for the fiscal year beginning July 1, 2014:	
31	a. Concentrate its efforts on programs and	
32	activities that result in commercially viable products	
33	and services.	
34	b. Adopt practices and services consistent with	
35	free market, private sector philosophies.	
36	c. Ensure economic growth and development	
37	throughout the state.	
38	d. Work with businesses and communities to	
39	continually improve the economic development climate	
40	along with the economic well-being and quality of life	
41	for Iowans.	
42	e. Coordinate with other state agencies to	
43	ensure that they are attentive to the needs of an	
44	entrepreneurial culture.	
45	f. Establish a strong and aggressive marketing	
46	image to showcase Iowa's workforce, existing industry,	
47	and potential. A priority shall be placed on	
48	recruiting new businesses, business expansion, and	
49	retaining existing Iowa businesses. Emphasis shall be	
50	placed on entrepreneurial development through helping	

- 1 entrepreneurs secure capital, and developing networks
- 2 and a business climate conducive to entrepreneurs and
- 3 small businesses.

4 g. Encourage the development of communities and
5 quality of life to foster economic growth.
6 h. Prepare communities for future growth and
7 development through development, expansion, and
8 modernization of infrastructure.
9 i. Develop public-private partnerships with
10 Iowa businesses in the tourism industry, Iowa tour
11 groups, Iowa tourism organizations, and political
12 subdivisions in this state to assist in the development
13 of advertising efforts.
14 j. Develop, to the fullest extent possible,
15 cooperative efforts for advertising with contributions
16 from other sources.
17 Sec. 23. ECONOMIC DEVELOPMENT AUTHORITY.
18 1. APPROPRIATION
19 a. There is appropriated from the general fund of
20 the state to the economic development authority for the
21 fiscal year beginning July 1, 2014, and ending June 30,
22 2015, the following amount, or so much thereof as is
23 necessary, to be used for the purposes designated in
24 this subsection, and for not more than the following
25 full-time equivalent positions:
26 \$ 11,240,760
27 FTEs 149.00
28 b. (1) For salaries, support, miscellaneous
29 purposes, programs, marketing, and the maintenance of
30 an administration division, a business development
31 division, a community development division, a small
32 business development division, and other divisions the
33 authority may organize.
34 (2) The full-time equivalent positions authorized
35 under this section shall be funded, in whole or in
36 part, by the moneys appropriated under this subsection
37 or by other moneys received by the authority, including
38 certain federal moneys.
39 (3) For business development operations and
40 programs, international trade, export assistance,
41 workforce recruitment, and the partner state program.
42 (4) For transfer to the strategic investment fund
43 created in section 15.313.
44 (5) For community economic development programs,
45 tourism operations, community assistance, plans
46 for Iowa green corps and summer youth programs,
47 the mainstreet and rural mainstreet programs, the
48 school-to-career program, the community development
49 block grant, and housing and shelter-related programs.
50 (6) For achieving the goals and accountability, and

1 fulfilling the requirements and duties required under
2 this Act.

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

2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

c. A business that receives financial assistance from the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced

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1 research and commercialization projects involving
2 value-added agriculture, advanced technology, or
3 biotechnology.
4 d. The authority shall not use any moneys
5 appropriated in subsection 1 for purposes of providing
6 financial assistance for the Iowa green streets pilot
7 project or for any other program or project that
8 involves the installation of geothermal systems for
9 melting snow and ice from streets or sidewalks.

10 4. WORLD FOOD PRIZE

11 There is appropriated from the general fund of the
12 state to the economic development authority for the
13 fiscal year beginning July 1, 2014, and ending June 30,
14 2015, the following amount for the world food prize
15 and in lieu of the standing appropriation in section
16 15.368, subsection 1:

17	\$	637,500
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18 5. IOWA COMMISSION ON VOLUNTEER SERVICE

19 There is appropriated from the general fund of the
20 state to the economic development authority for the
21 fiscal year beginning July 1, 2014, and ending June 30,
22 2015, the following amount for allocation to the Iowa
23 commission on volunteer service for purposes of the
24 Iowa state commission grant program, the Iowa's promise
25 and Iowa mentoring partnership programs, and for not
26 more than the following full-time equivalent positions:

27	\$	151,413
28	FTEs	7.00

29 Of the moneys appropriated in this subsection,
30 the authority shall allocate \$63,750 for purposes of
31 the Iowa state commission grant program and \$87,663
32 for purposes of the Iowa's promise and Iowa mentoring
33 partnership programs.

34 Notwithstanding section 8.33, moneys appropriated in
35 this subsection that remain unencumbered or unobligated
36 at the close of the fiscal year shall not revert but
37 shall remain available for expenditure for the purposes
38 designated until the close of the succeeding fiscal
39 year.

40 6. EMPLOYEE STOCK OWNERSHIP PLANS FORMATION
41 ASSISTANCE

42 There is appropriated from the general fund of the
43 state to the economic development authority for the
44 fiscal year beginning July 1, 2014, and ending June 30,
45 2015, the following amount to be used for the providing
46 of financial assistance, including establishment of
47 a loan program, and technical assistance, marketing,
48 and education to businesses interested in establishing
49 employee stock ownership plans and for procuring the
50 services of an independent contractor with expertise in

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1 the formation of the employee stock ownership plans:
 2 \$ 340,000
 3 Notwithstanding section 8.33, moneys appropriated in
 4 this subsection that remain unencumbered or unobligated
 5 at the close of the fiscal year shall not revert but
 6 shall remain available for expenditure for the purposes
 7 designated until the close of the succeeding fiscal
 8 year. Notwithstanding section 12C.7, subsection 2,
 9 earnings or interest on moneys appropriated pursuant
 10 to this subsection shall be retained by the economic
 11 development authority and used for the purposes
 12 designated until expended.

13 7. COUNCILS OF GOVERNMENTS — ASSISTANCE
 14 There is appropriated from the general fund of the
 15 state to the economic development authority for the
 16 fiscal year beginning July 1, 2014, and ending June 30,
 17 2015, the following amount to be used for the purposes
 18 of providing financial assistance to Iowa's councils
 19 of governments:
 20 \$ 148,750

21 Sec. 24. VISION IOWA PROGRAM — FTE
 22 AUTHORIZATION. For purposes of administrative
 23 duties associated with the vision Iowa program for
 24 the fiscal year beginning July 1, 2014, the economic
 25 development authority is authorized an additional 2.25
 26 FTEs above those otherwise authorized in this division
 27 of this Act.

28 Sec. 25. INSURANCE ECONOMIC DEVELOPMENT. From
 29 the moneys collected by the division of insurance in
 30 excess of the anticipated gross revenues under section
 31 505.7, subsection 3, during the fiscal year beginning
 32 July 1, 2014, \$100,000 shall be transferred to the
 33 economic development authority for insurance economic
 34 development and international insurance economic
 35 development.

36 Sec. 26. WORKFORCE DEVELOPMENT FUND. There is
 37 appropriated from the workforce development fund
 38 account created in section 15.342A to the workforce
 39 development fund created in section 15.343 for the
 40 fiscal year beginning July 1, 2014, and ending June
 41 30, 2015, the following amount, for purposes of the
 42 workforce development fund:
 43 \$ 3,400,000

44 Sec. 27. IOWA STATE UNIVERSITY.
 45 1. There is appropriated from the general fund
 46 of the state to Iowa state university of science
 47 and technology for the fiscal year beginning July
 48 1, 2014, and ending June 30, 2015, the following
 49 amount, or so much thereof as is necessary, to be used
 50 for small business development centers, the science

1 and technology research park, and the institute for
2 physical research and technology, and for not more than
3 the following full-time equivalent positions:
4 \$ 2,060,657
5 FTEs 56.63

6 2. Of the moneys appropriated in subsection 1,
7 Iowa state university of science and technology shall
8 allocate at least \$625,369 for purposes of funding
9 small business development centers. Iowa state
10 university of science and technology may allocate
11 moneys appropriated in subsection 1 to the various
12 small business development centers in any manner
13 necessary to achieve the purposes of this subsection.

14 3. Iowa state university of science and technology
15 shall do all of the following:
16 a. Direct expenditures for research toward projects
17 that will provide economic stimulus for Iowa.
18 b. Provide emphasis to providing services to
19 Iowa-based companies.

20 4. It is the intent of the general assembly
21 that the industrial incentive program focus on Iowa
22 industrial sectors and seek contributions and in-kind
23 donations from businesses, industrial foundations, and
24 trade associations, and that moneys for the institute
25 for physical research and technology industrial
26 incentive program shall be allocated only for projects
27 which are matched by private sector moneys for directed
28 contract research or for nondirected research. The
29 match required of small businesses as defined in
30 section 15.102, subsection 10, for directed contract
31 research or for nondirected research shall be \$1 for
32 each \$3 of state funds. The match required for other
33 businesses for directed contract research or for
34 nondirected research shall be \$1 for each \$1 of state
35 funds. The match required of industrial foundations
36 or trade associations shall be \$1 for each \$1 of state
37 funds.

38 Iowa state university of science and technology
39 shall report annually to the joint appropriations
40 subcommittee on economic development and the
41 legislative services agency the total amount of
42 private contributions, the proportion of contributions
43 from small businesses and other businesses, and
44 the proportion for directed contract research and
45 nondirected research of benefit to Iowa businesses and
46 industrial sectors.

47 5. Notwithstanding section 8.33, moneys
48 appropriated in this section that remain unencumbered
49 or unobligated at the close of the fiscal year shall
50 not revert but shall remain available for expenditure

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1 for the purposes designated until the close of the
 2 succeeding fiscal year.

3 Sec. 28. UNIVERSITY OF IOWA.

4 1. There is appropriated from the general fund
 5 of the state to the state university of Iowa for the
 6 fiscal year beginning July 1, 2014, and ending June
 7 30, 2015, the following amount, or so much thereof
 8 as is necessary, to be used for the state university
 9 of Iowa research park and for the advanced drug
 10 development program at the Oakdale research park,
 11 including salaries, support, maintenance, equipment,
 12 miscellaneous purposes, and for not more than the
 13 following full-time equivalent positions:

14	\$	177,887
15	FTEs	6.00

16 2. The state university of Iowa shall do all of the
 17 following:

18 a. Direct expenditures for research toward projects
 19 that will provide economic stimulus for Iowa.

20 b. Provide emphasis to providing services to
 21 Iowa-based companies.

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

28 Sec. 29. UNIVERSITY OF NORTHERN IOWA.

29 1. There is appropriated from the general fund of
 30 the state to the university of northern Iowa for the
 31 fiscal year beginning July 1, 2014, and ending June 30,
 32 2015, the following amount, or so much thereof as is
 33 necessary, to be used for the metal casting institute,
 34 the MyEntreNet internet application, and the institute
 35 of decision making, including salaries, support,
 36 maintenance, miscellaneous purposes, and for not more
 37 than the following full-time equivalent positions:

38	\$	488,509
39	FTEs	6.75

40 2. Of the moneys appropriated pursuant to
 41 subsection 1, the university of northern Iowa shall
 42 allocate at least \$99,993 for purposes of support
 43 of entrepreneurs through the university's regional
 44 business center.

45 3. The university of northern Iowa shall do all of
 46 the following:

47 a. Direct expenditures for research toward projects
 48 that will provide economic stimulus for Iowa.

49 b. Provide emphasis to providing services to
 50 Iowa-based companies.

1 4. Notwithstanding section 8.33, moneys
2 appropriated in this section that remain unencumbered
3 or unobligated at the close of the fiscal year shall
4 not revert but shall remain available for expenditure
5 for the purposes designated until the close of the
6 succeeding fiscal year.

7 Sec. 30. REGENTS INNOVATION FUND.

8 1. There is appropriated from the general fund
9 of the state to the state board of regents for the
10 fiscal year beginning July 1, 2014, and ending June 30,
11 2015, the following amount to be used for the purposes
12 provided in this section:

13 \$ 2,550,000

14 Of the moneys appropriated pursuant to this
15 section, 35 percent shall be allocated for Iowa state
16 university, 35 percent shall be allocated for the
17 university of Iowa, and 30 percent shall be allocated
18 for the university of northern Iowa.

19 2. The institutions shall use moneys appropriated
20 in this section for capacity building infrastructure
21 in areas related to technology commercialization,
22 marketing and business development efforts in
23 areas related to technology commercialization,
24 entrepreneurship, and business growth, and
25 infrastructure projects and programs needed to assist
26 in implementation of activities under chapter 262B.

27 3. The institutions shall provide a one-to-one
28 match of additional moneys for the activities funded
29 with moneys appropriated under this section.

30 4. The state board of regents shall annually submit
31 a report by January 15 of each year to the governor,
32 the general assembly, and the legislative services
33 agency regarding the activities, projects, and programs
34 funded with moneys allocated under this section. The
35 report shall be provided in an electronic format and
36 shall include a list of metrics and criteria mutually
37 agreed to in advance by the board of regents and
38 the economic development authority. The metrics and
39 criteria shall allow the governor's office and the
40 general assembly to quantify and evaluate the progress
41 of the board of regents institutions with regard to
42 their activities, projects, and programs in the areas
43 of technology commercialization, entrepreneurship,
44 regional development, and market research.

45 5. Notwithstanding section 8.33, moneys
46 appropriated in this section that remain unencumbered
47 or unobligated at the close of the fiscal year shall
48 not revert but shall remain available for expenditure
49 for the purposes designated until the close of the
50 succeeding fiscal year.

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1 Sec. 31. BOARD OF REGENTS REPORT. The state board
 2 of regents shall submit a report on the progress of
 3 regents institutions in meeting the strategic plan for
 4 technology transfer and economic development to the
 5 secretary of the senate, the chief clerk of the house
 6 of representatives, and the legislative services agency
 7 by January 15, 2015.

8 Sec. 32. IOWA FINANCE AUTHORITY.

9 1. There is appropriated from the general fund
 10 of the state to the Iowa finance authority for the
 11 fiscal year beginning July 1, 2014, and ending June 30,
 12 2015, the following amount, or so much thereof as is
 13 necessary, to be used to provide reimbursement for rent
 14 expenses to eligible persons under the rent subsidy
 15 program:

16 \$ 559,300

17 2. Participation in the rent subsidy program
 18 shall be limited to only those persons who meet the
 19 requirements for the nursing facility level of care for
 20 home and community-based services waiver services as in
 21 effect on July 1, 2014, and to those individuals who
 22 are eligible for the federal money follows the person
 23 grant program under the medical assistance program. Of
 24 the moneys appropriated in this section, not more than
 25 \$35,000 may be used for administrative costs.

26 Sec. 33. IOWA FINANCE AUTHORITY AUDIT. The auditor
 27 of state is requested to review the audit of the Iowa
 28 finance authority performed by the auditor hired by the
 29 authority.

30 Sec. 34. PUBLIC EMPLOYMENT RELATIONS BOARD.

31 1. There is appropriated from the general fund of
 32 the state to the public employment relations board for
 33 the fiscal year beginning July 1, 2014, and ending June
 34 30, 2015, the following amount, or so much thereof as
 35 is necessary, for the purposes designated:

36 For salaries, support, maintenance, miscellaneous
 37 purposes, and for not more than the following full-time
 38 equivalent positions:

39 \$ 1,140,637

40 FTEs 10.00

41 2. Of the moneys appropriated in this section,
 42 the board shall allocate \$15,000 for maintaining a
 43 website that allows searchable access to a database of
 44 collective bargaining information.

45 Sec. 35. DEPARTMENT OF WORKFORCE
 46 DEVELOPMENT. There is appropriated from the general
 47 fund of the state to the department of workforce
 48 development for the fiscal year beginning July 1, 2014,
 49 and ending June 30, 2015, the following amounts, or
 50 so much thereof as is necessary, for the purposes

1	designated:		
2	1. DIVISION OF LABOR SERVICES		
3	a. For the division of labor services, including		
4	salaries, support, maintenance, miscellaneous		
5	purposes, and for not more than the following full-time		
6	equivalent positions:		
7	.....	\$	2,971,124
8	.....	FTEs	64.00
9	b. From the contractor registration fees, the		
10	division of labor services shall reimburse the		
11	department of inspections and appeals for all costs		
12	associated with hearings under chapter 91C, relating		
13	to contractor registration.		
14	2. DIVISION OF WORKERS' COMPENSATION		
15	a. For the division of workers' compensation,		
16	including salaries, support, maintenance, miscellaneous		
17	purposes, and for not more than the following full-time		
18	equivalent positions:		
19	.....	\$	2,642,687
20	.....	FTEs	30.00
21	b. The division of workers' compensation shall		
22	charge a \$100 filing fee for workers' compensation		
23	cases. The filing fee shall be paid by the petitioner		
24	of a claim. However, the fee can be taxed as a cost		
25	and paid by the losing party, except in cases where		
26	it would impose an undue hardship or be unjust under		
27	the circumstances. The moneys generated by the filing		
28	fee allowed under this subsection are appropriated to		
29	the department of workforce development to be used for		
30	purposes of administering the division of workers'		
31	compensation.		
32	3. WORKFORCE DEVELOPMENT OPERATIONS		
33	a. For the operation of field offices, the		
34	workforce development board, and for not more than the		
35	following full-time equivalent positions:		
36	.....	\$	7,802,501
37	.....	FTEs	130.00
38	b. Of the moneys appropriated in paragraph "a" of		
39	this subsection, the department shall allocate \$150,000		
40	to the state library for the purpose of licensing an		
41	online resource which prepares persons to succeed in		
42	the workplace through programs which improve job skills		
43	and vocational test-taking abilities.		
44	4. OFFENDER REENTRY PROGRAM		
45	a. For the development and administration of an		
46	offender reentry program to provide offenders with		
47	employment skills, and for not more than the following		
48	full-time equivalent positions:		
49	\$	241,794
50	FTEs	4.00

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b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders' abilities to find and retain productive employment.

5. NONREVERSION

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

Sec. 36. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	383,739
.....	FTEs	8.10

Sec. 37. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	1,501,171
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2. Any remaining additional penalty and interest revenue collected by the department of workforce development is appropriated to the department for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to accomplish the mission of the department.

Sec. 38. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES.

Notwithstanding section 96.9, subsection 8, paragraph "e", there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:	\$	419,900
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Sec. 39. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES.

The department of workforce development shall

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1 require a unique identification login for all users
2 of workforce development centers operated through
3 electronic means.

4 Sec. 40. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding
5 section 96.9, subsection 4, paragraph "a", moneys
6 credited to the state by the secretary of the treasury
7 of the United States pursuant to section 903 of
8 the Social Security Act are appropriated to the
9 department of workforce development and shall be
10 used by the department for the administration of
11 the unemployment compensation program only. This
12 appropriation shall not apply to any fiscal year
13 beginning after December 31, 2014.

14 DIVISION III

15 MISCELLANEOUS PROVISIONS

16 Sec. 41. Section 15.251, Code 2013, is amended to
17 read as follows:

18 15.251 Industrial new job training program
19 certificates — fee.

20 The authority may charge, within thirty days
21 following the sale of certificates under chapter 260E,
22 the board of directors of the merged area a fee of
23 up to one percent of the gross sale amount of the
24 certificates issued. The amount of this fee shall be
25 deposited and allowed to accumulate in a job training
26 fund created in the authority. ~~At the end of each~~
27 ~~fiscal year, all funds deposited under this subsection~~
28 ~~into the job training fund during the fiscal year~~
29 ~~shall be transferred to the workforce development fund~~
30 ~~account established in section 15.342A. Moneys in the~~
31 fund are appropriated to the authority for purposes
32 of workforce development program coordination and
33 activities including salaries, support, maintenance,
34 legal and compliance, and miscellaneous purposes.

35 Sec. 42. Section 90A.7, Code 2013, is amended to
36 read as follows:

37 90A.7 Rules.

38 1. The commissioner shall adopt rules, pursuant
39 to chapter 17A, that the commissioner determines are
40 reasonably necessary to administer and enforce this
41 chapter.

42 2. The commissioner shall adopt rules establishing
43 an event fee to cover the costs of the administration
44 of this chapter.

45 3. The commissioner may adopt the rules of a
46 recognized national or world boxing organization that
47 sanctions a boxing match in this state to regulate the
48 match if the organization's rules provide protection to
49 the boxers participating in the match which is equal
50 to or greater than the protections provided by this

1 chapter or by rules adopted pursuant to this chapter.
2 As used in this paragraph, "recognized national or world
3 boxing organization" includes, but is not limited to,
4 the international boxing federation, the world boxing
5 association, and the world boxing council.

6 Sec. 43. Section 90A.10, subsection 1, Code 2013,
7 is amended to read as follows:

8 1. Moneys collected pursuant to ~~sections 90A.3 and~~
9 ~~section 90A.9 in excess of the amount of moneys needed~~
10 ~~to administer this chapter~~ from a professional boxing
11 event are appropriated to the department of workforce
12 development and shall be used by the commissioner to
13 award grants to organizations that promote amateur
14 boxing matches in this state. All other moneys
15 collected by the commissioner pursuant to this chapter
16 are appropriated to the department of workforce
17 development and shall be used by the commissioner to
18 administer this chapter. Section 8.33 applies only to
19 moneys in excess of the first twenty thousand dollars
20 appropriated each fiscal year.

21 Sec. 44. 2005 Iowa Acts, chapter 169, section 5,
22 subsection 6, is amended to read as follows:

23 6. GREAT PLACES

24 a. For salaries, support, maintenance, and
25 miscellaneous purposes:

26 \$ 200,000

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

33 Sec. 45. 2006 Iowa Acts, chapter 1180, section 5,
34 subsection 6, as amended by 2007 Iowa Acts, chapter
35 215, section 45, is amended to read as follows:

36 6. GREAT PLACES

37 For salaries, support, maintenance, miscellaneous
38 purposes, and for not more than the following full-time
39 equivalent positions:

40 \$ 300,000

41 FTEs 1.70

42 Notwithstanding section 8.33, moneys appropriated in
43 this subsection that remain unencumbered or unobligated
44 at the close of the fiscal year shall not revert but
45 shall remain available for expenditure for the purposes
46 designated ~~until the close of the~~ for succeeding fiscal
47 year years.

48 Sec. 46. 2007 Iowa Acts, chapter 212, section 1,
49 subsection 6, as amended by 2007 Iowa Acts, chapter
50 215, section 46, is amended to read as follows:

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1 6. GREAT PLACES
2 For salaries, support, maintenance, miscellaneous
3 purposes, and for not more than the following full-time
4 equivalent positions:
5 \$ 305,794
6 FTEs 3.00
7 Notwithstanding section 8.33, moneys appropriated in
8 this subsection that remain unencumbered or unobligated
9 at the close of the fiscal year shall not revert but
10 shall remain available for expenditure for the purposes
11 designated ~~until the close of the~~ for succeeding fiscal
12 ~~year years.~~
13 Sec. 47. 2008 Iowa Acts, chapter 1190, section 1,
14 subsection 6, is amended to read as follows:
15 6. GREAT PLACES
16 a. For salaries, support, maintenance,
17 miscellaneous purposes, and for not more than the
18 following full-time equivalent positions:
19 \$ 322,231
20 FTEs 3.00
21 b. Notwithstanding section 8.33, moneys
22 appropriated in this subsection that remain
23 unencumbered or unobligated at the close of the fiscal
24 year shall not revert but shall remain available
25 for expenditure for the purposes designated in this
26 subsection for succeeding fiscal years.
27 Sec. 48. 2009 Iowa Acts, chapter 176, section 1,
28 subsection 6, is amended to read as follows:
29 6. GREAT PLACES
30 a. For the great places program:
31 \$ 248,060
32 b. Notwithstanding section 8.33, moneys
33 appropriated in this subsection that remain
34 unencumbered or unobligated at the close of the fiscal
35 year shall not revert but shall remain available
36 for expenditure for the purposes designated in this
37 subsection for succeeding fiscal years.
38 Sec. 49. 2010 Iowa Acts, chapter 1188, section 1,
39 subsection 6, is amended to read as follows:
40 6. GREAT PLACES
41 a. For the great places program:
42 \$ 214,869
43 b. Notwithstanding section 8.33, moneys
44 appropriated in this subsection that remain
45 unencumbered or unobligated at the close of the fiscal
46 year shall not revert but shall remain available
47 for expenditure for the purposes designated in this
48 subsection for succeeding fiscal years.
49 Sec. 50. 2011 Iowa Acts, chapter 130, section 1,
50 subsection 6, is amended to read as follows:

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6. IOWA GREAT PLACES

a. For the Iowa great places program established under section 303.3C:

..... \$ 150,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 51. 2011 Iowa Acts, chapter 130, section 48, as amended by 2012 Iowa Acts, chapter 1136, section 1, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this section for succeeding fiscal years.

Sec. 52. 2011 Iowa Acts, chapter 130, section 67, subsection 2, is amended to read as follows:

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, ~~2011~~ 2012, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 53. 2012 Iowa Acts, chapter 1136, section 17, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 54. EFFECTIVE UPON ENACTMENT. The sections of this division of this Act amending 2011 Iowa Acts, chapter 130, section 48, and 2012 Iowa Acts, chapter 1136, section 17, being deemed of immediate importance, take effect upon enactment.

Sec. 55. RETROACTIVE APPLICABILITY. The section of this Act amending 2005 Iowa Acts, chapter 169, applies retroactively to July 1, 2005.

Sec. 56. RETROACTIVE APPLICABILITY. The section of this Act amending 2006 Iowa Acts, chapter 1180, applies retroactively to May 29, 2007.

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- 1 Sec. 57. RETROACTIVE APPLICABILITY. The section of
- 2 this Act amending 2007 Iowa Acts, chapter 212, applies
- 3 retroactively to July 1, 2007.
- 4 Sec. 58. RETROACTIVE APPLICABILITY. The section of
- 5 this Act amending 2008 Iowa Acts, chapter 1190, applies
- 6 retroactively to July 1, 2008.
- 7 Sec. 59. RETROACTIVE APPLICABILITY. The section of
- 8 this Act amending 2009 Iowa Acts, chapter 176, applies
- 9 retroactively to July 1, 2009.
- 10 Sec. 60. RETROACTIVE APPLICABILITY. The section of
- 11 this Act amending 2010 Iowa Acts, chapter 1188, applies
- 12 retroactively to July 1, 2010.
- 13 Sec. 61. RETROACTIVE APPLICABILITY. The sections
- 14 of this Act amending 2011 Iowa Acts, chapter 130,
- 15 sections 1 and 67, apply retroactively to July 1, 2011.
- 16 Sec. 62. RETROACTIVE APPLICABILITY. The sections
- 17 of this Act amending 2012 Iowa Acts, chapter 1136,
- 18 section 17, and 2011 Iowa Acts, chapter 130, section
- 19 48, apply retroactively to July 1, 2012.>

S-3162

- 1 Amend Senate File 447 as follows:
- 2 1. Page 3, line 35, by striking <32,183,850> and
- 3 inserting <33,826,889>
- 4 2. Page 3, after line 35 by inserting:
- 5 <Of the amount appropriated in this lettered
- 6 paragraph, \$1,643,039 shall be used for the operation
- 7 of the Luster Heights prison camp.>
- 8 3. Page 4, by striking lines 1 and 2.
- 9 4. By renumbering as necessary.

MICHAEL BREITBACH

S-3163

- 1 Amend Senate File 447 as follows:
- 2 1. Page 1, after line 28 by inserting:
- 3 <Up to \$2,000,000 of the amount appropriated in this
- 4 lettered paragraph shall be used to provide grants to
- 5 care providers providing services to crime victims
- 6 of domestic abuse, or to crime victims of rape and
- 7 sexual assault, for the purpose of ensuring an orderly
- 8 and efficient transition of crime victim services to
- 9 the new regional reorganization plan, with priority
- 10 given to care providers that received a grant during a
- 11 previous fiscal year but did not receive a grant under
- 12 the new regional reorganization plan.>

RITA HART
ROBERT E. DVORSKY

S-3164

- 1 Amend Senate File 447 as follows:
- 2 1. Page 17, line 5, by striking <\$521,000> and
 3 inserting <\$300,000>
- 4 2. Page 17, line 5, by striking <6.00> and
 5 inserting <3.00>
- 6 3. Page 17, lines 8 and 9, by striking <two special
 7 agents and four gaming enforcement officers> and
 8 inserting <three special agents>
- 9 4. Page 17, line 11, by striking <one special
 10 agent> and inserting <three special agents>
- 11 5. Page 17, by striking lines 13 through 17
 12 and inserting <2013. Positions authorized in this
 13 subsection are>
- 14 6. Page 20, by striking lines 4 through 7 and
 15 inserting <to be raised from the regulatory fee.>
- 16 7. Page 21, by striking line 3 and inserting <are>
- 17 8. Page 21, by striking lines 11 through 14 and
 18 inserting <activities.>
- 19 9. Page 21, line 31, by striking <2015> and
 20 inserting <2014>
- 21 10. Page 23, by striking lines 27 through 30.

THOMAS G. COURTNEY

S-3165

- 1 Amend the amendment, S-3148, to House File 603,
 2 as amended, passed, and reprinted by the House, as
 3 follows:
- 4 1. Page 11, by striking line 21 and inserting:
 5 <..... \$ 415,000>
- 6 2. Page 11, after line 22 by inserting:
 7 <The full-time equivalent positions authorized by
 8 this section shall be for an executive director who is
 9 an attorney, a deputy director who is an attorney, and
 10 an administrative assistant.>

DAVID JOHNSON

S-3166

HOUSE AMENDMENT TO
 SENATE FILE 295

- 1 Amend Senate File 295, as passed by the Senate, as
 2 follows:
- 3 1. By striking everything after the enacting clause
 4 and inserting:
- 5 <DIVISION I
 6 PROPERTY ASSESSMENT LIMITATION AND REPLACEMENT
 7 Section 1. Section 257.3, subsection 1, Code 2013,

8 is amended by adding the following new paragraph:

9 NEW PARAGRAPH. d. The amount paid to each school
10 district for the commercial and industrial property
11 tax replacement claim under section 441.21A shall be
12 regarded as property tax. The portion of the payment
13 which is foundation property tax shall be determined by
14 applying the foundation property tax rate to the amount
15 computed under section 441.21A, subsection 4, paragraph
16 “a”, and such amount shall be prorated pursuant to
17 section 441.21A, subsection 2, if applicable.

18 Sec. 2. Section 331.512, Code 2013, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 13A. Carry out duties relating
21 to the calculation and payment of commercial and
22 industrial property tax replacement claims under
23 section 441.21A.

24 Sec. 3. Section 331.559, Code 2013, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 25A. Carry out duties relating
27 to the calculation and payment of commercial and
28 industrial property tax replacement claims under
29 section 441.21A.

30 Sec. 4. Section 441.21, subsection 4, Code 2013, is
31 amended to read as follows:

32 4. For valuations established as of January
33 1, 1979, the percentage of actual value at which
34 agricultural and residential property shall be assessed
35 shall be the quotient of the dividend and divisor as
36 defined in this section. The dividend for each class
37 of property shall be the dividend as determined for
38 each class of property for valuations established as
39 of January 1, 1978, adjusted by the product obtained
40 by multiplying the percentage determined for that year
41 by the amount of any additions or deletions to actual
42 value, excluding those resulting from the revaluation
43 of existing properties, as reported by the assessors
44 on the abstracts of assessment for 1978, plus six
45 percent of the amount so determined. However, if the
46 difference between the dividend so determined for
47 either class of property and the dividend for that
48 class of property for valuations established as of
49 January 1, 1978, adjusted by the product obtained by
50 multiplying the percentage determined for that year

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1 by the amount of any additions or deletions to actual
2 value, excluding those resulting from the revaluation
3 of existing properties, as reported by the assessors
4 on the abstracts of assessment for 1978, is less than
5 six percent, the 1979 dividend for the other class of
6 property shall be the dividend as determined for that

7 class of property for valuations established as of
8 January 1, 1978, adjusted by the product obtained by
9 multiplying the percentage determined for that year
10 by the amount of any additions or deletions to actual
11 value, excluding those resulting from the revaluation
12 of existing properties, as reported by the assessors on
13 the abstracts of assessment for 1978, plus a percentage
14 of the amount so determined which is equal to the
15 percentage by which the dividend as determined for the
16 other class of property for valuations established as
17 of January 1, 1978, adjusted by the product obtained
18 by multiplying the percentage determined for that year
19 by the amount of any additions or deletions to actual
20 value, excluding those resulting from the revaluation
21 of existing properties, as reported by the assessors
22 on the abstracts of assessment for 1978, is increased
23 in arriving at the 1979 dividend for the other class
24 of property. The divisor for each class of property
25 shall be the total actual value of all such property
26 in the state in the preceding year, as reported by the
27 assessors on the abstracts of assessment submitted
28 for 1978, plus the amount of value added to said
29 total actual value by the revaluation of existing
30 properties in 1979 as equalized by the director of
31 revenue pursuant to section 441.49. The director shall
32 utilize information reported on abstracts of assessment
33 submitted pursuant to section 441.45 in determining
34 such percentage. For valuations established as of
35 January 1, 1980, and each assessment year thereafter
36 beginning before January 1, 2013, the percentage of
37 actual value as equalized by the director of revenue
38 as provided in section 441.49 at which agricultural
39 and residential property shall be assessed shall be
40 calculated in accordance with the methods provided
41 herein including the limitation of increases in
42 agricultural and residential assessed values to the
43 percentage increase of the other class of property if
44 the other class increases less than the allowable limit
45 adjusted to include the applicable and current values
46 as equalized by the director of revenue, except that
47 any references to six percent in this subsection shall
48 be four percent. For valuations established as of
49 January 1, 2013, and each assessment year thereafter,
50 the percentage of actual value as equalized by the

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1 director of revenue as provided in section 441.49 at
2 which agricultural and residential property shall be
3 assessed shall be calculated in accordance with the
4 methods provided in this subsection, except that any
5 references to six percent in this subsection shall

be two percent, and including, for assessment years beginning on or after January 1, 2013, but before January 1, 2017, the limitation of increases in agricultural and residential assessed values to the percentage increase of the other class of property if the other class increases less than the allowable limit adjusted to include the applicable and current values as equalized by the director of revenue, and including, for assessment years beginning on or after January 1, 2017, the limitation in subsection 5A.

Sec. 5. Section 441.21, subsection 5, Code 2013, is amended to read as follows:

5. a. For valuations established as of January 1, 1979, commercial property and industrial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed as a percentage of the actual value of each class of property. The percentage shall be determined for each class of property by the director of revenue for the state in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the total actual valuation for each class of property established for 1978, plus six percent of the amount so determined. The divisor for each class of property shall be the valuation for each class of property established for 1978, as reported by the assessors on the abstracts of assessment for 1978, plus the amount of value added to the total actual value by the revaluation of existing properties in 1979 as equalized by the director of revenue pursuant to section 441.49. For valuations established as of January 1, 1979, property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be considered as one class of property and shall be assessed as a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1978 by the department of revenue, plus ten percent of the amount so determined.

- 1 The divisor for property valued by the department of
- 2 revenue pursuant to chapters 428, 433, 437, and 438
- 3 shall be the valuation established for 1978, plus
- 4 the amount of value added to the total actual value

5 by the revaluation of the property by the department
6 of revenue as of January 1, 1979. For valuations
7 established as of January 1, 1980, commercial property
8 and industrial property, excluding properties referred
9 to in section 427A.1, subsection 8, shall be assessed
10 at a percentage of the actual value of each class of
11 property. The percentage shall be determined for
12 each class of property by the director of revenue for
13 the state in accordance with the provisions of this
14 section. For valuations established as of January
15 1, 1980, the percentage shall be the quotient of
16 the dividend and divisor as defined in this section.
17 The dividend for each class of property shall be the
18 dividend as determined for each class of property for
19 valuations established as of January 1, 1979, adjusted
20 by the product obtained by multiplying the percentage
21 determined for that year by the amount of any
22 additions or deletions to actual value, excluding those
23 resulting from the revaluation of existing properties,
24 as reported by the assessors on the abstracts of
25 assessment for 1979, plus four percent of the amount
26 so determined. The divisor for each class of property
27 shall be the total actual value of all such property in
28 1979, as equalized by the director of revenue pursuant
29 to section 441.49, plus the amount of value added to
30 the total actual value by the revaluation of existing
31 properties in 1980. The director shall utilize
32 information reported on the abstracts of assessment
33 submitted pursuant to section 441.45 in determining
34 such percentage. For valuations established as of
35 January 1, 1980, property valued by the department
36 of revenue pursuant to chapters 428, 433, 437, and
37 438 shall be assessed at a percentage of its actual
38 value. The percentage shall be determined by the
39 director of revenue in accordance with the provisions
40 of this section. For valuations established as of
41 January 1, 1980, the percentage shall be the quotient
42 of the dividend and divisor as defined in this section.
43 The dividend shall be the total actual valuation
44 established for 1979 by the department of revenue,
45 plus eight percent of the amount so determined. The
46 divisor for property valued by the department of
47 revenue pursuant to chapters 428, 433, 437, and 438
48 shall be the valuation established for 1979, plus
49 the amount of value added to the total actual value
50 by the revaluation of the property by the department

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1 of revenue as of January 1, 1980. For valuations
2 established as of January 1, 1981, and each assessment
3 year thereafter beginning before January 1, 2013, the

4 percentage of actual value as equalized by the director
5 of revenue as provided in section 441.49 at which
6 commercial property and industrial property, excluding
7 properties referred to in section 427A.1, subsection
8 8, shall be assessed shall be calculated in accordance
9 with the methods provided herein, except that any
10 references to six percent in this subsection shall be
11 four percent. For valuations established as of January
12 1, 1981, and each year thereafter, the percentage of
13 actual value at which property valued by the department
14 of revenue pursuant to chapters 428, 433, 437, and 438
15 shall be assessed shall be calculated in accordance
16 with the methods provided herein, except that any
17 references to ten percent in this subsection shall be
18 eight percent. Beginning with valuations established
19 as of January 1, 1979, and each assessment year
20 thereafter beginning before January 1, 2013, property
21 valued by the department of revenue pursuant to chapter
22 434 shall also be assessed at a percentage of its
23 actual value which percentage shall be equal to the
24 percentage determined by the director of revenue for
25 commercial property, industrial property, or property
26 valued by the department of revenue pursuant to
27 chapters 428, 433, 437, and 438, whichever is lowest.
28 For valuations established on or after January 1, 2013,
29 but before January 1, 2017, commercial property and
30 industrial property shall be assessed as provided in
31 paragraphs "b" and "c", as applicable. For valuations
32 established as of January 1, 2017, and each assessment
33 year thereafter, the percentage of actual value as
34 equalized by the director of revenue as provided in
35 section 441.49 at which commercial property, excluding
36 properties referred to in section 427A.1, subsection
37 8, shall be assessed shall be calculated in accordance
38 with the methods provided in this subsection, including
39 the limitation in subsection 5A, except that any
40 references to six percent in this subsection shall be
41 two percent. For valuations established on or after
42 January 1, 2017, industrial property shall be assessed
43 at a percentage of its actual value equal to the
44 percentage of actual value at which property assessed
45 as commercial property is assessed for the same
46 assessment year following application of the limitation
47 in subsection 5A, if applicable. For valuations
48 established on or after January 1, 2013, property
49 valued by the department of revenue pursuant to chapter
50 434 shall be assessed at a percentage of its actual

- 1 value equal to the percentage of actual value at which
- 2 property assessed as commercial property is assessed

3 for the same assessment year following application of
4 the limitation in subsection 5A, if applicable.

5 b. For valuations established on or after January
6 1, 2013, but before January 1, 2017, commercial
7 property, excluding properties referred to in section
8 427A.1, subsection 8, shall be assessed at a percentage
9 of its actual value, as determined in this paragraph
10 "b". For valuations established for the assessment
11 year beginning January 1, 2013, the percentage of
12 actual value as equalized by the director of revenue
13 as provided in section 441.49 at which commercial
14 property shall be assessed shall be ninety-five
15 percent. For valuations established for the assessment
16 year beginning January 1, 2014, the percentage of
17 actual value as equalized by the director of revenue
18 as provided in section 441.49 at which commercial
19 property shall be assessed shall be ninety percent.
20 For valuations established for the assessment year
21 beginning January 1, 2015, the percentage of actual
22 value as equalized by the director of revenue as
23 provided in section 441.49 at which commercial property
24 shall be assessed shall be eighty-five percent.
25 For valuations established for the assessment year
26 beginning January 1, 2016, the percentage of actual
27 value as equalized by the director of revenue as
28 provided in section 441.49 at which commercial property
29 shall be assessed shall be eighty percent.

30 c. For valuations established on or after January
31 1, 2013, but before January 1, 2017, industrial
32 property, excluding properties referred to in section
33 427A.1, subsection 8, shall be assessed at a percentage
34 of its actual value, as determined in this paragraph
35 "c". For valuations established for the assessment
36 year beginning January 1, 2013, the percentage of
37 actual value as equalized by the director of revenue
38 as provided in section 441.49 at which industrial
39 property shall be assessed shall be ninety-five
40 percent. For valuations established for the assessment
41 year beginning January 1, 2014, the percentage of
42 actual value as equalized by the director of revenue
43 as provided in section 441.49 at which industrial
44 property shall be assessed shall be ninety percent.
45 For valuations established for the assessment year
46 beginning January 1, 2015, the percentage of actual
47 value as equalized by the director of revenue as
48 provided in section 441.49 at which industrial property
49 shall be assessed shall be eighty-five percent.
50 For valuations established for the assessment year

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beginning January 1, 2016, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which industrial property shall be assessed shall be eighty percent.

Sec. 6. Section 441.21, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. In addition to the limitation of increases for agricultural and residential property applicable under subsection 4 and the limitation of increase for commercial property applicable under subsection 5, for valuations established for the assessment year beginning January 1, 2017, and each assessment year thereafter, for residential, agricultural, and commercial property, the assessed value of each of these three classes of property shall be limited to the percentage increase of that class of property that is the lowest percentage increase under the allowable limit adjusted to include the applicable and current values as equalized by the director of revenue.

Sec. 7. Section 441.21, subsections 9 and 10, Code 2013, are amended to read as follows:

9. Not later than November 1, 1979, and November 1 of each subsequent year, the director shall certify to the county auditor of each county the percentages of actual value at which residential property, agricultural property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, ~~434~~, 437, and 438 in each assessing jurisdiction in the county shall be assessed for taxation. The county auditor shall proceed to determine the assessed values of agricultural property, residential property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, ~~434~~, 437, and 438 by applying such percentages to the current actual value of such property, as reported to the county auditor by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made.

10. The percentage of actual value computed by the director for agricultural property, residential property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, ~~434~~, 437, and 438 and used to determine assessed values of those

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1 classes of property does not constitute a rule as
2 defined in section 17A.2, subsection 11.

3 Sec. 8. NEW SECTION. 441.21A Commercial and
4 industrial property tax replacement — replacement
5 claims.

6 1. a. For each fiscal year beginning on or after
7 July 1, 2014, there is appropriated from the general
8 fund of the state to the department of revenue an
9 amount necessary for the payment of all commercial
10 and industrial property tax replacement claims under
11 this section for the fiscal year. However, for a
12 fiscal year beginning on or after July 1, 2018, the
13 total amount of moneys appropriated from the general
14 fund of the state to the department of revenue for
15 the payment of commercial and industrial property tax
16 replacement claims in that fiscal year shall not exceed
17 the total amount of money that was necessary to pay
18 all commercial and industrial property tax replacement
19 claims for the fiscal year beginning July 1, 2017.

20 b. Moneys appropriated by the general assembly to
21 the department under this subsection for the payment
22 of commercial and industrial property tax replacement
23 claims are not subject to a uniform reduction in
24 appropriations in accordance with section 8.31.

25 2. Beginning with the fiscal year beginning
26 July 1, 2014, each county treasurer shall be paid
27 by the department of revenue an amount equal to the
28 amount of the commercial and industrial property tax
29 replacement claims in the county, as calculated in
30 subsection 4. For fiscal years beginning on or after
31 July 1, 2018, if an amount appropriated for a fiscal
32 year is insufficient to pay all replacement claims,
33 the director of revenue shall prorate the payment of
34 replacement claims to the county treasurers and shall
35 notify the county auditors of the pro rata percentage
36 on or before September 30.

37 3. On or before July 1 of each fiscal year
38 beginning on or after July 1, 2014, the assessor shall
39 report to the county auditor the total actual value of
40 all commercial property and industrial property in the
41 county for the assessment year used to calculate the
42 taxes due and payable in that fiscal year.

43 4. On or before a date established by rule of the
44 department of revenue of each fiscal year beginning on
45 or after July 1, 2014, the county auditor shall prepare
46 a statement, based upon the report received pursuant
47 to subsection 3, listing for each taxing district in
48 the county:

49 a. The difference between the assessed valuation
50 of all commercial property and industrial property for

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1 the assessment year used to calculate taxes which are
2 due and payable in the applicable fiscal year and the
3 actual value of all commercial property and industrial
4 property for the same assessment year. If the
5 difference between the assessed value of all commercial
6 property and industrial property and the actual
7 valuation of all commercial property and industrial
8 property is zero, there is no tax replacement for that
9 taxing district for the fiscal year.

10 b. The tax levy rate per one thousand dollars of
11 assessed value for each taxing district for that fiscal
12 year.

13 c. The commercial and industrial property tax
14 replacement claim for each taxing district. The
15 replacement claim is equal to the amount determined
16 pursuant to paragraph "a", multiplied by the tax rate
17 specified in paragraph "b", and then divided by one
18 thousand dollars.

19 5. For purposes of computing replacement amounts
20 under this section, that portion of an urban renewal
21 area defined as the sum of the assessed valuations
22 defined in section 403.19, subsections 1 and 2, shall
23 be considered a taxing district.

24 6. a. The county auditor shall certify and forward
25 one copy of the statement to the department of revenue
26 not later than a date of each year established by the
27 department of revenue by rule.

28 b. The replacement claims shall be paid to each
29 county treasurer in equal installments in September
30 and March of each year. The county treasurer shall
31 apportion the replacement claim payments among the
32 eligible taxing districts in the county.

33 c. If the taxing district is an urban renewal
34 area, the amount of the replacement claim shall be
35 apportioned and credited to those portions of the
36 assessed value defined in section 403.19, subsections
37 1 and 2, as follows:

38 (1) To that portion defined in section 403.19,
39 subsection 1, an amount of the replacement claim that
40 is proportionate to the amount of actual value of the
41 commercial and industrial property in the urban renewal
42 area as determined in section 403.19, subsection 1,
43 that was subtracted pursuant to section 403.20, as
44 it bears to the total amount of actual value of the
45 commercial and industrial property in the urban renewal
46 area that was subtracted pursuant to section 403.20 for
47 the assessment year for property taxes due and payable
48 in the fiscal year for which the replacement claim is
49 computed.

50 (2) To that portion defined in section 403.19,

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1 subsection 2, the remaining amount, if any.
2 d. Notwithstanding the allocation provisions of
3 paragraph "c", the amount of the tax replacement amount
4 that shall be allocated to that portion of the assessed
5 value defined in section 403.19, subsection 2, shall
6 not exceed the amount equal to the amount certified to
7 the county auditor under section 403.19 for the fiscal
8 year in which the claim is paid, after deduction of
9 the amount of other revenues committed for payment
10 on that amount for the fiscal year. The amount not
11 allocated to that portion of the assessed value defined
12 in section 403.19, subsection 2, as a result of the
13 operation of this paragraph, shall be allocated to that
14 portion of assessed value defined in section 403.19,
15 subsection 1.

16 e. The amount of the replacement claim amount
17 credited to the portion of the assessed value defined
18 in section 403.19, subsection 1, shall be allocated
19 to and when received be paid into the fund for the
20 respective taxing district as taxes by or for the
21 taxing district into which all other property taxes
22 are paid. The amount of the replacement claim amount
23 credited to the portion of the assessed value defined
24 in section 403.19, subsection 2, shall be allocated to
25 and when collected be paid into the special fund of the
26 municipality under section 403.19, subsection 2.

27 Sec. 9. SAVINGS PROVISION. This division of this
28 Act, pursuant to section 4.13, does not affect the
29 operation of, or prohibit the application of, prior
30 provisions of section 441.21, or rules adopted under
31 chapter 17A to administer prior provisions of section
32 441.21, for assessment years beginning before January
33 1, 2013, and for duties, powers, protests, appeals,
34 proceedings, actions, or remedies attributable to an
35 assessment year beginning before January 1, 2013.
36 Sec. 10. EFFECTIVE UPON ENACTMENT. This division
37 of this Act, being deemed of immediate importance,
38 takes effect upon enactment.

39 Sec. 11. RETROACTIVE APPLICABILITY. This division
40 of this Act applies retroactively to January 1, 2013,
41 for assessment years beginning on or after that date.

42 DIVISION II

43 SCHOOL DISTRICT FUNDING

44 Sec. 12. Section 257.1, subsection 2, paragraph b,
45 Code 2013, is amended by striking the paragraph and
46 inserting in lieu thereof the following:

47 b. (1) The regular program foundation base per
48 pupil is the following:

49 (a) For the budget year commencing July 1,
50 2012, and the budget year commencing July 1, 2013,

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1 the regular program foundation base per pupil is
2 eighty-seven and five-tenths percent of the regular
3 program state cost per pupil.

4 (b) For the budget year commencing July 1, 2014,
5 the regular program foundation base per pupil is
6 eighty-nine and three hundred seventy-five thousandths
7 percent of the regular program state cost per pupil.

8 (c) For the budget year commencing July 1, 2015,
9 the regular program foundation base per pupil is
10 ninety-one and twenty-five hundredths percent of the
11 regular program state cost per pupil.

12 (d) For the budget year commencing July 1, 2016,
13 the regular program foundation base per pupil is
14 ninety-three and one hundred twenty-five thousandths
15 percent of the regular program state cost per pupil.

16 (e) For the budget year commencing July 1, 2017,
17 and succeeding budget years, the regular program
18 foundation base per pupil is ninety-five percent of the
19 regular program state cost per pupil.

20 (2) For each budget year, the special education
21 support services foundation base is seventy-nine
22 percent of the special education support services state
23 cost per pupil. The combined foundation base is the
24 sum of the regular program foundation base, the special
25 education support services foundation base, the total
26 teacher salary supplement district cost, the total
27 professional development supplement district cost, the
28 total early intervention supplement district cost, the
29 total area education agency teacher salary supplement
30 district cost, and the total area education agency
31 professional development supplement district cost.

32 DIVISION III

33 MULTIRESIDENTIAL PROPERTY CLASSIFICATION

34 Sec. 13. Section 404.2, subsection 2, paragraph f,
35 Code 2013, is amended to read as follows:

36 f. A statement specifying whether the
37 revitalization is applicable to none, some, or all of
38 the property assessed as residential, multiresidential,
39 agricultural, commercial, or industrial property
40 within the designated area or a combination thereof and
41 whether the revitalization is for rehabilitation and
42 additions to existing buildings or new construction or
43 both. If revitalization is made applicable only to
44 some property within an assessment classification, the
45 definition of that subset of eligible property must
46 be by uniform criteria which further some planning
47 objective identified in the plan. The city shall state
48 how long it is estimated that the area shall remain
49 a designated revitalization area which time shall
50 be longer than one year from the date of designation

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1 and shall state any plan by the city to issue revenue
2 bonds for revitalization projects within the area. For
3 a county, a revitalization area shall include only
4 property which will be used as industrial property,
5 commercial property, ~~commercial property consisting of~~
6 ~~three or more separate living quarters with at least~~
7 ~~seventy five percent of the space used for residential~~
8 ~~purposes, multiresidential property,~~ or residential
9 property. However, a county shall not provide a tax
10 exemption under this chapter to commercial property,
11 ~~commercial property consisting of three or more~~
12 ~~separate living quarters with at least seventy five~~
13 ~~percent of the space used for residential purposes~~
14 multiresidential property, or residential property
15 which is located within the limits of a city.

16 Sec. 14. Section 404.3, subsection 4, Code 2013, is
17 amended to read as follows:

18 4. All qualified real estate assessed as
19 residential property ~~or assessed as commercial~~
20 ~~property, if the commercial property consists of~~
21 ~~three or more separate living quarters with at least~~
22 ~~seventy five percent of the space used for residential~~
23 ~~purposes, or assessed as multiresidential property~~ is
24 eligible to receive a one hundred percent exemption
25 from taxation on the actual value added by the
26 improvements. The exemption is for a period of ten
27 years.

28 Sec. 15. Section 441.21, subsection 8, paragraph b,
29 Code 2013, is amended to read as follows:

30 b. Notwithstanding paragraph "a", any construction
31 or installation of a solar energy system on property
32 classified as agricultural, residential, commercial,
33 multiresidential, or industrial property shall not
34 increase the actual, assessed, and taxable values of
35 the property for five full assessment years.

36 Sec. 16. Section 441.21, subsections 9 and 10, Code
37 2013, are amended to read as follows:

38 9. Not later than November 1, 1979, and November
39 1 of each subsequent year, the director shall
40 certify to the county auditor of each county the
41 percentages of actual value at which residential
42 property, agricultural property, commercial property,
43 industrial property, multiresidential property, and
44 property valued by the department of revenue pursuant
45 to chapters 428, 433, 434, 437, and 438 in each
46 assessing jurisdiction in the county shall be assessed
47 for taxation. The county auditor shall proceed
48 to determine the assessed values of agricultural
49 property, residential property, commercial property,
50 industrial property, multiresidential property, and

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1 property valued by the department of revenue pursuant
2 to chapters 428, 433, 434, 437, and 438 by applying
3 such percentages to the current actual value of such
4 property, as reported to the county auditor by the
5 assessor, and the assessed values so determined shall
6 be the taxable values of such properties upon which the
7 levy shall be made.

8 10. The percentage of actual value computed by
9 the director for agricultural property, residential
10 property, commercial property, industrial property,
11 multiresidential property, and property valued by the
12 department of revenue pursuant to chapters 428, 433,
13 434, 437, and 438 and used to determine assessed values
14 of those classes of property does not constitute a rule
15 as defined in section 17A.2, subsection 11.

16 Sec. 17. Section 441.21, Code 2013, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 13. a. Beginning with valuations
19 established on or after January 1, 2014, mobile home
20 parks, manufactured home communities, land-leased
21 communities, assisted living facilities, and that
22 portion of a building that is used for human habitation
23 and a proportionate share of the land upon which
24 the building is situated, even if the use for human
25 habitation is not the primary use of the building, and
26 regardless of the number of dwelling units located
27 in the building, and not otherwise classified as
28 residential property, shall be valued as a separate
29 class of property known as multiresidential property
30 and, excluding properties referred to in section
31 427A.1, subsection 8, shall be assessed at a percentage
32 of its actual value, as determined in this subsection.
33 For valuations established for the assessment year
34 beginning January 1, 2014, the percentage of actual
35 value as equalized by the director of revenue as
36 provided in section 441.49 at which multiresidential
37 property shall be assessed shall be ninety percent.
38 For valuations established for the assessment year
39 beginning January 1, 2015, the percentage of actual
40 value as equalized by the director of revenue as
41 provided in section 441.49 at which multiresidential
42 property shall be assessed shall be eighty percent.
43 For valuations established for the assessment year
44 beginning January 1, 2016, the percentage of actual
45 value as equalized by the director of revenue as
46 provided in section 441.49 at which multiresidential
47 property shall be assessed shall be seventy percent.
48 For valuations established for the assessment year
49 beginning January 1, 2017, the percentage of actual
50 value as equalized by the director of revenue as

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1 provided in section 441.49 at which multiresidential
2 property shall be assessed shall be sixty percent.
3 For valuations established for the assessment year
4 beginning January 1, 2018, and each assessment year
5 thereafter, the percentage of actual value as equalized
6 by the director of revenue as provided in section
7 441.49 at which multiresidential property shall be
8 assessed shall be equal to the percentage of actual
9 value at which property assessed as residential
10 property is assessed under subsection 4 for the same
11 assessment year, after application of the limitations
12 on increases in residential property provided for in
13 this section.

14 b. Accordingly, the assessor may assign more than
15 one classification to a parcel of property that, in
16 part, satisfies the requirements of this subsection.

17 c. In no case, however, shall property that is
18 rented or leased to low-income individuals and families
19 as authorized by section 42 of the Internal Revenue
20 Code, and that is subject to assessment procedures
21 relating to section 42 property under section 441.21,
22 subsection 2, or a hotel, motel, inn, or other building
23 where rooms or dwelling units are usually rented for
24 less than one month be classified as multiresidential
25 property under this subsection.

26 d. As used in this subsection:

27 (1) "Assisted living facility" means property for
28 providing assisted living as defined in section 231C.2.
29 "Assisted living facility" also includes a health care
30 facility, as defined in section 135C.1, an elder group
31 home, as defined in section 231B.1, a child foster care
32 facility under chapter 237, or property used for a
33 hospice program as defined in section 135J.1.

34 (2) "Dwelling unit" means an apartment, group of
35 rooms, or single room which is occupied as separate
36 living quarters or, if vacant, is intended for
37 occupancy as separate living quarters, in which a
38 tenant can live and sleep separately from any other
39 persons in the building.

40 (3) "Land-leased community" means the same as
41 defined in sections 335.30A and 414.28A.

42 (4) "Manufactured home community" means the same as
43 a land-leased community.

44 (5) "Mobile home park" means the same as defined in
45 section 435.1.

46 Sec. 18. Section 558.46, subsection 5, Code 2013,
47 is amended to read as follows:

48 5. For the purposes of this section, "residential
49 property" includes ~~commercial~~ multiresidential property
50 as defined in section 441.21, subsection 13, consisting

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1 of three or more separate living quarters with at least
2 seventy-five percent of the space used for residential
3 purposes.

4 Sec. 19. APPLICABILITY. This division of this
5 Act applies to assessment years beginning on or after
6 January 1, 2014.

7 DIVISION IV

8 TELECOMMUNICATIONS COMPANY PROPERTY TAXATION

9 Sec. 20. Section 427A.1, subsection 1, paragraph h,
10 Code 2013, is amended to read as follows:

11 h. Property assessed by the department of revenue
12 pursuant to sections 428.24 to 428.29, or chapters
13 ~~433, 434, 437, 437A, and 438.~~

14 Sec. 21. Section 427A.1, subsection 1, Code 2013,
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. 0i. Qualified telephone company
17 property that is used in the transaction of telegraph
18 and telephone business by a company that is subject to
19 assessment by the department of revenue pursuant to
20 chapter 433. "Qualified telephone company property"
21 means poles, aerial cable, underground cable, buried
22 cable, submarine and deep sea cable, intrabuilding
23 network cable, aerial wire, and conduit systems, all
24 within the meaning of the telecommunications companies
25 account provisions of 47 C.F.R. pt. 32, in effect on
26 the effective date of this division of this Act.

27 Sec. 22. Section 433.1, subsection 4, Code 2013, is
28 amended to read as follows:

29 4. The whole number of stations on each line, and
30 the value of the same, ~~including furniture.~~

31 Sec. 23. Section 433.4, Code 2013, is amended to
32 read as follows:

33 433.4 Assessment.

34 The director of revenue shall on or before October
35 31 each year ~~and in the same manner and subject to the~~
36 provisions for the assessment of property assessed
37 as commercial property by the local assessor under
38 chapters 427, 427A, 427B, 428, and 441, proceed to find
39 the actual value of the property of these companies
40 in this state ~~that is used by the companies in the~~
41 transaction of telegraph and telephone business, taking
42 into consideration the information obtained from the
43 statements required, and any further information the
44 director can obtain, using the same as a means for
45 determining the actual ~~cash~~ value of the property
46 of these companies within this state. The director
47 shall also take into consideration the valuation of
48 all property of these companies, including franchises
49 and the use of the property in connection with lines
50 outside the state, and making these deductions as may

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1 be necessary on account of extra value of property
2 outside the state as compared with the value of
3 property in the state, in order that the actual ~~each~~
4 value of the property of the company within this state
5 may be ascertained. ~~The assessment shall include~~
6 ~~all property of every kind and character whatsoever,~~
7 ~~real, personal, or mixed, used by the companies in the~~
8 ~~transaction of telegraph and telephone business; and~~
9 ~~the~~ The property so included in the assessment shall
10 not be taxed in any other manner than as provided in
11 this chapter.

12 Sec. 24. Section 441.21, subsection 5, Code 2013,
13 is amended to read as follows:

14 5. For valuations established as of January 1,
15 1979, commercial property and industrial property,
16 excluding properties referred to in section 427A.1,
17 subsection 8, shall be assessed as a percentage of
18 the actual value of each class of property. The
19 percentage shall be determined for each class of
20 property by the director of revenue for the state in
21 accordance with the provisions of this section. For
22 valuations established as of January 1, 1979, the
23 percentage shall be the quotient of the dividend and
24 divisor as defined in this section. The dividend
25 for each class of property shall be the total actual
26 valuation for each class of property established for
27 1978, plus six percent of the amount so determined.
28 The divisor for each class of property shall be the
29 valuation for each class of property established for
30 1978, as reported by the assessors on the abstracts
31 of assessment for 1978, plus the amount of value
32 added to the total actual value by the revaluation
33 of existing properties in 1979 as equalized by the
34 director of revenue pursuant to section 441.49. For
35 valuations established as of January 1, 1979, property
36 valued by the department of revenue pursuant to
37 chapters 428, ~~433~~, 437, and 438 shall be considered
38 as one class of property and shall be assessed as a
39 percentage of its actual value. The percentage shall
40 be determined by the director of revenue in accordance
41 with the provisions of this section. For valuations
42 established as of January 1, 1979, the percentage
43 shall be the quotient of the dividend and divisor as
44 defined in this section. The dividend shall be the
45 total actual valuation established for 1978 by the
46 department of revenue, plus ten percent of the amount
47 so determined. The divisor for property valued by
48 the department of revenue pursuant to chapters 428,
49 ~~433~~, 437, and 438 shall be the valuation established
50 for 1978, plus the amount of value added to the total

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1 actual value by the revaluation of the property by
2 the department of revenue as of January 1, 1979.
3 For valuations established as of January 1, 1980,
4 commercial property and industrial property, excluding
5 properties referred to in section 427A.1, subsection
6 8, shall be assessed at a percentage of the actual
7 value of each class of property. The percentage
8 shall be determined for each class of property by
9 the director of revenue for the state in accordance
10 with the provisions of this section. For valuations
11 established as of January 1, 1980, the percentage
12 shall be the quotient of the dividend and divisor as
13 defined in this section. The dividend for each class
14 of property shall be the dividend as determined for
15 each class of property for valuations established as
16 of January 1, 1979, adjusted by the product obtained
17 by multiplying the percentage determined for that year
18 by the amount of any additions or deletions to actual
19 value, excluding those resulting from the revaluation
20 of existing properties, as reported by the assessors
21 on the abstracts of assessment for 1979, plus four
22 percent of the amount so determined. The divisor
23 for each class of property shall be the total actual
24 value of all such property in 1979, as equalized by
25 the director of revenue pursuant to section 441.49,
26 plus the amount of value added to the total actual
27 value by the revaluation of existing properties in
28 1980. The director shall utilize information reported
29 on the abstracts of assessment submitted pursuant
30 to section 441.45 in determining such percentage.
31 For valuations established as of January 1, 1980,
32 property valued by the department of revenue pursuant
33 to chapters 428, ~~433~~, 437, and 438 shall be assessed
34 at a percentage of its actual value. The percentage
35 shall be determined by the director of revenue in
36 accordance with the provisions of this section. For
37 valuations established as of January 1, 1980, the
38 percentage shall be the quotient of the dividend and
39 divisor as defined in this section. The dividend shall
40 be the total actual valuation established for 1979 by
41 the department of revenue, plus eight percent of the
42 amount so determined. The divisor for property valued
43 by the department of revenue pursuant to chapters 428,
44 ~~433~~, 437, and 438 shall be the valuation established
45 for 1979, plus the amount of value added to the total
46 actual value by the revaluation of the property by
47 the department of revenue as of January 1, 1980. For
48 valuations established as of January 1, 1981, and
49 each year thereafter, the percentage of actual value
50 as equalized by the director of revenue as provided

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1 in section 441.49 at which commercial property and
2 industrial property, excluding properties referred to
3 in section 427A.1, subsection 8, shall be assessed
4 shall be calculated in accordance with the methods
5 provided herein, except that any references to six
6 percent in this subsection shall be four percent. For
7 valuations established as of January 1, 1981, and
8 each year thereafter, the percentage of actual value
9 at which property valued by the department of revenue
10 pursuant to chapters 428, ~~433~~, 437, and 438 shall be
11 assessed shall be calculated in accordance with the
12 methods provided herein, except that any references to
13 ten percent in this subsection shall be eight percent.
14 For valuations established on or after January 1, 2013,
15 property valued by the department of revenue pursuant
16 to chapter 433 shall be assessed at a percentage of
17 its actual value. For valuations established for
18 the assessment year beginning January 1, 2013, the
19 percentage of actual value at which property valued by
20 the department of revenue pursuant to chapter 433 shall
21 be assessed shall be eighty percent. For valuations
22 established for the assessment year beginning January
23 1, 2014, and each year thereafter, the percentage of
24 actual value at which property valued by the department
25 of revenue pursuant to chapter 433 shall be assessed
26 shall be sixty percent. Beginning with valuations
27 established as of January 1, 1979, and each year
28 thereafter, property valued by the department of
29 revenue pursuant to chapter 434 shall also be assessed
30 at a percentage of its actual value which percentage
31 shall be equal to the percentage determined by the
32 director of revenue for commercial property, industrial
33 property, or property valued by the department of
34 revenue pursuant to chapters 428, ~~433~~, 437, and 438,
35 whichever is lowest.

36 Sec. 25. Section 441.21, subsections 9 and 10, Code
37 2013, are amended to read as follows:
38 9. Not later than November 1, 1979, and November
39 1 of each subsequent year, the director shall certify
40 to the county auditor of each county the percentages
41 of actual value at which residential property,
42 agricultural property, commercial property, industrial
43 property, property valued by the department of
44 revenue under chapter 433, and property valued by
45 the department of revenue pursuant to chapters 428,
46 ~~433~~, 434, 437, and 438 in each assessing jurisdiction
47 in the county shall be assessed for taxation. The
48 county auditor shall proceed to determine the assessed
49 values of agricultural property, residential property,
50 commercial property, industrial property, property

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1 valued by the department of revenue under chapter
2 433, and property valued by the department of revenue
3 pursuant to chapters 428, ~~433~~, 434, 437, and 438 by
4 applying such percentages to the current actual value
5 of such property, as reported to the county auditor by
6 the assessor, and the assessed values so determined
7 shall be the taxable values of such properties upon
8 which the levy shall be made.

9 10. The percentage of actual value computed by
10 the director for agricultural property, residential
11 property, commercial property, industrial property,
12 property valued by the department of revenue under
13 chapter 433, and property valued by the department of
14 revenue pursuant to chapters 428, ~~433~~, 434, 437, and 438
15 and used to determine assessed values of those classes
16 of property does not constitute a rule as defined in
17 section 17A.2, subsection 11.

18 Sec. 26. Section 476.1D, subsection 10, Code 2013,
19 is amended by striking the subsection.

20 Sec. 27. EFFECTIVE DATE. The sections of this
21 division of this Act amending section 441.21, being
22 deemed of immediate importance, take effect upon
23 enactment.

24 Sec. 28. APPLICABILITY.

25 1. Except as provided in subsection 2, this
26 division of this Act applies to assessment years
27 beginning on or after January 1, 2014.

28 2. The sections of this division of this Act
29 amending section 441.21 apply retroactively to
30 assessment years beginning on or after January 1,
31 2013.

32 DIVISION V 33 TAXPAYERS TRUST FUND

34 Sec. 29. Section 8.54, subsection 5, Code 2013, is
35 amended by striking the subsection.

36 Sec. 30. Section 8.55, subsection 2, Code 2013, is
37 amended to read as follows:

38 2. The maximum balance of the fund is the amount
39 equal to two and one-half percent of the adjusted
40 revenue estimate for the fiscal year. If the amount of
41 moneys in the Iowa economic emergency fund is equal to
42 the maximum balance, moneys in excess of this amount
43 shall be ~~distributed as follows:~~

44 ~~a. The first sixty million dollars of the~~
45 ~~difference between the actual net revenue for the~~
46 ~~general fund of the state for the fiscal year and the~~
47 ~~adjusted revenue estimate for the fiscal year shall be~~
48 ~~transferred to the taxpayers trust fund.~~

49 ~~b. The remainder of the excess, if any, shall be~~
50 ~~transferred to the general fund of the state.~~

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Sec. 31. Section 8.57E, subsection 2, Code 2013, is amended to read as follows:

2. Moneys in the taxpayers trust fund shall only be used pursuant to appropriations or transfers made by the general assembly for tax relief. During each fiscal year beginning on or after July 1, 2014, in which the balance of the taxpayers trust fund equals or exceeds thirty million dollars, there is transferred from the taxpayers trust fund to the Iowa taxpayers trust fund tax credit fund created in section 422.11E, the entire balance of the taxpayers trust fund to be used for the Iowa taxpayers trust fund tax credit in accordance with section 422.11E, subsection 5.

Sec. 32. Section 8.58, Code 2013, is amended to read as follows:

8.58 Exemption from automatic application.

1. ~~To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys~~ Moneys appropriated ~~under~~ in section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, Iowa economic emergency fund, and taxpayers trust fund shall not be considered in the application of any formula, index, or other statutory triggering mechanism which would affect appropriations, payments, or taxation rates, contrary provisions of the Code notwithstanding.

2. ~~To the extent that moneys appropriated under section 8.57 do not result in moneys being credited to the general fund under section 8.55, subsection 2, moneys~~ Moneys appropriated ~~under~~ in section 8.57 and moneys contained in the cash reserve fund, rebuild Iowa infrastructure fund, environment first fund, Iowa economic emergency fund, and taxpayers trust fund shall not be considered by an arbitrator or in negotiations under chapter 20.

Sec. 33. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 34. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to July 1, 2012, to moneys attributed to fiscal years beginning on or after July 1, 2012.

DIVISION VI

IOWA TAXPAYERS TRUST FUND TAX CREDIT

Sec. 35. TAXPAYERS TRUST FUND — IOWA TAXPAYERS TRUST FUND TAX CREDIT TRANSFER. During the fiscal year beginning July 1, 2013, there is transferred from the taxpayers trust fund created in section 8.57E to the Iowa taxpayers trust fund tax credit fund created

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1 in section 422.11E, an amount equal to the sum of
2 the balance of the taxpayers trust fund as determined
3 after the close of the fiscal year beginning July 1,
4 2012, and ending June 30, 2013, including the amount
5 transferred for that fiscal year to the taxpayers trust
6 fund from the Iowa economic emergency fund created
7 in section 8.55 in the fiscal year beginning July 1,
8 2013, and ending June 30, 2014, to be used for the Iowa
9 taxpayers trust fund tax credit in accordance with
10 section 422.11E, subsection 5.

11 Sec. 36. Section 257.21, unnumbered paragraph 2,
12 Code 2013, is amended to read as follows:

13 The instructional support income surtax shall be
14 imposed on the state individual income tax for the
15 calendar year during which the school's budget year
16 begins, or for a taxpayer's fiscal year ending during
17 the second half of that calendar year and after the
18 date the board adopts a resolution to participate
19 in the program or the first half of the succeeding
20 calendar year, and shall be imposed on all individuals
21 residing in the school district on the last day of
22 the applicable tax year. As used in this section,
23 "state individual income tax" means the taxes computed
24 under section 422.5, less the amounts of nonrefundable
25 credits allowed under chapter 422, division II, except
26 for the Iowa taxpayers trust fund tax credit allowed
27 under section 422.11E.

28 Sec. 37. NEW SECTION. 422.11E Iowa taxpayers trust
29 fund tax credit.

30 1. For purposes of this section, unless the context
31 otherwise requires:

32 a. "Eligible individual" means, with respect to
33 a tax year, an individual who makes and files an
34 individual income tax return pursuant to section
35 422.13. "Eligible individual" does not include
36 an estate or trust, or an individual for whom an
37 individual income tax return was not timely filed,
38 including extensions.

39 b. "Unclaimed tax credit" means, with respect to
40 a tax year, the aggregate amount by which the Iowa
41 taxpayers trust fund tax credits that were eligible to
42 be claimed by eligible individuals, if any, exceeds the
43 Iowa taxpayers trust fund tax credits actually claimed
44 by eligible individuals, if any.

45 2. The taxes imposed under this division, less the
46 credits allowed under this division except the credits
47 for withheld tax and estimated tax paid in section
48 422.16, shall be reduced by an Iowa taxpayers trust
49 fund tax credit to an eligible individual for the tax
50 year beginning January 1 immediately preceding July 1

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1 of any fiscal year during which a transfer, if any, is
2 made from the taxpayers trust fund in section 8.57E to
3 the Iowa taxpayers trust fund tax credit fund created
4 in this section.

5 3. The credit shall be equal to the quotient of
6 the amount transferred to the Iowa taxpayers trust
7 fund tax credit fund in the applicable fiscal year,
8 divided by the number of eligible individuals for the
9 tax year immediately preceding the tax year for which
10 the credit in this section is allowed, as determined
11 by the director of revenue in accordance with this
12 section, rounded down to the nearest whole dollar. The
13 department of revenue shall draft the income tax form
14 for any tax year in which a credit will be allowed
15 under this section to provide the information and space
16 necessary for eligible individuals to claim the credit.

17 4. Any credit in excess of the taxpayer's liability
18 for the tax year is not refundable and shall not be
19 credited to the tax liability for any following year
20 or carried back to a tax year prior to the tax year in
21 which the taxpayer claims the credit.

22 5. a. There is established within the state
23 treasury under the control of the department an Iowa
24 taxpayers trust fund tax credit fund consisting of any
25 moneys transferred by the general assembly by law from
26 the taxpayers trust fund created in section 8.57E for
27 purposes of the credit provided in this section. For
28 the fiscal year beginning July 1, 2013, and for each
29 fiscal year thereafter, the department shall transfer
30 from the Iowa taxpayers trust fund tax credit fund
31 to the general fund of the state, the lesser of the
32 balance of the Iowa taxpayers trust fund tax credit
33 fund or an amount of money equal to the Iowa taxpayers
34 trust fund tax credits claimed in that fiscal year, if
35 any. Any moneys in the Iowa taxpayers trust fund tax
36 credit fund which represent unclaimed tax credits shall
37 immediately revert to the taxpayers trust fund created
38 in section 8.57E. Interest or earnings on moneys in
39 the Iowa taxpayers trust fund tax credit fund shall be
40 credited to the taxpayers trust fund created in section
41 8.57E.

42 b. The moneys transferred to the general fund of
43 the state in accordance with this subsection shall not
44 be considered new revenues for purposes of the state
45 general fund expenditure limitation under section 8.54
46 but instead as replacement of a like amount included in
47 the expenditure limitation for the fiscal year in which
48 the transfer is made.

49 Sec. 38. Section 422D.2, Code 2013, is amended to
50 read as follows:

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1 422D.2 Local income surtax.

2 A county may impose by ordinance a local income
3 surtax as provided in section 422D.1 at the rate set
4 by the board of supervisors, of up to one percent,
5 on the state individual income tax of each individual
6 residing in the county at the end of the individual's
7 applicable tax year. However, the cumulative total of
8 the percents of income surtax imposed on any taxpayer
9 in the county shall not exceed twenty percent. The
10 reason for imposing the surtax and the amount needed
11 shall be set out in the ordinance. The surtax rate
12 shall be set to raise only the amount needed. For
13 purposes of this section, "state individual income tax"
14 means the tax computed under section 422.5, less the
15 amounts of nonrefundable credits allowed under chapter
16 422, division II, except for the Iowa taxpayers trust
17 fund tax credit allowed under section 422.11E.

18 Sec. 39. EFFECTIVE UPON ENACTMENT. This division
19 of this Act, being deemed of immediate importance,
20 takes effect upon enactment.

21 Sec. 40. RETROACTIVE APPLICABILITY. This division
22 of this Act applies retroactively to January 1, 2013,
23 for tax years beginning on or after that date.

24 DIVISION VII

25 PROPERTY ASSESSMENT APPEALS

26 Sec. 41. Section 421.1A, subsection 6, Code 2013,
27 is amended to read as follows:

28 6. The members of the property assessment appeal
29 board shall receive compensation from the state
30 commensurate with the salary of a district judge
31 ~~through December 31, 2013.~~ The members of the board
32 shall be considered state employees for purposes of
33 salary and benefits. The members of the board and
34 any employees of the board, when required to travel
35 in the discharge of official duties, shall be paid
36 their actual and necessary expenses incurred in the
37 performance of duties.

38 Sec. 42. Section 421.1A, subsection 7, Code 2013,
39 is amended by striking the subsection.

40 Sec. 43. Section 441.21, subsection 3, Code 2013,
41 is amended to read as follows:

42 3. a. "Actual value", "taxable value", or "assessed
43 value" as used in other sections of the Code in
44 relation to assessment of property for taxation shall
45 mean the valuations as determined by this section;
46 however, other provisions of the Code providing special
47 methods or formulas for assessing or valuing specified
48 property shall remain in effect, but this section
49 shall be applicable to the extent consistent with such
50 provisions. The assessor and department of revenue

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1 shall disclose at the written request of the taxpayer
2 all information in any formula or method used to
3 determine the actual value of the taxpayer's property.
4 b. The burden of proof shall be upon any
5 complainant attacking such valuation as excessive,
6 inadequate, inequitable, or capricious; however, in
7 protest or appeal proceedings when the complainant
8 offers competent evidence by at least two disinterested
9 witnesses that the market value of the property is less
10 than the market value determined by the assessor, the
11 burden of proof thereafter shall be upon the officials
12 or persons seeking to uphold such valuation to be
13 assessed.

14 Sec. 44. Section 441.35, subsection 2, Code 2013,
15 is amended to read as follows:

16 2. In any year after the year in which an
17 assessment has been made of all of the real estate
18 in any taxing district, the board of review shall
19 meet as provided in section 441.33, and where the
20 board finds the same has changed in value, the board
21 shall revalue and reassess any part or all of the
22 real estate contained in such taxing district, and
23 in such case, the board shall determine the actual
24 value as of January 1 of the year of the revaluation
25 and reassessment and compute the taxable value
26 thereof. ~~Any aggrieved taxpayer may petition for~~
27 ~~a revaluation of the taxpayer's property, but no~~
28 ~~reduction or increase shall be made for prior years.~~
29 If the assessment of any such property is raised, or
30 any property is added to the tax list by the board,
31 the clerk shall give notice in the manner provided in
32 section 441.36. However, if the assessment of all
33 property in any taxing district is raised, the board
34 may instruct the clerk to give immediate notice by one
35 publication in one of the official newspapers located
36 in the taxing district, and such published notice
37 shall take the place of the mailed notice provided for
38 in section 441.36, but all other provisions of that
39 section shall apply. The decision of the board as to
40 the foregoing matters shall be subject to appeal to the
41 property assessment appeal board within the same time
42 and in the same manner as provided in section 441.37A
43 and to the district court within the same time and in
44 the same manner as provided in section 441.38.

45 Sec. 45. Section 441.37, subsection 1, paragraphs a
46 and b, Code 2013, are amended to read as follows:

47 a. Any property owner or aggrieved taxpayer who is
48 dissatisfied with the owner's or taxpayer's assessment
49 may file a protest against such assessment with the
50 board of review on or after April 16, to and including

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1 May 5, of the year of the assessment. In any county
2 which has been declared to be a disaster area by proper
3 federal authorities after March 1 and prior to May 20
4 of said year of assessment, the board of review shall
5 be authorized to remain in session until June 15 and
6 the time for filing a protest shall be extended to and
7 include the period from May 25 to June 5 of such year.

8 ~~Said~~ The protest shall be in writing and signed by the
9 one protesting or by the protester's duly authorized
10 agent. The taxpayer may have an oral hearing ~~thereon~~
11 on the protest if request ~~therefor~~ for the oral hearing
12 is made ~~is made~~ at the time of filing the
13 protest. ~~Said~~ The protest must be confined to one or
14 more of the following grounds:

15 (1) For odd-numbered assessment years and for
16 even-numbered assessment years for property that was
17 reassessed in such even-numbered assessment year;

18 (a) That said assessment is not equitable as
19 compared with assessments of other like property in
20 the ~~taxing district~~ assessing jurisdiction. When this
21 ground is relied upon ~~as the basis of a protest the~~
22 legal description and assessments of a representative
23 number of comparable properties, as described by the
24 aggrieved taxpayer shall be listed on the protest,
25 otherwise said protest shall not be considered on this
26 ground consideration shall be given to whether the
27 other like property in the assessing jurisdiction was
28 appraised using a different appraisal methodology than
29 the methodology used to appraise the property that is
30 the subject of the protest.

31 ~~(2) (b)~~ That the property is assessed for more
32 than the value authorized by law, ~~stating. When~~
33 this ground is relied upon, the specific amount which
34 the protesting party believes the property to be
35 overassessed, and the amount which the party considers
36 to be its actual value and ~~the amount the party~~
37 considers a fair assessment shall be stated.

38 ~~(3) (c)~~ That the property is not assessable, is
39 exempt from taxes, or is misclassified and stating the
40 reasons for the protest.

41 ~~(4) (d)~~ That there is an error in the assessment
42 and state the specific alleged error. When this ground
43 is relied upon, it may include but is not limited to
44 listing errors, clerical or mathematical errors, or
45 other errors that result in an error in the assessment.

46 ~~(5) (e)~~ That there is fraud in the assessment
47 which shall be specifically stated.

48 (2) For even-numbered assessment years, when the
49 property has not been reassessed in such even-numbered
50 assessment year, that there has been a decrease in the

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1 value of the property from the previous reassessment
2 year. When this ground is relied upon, the decrease in
3 value shall be shown by comparing the market value of
4 the property as of January 1 of the current assessment
5 year and the actual value of the property for the
6 previous reassessment year. Such protest shall be
7 in the same manner as described in this section and
8 shall be reviewed by the local board of review pursuant
9 to section 441.35, subsection 2, but no reduction or
10 increase shall be made for prior years.

11 b. In addition to the above, the property owner
12 may protest annually to the board of review under
13 the provisions of section 441.35, but such protest
14 shall be in the same manner and upon the same terms as
15 heretofore prescribed in this section. The burden of
16 proof for all protests filed under this section shall
17 be as stated in section 441.21, subsection 3, paragraph
18 "b".

19 Sec. 46. Section 441.37A, subsection 1, paragraph
20 b, Code 2013, is amended to read as follows:

21 b. For an appeal to the property assessment appeal
22 board to be valid, written notice must be filed by
23 the party appealing the decision with the secretary
24 of the property assessment appeal board within twenty
25 days after the date the board of review's letter of
26 disposition of the appeal is postmarked to the party
27 making the protest. adjournment of the local board of
28 review or May 31, whichever is later. The written
29 notice of appeal shall include a petition setting forth
30 the basis of the appeal and the relief sought. No new
31 grounds in addition to those set out in the protest
32 to the local board of review as provided in section
33 441.37 can be pleaded, but additional evidence to
34 sustain those grounds may be introduced. The assessor
35 shall have the same right to appeal to the assessment
36 appeal board as an individual taxpayer, public body, or
37 other public officer as provided in section 441.42. An
38 appeal to the board is a contested case under chapter
39 17A.

40 Sec. 47. Section 441.37A, subsection 2, paragraph
41 a, Code 2013, is amended to read as follows:

42 a. A party to the appeal may request a hearing or
43 the appeal may proceed without a hearing. If a hearing
44 is requested, the appellant and the local board of
45 review from which the appeal is taken shall be given
46 at least thirty days' written notice by the property
47 assessment appeal board of the date the appeal shall be
48 heard and the local board of review may be present and
49 participate at such hearing. Notice to all affected
50 taxing districts shall be deemed to have been given

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1 when written notice is provided to the local board of
2 review. The requirement of thirty days' written notice
3 may be waived by mutual agreement of all parties to
4 the appeal. Failure by the appellant to appear at
5 the property assessment appeal board hearing shall ~~be~~
6 ~~grounds for result in~~ dismissal of the appeal unless a
7 continuance is granted to the appellant by the board
8 following a showing of good cause for the appellant's
9 failure to appear. If an appeal is dismissed for
10 failure to appear, the property assessment appeal board
11 shall have no jurisdiction to consider any subsequent
12 appeal on the appellant's protest.

13 Sec. 48. Section 441.37A, subsection 3, paragraph
14 a, Code 2013, is amended to read as follows:

15 a. The board member considering the appeal shall
16 determine anew all questions arising before the local
17 board of review which relate to the liability of
18 the property to assessment or the amount thereof.
19 All of the evidence shall be considered and there
20 shall be no presumption as to the correctness of the
21 valuation of assessment appealed from. The burden
22 of proof for all appeals before the board shall be
23 as stated in section 441.21, subsection 3, paragraph
24 "b". The property assessment appeal board shall make a
25 decision in each appeal filed with the board. If the
26 appeal is considered by less than a majority of the
27 board, the determination made by that member shall be
28 forwarded to the full board for approval, rejection, or
29 modification. If the initial determination is rejected
30 by the board, it shall be returned for reconsideration
31 to the board member making the initial determination.
32 Any deliberation of the board regarding an initial
33 determination shall be confidential.

34 Sec. 49. REPEAL. 2005 Iowa Acts, chapter 150,
35 section 134, is repealed.

36 Sec. 50. EFFECTIVE UPON ENACTMENT. This division
37 of this Act, being deemed of immediate importance,
38 takes effect upon enactment.

39 Sec. 51. APPLICABILITY. The following provisions
40 of this division of this Act apply to assessment years
41 beginning on or after January 1, 2014:

42 1. The section of this division of this Act
43 amending section 441.37.

44 2. The section of this division of this Act
45 amending section 441.35.

46 DIVISION VIII

47 COUNTY AND CITY BUDGET LIMITATION

48 Sec. 52. Section 23A.2, subsection 10, paragraph h,
49 Code 2013, is amended to read as follows:

50 h. The performance of an activity listed in

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1 section 331.424, Code 2013 as a service ~~for~~ which a
2 ~~supplemental levy county may be certified include in~~
3 ~~its budget.~~

4 Sec. 53. Section 28M.5, subsection 2, Code 2013, is
5 amended to read as follows:

6 2. If a regional transit district budget allocates
7 revenue responsibilities to the board of supervisors
8 of a participating county, the amount of the regional
9 transit district levy that is the responsibility of the
10 participating county shall be deducted from the maximum
11 ~~rates amount~~ of taxes authorized to be levied by the
12 county pursuant to section 331.423, ~~subsections 1 and~~
13 ~~2 subsection 3, paragraph "b" and "c",~~ as applicable,
14 unless the county meets its revenue responsibilities as
15 allocated in the budget from other available revenue
16 sources. However, for a regional transit district
17 that includes a county with a population of less than
18 three hundred thousand, the amount of the regional
19 transit district levy that is the responsibility of
20 such participating county shall be deducted from the
21 maximum ~~rate amount~~ of taxes authorized to be levied
22 by the county pursuant to section 331.423, subsection
23 ~~1 3, paragraph "b".~~

24 Sec. 54. Section 29C.17, subsection 2, paragraph a,
25 Code 2013, is amended by striking the paragraph.

26 Sec. 55. Section 123.38, subsection 2, Code 2013,
27 is amended to read as follows:

28 2. Any licensee or permittee, or the licensee's
29 or permittee's executor or administrator, or any
30 person duly appointed by the court to take charge of
31 and administer the property or assets of the licensee
32 or permittee for the benefit of the licensee's or
33 permittee's creditors, may voluntarily surrender a
34 license or permit to the division. When a license
35 or permit is surrendered the division shall notify
36 the local authority, and the division or the local
37 authority shall refund to the person surrendering the
38 license or permit, a proportionate amount of the fee
39 received by the division or the local authority for
40 the license or permit as follows: if a license or
41 permit is surrendered during the first three months
42 of the period for which it was issued, the refund
43 shall be three-fourths of the amount of the fee;
44 if surrendered more than three months but not more
45 than six months after issuance, the refund shall be
46 one-half of the amount of the fee; if surrendered more
47 than six months but not more than nine months after
48 issuance, the refund shall be one-fourth of the amount
49 of the fee. No refund shall be made, however, for
50 any special liquor permit, nor for a liquor control

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1 license, wine permit, or beer permit surrendered more
2 than nine months after issuance. For purposes of this
3 subsection, any portion of license or permit fees
4 used for the purposes authorized in section 331.424,
5 subsection 1, paragraph "a", subparagraphs (1) and
6 (2), Code 2013, and in section 331.424A, shall not be
7 deemed received either by the division or by a local
8 authority. No refund shall be made to any licensee or
9 permittee, upon the surrender of the license or permit,
10 if there is at the time of surrender, a complaint filed
11 with the division or local authority, charging the
12 licensee or permittee with a violation of this chapter.
13 If upon a hearing on a complaint the license or permit
14 is not revoked or suspended, then the licensee or
15 permittee is eligible, upon surrender of the license
16 or permit, to receive a refund as provided in this
17 section; but if the license or permit is revoked or
18 suspended upon hearing the licensee or permittee is not
19 eligible for the refund of any portion of the license
20 or permit fee.

21 Sec. 56. Section 218.99, Code 2013, is amended to
22 read as follows:

23 218.99 Counties to be notified of patients' personal
24 accounts.

25 The administrator in control of a state institution
26 shall direct the business manager of each institution
27 under the administrator's jurisdiction ~~which is~~
28 ~~mentioned in section 331.424, subsection 1, paragraph~~
29 ~~"a", subparagraphs (1) and (2), and for which services~~
30 are paid under section 331.424A, to quarterly inform
31 the county of legal settlement's entity designated to
32 perform the county's central point of coordination
33 process of any patient or resident who has an amount
34 in excess of two hundred dollars on account in the
35 patients' personal deposit fund and the amount on
36 deposit. The administrators shall direct the business
37 manager to further notify the entity designated to
38 perform the county's central point of coordination
39 process at least fifteen days before the release of
40 funds in excess of two hundred dollars or upon the
41 death of the patient or resident. the patient or
42 resident has no county of legal settlement, notice
43 shall be made to the director of human services and the
44 administrator in control of the institution involved.

45 Sec. 57. Section 331.263, subsection 2, Code 2013,
46 is amended to read as follows:

47 2. The governing body of the community commonwealth
48 shall have the authority to levy county taxes and shall
49 have the authority to levy city taxes to the extent the
50 city tax levy authority is transferred by the charter

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1 to the community commonwealth. A city participating
2 in the community commonwealth shall transfer a portion
3 of the city's tax levy authorized under section 384.1
4 or 384.12, whichever is applicable, to the governing
5 body of the community commonwealth. The maximum
6 ~~rates amount~~ of taxes authorized to be levied under
7 ~~sections section 384.1 and the maximum amount of taxes~~
8 ~~authorized to be levied under section~~384.12 by a city
9 participating in the community commonwealth shall be
10 reduced by an amount equal to the rates of the same or
11 similar taxes levied in the city by the governing body
12 of the community commonwealth.

13 Sec. 58. Section 331.301, subsection 12, Code 2013,
14 is amended to read as follows:

15 12. The board of supervisors may credit funds to
16 a reserve for the purposes authorized by subsection
17 11 of this section; ~~section 331.424, subsection 1,~~
18 ~~paragraph "a", subparagraph (5); and section 331.441,~~
19 subsection 2, paragraph "b". Moneys credited to the
20 reserve, and interest earned on such moneys, shall
21 remain in the reserve until expended for purposes
22 authorized by subsection 11 of this section; ~~section~~
23 ~~331.424, subsection 1, paragraph "a", subparagraph (5);~~
24 or section 331.441, subsection 2, paragraph "b".

25 Sec. 59. Section 331.421, subsections 1 and 10,
26 Code 2013, are amended by striking the subsections.

27 Sec. 60. Section 331.421, Code 2013, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 7A. "Item" means a budgeted
30 expenditure, appropriation, or cash reserve from a
31 fund for a service area, program, program element, or
32 purpose.

33 Sec. 61. Section 331.422, unnumbered paragraph 1,
34 Code 2013, is amended to read as follows:

35 Subject to this section and sections 331.423 through
36 ~~331.426~~ 331.424 or as otherwise provided by state law,
37 the board of each county shall certify property taxes
38 annually at its March session to be levied for county
39 purposes as follows:

40 Sec. 62. Section 331.423, Code 2013, is amended by
41 striking the section and inserting in lieu thereof the
42 following:

43 331.423 Property tax dollars — maximums.

44 1. Annually, the board shall determine separate
45 property tax levy limits to pay for general county
46 services and rural county services in accordance with
47 this section. The property tax levies separately
48 certified for general county services and rural county
49 services under section 331.434 shall not raise property
50 tax dollars that exceed the amount determined under

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- 1 this section.
- 2 2. For purposes of this section and section
- 3 331.423B, unless the context otherwise requires:
- 4 a. "Annual growth factor" means an index, expressed
- 5 as a percentage, determined by the department of
- 6 management by January 1 of the calendar year in which
- 7 the budget year begins. In determining the annual
- 8 growth factor, the department shall calculate the
- 9 average of the preceding twelve-month percentage
- 10 change, which shall be computed on a monthly basis,
- 11 in the midwest consumer price index, ending with the
- 12 percentage change for the month of November. The
- 13 department shall then add that average percentage
- 14 change to one hundred percent. In no case, however,
- 15 shall the annual growth factor exceed one hundred four
- 16 percent.
- 17 b. "Boundary adjustment" means annexation,
- 18 severance, incorporation, or discontinuance as those
- 19 terms are defined in section 368.1.
- 20 c. "Budget year" is the fiscal year beginning
- 21 during the calendar year in which a budget is
- 22 certified.
- 23 d. "Current fiscal year" is the fiscal year
- 24 ending during the calendar year in which a budget is
- 25 certified.
- 26 e. "Net new valuation taxes" means the amount of
- 27 property tax dollars equal to the current fiscal year's
- 28 levy rate in the county for general county services or
- 29 for rural county services, as applicable, multiplied by
- 30 the increase from the current fiscal year to the budget
- 31 year in taxable valuation due to the following:
- 32 (1) Net new construction, excluding all incremental
- 33 valuation that is released in any one year from either
- 34 a division of revenue under section 260E.4 or 357H.9,
- 35 or an urban renewal area for which taxes were being
- 36 divided under section 403.19 if the property for
- 37 the valuation being released remains subject to the
- 38 division of revenue under section 260E.4 or 357H.9, or
- 39 remains part of the urban renewal area that is subject
- 40 to a division of revenue under section 403.19.
- 41 (2) Additions or improvements to existing
- 42 structures.
- 43 (3) Remodeling of existing structures for which a
- 44 building permit is required.
- 45 (4) Net boundary adjustment.
- 46 (5) A municipality no longer dividing tax revenues
- 47 in an urban renewal area as provided in section 403.19,
- 48 a community college no longer dividing revenues as
- 49 provided in section 260E.4, or a rural improvement zone
- 50 no longer dividing revenues as provided in section

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1 357H.9.

2 (6) That portion of taxable property located in an
3 urban revitalization area on which an exemption was
4 allowed and such exemption has expired.

5 3. a. For the fiscal year beginning July 1, 2014,
6 and subsequent fiscal years, the maximum amount of
7 property tax dollars which may be certified for levy by
8 a county for general county services and rural county
9 services shall be the maximum property tax dollars
10 calculated under paragraphs "b" and "c", respectively.

11 b. The maximum property tax dollars that may be
12 levied for general county services is an amount equal
13 to the sum of the following:

14 (1) The annual growth factor times the current
15 fiscal year's maximum property tax dollars for general
16 county services.

17 (2) The amount of net new valuation taxes in the
18 county.

19 c. The maximum property tax dollars that may be
20 levied for rural county services is an amount equal to
21 the sum of the following:

22 (1) The annual growth factor times the current
23 fiscal year's maximum property tax dollars for rural
24 county services.

25 (2) The amount of net new valuation taxes in the
26 unincorporated area of the county.

27 4. a. For purposes of calculating maximum property
28 tax dollars for general county services for the fiscal
29 year beginning July 1, 2014, only, the term "current
30 fiscal year's maximum property tax dollars" shall mean
31 the total amount of property tax dollars certified by
32 the county for general county services for the fiscal
33 year beginning July 1, 2013.

34 b. For purposes of calculating maximum property tax
35 dollars for rural county services for the fiscal year
36 beginning July 1, 2014, only, the term "current fiscal
37 year's maximum property tax dollars" shall mean the
38 total amount of property tax dollars certified by the
39 county for rural county services for the fiscal year
40 beginning July 1, 2013.

41 5. Property taxes certified for mental health,
42 mental retardation, and developmental disabilities
43 services, the emergency services fund in section
44 331.424C, the debt service fund in section 331.430,
45 any capital projects fund established by the county
46 for deposit of bond, loan, or note proceeds, and
47 any temporary increase approved pursuant to section
48 331.424, are not included in the maximum amount of
49 property tax dollars that may be certified for a budget
50 year under subsection 3.

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6. The department of management, in consultation with the county finance committee, shall adopt rules to administer this section. The department shall prescribe forms to be used by counties when making calculations required by this section.

Sec. 63. NEW SECTION. 331.423B Ending fund balance.

1. a. Budgeted ending fund balances for a budget year in excess of twenty-five percent of budgeted expenditures in either the general fund or rural services fund for that budget year shall be explicitly reserved or designated for a specific purpose.

b. A county is encouraged, but not required, to reduce ending fund balances for the budget year to an amount equal to approximately twenty-five percent of budgeted expenditures and transfers from the general fund and rural services fund for that budget year unless a decision is certified by the state appeal board ordering a reduction in the ending fund balance of any of those funds.

c. In a protest to the county budget under section 331.436, the county shall have the burden of proving that the budgeted balances in excess of twenty-five percent are reasonably likely to be appropriated for the explicitly reserved or designated specific purpose. The excess budgeted balance for the specific purpose shall be considered an increase in an item in the budget for purposes of section 24.28.

2. a. For a county that has, as of June 30, 2013, reduced its actual ending fund balance to less than twenty-five percent of actual expenditures, additional property taxes may be computed and levied as provided in this subsection. The additional property tax levy amount is an amount not to exceed twenty-five percent of actual expenditures from the general fund and rural services fund for the fiscal year beginning July 1, 2012, minus the combined ending fund balances for those funds for that year.

b. The amount of the additional property taxes shall be apportioned between the general fund and the rural services fund. However, the amount apportioned for general county services and for rural county services shall not exceed for each fund twenty-five percent of actual expenditures for the fiscal year beginning July 1, 2012.

c. All or a portion of additional property tax dollars may be levied for the purpose of increasing cash reserves for general county services and rural county services in the budget year. The additional property tax dollars authorized under this subsection

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1 but not levied may be carried forward as unused ending
2 fund balance taxing authority until and for the fiscal
3 year beginning July 1, 2019. The amount carried
4 forward shall not exceed twenty-five percent of the
5 maximum amount of property tax dollars available in
6 the current fiscal year. Additionally, property taxes
7 that are levied as unused ending fund balance taxing
8 authority under this subsection may be the subject of
9 a protest under section 331.436, and the amount will
10 be considered an increase in an item in the budget for
11 purposes of section 24.28. The amount of additional
12 property taxes levied under this subsection shall not
13 be included in the computation of the maximum amount of
14 property tax dollars which may be certified and levied
15 under section 331.423.

16 Sec. 64. Section 331.424, Code 2013, is amended by
17 striking the section and inserting in lieu thereof the
18 following:

19 331.424 Authority to levy beyond maximum property
20 tax dollars.

21 1. The board may certify additions to the maximum
22 amount of property tax dollars to be levied for
23 a period of time not to exceed two years if the
24 proposition has been submitted at a special election
25 and received a favorable majority of the votes cast on
26 the proposition.

27 2. The special election is subject to the
28 following:

29 a. The board must give at least thirty-two days'
30 notice to the county commissioner of elections that the
31 special election is to be held. In no case, however,
32 shall a notice be given to the county commissioner
33 of elections after December 31 for an election on a
34 proposition to exceed the statutory limits during the
35 fiscal year beginning in the next calendar year.

36 b. The special election shall be conducted by the
37 county commissioner of elections in accordance with
38 law.

39 c. The proposition to be submitted shall be
40 substantially in the following form:

41 Vote "yes" or "no" on the following: Shall the
42 county of _____ levy for an additional \$_____ each
43 year for ____ years beginning July 1, ____, in excess
44 of the statutory limits otherwise applicable for the
45 (general county services or rural services) fund?

46 d. The canvass shall be held beginning at 1:00 p.m.
47 on the second day which is not a holiday following the
48 special election.

49 e. Notice of the special election shall be
50 published at least once in a newspaper as specified

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1 in section 331.305 prior to the date of the special
2 election. The notice shall appear as early as
3 practicable after the board has voted to submit a
4 proposition to the voters to levy additional property
5 tax dollars.

6 3. Registered voters in the county may vote on the
7 proposition to increase property taxes for the general
8 fund in excess of the statutory limit. Registered
9 voters residing outside the corporate limits of a
10 city within the county may vote on the proposition to
11 increase property taxes for the rural services fund in
12 excess of the statutory limit.

13 4. The amount of additional property tax dollars
14 certified under this section shall not be included in
15 the computation of the maximum amount of property tax
16 dollars which may be certified and levied under section
17 331.423.

18 Sec. 65. Section 331.424A, subsection 4, Code 2013,
19 is amended to read as follows:

20 4. For the fiscal year beginning July 1, 1996,
21 and for each subsequent fiscal year, the county shall
22 certify a levy for payment of services. For each
23 fiscal year, county revenues from taxes imposed by the
24 county credited to the services fund shall not exceed
25 an amount equal to the amount of base year expenditures
26 for services as defined in section 331.438, less the
27 amount of property tax relief to be received pursuant
28 to section 426B.2, in the fiscal year for which the
29 budget is certified. The county auditor and the
30 board of supervisors shall reduce the amount of the
31 levy certified for the services fund by the amount of
32 property tax relief to be received. A levy certified
33 under this section is not subject to ~~the appeal~~
34 ~~provisions of section 331.426 or to~~ any other provision
35 in law authorizing a county to exceed, increase, or
36 appeal a property tax levy limit.

37 Sec. 66. Section 331.427, subsection 3, paragraph
38 1, Code 2013, is amended to read as follows:

39 1. Services listed in section 331.424, subsection
40 1, Code 2013, and section 331.554.

41 Sec. 67. Section 331.428, subsection 2, paragraph
42 d, Code 2013, is amended to read as follows:

43 d. Services listed under section 331.424,
44 subsection 2, Code 2013.

45 Sec. 68. Section 331.434, unnumbered paragraph 1,
46 Code 2013, is amended to read as follows:

47 Annually, the board of each county, subject to
48 section 331.403, subsection 4, sections 331.423 through
49 ~~331.426~~ 331.424, and other applicable state law, shall
50 prepare and adopt a budget, certify taxes, and provide

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1 appropriations as follows:

2 Sec. 69. Section 331.435, unnumbered paragraph 1,
3 Code 2013, is amended to read as follows:

4 The board may amend the adopted county budget,
5 subject to sections 331.423 through ~~331.426~~ 331.424 and
6 other applicable state law, to permit increases in any
7 class of proposed expenditures contained in the budget
8 summary published under section 331.434, subsection 3.

9 Sec. 70. Section 373.10, Code 2013, is amended to
10 read as follows:

11 373.10 Taxing authority.

12 The metropolitan council shall have the authority
13 to levy city taxes to the extent the city tax levy
14 authority is transferred by the charter to the
15 metropolitan council. A member city shall transfer
16 a portion of the city's tax levy authorized under
17 section 384.1 or 384.12, whichever is applicable, to
18 the metropolitan council. The maximum ~~rates~~ amount of
19 taxes authorized to be levied under ~~sections~~ section
20 384.1 and ~~the taxes authorized to be levied under~~
21 section 384.12 by a member city shall be reduced by an
22 amount equal to the rates of the same or similar taxes
23 levied in the city by the metropolitan council.

24 Sec. 71. Section 384.1, Code 2013, is amended by
25 striking the section and inserting in lieu thereof the
26 following:

27 384.1 Property tax dollars — maximums.

28 1. A city shall certify taxes to be levied by the
29 city on all taxable property within the city limits,
30 for all city government purposes. Annually, the city
31 council may certify basic levies for city government
32 purposes, subject to the limitation on property tax
33 dollars provided in this section.

34 2. For purposes of this section and section 384.1B,
35 unless the context otherwise requires:

36 a. "Annual growth factor" means an index, expressed
37 as a percentage, determined by the department of
38 management by January 1 of the calendar year in which
39 the budget year begins. In determining the annual
40 growth factor, the department shall calculate the
41 average of the preceding twelve-month percentage
42 change, which shall be computed on a monthly basis,
43 in the midwest consumer price index, ending with the
44 percentage change for the month of November. The
45 department shall then add that average percentage
46 change to one hundred percent. In no case, however,
47 shall the annual growth factor exceed one hundred four
48 percent.

49 b. "Boundary adjustment" means annexation,
50 severance, incorporation, or discontinuance as those

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1 terms are defined in section 368.1.

2 c. "Budget year" is the fiscal year beginning
3 during the calendar year in which a budget is
4 certified.

5 d. "Current fiscal year" is the fiscal year
6 ending during the calendar year in which a budget is
7 certified.

8 e. "Net new valuation taxes" means the amount of
9 property tax dollars equal to the current fiscal year's
10 levy rate in the city for the general fund multiplied
11 by the increase from the current fiscal year to the
12 budget year in taxable valuation due to the following:

13 (1) Net new construction, excluding all incremental
14 valuation that is released in any one year from either
15 a division of revenue under section 260E.4 or an urban
16 renewal area for which taxes were being divided under
17 section 403.19 if the property for the valuation being
18 released remains subject to the division of revenue
19 under section 260E.4 or remains part of the urban
20 renewal area that is subject to a division of revenue
21 under section 403.19.

22 (2) Additions or improvements to existing
23 structures.

24 (3) Remodeling of existing structures for which a
25 building permit is required.

26 (4) Net boundary adjustment.

27 (5) A municipality no longer dividing tax revenues
28 in an urban renewal area as provided in section 403.19
29 or a community college no longer dividing revenues as
30 provided in section 260E.4.

31 (6) That portion of taxable property located in an
32 urban revitalization area on which an exemption was
33 allowed and such exemption has expired.

34 3. a. For the fiscal year beginning July 1, 2014,
35 and subsequent fiscal years, the maximum amount of
36 property tax dollars which may be certified for levy
37 by a city for the general fund shall be the maximum
38 property tax dollars calculated under paragraph "b".

39 b. The maximum property tax dollars that may be
40 levied for deposit in the general fund is an amount
41 equal to the sum of the following:

42 (1) The annual growth factor times the current
43 fiscal year's maximum property tax dollars for the
44 general fund.

45 (2) The amount of net new valuation taxes in the
46 city.

47 4. For purposes of calculating maximum property tax
48 dollars for the city general fund for the fiscal year
49 beginning July 1, 2014, only, the term "current fiscal
50 year's maximum property tax dollars" shall mean the

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1 total amount of property tax dollars certified by the
2 city for the city's general fund for the fiscal year
3 beginning July 1, 2013.

4 5. Property taxes certified for deposit in the
5 debt service fund in section 384.4, trust and agency
6 funds in section 384.6, capital improvements reserve
7 fund in section 384.7, the emergency fund in section
8 384.8, any capital projects fund established by the
9 city for deposit of bond, loan, or note proceeds,
10 any temporary increase approved pursuant to section
11 384.12A, property taxes collected from a voted levy
12 in section 384.12, and property taxes levied under
13 section 384.12, subsection 18, are not counted against
14 the maximum amount of property tax dollars that may be
15 certified for a fiscal year under subsection 3.

16 6. Notwithstanding the maximum amount of taxes
17 a city may certify for levy, the tax levied by a
18 city on tracts of land and improvements on the
19 tracts of land used and assessed for agricultural or
20 horticultural purposes shall not exceed three dollars
21 and three-eighths cents per thousand dollars of
22 assessed value in any year. Improvements located on
23 such tracts of land and not used for agricultural or
24 horticultural purposes and all residential dwellings
25 are subject to the same rate of tax levied by the city
26 on all other taxable property within the city.

27 7. The department of management, in consultation
28 with the city finance committee, shall adopt rules
29 to administer this section. The department shall
30 prescribe forms to be used by cities when making
31 calculations required by this section.

32 Sec. 72. NEW SECTION. 384.1B Ending fund balance.

33 1. a. Budgeted ending fund balances for a budget
34 year in excess of twenty-five percent of budgeted
35 expenditures from the general fund for that budget
36 year shall be explicitly reserved or designated for a
37 specific purpose.

38 b. A city is encouraged, but not required, to
39 reduce ending fund balances for the budget year to
40 an amount equal to approximately twenty-five percent
41 of budgeted expenditures and transfers from the
42 general fund for that budget year unless a decision
43 is certified by the state appeal board ordering a
44 reduction in the ending fund balance of the fund.

45 c. In a protest to the city budget under section
46 384.19, the city shall have the burden of proving
47 that the budgeted balances in excess of twenty-five
48 percent are reasonably likely to be appropriated for
49 the explicitly reserved or designated specific purpose.
50 The excess budgeted balance for the specific purpose

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1 shall be considered an increase in an item in the
2 budget for purposes of section 24.28.

3 2. a. For a city that has, as of June 30,
4 2013, reduced its ending fund balance to less than
5 twenty-five percent of actual expenditures, additional
6 property taxes may be computed and levied as provided
7 in this subsection. The additional property tax levy
8 amount is an amount not to exceed the difference
9 between twenty-five percent of actual expenditures for
10 city government purposes for the fiscal year beginning
11 July 1, 2012, minus the ending fund balance for that
12 year.

13 b. All or a portion of additional property tax
14 dollars may be levied for the purpose of increasing
15 cash reserves for city government purposes in the
16 budget year. The additional property tax dollars
17 authorized under this subsection but not levied may be
18 carried forward as unused ending fund balance taxing
19 authority until and for the fiscal year beginning
20 July 1, 2019. The amount carried forward shall not
21 exceed twenty-five percent of the maximum amount of
22 property tax dollars available in the current fiscal
23 year. Additionally, property taxes that are levied
24 as unused ending fund balance taxing authority under
25 this subsection may be the subject of a protest under
26 section 384.19, and the amount will be considered an
27 increase in an item in the budget for purposes of
28 section 24.28. The amount of additional property tax
29 dollars levied under this subsection shall not be
30 included in the computation of the maximum amount of
31 property tax dollars which may be certified and levied
32 under section 384.1.

33 Sec. 73. Section 384.12, subsection 19, Code 2013,
34 is amended by striking the subsection.

35 Sec. 74. NEW SECTION. 384.12A Authority to levy
36 beyond maximum property tax dollars.

37 1. The city council may certify additions to the
38 maximum amount of property tax dollars to be levied
39 for a period of time not to exceed two years if the
40 proposition has been submitted at a special election
41 and received a favorable majority of the votes cast on
42 the proposition.

43 2. The special election is subject to the
44 following:

45 a. The city council must give at least thirty-two
46 days' notice to the county commissioner of elections
47 that the special election is to be held. In no
48 case, however, shall a notice be given to the county
49 commissioner of elections after December 31 for an
50 election on a proposition to exceed the statutory

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1 limits during the fiscal year beginning in the next
2 calendar year.

3 b. The special election shall be conducted by the
4 county commissioner of elections in accordance with
5 law.

6 c. The proposition to be submitted shall be
7 substantially in the following form:

8 Vote "yes" or "no" on the following: Shall the city
9 of _____ levy for an additional \$ _____ each year
10 for ____ years beginning next July 1, ____, in excess of
11 the statutory limits otherwise applicable for the city
12 general fund?

13 d. The canvass shall be held beginning at 1:00 p.m.
14 on the second day which is not a holiday following the
15 special election.

16 e. Notice of the special election shall be
17 published at least once in a newspaper as specified
18 in section 362.3 prior to the date of the special
19 election. The notice shall appear as early as
20 practicable after the city council has voted to submit
21 a proposition to the voters to levy additional property
22 tax dollars.

23 3. The amount of additional property tax dollars
24 certified under this section shall not be included in
25 the computation of the maximum amount of property tax
26 dollars which may be certified and levied under section
27 384.1.

28 Sec. 75. Section 384.19, Code 2013, is amended by
29 adding the following new unnumbered paragraph:
30 NEW UNNUMBERED PARAGRAPH. For purposes of a tax
31 protest filed under this section, "item" means a
32 budgeted expenditure, appropriation, or cash reserve
33 from a fund for a service area, program, program
34 element, or purpose.

35 Sec. 76. Section 386.8, Code 2013, is amended to
36 read as follows:

37 386.8 Operation tax.

38 A city may establish a self-supported improvement
39 district operation fund, and may certify taxes not
40 to exceed the rate limitation as established in the
41 ordinance creating the district, or any amendment
42 thereto, each year to be levied for the fund against
43 all of the property in the district, for the purpose
44 of paying the administrative expenses of the district,
45 which may include but are not limited to administrative
46 personnel salaries, a separate administrative office,
47 planning costs including consultation fees, engineering
48 fees, architectural fees, and legal fees and all other
49 expenses reasonably associated with the administration
50 of the district and the fulfilling of the purposes of

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1 the district. The taxes levied for this fund may also
2 be used for the purpose of paying maintenance expenses
3 of improvements or self-liquidating improvements for a
4 specified length of time with one or more options to
5 renew if such is clearly stated in the petition which
6 requests the council to authorize construction of the
7 improvement or self-liquidating improvement, whether
8 or not such petition is combined with the petition
9 requesting creation of a district. Parcels of property
10 which are assessed as residential property for property
11 tax purposes are exempt from the tax levied under this
12 section except residential properties within a duly
13 designated historic district. A tax levied under
14 this section is not subject to the ~~levy~~ limitation in
15 section 384.1.

16 Sec. 77. Section 386.9, Code 2013, is amended to
17 read as follows:

18 386.9 Capital improvement tax.

19 A city may establish a capital improvement fund
20 for a district and may certify taxes, not to exceed
21 the rate established by the ordinance creating the
22 district, or any subsequent amendment thereto,
23 each year to be levied for the fund against all of
24 the property in the district, for the purpose of
25 accumulating moneys for the financing or payment
26 of a part or all of the costs of any improvement or
27 self-liquidating improvement. However, parcels of
28 property which are assessed as residential property
29 for property tax purposes are exempt from the tax
30 levied under this section except residential properties
31 within a duly designated historic district. A tax
32 levied under this section is not subject to the ~~levy~~
33 limitations in section 384.1 or 384.7.

34 Sec. 78. REPEAL. Sections 331.425 and 331.426,
35 Code 2013, are repealed.

36 Sec. 79. APPLICABILITY. This division of this Act
37 applies to fiscal years beginning on or after July 1,
38 2014.>

39 2. Title page, by striking lines 1 through 4 and
40 inserting <An Act relating to state and local finances
41 by establishing and modifying property assessment
42 limitations, providing for commercial and industrial
43 property tax replacement payments, increasing
44 the regular program foundation base percentage,
45 providing for the taxation of multiresidential
46 property, modifying provisions for the taxation
47 of telecommunications company property, modifying
48 provisions relating to the taxpayers trust fund,
49 providing a taxpayers trust fund tax credit, modifying
50 provisions relating to the protest and appeal of

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- 1 property assessments, establishing limitations on
- 2 city and county budgets, making appropriations, and
- 3 including effective date, retroactive applicability,
- 4 and other applicability provisions.>

S-3167

- 1 Amend Senate File 446 as follows:
- 2 1. Page 8, line 3, by striking <10.00> and
- 3 inserting <15.00>
- 4 2. Page 10, line 6, by striking <4.00> and
- 5 inserting <7.00>
- 6 3. Page 11, line 21, after <for> by inserting
- 7 <cervical and>
- 8 4. Page 11, line 22, by striking <breast and>
- 9 5. Page 12, line 10, by striking <14.00> and
- 10 inserting <18.25>
- 11 6. Page 16, by striking lines 11 through 19 and
- 12 inserting:
- 13 <(3) Of the funds appropriated in this subsection,
- 14 up to \$184,530 shall be used for the board of direct
- 15 care professionals created pursuant to chapter 152F,
- 16 if enacted in 2013 Iowa Acts, Senate File 232, or
- 17 2013 successor legislation. A portion of the amount
- 18 allocated in this subparagraph (3) may be used for up
- 19 to 4.25 full-time equivalent positions to administer
- 20 the board of direct care professionals.>
- 21 7. Page 17, line 30, after <outcomes.> by inserting
- 22 <The Iowa collaborative safety net provider network
- 23 shall work in conjunction with the department of human
- 24 services to align the integrated network with the
- 25 health care delivery system model developed under the
- 26 state innovation models initiative grant.>
- 27 8. Page 17, line 32, by striking <report> and
- 28 inserting <progress report>
- 29 9. Page 17, line 33, by striking <June 30> and
- 30 inserting <December 31>
- 31 10. Page 18, line 6, after <be> by inserting
- 32 <distributed to a statewide nonprofit organization to
- 33 be>
- 34 11. Page 19, line 3, by striking <3,259,571> and
- 35 inserting <3,334,571>
- 36 12. Page 19, line 4, by striking <130.00> and
- 37 inserting <131.00>
- 38 13. Page 19, line 19, by striking <539,477> and
- 39 inserting <614,477>
- 40 14. Page 23, by striking lines 22 and 23 and
- 41 inserting:
- 42 <7. For distribution to counties and regions
- 43 through the property tax relief fund for mental health

44 and disability>

45 15. Page 24, after line 25 by inserting:

46 <13. For the family investment program share of
47 the costs to develop and maintain a new, integrated
48 eligibility determination system:

49 \$ 5,050,451>

50 16. Page 24, line 35, by striking <for the fiscal>

Page 2

1 17. Page 25, line 1, by striking <year and for> and
2 inserting <, for>

3 18. Page 25, line 3, after <employed> by inserting
4 <, and for the family investment program share of costs
5 to develop and maintain a new, integrated eligibility
6 determination system>

7 19. Page 25, by striking line 6 and inserting
8 <program, in subsection 6 for child care assistance,
9 or in subsection 13 for the family investment program
10 share of the costs to develop and maintain a new,
11 integrated eligibility determination system, as
12 applicable, have been expended.>

13 20. Page 25, line 17, after <program> by inserting
14 <as specified for the program in the section of this
15 division relating to the family investment program
16 account>

17 21. Page 27, line 1, after <program.> by inserting
18 <To the extent moneys allocated in this lettered
19 paragraph are not deemed by the department to be
20 necessary to support diversion activities, such moneys
21 may be used for other efforts intended to increase
22 engagement by family investment program participants in
23 work, education, or training activities.>

24 22. Page 29, by striking lines 13 through 15 and
25 inserting:

26 <f. For distribution to counties or regions
27 for services to persons with mental illness or an
28 intellectual disability.>

29 23. Page 29, by striking lines 27 and 28 and
30 inserting <shall be used to fund the expansion of an
31 unfunded pilot project, as defined in 441 IAC 100.1,
32 that has been in existence for at least six months,
33 relating to>

34 24. Page 31, line 31, by striking <1,292,985,748>
35 and inserting <1,301,686,445>

36 25. Page 35, by striking lines 22 through 25.

37 26. Page 37, line 31, after <limit> by inserting
38 <initial>

39 27. Page 38, by striking lines 20 through 24.

40 28. Page 38, line 25, by striking <7,041,689> and
41 inserting <11,549,479>

42 29. Page 39, by striking lines 32 through 34

43 and inserting <shall be used for lodging expenses
44 associated with care provided at the university of Iowa
45 hospitals and clinics under chapter 249J for patients
46 with cancer whose travel distance is 30 miles or more
47 from the university of Iowa hospitals and clinics. The
48 department of human services shall>
49 30. Page 40, after line 5 by inserting:
50 <____. The department shall continue to administer

Page 3

1 the state balancing incentive payments program as
2 specified in 2012 Iowa Acts, chapter 1133, section 14.>
3 31. Page 40, line 12, by striking <13,691,569> and
4 inserting <14,225,569>
5 32. Page 41, after line 26 by inserting:
6 <____. Of the funds appropriated in this section,
7 \$534,000 shall be used for administration of the state
8 innovation models initiative grant from the federal
9 government to support the development and testing
10 of a state-based model for multi-payer payment and
11 health care delivery system transformation to improve
12 health system performance resulting in improved health,
13 improved health care, and lower costs.>
14 33. Page 43, line 9, by striking <72,931,661> and
15 inserting <69,282,163>
16 34. Page 43, line 10, by striking <71,327,056> and
17 inserting <68,248,353>
18 35. Page 43, by striking lines 32 through 34 and
19 inserting <shall be used to conduct fingerprint-based
20 national criminal history record checks of home-based
21 child care providers pursuant to section 237A.5,
22 subsection 2, through the United States department of>
23 36. Page 47, line 10, by striking <93,188,770> and
24 inserting <96,613,770>
25 37. Page 47, by striking lines 11 through 14 and
26 inserting:
27 2. Up to \$5,200,000 of the>
28 38. Page 47, line 30, by striking <32,242,363> and
29 inserting <36,012,098>
30 39. Page 51, line 6, after <135.118.> by inserting
31 <Of the amount allocated in this subsection, \$245,000
32 shall be used for a center in the Black Hawk county
33 area.>
34 40. Page 51, line 14, by striking <3,092,375> and
35 inserting <3,256,980>
36 41. Page 53, line 29, by striking <100,000> and
37 inserting <25,000>
38 42. Page 53, line 31, by striking <415 or> and
39 inserting <440 or 2013>
40 43. Page 54, line 4, by striking <40,729,282> and
41 inserting <35,644,083>

42 44. Page 56, line 26, by striking <97.32> and
43 inserting <97.92>
44 45. Page 58, line 15, by striking <115.50> and
45 inserting <124.50>
46 46. Page 60, line 35, by striking <267,712,511> and
47 inserting <271,712,511>
48 47. Page 62, line 4, by striking <continue to
49 implement> and inserting <utilize>
50 48. Page 62, line 12, after <2013> by inserting <

Page 4

1 subject to Medicaid program upper payment limit rules>
2 49. Page 62, line 16, after <2013> by inserting <
3 subject to Medicaid program upper payment limit rules>
4 50. Page 62, by striking line 19 and inserting
5 <shall be increased by 1.5 percent over the amount in
6 effect on June 30, 2013, except>
7 51. Page 63, by striking lines 1 and 2 and
8 inserting <laboratories shall be reimbursed using
9 the same methodology in effect on June 30, 2013, and
10 reimbursement for rehabilitation agencies shall be
11 increased by 1.5 percent over the rates in effect on
12 June 30, 2013.>
13 52. Page 63, line 3, after <f.> by inserting <(1)>
14 53. Page 63, by striking lines 13 through 17 and
15 inserting <reflect the most recent Medicare LUPA rates
16 for home health services, not to exceed an additional
17 \$2,765,655.
18 (2) For the fiscal year beginning July 1, 2013,
19 rates for private duty nursing and personal care
20 services under the early and periodic screening,
21 diagnostic and treatment program benefit shall be
22 established based on an hourly interim rate subject
23 to cost settlement up to a limit calculated by the
24 department, and subject to approval by the centers for
25 Medicare and Medicaid services of the United States
26 department of health and human services.>
27 54. Page 63, line 18, by striking <(1)>
28 55. Page 63, by striking lines 22 through 27.
29 56. Page 64, line 16, after <providers,> by
30 inserting <home and community-based services providers
31 including consumer-directed attendant care providers
32 under a section 1915C or 1915I waiver, targeted case
33 management providers,>
34 57. Page 65, by striking lines 14 through 17.
35 58. Page 65, after line 29 by inserting:
36 <r. For the fiscal year beginning July 1, 2013,
37 the reimbursement rate for emergency medical services
38 providers shall be increased by 10 percent over the
39 rates in effect on June 30, 2013.>
40 59. Page 66, line 27, after <percent> by inserting

41 <or a percentage amount identified by the department
42 so that expenditures for group foster care remain
43 within the state expenditure target for group foster
44 care maintenance and services allocated under the
45 appropriation made in this division of this Act for
46 child and family services, whichever percentage amount
47 is lower>
48 60. Page 68, by striking lines 21 through 23 and
49 inserting <in December 2006. The department>
50 61. Page 72, line 22, by striking <33,750,000> and

Page 5

1 inserting <35,500,000>
2 62. Page 72, line 28, by striking <32,000,000> and
3 inserting <32,500,000>
4 63. Page 72, line 31, by striking <32,000,000> and
5 inserting <32,500,000>
6 64. Page 72, line 32, by striking <32,000,000> and
7 inserting <32,500,000>
8 65. Page 73, line 1, by striking <32,000,000> and
9 inserting <32,500,000>
10 66. By striking page 74, line 23, through page 75,
11 line 19, and inserting:
12 <____. There is appropriated from the IowaCare
13 account created in section 249J.24 to the department
14 of human services for the fiscal year beginning July
15 1, 2013, and ending June 30, 2014, for the program
16 period beginning July 1, 2013, and ending December 31,
17 2013, the following amount, or so much thereof as is
18 necessary, to be used for the purposes designated:
19 For a care coordination pool to pay the expansion
20 population providers consisting of the university of
21 Iowa hospitals and clinics, the publicly owned acute
22 care teaching hospital as specified in section 249J.7,
23 and current medical assistance program providers that
24 are not expansion population network providers pursuant
25 to section 249J.7, for services covered by the full
26 benefit medical assistance program but not under the
27 IowaCare program pursuant to section 249J.6, that are
28 provided to expansion population members:
29 \$ 1,500,000
30 a. Notwithstanding sections 249J.6 and 249J.7,
31 the amount appropriated in this subsection is
32 intended to provide payment for medically necessary
33 services provided to expansion population members for
34 continuation of care provided by the university of
35 Iowa hospitals and clinics or the publicly owned acute
36 care teaching hospital as specified in section 249J.7.
37 Payment may only be made for services that are not
38 otherwise covered under section 249J.6, and which are
39 follow-up services to covered services provided by the

40 hospitals specified in this paragraph “a”.
41 b. The funds appropriated in this subsection are
42 intended to provide limited payment for continuity
43 of care services for an expansion population member,
44 and are intended to cover the costs of services
45 to expansion population members, regardless of
46 the member’s county of residence or medical home
47 assignment, if the care is related to specialty or
48 hospital services provided by the hospitals specified
49 in paragraph “a”.
50 c. The funds appropriated in this subsection are

Page 6

1 not intended to provide for expanded coverage under
2 the IowaCare program, and shall not be used to cover
3 emergency transportation services.
4 d. The department shall adopt administrative
5 rules pursuant to chapter 17A to establish a prior
6 authorization process and to identify covered services
7 for reimbursement under this subsection.
8 _____. There is appropriated from the IowaCare
9 account created in section 249J.24 to the department
10 of human services for the fiscal year beginning July
11 1, 2013, and ending June 30, 2014, for the program
12 period beginning July 1, 2013, and ending December 31,
13 2013, the following amount, or so much thereof as is
14 necessary, for the purposes designated:
15 For transfer to the medical contracts appropriation
16 in this division of this Act to be used for
17 administrative costs associated with chapter 249J
18 including eligibility determinations:
19 \$ 371,552
20 _____. For the fiscal year beginning July 1, 2013,
21 and ending June 30, 2014, for the program period
22 beginning July 1, 2013, and ending December 31, 2013,
23 the state board of regents shall transfer \$637,789
24 to the IowaCare account created in section 249J.24,
25 to provide the nonfederal share for distribution
26 to university of Iowa physicians under the IowaCare
27 program. The university of Iowa hospitals and clinics
28 shall receive and retain 100 percent of the total
29 increase in IowaCare program payments.>
30 67. Page 78, line 31, by striking <37,780.672> and
31 inserting <37,743.429>
32 68. Page 79, after line 4 by inserting:
33 <Sec. _____. 2012 Iowa Acts, chapter 1133, section
34 55, is amended to read as follows:
35 SEC. 55. REPLACEMENT GENERATION TAX REVENUES —
36 LEVY RATES FOR FY 2011–2012 AND FY 2012–2013.
37 1. a. For the fiscal year beginning July 1, 2011,
38 and ending June 30, 2012, and for the fiscal year

39 beginning July 1, 2012, and ending June 30, 2013, the
40 replacement generation tax revenues required to be
41 deposited in the property tax relief fund pursuant
42 to section 437A.8, subsection 4, paragraph “d”, and
43 section 437A.15, subsection 3, paragraph “f”, shall
44 instead be credited to the mental health and disability
45 services redesign fund created in this division of this
46 Act.
47 b. If this section of this division of this Act is
48 enacted after the department of management has reduced
49 county certified budgets and revised rates of taxation
50 pursuant to section 426B.2, subsection 3, paragraph

Page 7

1 “b”, to reflect anticipated replacement generation tax
2 revenues, and the enactment date is during the period
3 beginning May 1, 2012, and ending June 30, 2012, the
4 reductions and revisions shall be rescinded and the
5 department of management shall expeditiously report
6 that fact to the county auditors.

7 2. Except as otherwise provided in subsection 1
8 for department of management reductions of certified
9 budgets and revisions of tax rates and rescinding
10 of those reductions and revisions, the budgets and
11 tax rates certified for a county services fund under
12 section 331.424A, for the fiscal year beginning July 1,
13 2012, shall remain in effect, notwithstanding section
14 426B.3, subsection 1, the property tax relief fund
15 payment and other services fund financing changes
16 made in this division of this Act, or other statutory
17 amendments affecting county services funds for the
18 fiscal year to the contrary.>

19 69. Page 79, after line 7 by inserting:

20 <Sec. ____ RETROACTIVE APPLICABILITY. The
21 following provision of this Act applies retroactively
22 to July 1, 2011:

23 1. The section amending 2012 Iowa Acts, chapter
24 1133, section 55.>

25 70. Page 79, line 19, by striking <2012> and
26 inserting <2013>

27 71. Page 80, line 30, by striking <ombudsman> and
28 inserting <resident’s advocate>

29 72. Page 80, line 35, by striking <convene> and
30 inserting <continue>

31 73. Page 82, by striking lines 7 through 12.

32 74. Page 82, by striking lines 26 through 33.

33 75. Page 90, by striking lines 2 through 13 and
34 inserting:

35 <Sec. ____ MEDICAID STATE PLAN AMENDMENT —
36 FAMILY PLANNING. The department of human services shall
37 amend the medical assistance state plan to include

38 the family planning eligibility group, in accordance
 39 with the requirements of section 2303 of the federal
 40 Affordable Care Act, Pub. L. No. 111-148, at the income
 41 eligibility level specified in the family planning
 42 section 1115 demonstration waiver in effect on January
 43 1, 2013, to be effective no later than January 1,
 44 2014.>

45 76. Page 91, line 19, after <“Medical assistance”>
 46 by inserting <or “Medicaid”>

47 77. Page 91, line 33, after <“Medical assistance
 48 program”> by inserting <or “Medicaid program”>

49 78. Page 102, by striking lines 3 through 5 and
 50 inserting <psychologist has commensurate education or

Page 8

1 training.>

2 79. Page 102, by striking lines 6 through 8 and
 3 inserting:

4 <5. “Clinically relevant” means medically necessary
 5 and resulting in the development, maintenance, or
 6 restoration, to the maximum extent practicable, of the
 7 functioning of an individual.>

8 80. Page 103, line 28, by striking <services are>
 9 and inserting <payment for services is>

10 81. Page 115, after line 11 by inserting:

11 <DIVISION ____
 12 SUICIDE PREVENTION

13 Sec. ____ Section 272.2, Code 2013, is amended by
 14 adding the following new subsection:

15 NEW SUBSECTION. 19. Adopt rules requiring
 16 individuals applying for renewal of a license,
 17 certificate, authorization, or statement of
 18 recognition issued by the board who provide a
 19 service to students to undergo training on suicide
 20 prevention and trauma-informed care prior to each
 21 renewal. In coordination with the department of
 22 education, the department of public health, and
 23 stakeholders, including but not limited to mental
 24 health professionals, school administrators, school
 25 nurses, and guidance counselors, the board shall
 26 select qualified programs for such training. For
 27 purposes of this subsection, “trauma-informed care”
 28 means services that are based on an understanding of
 29 the vulnerabilities and triggers of individuals who
 30 have experienced trauma, recognize the role trauma has
 31 played in the lives of those individuals, recognize
 32 the presence of trauma symptoms and their onset,
 33 are supportive of trauma recovery, and avoid further
 34 traumatization.

35 DIVISION ____

36 IOWACARE — ACCOUNT FOR HEALTH CARE TRANSFORMATION

37 Sec. ____ Section 249J.8, subsection 1, paragraph
38 k, Code 2013, is amended to read as follows:
39 k. Premiums collected under this subsection shall
40 be deposited in the ~~premiums subaccount of the IowaCare~~
41 ~~account for health care transformation~~ created pursuant
42 to section ~~249J.23~~ 249J.24.
43 Sec. ____ Section 249J.23, subsection 1, Code 2013,
44 is amended to read as follows:
45 1. An account for health care transformation is
46 created in the state treasury under the authority of
47 the department. Moneys received from sources including
48 but not limited to appropriations from the general
49 fund of the state, grants, and contributions shall be
50 deposited in the account. ~~The account shall include~~

Page 9

1 ~~a separate premiums subaccount. Revenue generated~~
2 ~~through payment of premiums by expansion population~~
3 ~~members as required pursuant to section 249J.8 shall be~~
4 ~~deposited in the separate premiums subaccount within~~
5 ~~the account.~~
6 Sec. ____ Section 249J.24, subsection 1, Code 2013,
7 is amended to read as follows:
8 1. An IowaCare account is created in the state
9 treasury under the authority of the department of human
10 services. Moneys appropriated from the general fund of
11 the state to the account, moneys received as federal
12 financial participation funds under the expansion
13 population provisions of this chapter and credited to
14 the account, moneys received for disproportionate share
15 hospitals and credited to the account, moneys received
16 for graduate medical education and credited to the
17 account, proceeds distributed from the county treasurer
18 as specified in subsection 4, revenue generated through
19 payment of premiums pursuant to section 249J.8, and
20 moneys from any other source credited to the account
21 shall be deposited in the account. Moneys deposited
22 in or credited to the account shall be used only as
23 provided in appropriations or distributions from the
24 account for the purposes specified in the appropriation
25 or distribution. Moneys in the account shall be
26 appropriated to the university of Iowa hospitals and
27 clinics and to a publicly owned acute care teaching
28 hospital located in a county with a population over
29 three hundred fifty thousand for the purposes provided
30 in the federal law making the funds available or as
31 specified in the state appropriation and shall be
32 distributed as determined by the department.>
33 82. By renumbering as necessary.

JACK HATCH

S-3168

1 Amend the amendment, S-3155, to House File 604,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 25, line 41, by striking <\$2,000,000> and
5 inserting <\$1,790,000>

6 2. Page 26, after line 2 by inserting:

7 <(4) From the moneys appropriated in this
8 lettered paragraph, \$210,000 shall be transferred
9 to the department of human services for purposes of
10 administering a pilot project to provide access to
11 international resources to Iowans and new Iowans to
12 provide economic and leadership development resulting
13 in Iowa being a more inclusive and welcoming place to
14 live, work, and raise a family. The pilot project
15 shall provide supplemental support services for
16 international refugees to improve learning, literacy,
17 cultural competencies, and assimilation in 10 locations
18 within a county with a population over 350,000. The
19 department of human services shall utilize a request
20 for proposals process to identify the entity best
21 qualified to implement the pilot project. The request
22 for proposals shall specify that a qualified entity
23 must be utilizing more than 100 interpreters and
24 translators fluent in over 50 languages and dialects to
25 help medical clinics, government agencies, nonprofit
26 organizations, businesses, and individuals overcome
27 language barriers so that limited English proficient
28 individuals can receive essential services; working
29 with the United States department of state, the United
30 States agency for international development, and a
31 family foundation center for international visitors
32 that facilitates visits from international leaders to
33 build personal and lasting connections between Iowans
34 and professionals from around the world; partnering
35 with business and industry, foundations, and accredited
36 postsecondary educational institutions and other
37 entities located in the state to offer monthly public
38 forums by leading experts and engage youth in global
39 leadership conferences; and leading the state in
40 providing resources to immigrants and refugees through
41 a multilingual guide to the state, a comprehensive
42 resource website, and emergency interpretation
43 services.>

44 3. By renumbering as necessary.

MATT McCOY

S-3169

1 Amend Senate File 446 as follows:
2 1. Page 4, line 8, by striking <7,753,830> and
3 inserting <7,748,361>
4 2. Page 4, line 22, by striking <453,830> and
5 inserting <453,067>
6 3. Page 5, line 5, by striking <22,049,360> and
7 inserting <22,015,329>
8 4. Page 5, line 10, by striking <18,932,508> and
9 inserting <18,903,715>
10 5. Page 6, line 3, by striking <273,062> and
11 inserting <272,603>
12 6. Page 6, line 18, by striking <3,116,852> and
13 inserting <3,111,614>
14 7. Page 6, line 21, by striking <2,579,000> and
15 inserting <2,573,762>
16 8. Page 8, line 3, by striking <10.00> and
17 inserting <15.00>
18 9. Page 8, line 5, by striking <739,318> and
19 inserting <734,841>
20 10. Page 8, line 18, by striking <2,672,425> and
21 inserting <2,670,427>
22 11. Page 9, line 11, by striking <112,677> and
23 inserting <111,995>
24 12. Page 9, line 13, by striking <163,760> and
25 inserting <162,768>
26 13. Page 10, line 6, by striking <4.00> and
27 inserting <7.00>
28 14. Page 10, line 7, by striking <160,582> and
29 inserting <159,932>
30 15. Page 10, line 11, by striking <893,600> and
31 inserting <891,644>
32 16. Page 10, line 20, by striking <550,000> and
33 inserting <547,982>
34 17. Page 10, line 24, by striking <100,000> and
35 inserting <99,823>
36 18. Page 10, line 29, by striking <788,303> and
37 inserting <785,114>
38 19. Page 11, line 12, by striking <597,065> and
39 inserting <570,993>
40 20. Page 11, line 21, after <for> by inserting
41 <cervical and>
42 21. Page 11, line 22, by striking <breast and>
43 22. Page 11, line 26, by striking <528,834> and
44 inserting <526,695>
45 23. Page 11, line 29, by striking <129,937> and
46 inserting <129,411>
47 24. Page 12, line 10, by striking <14.00> and
48 inserting <18.25>
49 25. Page 12, line 11, by striking <100,000> and
50 inserting <99,414>

Page 2

1 26. Page 12, line 25, by striking <111,308> and
2 inserting <110,656>
3 27. Page 12, line 27, by striking <100,493> and
4 inserting <99,904>
5 28. Page 12, line 35, by striking <1,171,491> and
6 inserting <1,164,628>
7 29. Page 13, line 5, by striking <100,000> and
8 inserting <99,286>
9 30. Page 13, line 9, by striking <144,542> and
10 inserting <105,448>
11 31. Page 13, line 29, by striking <146,563> and
12 inserting <145,785>
13 32. Page 14, line 10, by striking <77,609> and
14 inserting <77,153>
15 33. Page 14, line 14, by striking <95,582> and
16 inserting <95,126>
17 34. Page 14, line 19, by striking <400,000> and
18 inserting <399,272>
19 35. Page 14, line 24, by striking <142,192> and
20 inserting <141,544>
21 36. Page 14, line 28, by striking <450,000> and
22 inserting <448,474>
23 37. Page 14, line 32, by striking <415,000> and
24 inserting <413,415>
25 38. Page 15, line 9, by striking <206,750> and
26 inserting <204,775>
27 39. Page 16, by striking lines 11 through 19 and
28 inserting:
29 <(3) Of the funds appropriated in this subsection,
30 up to \$184,530 shall be used for the board of direct
31 care professionals created pursuant to chapter 152F,
32 if enacted in 2013 Iowa Acts, Senate File 232, or
33 2013 successor legislation. A portion of the amount
34 allocated in this subparagraph (3) may be used for up
35 to 4.25 full-time equivalent positions to administer
36 the board of direct care professionals.>
37 40. Page 16, line 21, by striking <58,518> and
38 inserting <58,175>
39 41. Page 16, line 24, by striking <50,000> and
40 inserting <49,707>
41 42. Page 17, line 30, after <outcomes.> by
42 inserting <The Iowa collaborative safety net provider
43 network shall work in conjunction with the department
44 of human services to align the integrated network with
45 the health care delivery system model developed under
46 the state innovation models initiative grant.>
47 43. Page 17, line 32, by striking <report> and
48 inserting <progress report>
49 44. Page 17, line 33, by striking <June 30> and
50 inserting <December 31>

Page 3

- 1 45. Page 18, line 6, after <be> by inserting
2 <distributed to a statewide nonprofit organization to
3 be>
4 46. Page 18, line 26, by striking <544,377> and
5 inserting <612,750>
6 47. Page 19, line 3, by striking <3,259,571> and
7 inserting <3,334,571>
8 48. Page 19, line 4, by striking <130.00> and
9 inserting <131.00>
10 49. Page 19, line 6, by striking <500,334> and
11 inserting <454,700>
12 50. Page 19, line 10, by striking <210,619> and
13 inserting <203,032>
14 51. Page 19, line 19, by striking <539,477> and
15 inserting <523,751>
16 52. Page 20, line 7, by striking <7.00> and
17 inserting <5.00>
18 53. Page 23, by striking lines 22 and 23 and
19 inserting:
20 <7. For distribution to counties and regions
21 through the property tax relief fund for mental health
22 and disability>
23 54. Page 24, after line 25 by inserting:
24 <13. For the family investment program share of
25 the costs to develop and maintain a new, integrated
26 eligibility determination system:
27 \$ 5,050,451>
28 55. Page 24, line 35, by striking <for the fiscal>
29 56. Page 25, line 1, by striking <year and for> and
30 inserting <, for>
31 57. Page 25, line 3, after <employed> by inserting
32 <, and for the family investment program share of costs
33 to develop and maintain a new, integrated eligibility
34 determination system>
35 58. Page 25, by striking line 6 and inserting
36 <program, in subsection 6 for child care assistance,
37 or in subsection 13 for the family investment program
38 share of the costs to develop and maintain a new,
39 integrated eligibility determination system, as
40 applicable, have been expended.>
41 59. Page 25, line 17, after <program> by inserting
42 <as specified for the program in the section of this
43 division relating to the family investment program
44 account>
45 60. Page 27, line 1, after <program.> by inserting
46 <To the extent moneys allocated in this lettered
47 paragraph are not deemed by the department to be
48 necessary to support diversion activities, such moneys
49 may be used for other efforts intended to increase
50 engagement by family investment program participants in

Page 4

1 work, education, or training activities.>
2 61. Page 29, by striking lines 13 through 15 and
3 inserting:
4 <f. For distribution to counties or regions
5 for services to persons with mental illness or an
6 intellectual disability.>
7 62. Page 29, by striking lines 27 and 28 and
8 inserting <shall be used to fund the expansion of an
9 unfunded pilot project, as defined in 441 IAC 100.1,
10 that has been in existence for at least six months,
11 relating to>
12 63. Page 31, line 31, by striking <1,292,985,748>
13 and inserting <1,301,686,445>
14 64. Page 35, by striking lines 22 through 25.
15 65. Page 37, line 31, after <limit> by inserting
16 <initial>
17 66. Page 38, by striking lines 20 through 24.
18 67. Page 38, line 25, by striking <7,041,689> and
19 inserting <11,549,479>
20 68. Page 39, by striking lines 32 through 34
21 and inserting <shall be used for lodging expenses
22 associated with care provided at the university of Iowa
23 hospitals and clinics under chapter 249J for patients
24 with cancer whose travel distance is 30 miles or more
25 from the university of Iowa hospitals and clinics. The
26 department of human services shall>
27 69. Page 40, after line 5 by inserting:
28 <__. The department shall continue to administer
29 the state balancing incentive payments program as
30 specified in 2012 Iowa Acts, chapter 1133, section 14.>
31 70. Page 40, line 12, by striking <13,691,569> and
32 inserting <14,225,569>
33 71. Page 41, after line 26 by inserting:
34 <__. Of the funds appropriated in this section,
35 \$534,000 shall be used for administration of the state
36 innovation models initiative grant from the federal
37 government to support the development and testing
38 of a state-based model for multi-payer payment and
39 health care delivery system transformation to improve
40 health system performance resulting in improved health,
41 improved health care, and lower costs.>
42 72. Page 43, line 9, by striking <72,931,661> and
43 inserting <69,282,163>
44 73. Page 43, line 10, by striking <71,327,056> and
45 inserting <68,248,353>
46 74. Page 43, by striking lines 32 through 34 and
47 inserting <shall be used to conduct fingerprint-based
48 national criminal history record checks of home-based
49 child care providers pursuant to section 237A.5,
50 subsection 2, through the United States department of>

Page 5

1 75. Page 47, line 10, by striking <93,188,770> and
2 inserting <96,613,770>

3 76. Page 47, by striking lines 11 through 14 and
4 inserting:

5 <2. Up to \$5,200,000 of the>

6 77. Page 47, line 30, by striking <32,242,363> and
7 inserting <36,012,098>

8 78. Page 51, line 6, after <135.118.> by inserting
9 <Of the amount allocated in this subsection, \$245,000
10 shall be used for a center in the Black Hawk county
11 area.>

12 79. Page 51, line 14, by striking <3,092,375> and
13 inserting <3,256,980>

14 80. Page 53, line 29, by striking <100,000> and
15 inserting <25,000>

16 81. Page 53, line 31, by striking <415 or> and
17 inserting <440 or 2013>

18 82. Page 54, line 4, by striking <40,729,282> and
19 inserting <35,644,083>

20 83. Page 56, line 26, by striking <97.32> and
21 inserting <97.92>

22 84. Page 58, line 15, by striking <115.50> and
23 inserting <124.50>

24 85. Page 60, line 35, by striking <267,712,511> and
25 inserting <271,712,511>

26 86. Page 62, line 4, by striking <continue to
27 implement> and inserting <utilize>

28 87. Page 62, line 12, after <2013> by inserting <,
29 subject to Medicaid program upper payment limit rules>

30 88. Page 62, line 16, after <2013> by inserting <,
31 subject to Medicaid program upper payment limit rules>

32 89. Page 62, by striking line 19 and inserting
33 <shall be increased by 1.5 percent over the amount in
34 effect on June 30, 2013, except>

35 90. Page 63, by striking lines 1 and 2 and
36 inserting <laboratories shall be reimbursed using
37 the same methodology in effect on June 30, 2013, and
38 reimbursement for rehabilitation agencies shall be
39 increased by 1.5 percent over the rates in effect on
40 June 30, 2013.>

41 91. Page 63, line 3, after <f.> by inserting <(1)>

42 92. Page 63, by striking lines 13 through 17 and
43 inserting <reflect the most recent Medicare LUPA rates
44 for home health services, not to exceed an additional
45 \$2,765,655.

46 (2) For the fiscal year beginning July 1, 2013,
47 rates for private duty nursing and personal care
48 services under the early and periodic screening,
49 diagnostic and treatment program benefit shall be
50 established based on an hourly interim rate subject

Page 6

1 to cost settlement up to a limit calculated by the
2 department, and subject to approval by the centers for
3 Medicare and Medicaid services of the United States
4 department of health and human services.>
5 93. Page 63, line 18, by striking <(1)>
6 94. Page 63, by striking lines 22 through 27.
7 95. Page 64, line 16, after <providers,> by
8 inserting <home and community-based services providers
9 including consumer-directed attendant care providers
10 under a section 1915C or 1915I waiver, targeted case
11 management providers,>
12 96. Page 65, by striking lines 14 through 17.
13 97. Page 65, after line 29 by inserting:
14 <r. For the fiscal year beginning July 1, 2013,
15 the reimbursement rate for emergency medical services
16 providers shall be increased by 10 percent over the
17 rates in effect on June 30, 2013.>
18 98. Page 66, line 27, after <percent> by inserting
19 <or a percentage amount identified by the department
20 so that expenditures for group foster care remain
21 within the state expenditure target for group foster
22 care maintenance and services allocated under the
23 appropriation made in this division of this Act for
24 child and family services, whichever percentage amount
25 is lower>
26 99. Page 68, by striking lines 21 through 23 and
27 inserting <in December 2006. The department>
28 100. Page 72, line 22, by striking <33,750,000> and
29 inserting <35,500,000>
30 101. Page 72, line 28, by striking <32,000,000> and
31 inserting <32,500,000>
32 102. Page 72, line 31, by striking <32,000,000> and
33 inserting <32,500,000>
34 103. Page 72, line 32, by striking <32,000,000> and
35 inserting <32,500,000>
36 104. Page 73, line 1, by striking <32,000,000> and
37 inserting <32,500,000>
38 105. By striking page 74, line 23, through page 75,
39 line 19, and inserting:
40 <___. There is appropriated from the IowaCare
41 account created in section 249J.24 to the department
42 of human services for the fiscal year beginning July
43 1, 2013, and ending June 30, 2014, for the program
44 period beginning July 1, 2013, and ending December 31,
45 2013, the following amount, or so much thereof as is
46 necessary, to be used for the purposes designated:
47 For a care coordination pool to pay the expansion
48 population providers consisting of the university of
49 Iowa hospitals and clinics, the publicly owned acute
50 care teaching hospital as specified in section 249J.7,

Page 7

1 and current medical assistance program providers that
 2 are not expansion population network providers pursuant
 3 to section 249J.7, for services covered by the full
 4 benefit medical assistance program but not under the
 5 IowaCare program pursuant to section 249J.6, that are
 6 provided to expansion population members:

7 \$ 1,500,000

8 a. Notwithstanding sections 249J.6 and 249J.7,
 9 the amount appropriated in this subsection is
 10 intended to provide payment for medically necessary
 11 services provided to expansion population members for
 12 continuation of care provided by the university of
 13 Iowa hospitals and clinics or the publicly owned acute
 14 care teaching hospital as specified in section 249J.7.
 15 Payment may only be made for services that are not
 16 otherwise covered under section 249J.6, and which are
 17 follow-up services to covered services provided by the
 18 hospitals specified in this paragraph “a”.

19 b. The funds appropriated in this subsection are
 20 intended to provide limited payment for continuity
 21 of care services for an expansion population member,
 22 and are intended to cover the costs of services
 23 to expansion population members, regardless of
 24 the member’s county of residence or medical home
 25 assignment, if the care is related to specialty or
 26 hospital services provided by the hospitals specified
 27 in paragraph “a”.

28 c. The funds appropriated in this subsection are
 29 not intended to provide for expanded coverage under
 30 the IowaCare program, and shall not be used to cover
 31 emergency transportation services.

32 d. The department shall adopt administrative
 33 rules pursuant to chapter 17A to establish a prior
 34 authorization process and to identify covered services
 35 for reimbursement under this subsection.

36 _____. There is appropriated from the IowaCare
 37 account created in section 249J.24 to the department
 38 of human services for the fiscal year beginning July
 39 1, 2013, and ending June 30, 2014, for the program
 40 period beginning July 1, 2013, and ending December 31,
 41 2013, the following amount, or so much thereof as is
 42 necessary, for the purposes designated:

43 For transfer to the medical contracts appropriation
 44 in this division of this Act to be used for
 45 administrative costs associated with chapter 249J
 46 including eligibility determinations:

47 \$ 371,552

48 _____. For the fiscal year beginning July 1, 2013,
 49 and ending June 30, 2014, for the program period
 50 beginning July 1, 2013, and ending December 31, 2013,

Page 8

1 the state board of regents shall transfer \$637,789
2 to the IowaCare account created in section 249J.24,
3 to provide the nonfederal share for distribution
4 to university of Iowa physicians under the IowaCare
5 program. The university of Iowa hospitals and clinics
6 shall receive and retain 100 percent of the total
7 increase in IowaCare program payments.>

8 106. Page 77, by striking lines 3 through 21.

9 107. Page 78, line 31, by striking <37,780,672> and
10 inserting <37,743,429>

11 108. Page 79, after line 4 by inserting:

12 <Sec. ____ 2012 Iowa Acts, chapter 1133, section
13 55, is amended to read as follows:

14 SEC. 55. REPLACEMENT GENERATION TAX REVENUES —
15 LEVY RATES FOR FY 2011–2012 AND FY 2012–2013.

16 1. a. For the fiscal year beginning July 1, 2011,
17 and ending June 30, 2012, and for the fiscal year
18 beginning July 1, 2012, and ending June 30, 2013, the
19 replacement generation tax revenues required to be
20 deposited in the property tax relief fund pursuant
21 to section 437A.8, subsection 4, paragraph “d”, and
22 section 437A.15, subsection 3, paragraph “f”, shall
23 instead be credited to the mental health and disability
24 services redesign fund created in this division of this
25 Act.

26 b. If this section of this division of this Act is
27 enacted after the department of management has reduced
28 county certified budgets and revised rates of taxation
29 pursuant to section 426B.2, subsection 3, paragraph
30 “b”, to reflect anticipated replacement generation tax
31 revenues, and the enactment date is during the period
32 beginning May 1, 2012, and ending June 30, 2012, the
33 reductions and revisions shall be rescinded and the
34 department of management shall expeditiously report
35 that fact to the county auditors.

36 2. Except as otherwise provided in subsection 1
37 for department of management reductions of certified
38 budgets and revisions of tax rates and rescinding
39 of those reductions and revisions, the budgets and
40 tax rates certified for a county services fund under
41 section 331.424A, for the fiscal year beginning July 1,
42 2012, shall remain in effect, notwithstanding section
43 426B.3, subsection 1, the property tax relief fund
44 payment and other services fund financing changes
45 made in this division of this Act, or other statutory
46 amendments affecting county services funds for the
47 fiscal year to the contrary.>

48 109. Page 79, after line 7 by inserting:

49 <Sec. ____ RETROACTIVE APPLICABILITY. The
50 following provision of this Act applies retroactively

Page 9

1 to July 1, 2011:

2 1. The section amending 2012 Iowa Acts, chapter
3 1133, section 55.>

4 110. Page 79, line 19, by striking <2012> and
5 inserting <2013>

6 111. Page 80, line 30, by striking <ombudsman> and
7 inserting <resident's advocate>

8 112. Page 80, line 35, by striking <convene> and
9 inserting <continue>

10 113. Page 82, by striking lines 7 through 12.

11 114. Page 82, by striking lines 26 through 33.

12 115. Page 90, by striking lines 2 through 13 and
13 inserting:

14 <Sec. ____ MEDICAID STATE PLAN AMENDMENT —
15 FAMILY PLANNING. The department of human services shall
16 amend the medical assistance state plan to include
17 the family planning eligibility group, in accordance
18 with the requirements of section 2303 of the federal
19 Affordable Care Act, Pub. L. No. 111-148, at the income
20 eligibility level specified in the family planning
21 section 1115 demonstration waiver in effect on January
22 1, 2013, to be effective no later than January 1,
23 2014.>

24 116. Page 91, line 19, after <"Medical assistance">
25 by inserting <or "Medicaid">

26 117. Page 91, line 33, after <"Medical assistance
27 program"> by inserting <or "Medicaid program">

28 118. Page 102, by striking lines 3 through 5 and
29 inserting <psychologist has commensurate education or
30 training.>

31 119. Page 102, by striking lines 6 through 8 and
32 inserting:

33 <5. "Clinically relevant" means medically necessary
34 and resulting in the development, maintenance, or
35 restoration, to the maximum extent practicable, of the
36 functioning of an individual.>

37 120. Page 103, line 28, by striking <services are>
38 and inserting <payment for services is>

39 121. Page 115, after line 11 by inserting:

40 <DIVISION ____

41 SUICIDE PREVENTION

42 Sec. ____ Section 272.2, Code 2013, is amended by
43 adding the following new subsection:

44 NEW SUBSECTION. 19. Adopt rules requiring
45 individuals applying for renewal of a license,
46 certificate, authorization, or statement of
47 recognition issued by the board who provide a
48 service to students to undergo training on suicide
49 prevention and trauma-informed care prior to each
50 renewal. In coordination with the department of

Page 10

1 education, the department of public health, and
2 stakeholders, including but not limited to mental
3 health professionals, school administrators, school
4 nurses, and guidance counselors, the board shall
5 select qualified programs for such training. For
6 purposes of this subsection, “trauma-informed care”
7 means services that are based on an understanding of
8 the vulnerabilities and triggers of individuals who
9 have experienced trauma, recognize the role trauma has
10 played in the lives of those individuals, recognize
11 the presence of trauma symptoms and their onset,
12 are supportive of trauma recovery, and avoid further
13 traumatization.

14 DIVISION ____

15 IOWACARE — ACCOUNT FOR HEALTH CARE TRANSFORMATION

16 Sec. ____ Section 249J.8, subsection 1, paragraph
17 k, Code 2013, is amended to read as follows:

18 k. Premiums collected under this subsection shall
19 be deposited in the ~~premiums subaccount of the IowaCare~~
20 ~~account for health care transformation~~ created pursuant
21 to section ~~249J.23~~ 249J.24.

22 Sec. ____ Section 249J.23, subsection 1, Code 2013,
23 is amended to read as follows:

24 1. An account for health care transformation is
25 created in the state treasury under the authority of
26 the department. Moneys received from sources including
27 but not limited to appropriations from the general
28 fund of the state, grants, and contributions shall be
29 deposited in the account. ~~The account shall include~~
30 ~~a separate premiums subaccount. Revenue generated~~
31 ~~through payment of premiums by expansion population~~
32 ~~members as required pursuant to section 249J.8 shall be~~
33 ~~deposited in the separate premiums subaccount within~~
34 ~~the account.~~

35 Sec. ____ Section 249J.24, subsection 1, Code 2013,
36 is amended to read as follows:

37 1. An IowaCare account is created in the state
38 treasury under the authority of the department of human
39 services. Moneys appropriated from the general fund of
40 the state to the account, moneys received as federal
41 financial participation funds under the expansion
42 population provisions of this chapter and credited to
43 the account, moneys received for disproportionate share
44 hospitals and credited to the account, moneys received
45 for graduate medical education and credited to the
46 account, proceeds distributed from the county treasurer
47 as specified in subsection 4, revenue generated through
48 payment of premiums pursuant to section 249J.8, and
49 moneys from any other source credited to the account
50 shall be deposited in the account. Moneys deposited

Page 11

1 in or credited to the account shall be used only as
2 provided in appropriations or distributions from the
3 account for the purposes specified in the appropriation
4 or distribution. Moneys in the account shall be
5 appropriated to the university of Iowa hospitals and
6 clinics and to a publicly owned acute care teaching
7 hospital located in a county with a population over
8 three hundred fifty thousand for the purposes provided
9 in the federal law making the funds available or as
10 specified in the state appropriation and shall be
11 distributed as determined by the department.>
12 122. By renumbering as necessary.

JACK HATCH

S-3170

- 1 Amend Senate File 446 as follows:
2 1. By striking page 58, line 35, through page 59,
3 line 12.
4 2. By renumbering as necessary.

JAKE CHAPMAN

S-3171

- 1 Amend the amendment, S-3169, to Senate File 446, as
2 follows:
3 1. Page 3, line 5, by striking <612,750> and
4 inserting <537,750>
5 2. Page 3, line 15, by striking <523,751> and
6 inserting <598,751>

JACK HATCH

S-3172

- 1 Amend Senate File 446 as follows:
2 1. Page 31, by striking lines 29 and 30 and
3 inserting <expressly authorized by law:>
4 2. Page 31, by striking lines 32 through 34 and
5 inserting:
6 <1. Iowans support reducing the number of abortions
7 performed in our state. Funds appropriated in this
8 section shall not be used for abortions. For the
9 purposes of this section, "abortion" does not include
10 any of the following:
11 a. The treatment of a woman for a physical
12 disorder, physical injury, or physical illness,
13 including a life-endangering physical condition caused

14 by or arising from the pregnancy itself, that would,
15 as certified by a physician, place the woman in danger
16 of death.

17 b. The treatment of a woman for a spontaneous
18 abortion, commonly known as a miscarriage, when not all
19 of the products of conception are expelled.

20 1A. For an abortion covered under the program,
21 except in the case of a medical emergency, as defined
22 in section 135L.1, for any woman, the physician shall
23 certify both of the following:

24 a. That the woman has been given the opportunity to
25 view an ultrasound image of the fetus as part of the
26 standard of care before an abortion is performed.

27 b. That the woman has been provided information
28 regarding the options relative to a pregnancy,
29 including continuing the pregnancy to term and
30 retaining parental rights following the child's birth,
31 continuing the pregnancy to term and placing the child
32 for adoption, and terminating the pregnancy.>

33 3. Page 70, by striking lines 33 through 35 and
34 inserting:

35 <a. (1) Iowans support reducing the number of
36 abortions in our state. Funds appropriated in this
37 subsection shall not be used for abortions. For the
38 purposes of this section, "abortion" does not include
39 any of the following:

40 (a) The treatment of a woman for a physical
41 disorder, physical injury, or physical illness,
42 including a life-endangering physical condition caused
43 by or arising from the pregnancy itself, that would,
44 as certified by a physician, place the woman in danger
45 of death.

46 (b) The treatment of a woman for a spontaneous
47 abortion, commonly known as a miscarriage, when not all
48 of the products of conception are expelled.

49 (2) For an abortion covered under this subsection,
50 except in the case of a medical emergency, as defined

Page 2

1 in section 135L.1, for any woman, the physician shall
2 certify both of the following:

3 (a) That the woman has been given the opportunity
4 to view an ultrasound image of the fetus as part of the
5 standard of care before an abortion is performed.

6 (b) That the woman has been provided information
7 regarding the options relative to a pregnancy,
8 including continuing the pregnancy to term and
9 retaining parental rights following the child's birth,
10 continuing the pregnancy to term and placing the child
11 for adoption, and terminating the pregnancy.>

12 4. Page 115, after line 11 by inserting:

<DIVISION ____

DISTRIBUTION OF FAMILY PLANNING FUNDS

Sec. ____ DISTRIBUTION OF FAMILY PLANNING FUNDS.

1. As used in this section, unless the context otherwise requires:

a. "Department" means department as defined in section 7E.4.

b. "Federally qualified health center" means a health care provider that is eligible for federal funding under 42 U.S.C. § 1396d(l)(2)(B).

2. Notwithstanding any other law to the contrary, any expenditure, award, or other distribution of state or federal family planning funds shall be made to eligible applicants in the following order of priority:

a. Public entities that provide family planning services including state, county, or local community health clinics and federally qualified health centers.

b. Nonpublic entities that, in addition to family planning services, provide required primary health services as described in 42 U.S.C. § 254b(b)(1)(A).

c. Nonpublic entities that provide family planning services but do not provide required primary health services as described in 42 U.S.C. § 254b(b)(1)(A).

3. A department shall ensure distribution of federal family planning funds in a manner that does not severely limit or eliminate access to family planning services in any region of the state.

4. A department shall not distribute state or federal family planning funds under this section to any entity that performs abortions or that maintains or operates a facility where abortions are performed. For the purposes of this section, "abortion" does not include any of the following:

a. The treatment of a woman for a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger

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1 of death.

2 b. The treatment of a woman for a spontaneous
3 abortion, commonly known as a miscarriage, when not all
4 of the products of conception are expelled.

5 5. State or federal family planning funds
6 distributed in accordance with this section shall not
7 be used for direct or indirect costs, including but not
8 limited to administrative costs or expenses, overhead,
9 employee salaries, rent, and telephone and other
10 utilities, related to providing abortions as specified
11 in subsection 4.

12 6. Any department that distributes state or federal
13 family planning funds shall submit a report to the
14 governor and the general assembly, annually by December
15 31, listing any entities receiving family planning
16 funds as described in subsection 2, paragraph "c", and
17 the amount and type of funds received by such entities
18 during the preceding calendar year. The report shall
19 provide a detailed explanation of how the department
20 determined that distribution of family planning funds
21 to such an entity, instead of to an entity described
22 in subsection 2 paragraph "a" or "b", was necessary to
23 prevent severe limitation or elimination of access to
24 family planning services in the region of the state in
25 which the entity is located.>
26 5. By renumbering as necessary.

AMY SINCLAIR
JONI K. ERNST
JACK WHITVER
SANDRA GREINER
DAVID JOHNSON
JERRY BEHN
MARK SEGEBART
NANCY J. BOETTGER
DAN ZUMBACH
TIM L. KAPUCIAN
MICHAEL BREITBACH
MARK CHELGREN
BILL ANDERSON
KENT SORENSON
DENNIS GUTH
CHARLES SCHNEIDER
KEN ROZENBOOM
RANDY FEENSTRA
ROBY SMITH
JAKE CHAPMAN
DR. JOE M. SENG

S-3173

- 1 Amend the amendment, S-3126, to House File 527, as
2 passed by the House, as follows:
3 1. Page 1, line 12, by striking <offense> and
4 inserting <revocation>
5 2. Page 1, line 15, by striking <aggravated
6 misdemeanor> and inserting <offense in question>

STEVEN J. SODDERS

S-3174

1 Amend Senate File 360 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 572.8, subsection 1, paragraph
5 b, Code 2013, is amended to read as follows:

6 b. The legal description ~~of that adequately~~
7 describes the property to be charged with the lien.

8 Sec. 2. Section 572.11, Code 2013, is amended to
9 read as follows:

10 572.11 Extent of lien posted after ninety days.

11 Liens perfected under section 572.10 shall be
12 enforced against the property or upon the bond, if
13 given, by the owner or by the owner-builder's buyer,
14 only to the extent of the balance due from the owner
15 to the general contractor or from the owner-builder's
16 buyer to the owner-builder at the time of the service
17 of such notice; but if the bond was given by the
18 general contractor or owner-builder, or person
19 contracting with the subcontractor ~~filing~~ posting the
20 claim for a lien, such bond shall be enforced to the
21 full extent of the amount found due the subcontractor.

22 Sec. 3. Section 572.13A, subsections 1 and 2, Code
23 2013, are amended to read as follows:

24 1. A general contractor or owner-builder who has
25 contracted or will contract with a subcontractor to
26 provide labor or furnish material for the property
27 shall post a notice of commencement of work to the
28 mechanics' notice and lien registry internet website
29 ~~within no later than~~ ten days of after the commencement
30 of work on the property. A notice of commencement
31 of work is effective only as to any labor, service,
32 equipment, or material furnished to the property
33 subsequent to the posting of the notice of commencement
34 of work. A notice of commencement of work shall
35 include all of the following information:

36 a. The name and address of the owner.

37 b. The name, address, and telephone number of the
38 general contractor or owner-builder.

39 c. The address of the property or a description of
40 the location of the property if the property cannot be
41 reasonably identified by an address.

42 d. The legal description ~~of that adequately~~
43 describes the property to be charged with the lien.

44 e. The date work commenced.

45 f. The tax parcel identification number.

46 g. Any other information prescribed by the
47 administrator pursuant to rule.

48 2. If a general contractor or owner-builder
49 fails to post the required notice of commencement
50 of work to the mechanics' notice and lien registry

Page 2

1 internet website pursuant to subsection 1, within ten
2 days of commencement of the work on the property, a
3 subcontractor may post the notice in conjunction with
4 the filing posting of the required preliminary notice
5 pursuant to section 572.13B. A notice of commencement
6 of work must be posted to the mechanics' notice and
7 lien registry internet website before preliminary
8 notices pursuant to section 572.13B may be posted.

9 Sec. 4. Section 572.13A, subsection 3, paragraph c,
10 Code 2013, is amended to read as follows:

11 c. The notice described in subsection 1 shall be
12 sent to the owner's address as posted to the mechanics'
13 notice and lien registry by the general contractor,
14 owner-builder, or subcontractor. If the owner's
15 address is different than the property address, a
16 copy of the notice shall also be sent to the property
17 address, addressed to the owner if a mailing address
18 has been assigned to the property by the United States
19 postal service.

20 Sec. 5. Section 572.13A, subsection 3, Code 2013,
21 is amended by adding the following new paragraph:

22 NEW PARAGRAPH. d. Notices under this section shall
23 not be sent to owner-builders.

24 Sec. 6. Section 572.13B, subsection 1, paragraph g,
25 Code 2013, is amended to read as follows:

26 g. The legal description ~~of that adequately~~
27 describes the property to be charged with the lien.

28 Sec. 7. Section 572.13B, subsection 2, Code 2013,
29 is amended to read as follows:

30 2. At the time a preliminary notice is posted
31 to the mechanics' notice and lien registry, the
32 administrator shall send notification to the owner,
33 including the owner notice described in section 572.13,
34 subsection 1, and shall ~~docket post~~ the mailing of
35 the notice on the mechanics' notice and lien registry
36 as prescribed by the administrator pursuant to rule.
37 Notices under this section shall not be sent to
38 owner-builders. Upon request, the administrator shall
39 provide ~~an affidavit of mailing~~ proof of service at no
40 cost for the notice required under this section.

41 Sec. 8. Section 572.15, Code 2013, is amended to
42 read as follows:

43 572.15 Discharge of mechanic's lien — bond.

44 A mechanic's lien may be discharged at any time by
45 submitting a bond to the administrator in twice the
46 amount of the sum for which the claim for the lien is
47 ~~filed posted~~, with surety or sureties, to be approved
48 by the administrator, conditioned for the payment of
49 any sum for which the claimant may obtain judgment upon
50 the claim.

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1 Sec. 9. Section 572.19, Code 2013, is amended to
2 read as follows:

3 572.19 Priority over garnishments of the owner.
4 Mechanics' liens shall take priority ~~of~~ over all
5 garnishments of the owner for the contract debts,
6 whether made prior or subsequent to the commencement of
7 the furnishing of the material or performance of the
8 labor, without regard to the date of ~~filing~~ posting the
9 claim for such lien.

10 Sec. 10. Section 572.22, unnumbered paragraph 1,
11 Code 2013, is amended to read as follows:

12 ~~The administrator shall endorse upon every claim for~~
13 ~~a mechanic's lien posted to the mechanics' notice and~~
14 ~~lien registry internet website the date and hour of~~
15 ~~posting.~~ Each claim posted to the mechanics' notice
16 and lien registry internet website shall be properly
17 indexed and shall contain the following items:

18 Sec. 11. Section 572.22, subsection 5, Code 2013,
19 is amended to read as follows:

20 5. The legal description ~~of that adequately~~
21 describes the property to be charged with the lien.

22 Sec. 12. Section 572.23, subsection 2, Code 2013,
23 is amended to read as follows:

24 2. If satisfaction is not acknowledged within
25 thirty days after service of the demand in writing,
26 the party serving the demand or causing the demand to
27 be served may file for record with the administrator
28 a copy of the demand with proofs of service attached
29 and endorsed and, in case of service by publication,
30 a personal affidavit that personal service could
31 not be made within this state. Upon completion
32 of the requirements of this subsection, the ~~record~~
33 posting shall be constructive notice to all parties
34 of the due forfeiture and cancellation of the lien.
35 Upon the filing posting of the demand with the
36 required attachments, the administrator shall mail a
37 date-stamped copy of the demand to both parties.

38 Sec. 13. Section 572.28, subsection 1, Code 2013,
39 is amended to read as follows:

40 1. Upon the written demand of the owner served
41 on the ~~lienholder claimant~~ requiring the ~~lienholder~~
42 claimant to commence action to enforce the lien,
43 such action shall be commenced within thirty days
44 thereafter, or the lien and all benefits derived
45 therefrom shall be forfeited.

46 Sec. 14. Section 572.30, subsection 2, Code 2013,
47 is amended to read as follows:

48 2. Within fifteen days after receiving notice of
49 nonpayment the general contractor or owner-builder
50 gives a bond ~~or makes a deposit with the administrator,~~

Page 4

1 in an amount not less than the amount necessary to
2 satisfy the nonpayment for which notice has been
3 given under this section, and in a form approved by a
4 ~~judge of the district court~~ the administrator, to hold
5 harmless the owner or person having the improvement
6 made from any claim for payment of anyone furnishing
7 labor or material for the improvement, other than the
8 general contractor or owner-builder.

9 Sec. 15. Section 572.31, Code 2013, is amended to
10 read as follows:

11 572.31 Cooperative and condominium housing.
12 A lien arising under this chapter as a result of
13 the construction of an apartment house or apartment
14 building which is owned on a cooperative basis under
15 chapter 499A, or which is submitted to a horizontal
16 property regime under chapter 499B, is not enforceable,
17 notwithstanding any contrary provision of this
18 chapter, as against the interests of an owner in a unit
19 contained in the apartment house or apartment building
20 acquired in good faith and for valuable consideration,
21 unless a lien statement specifically describing the
22 unit is ~~filed~~ posted under section 572.8 within the
23 applicable time period specified in section 572.9,
24 but determined from the date on which the last of the
25 material was supplied or the last of the labor was
26 performed in the construction of that unit.

27 Sec. 16. Section 572.33A, Code 2013, is amended to
28 read as follows:

29 572.33A Liability of owner to general contractor —
30 commercial construction.

31 1. An owner of a building, land, or improvement
32 upon which a mechanic's lien of a subcontractor may
33 be ~~filed~~ posted, is not required to pay the general
34 contractor for compensation for work done or material
35 furnished for the building, land, or improvement until
36 the expiration of ninety days after the completion
37 of the building or improvement unless the general
38 contractor furnishes to the owner one of the following:
39 ~~1. a.~~ Receipts and waivers of claims for
40 mechanics' liens, signed by all persons who furnished
41 material or performed labor for the building, land, or
42 improvement.

43 ~~2. b.~~ A good and sufficient bond to be approved
44 by the owner, conditioned that the owner shall be held
45 harmless from any loss which the owner may sustain by
46 reason of the ~~filing~~ posting of mechanics' liens by
47 subcontractors.

48 2. This section applies only to commercial
49 construction properties.

50 Sec. 17. Section 572.34, Code 2013, is amended to

Page 5

1 read as follows:

2 572.34 Mechanics' notice and lien registry —
3 ~~residential construction.~~

4 1. A mechanics' notice and lien registry is created
5 and shall be administered by the administrator. The
6 administrator shall adopt rules pursuant to chapter 17A
7 for the creation and administration of the registry.

8 2. The mechanics' notice and lien registry shall
9 be accessible to the general public through the
10 administrator's internet website.

11 3. The registry shall be indexed by owner name,
12 general contractor name, mechanics' notice and lien
13 registry number, property address, legal description,
14 tax parcel identification number, and any other
15 identifier considered appropriate as determined by the
16 administrator pursuant to rule.

17 4. ~~A general contractor, owner builder, or~~
18 ~~subcontractor~~ Any person who posts fictitious, forged,
19 or false information to the mechanics' notice and lien
20 registry shall be subject to a penalty as determined
21 by the administrator by rule in addition to all other
22 penalties and remedies available under applicable law.

23 5. A person may post a correction statement with
24 respect to a record indexed ~~in~~ on the mechanics'
25 notice and lien registry internet website if the person
26 believes the record is inaccurate or wrongfully posted.

27 6. The administrator shall charge and collect fees
28 as established by rule necessary for the administration
29 and maintenance of the registry and the registry's
30 internet website. The administrator shall not charge
31 a ~~filing posting~~ fee for a preliminary notice required
32 pursuant to this chapter that exceeds the cost of
33 sending such notice by certified mail with restricted
34 delivery and return receipt. The administrator shall
35 not charge a ~~filing posting~~ fee for a mechanic's lien
36 that exceeds forty dollars.

37 7. Notices may be posted to the mechanics' notice
38 and lien registry electronically on the administrator's
39 internet website, or may be sent to the administrator
40 for posting by United States mail or facsimile
41 transmission, or other alternate method as provided by
42 the administrator pursuant to rule. Notices received
43 by United States mail or facsimile transmission shall
44 be posted by the administrator to the mechanics'
45 notice and lien registry within three business days of
46 receipt.

47 8. Mechanics' liens may be posted to the mechanics'
48 notice and lien registry electronically on the
49 administrator's internet website or may be sent to
50 the administrator for posting by United States mail.

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1 Liens received by United States mail shall be posted
2 by the administrator to the mechanics' notice and lien
3 registry within three business days of receipt.
4 9. The administrator shall send a receipt
5 acknowledging a notice or lien submitted by United
6 States mail or facsimile transmission, as provided by
7 the administrator by rule.
8 10. Information collected by and furnished to
9 the administrator in conjunction with the submission
10 and posting of notices pursuant to sections 572.13A
11 and 572.13B shall be used by the administrator solely
12 for the purposes of the mechanics' notice and lien
13 registry.
14 11. Registration under chapter 91C shall not be
15 required in order to post a notice or a lien under this
16 chapter.
17 12. A preliminary notice that remains posted
18 on the mechanics' notice and lien registry internet
19 website two years after the date of posting shall be
20 declared inactive by the administrator, unless renewed.
21 A notice of commencement of work, if there are no
22 related active postings, shall be declared inactive two
23 years from the date of posting, unless renewed. The
24 administrator shall establish a process for the removal
25 of inactive notices and for the renewal of notices
26 pursuant to rule.
27 ~~12.~~ 13. The administrator shall make, or cause to
28 be made, preservation duplicates of mechanics' notice
29 and lien registry records, including records stored in
30 a computer database. Any preservation duplicate record
31 shall be accurate, complete, and clear, and shall be
32 made, preserved, and made accessible to the public by
33 means designated by the administrator by rule.>

ROBERT M. HOGG

S-3175

1 Amend House File 355, as passed by the House, as
2 follows:
3 1. Page 1, after line 19 by inserting:
4 <Sec. _____. 2013 Iowa Acts, Senate File 224, if
5 enacted, is amended by adding the following new
6 section:
7 SEC. _____. TRANSITION FROM FIVE-YEAR TO EIGHT-YEAR
8 RENEWAL PERIODS. To implement section 321.190,
9 subsection 1, paragraph "d", as amended in this Act,
10 and section 321.196, subsection 1, as amended in this
11 Act, the department of transportation may provide for a
12 transition from five-year to eight-year renewal periods

- 13 for driver's licenses and nonoperator's identification
14 cards. During the transition, the department may issue
15 driver's licenses and nonoperator's identification
16 cards valid for periods of five, six, seven, or eight
17 years to equalize renewal periods and applicants over
18 succeeding years.>
19 2. Title page, line 1, after <to> by inserting
20 <driver's licenses, including>
21 3. Title page, line 2, after <date> by inserting
22 <and transition>
23 4. By renumbering as necessary.

TOD R. BOWMAN

S-3176

- 1 Amend Senate File 365 as follows:
2 1. Page 1, after line 24 by inserting:
3 <Sec. ____ Section 435.1, subsection 6, Code 2013,
4 is amended to read as follows:
5 6. "Mobile home park" means a site, lot, field, or
6 tract of land upon which three or more mobile homes,
7 ~~or~~ manufactured homes, modular homes, or motor homes,
8 or a combination of any of these homes, are placed
9 on developed spaces and operated as a for-profit
10 enterprise with water, sewer or septic, and electrical
11 services available. The term "mobile home park"
12 shall not be construed to include manufactured or
13 mobile homes, buildings, tents, or other structures
14 temporarily maintained by ~~any~~ an individual,
15 educational institution, or company on their own
16 premises and used exclusively to house their own labor
17 or students. The term "mobile home park" shall not be
18 construed to include a campground as defined in section
19 557B.1.
20 Sec. ____ Section 435.1, Code 2013, is amended by
21 adding the following new subsection:
22 NEW SUBSECTION. 8. "Motor home" means as defined
23 in section 321.1, subsection 36C.
24 Sec. ____ Section 562B.7, subsection 7, Code 2013,
25 is amended to read as follows:
26 7. "Mobile home park" ~~shall mean any~~ means a site,
27 lot, field, or tract of land upon which three or more
28 mobile homes, manufactured homes, ~~or~~ modular homes, or
29 motor homes, or a combination of any of these homes,
30 are placed on developed spaces and operated as a
31 for-profit enterprise with water, sewer or septic, and
32 electrical services available. The term "mobile home
33 park" shall not be construed to include manufactured
34 or mobile homes, buildings, tents, or other structures
35 temporarily maintained by an individual, educational
36 institution, or company on their own premises and used

37 exclusively to house their own labor or students.
38 The term “mobile home park” shall not be construed to
39 include a campground as defined in section 557B.1.
40 Sec. ____ Section 562B.7, Code 2013, is amended by
41 adding the following new subsection:
42 NEW SUBSECTION. 8A. “Motor home” means as defined
43 in section 321.1, subsection 36C.>
44 2. Title page, by striking lines 1 through 3 and
45 inserting <An Act relating to manufactured and mobile
46 homes, including property taxes, landlord and tenant
47 law, and certificates of title.>
48 3. By renumbering as necessary.

RICH TAYLOR

S-3177

1 Amend House File 487, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 25, through page 2,
4 line 26.
5 2. Title page, by striking lines 1 through 3 and
6 inserting <An Act relating to a manufactured or mobile
7 home retailer’s application to a county treasurer
8 for a certificate of title for a used mobile home or
9 manufactured home.>
10 3. By renumbering as necessary.

RICH TAYLOR

S-3178

HOUSE AMENDMENT TO
SENATE FILE 435

1 Amend Senate File 435, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <DIVISION I
6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
7 GENERAL APPROPRIATION FOR FY 2013–2014
8 Section 1. GENERAL FUND — DEPARTMENT.
9 1. There is appropriated from the general fund of
10 the state to the department of agriculture and land
11 stewardship for the fiscal year beginning July 1, 2013,
12 and ending June 30, 2014, the following amount, or
13 so much thereof as is necessary, to be used for the
14 purposes designated:
15 For purposes of supporting the department, including
16 its divisions, for administration, regulation, and
17 programs; for salaries, support, maintenance, and

18 miscellaneous purposes; and for not more than the
 19 following full-time equivalent positions:
 20 \$ 17,581,328
 21 FTEs 372.00
 22 2. Of the amount appropriated in subsection 1,
 23 the following amount is transferred to Iowa state
 24 university of science and technology, to be used
 25 for the university's midwest grape and wine industry
 26 institute:
 27 \$ 238,000
 28 3. The department shall submit a report each
 29 quarter of the fiscal year to the legislative services
 30 agency, the department of management, the members of
 31 the joint appropriations subcommittee on agriculture
 32 and natural resources, and the chairpersons and
 33 ranking members of the senate and house committees on
 34 appropriations. The report shall describe in detail
 35 the expenditure of moneys appropriated in this section
 36 to support the department's administration, regulation,
 37 and programs.

DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

40 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 41 HORSE AND DOG RACING. There is appropriated from the
 42 moneys available under section 99D.13 to the department
 43 of agriculture and land stewardship for the fiscal year
 44 beginning July 1, 2013, and ending June 30, 2014, the
 45 following amount, or so much thereof as is necessary,
 46 to be used for the purposes designated:
 47 For purposes of supporting the department's
 48 administration and enforcement of horse and dog racing
 49 law pursuant to section 99D.22, including for salaries,
 50 support, maintenance, and miscellaneous purposes:

Page 2

1 \$ 305,516
 2 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND —
 3 MOTOR FUEL INSPECTION. There is appropriated from
 4 the renewable fuel infrastructure fund created in
 5 section 159A.16 to the department of agriculture and
 6 land stewardship for the fiscal year beginning July 1,
 7 2013, and ending June 30, 2014, the following amount,
 8 or so much thereof as is necessary, to be used for the
 9 purposes designated:
 10 For purposes of the inspection of motor fuel,
 11 including salaries, support, maintenance, and
 12 miscellaneous purposes:
 13 \$ 500,000
 14 The department shall establish and administer
 15 programs for the auditing of motor fuel including
 16 biofuel processing and production plants, for screening

17 and testing motor fuel, including renewable fuel,
18 and for the inspection of motor fuel sold by dealers
19 including retail dealers who sell and dispense motor
20 fuel from motor fuel pumps.

21 SPECIAL APPROPRIATIONS
22 GENERAL FUND

23 Sec. 4. DAIRY REGULATION. There is appropriated
24 from the general fund of the state to the department of
25 agriculture and land stewardship for the fiscal year
26 beginning July 1, 2013, and ending June 30, 2014, the
27 following amount, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 1. For purposes of performing functions pursuant to
30 section 192.109, including conducting a survey of grade
31 "A" milk and certifying the results to the secretary
32 of agriculture:

33 \$ 189,196

34 2. Notwithstanding section 8.33, moneys
35 appropriated in this section that remain unencumbered
36 or unobligated at the close of the fiscal year shall
37 not revert but shall remain available to be used
38 for the purposes designated until the close of the
39 succeeding fiscal year.

40 Sec. 5. LOCAL FOOD AND FARM PROGRAM. There is
41 appropriated from the general fund of the state to the
42 department of agriculture and land stewardship for the
43 fiscal year beginning July 1, 2013, and ending June 30,
44 2014, the following amount, or so much thereof as is
45 necessary, to be used for the purposes designated:

46 1. For purposes of supporting the local food and
47 farm program pursuant to chapter 267A:

48 \$ 75,000

49 2. The department shall enter into a cost-sharing
50 agreement with Iowa state university to support the

Page 3

1 local food and farm program coordinator position as
2 part of the university's cooperative extension service
3 in agriculture and home economics pursuant to chapter
4 267A.

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

11 Sec. 6. AGRICULTURAL EDUCATION. There is
12 appropriated from the general fund of the state to the
13 department of agriculture and land stewardship for the
14 fiscal year beginning July 1, 2013, and ending June 30,
15 2014, the following amount, or so much thereof as is

16 necessary, to be used for the purposes designated:

17 1. For purposes of allocating moneys to an Iowa
18 association affiliated with a national organization
19 which promotes agricultural education providing for
20 future farmers:

21 \$ 25,000

22 2. Notwithstanding section 8.33, moneys
23 appropriated in this section that remain unencumbered
24 or unobligated at the close of the fiscal year shall
25 not revert but shall remain available to be used
26 for the purposes designated until the close of the
27 succeeding fiscal year.

28 Sec. 7. FARMERS WITH DISABILITIES PROGRAM.

29 1. There is appropriated from the general fund of
30 the state to the department of agriculture and land
31 stewardship for the fiscal year beginning July 1, 2013,
32 and ending June 30, 2014, the following amount, or
33 so much thereof as is necessary, to be used for the
34 purposes designated:

35 For purposes of supporting a program for farmers
36 with disabilities:

37 \$ 130,000

38 2. The moneys appropriated in subsection 1 shall
39 be used for the public purpose of providing a grant to
40 a national nonprofit organization with over 80 years
41 of experience in assisting children and adults with
42 disabilities and special needs.

43 a. The moneys shall be used to support a nationally
44 recognized program that began in 1986 and has been
45 replicated in at least 30 other states, but which
46 is not available through any other entity in this
47 state, and that provides assistance to farmers with
48 disabilities in all 99 counties to allow the farmers to
49 remain in their own homes and be gainfully engaged in
50 farming through provision of agricultural worksite and

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1 home modification consultations, peer support services,
2 services to families, information and referral, and
3 equipment loan services.

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

10 DIVISION II

11 DEPARTMENT OF NATURAL RESOURCES

12 GENERAL APPROPRIATIONS FOR FY 2013–2014

13 Sec. 8. GENERAL FUND — DEPARTMENT.

14 1. There is appropriated from the general fund of

15 the state to the department of natural resources for
16 the fiscal year beginning July 1, 2013, and ending June
17 30, 2014, the following amount, or so much thereof as
18 is necessary, to be used for the purposes designated:

19 For purposes of supporting the department, including
20 its divisions, for administration, regulation, and
21 programs; for salaries, support, maintenance, and
22 miscellaneous purposes; and for not more than the
23 following full-time equivalent positions:

24	\$	12,766,700
25	FTEs	1,145.95

26 2. Of the number of full-time equivalent positions
27 authorized to the department pursuant to subsection 1,
28 50.00 full-time equivalent positions shall be allocated
29 by the department for seasonal employees for purposes
30 of providing maintenance, upkeep, and sanitary services
31 at state parks. This subsection shall not impact park
32 ranger positions within the department.

33 3. The department shall submit a report each
34 quarter of the fiscal year to the legislative services
35 agency, the department of management, the members of
36 the joint appropriations subcommittee on agriculture
37 and natural resources, and the chairpersons and
38 ranking members of the senate and house committees on
39 appropriations. The report shall describe in detail
40 the expenditure of moneys appropriated under this
41 section to support the department's administration,
42 regulation, and programs.

43 Sec. 9. STATE FISH AND GAME PROTECTION FUND —
44 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

45 1. There is appropriated from the state fish and
46 game protection fund to the department of natural
47 resources for the fiscal year beginning July 1, 2013,
48 and ending June 30, 2014, the following amount, or
49 so much thereof as is necessary, to be used for the
50 purposes designated:

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1 For purposes of supporting the regulation or
2 advancement of hunting, fishing, or trapping, or the
3 protection, propagation, restoration, management,
4 or harvest of fish or wildlife, including for
5 administration, regulation, law enforcement, and
6 programs; and for salaries, support, maintenance,
7 equipment, and miscellaneous purposes:

8	\$	41,078,234
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9 2. Notwithstanding section 455A.10, the department
10 may use the unappropriated balance remaining in the
11 state fish and game protection fund to provide for the
12 funding of health and life insurance premium payments
13 from unused sick leave balances of conservation peace

14 officers employed in a protection occupation who
 15 retire, pursuant to section 97B.49B.

16 3. Notwithstanding section 455A.10, the department
 17 of natural resources may use the unappropriated
 18 balance remaining in the state fish and game protection
 19 fund for the fiscal year beginning July 1, 2013,
 20 and ending June 30, 2014, as is necessary to fund
 21 salary adjustments for departmental employees which
 22 the general assembly has made an operating budget
 23 appropriation for in subsection 1.

24 Sec. 10. GROUNDWATER PROTECTION FUND — WATER
 25 QUALITY. There is appropriated from the groundwater
 26 protection fund created in section 455E.11 to the
 27 department of natural resources for the fiscal year
 28 beginning July 1, 2013, and ending June 30, 2014, from
 29 those moneys which are not allocated pursuant to that
 30 section, the following amount, or so much thereof as is
 31 necessary, to be used for the purposes designated:

32 For purposes of supporting the department's
 33 protection of the state's groundwater, including
 34 for administration, regulation, and programs, and
 35 for salaries, support, maintenance, equipment, and
 36 miscellaneous purposes:

37 \$ 3,455,832
 38 DESIGNATED APPROPRIATIONS

39 MISCELLANEOUS FUNDS

40 Sec. 11. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
 41 PROGRAM. There is appropriated from the special
 42 snowmobile fund created under section 321G.7 to the
 43 department of natural resources for the fiscal year
 44 beginning July 1, 2013, and ending June 30, 2014, the
 45 following amount, or so much thereof as is necessary,
 46 to be used for the purpose designated:

47 For purposes of administering and enforcing the
 48 state snowmobile programs:

49 \$ 100,000

50 Sec. 12. UNASSIGNED REVENUE FUND — UNDERGROUND

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1 STORAGE TANK SECTION EXPENSES. There is appropriated
 2 from the unassigned revenue fund administered by the
 3 Iowa comprehensive underground storage tank fund
 4 board to the department of natural resources for the
 5 fiscal year beginning July 1, 2013, and ending June 30,
 6 2014, the following amount, or so much thereof as is
 7 necessary, to be used for the purpose designated:

8 For purposes of paying for administration expenses
 9 of the department's underground storage tank section:

10 \$ 200,000

11 Sec. 13. GROUNDWATER PROTECTION FUND —
 12 IMPLEMENTATION OF LEGISLATION.

13 1. Notwithstanding section 455E.11, subsection
14 2, paragraph “b”, there is appropriated from the
15 agriculture management account of the groundwater
16 protection fund to the department of natural resources
17 for the fiscal year beginning July 1, 2013, and
18 ending June 30, 2014, the following amount, or so much
19 thereof as is necessary, to be used for the purposes
20 designated:
21 For purposes of fully implementing the provisions
22 of section 459.315, subsection 3, paragraph “d”, if
23 enacted by 2013 Iowa Acts, House File 312, section 2:
24 \$ 250,000
25 2. The appropriation made in subsection 1 shall
26 be allotted to the department prior to any other
27 allocation from the agriculture management account as
28 provided in section 455E.11, subsection 2, paragraph
29 “b”.
30 3. The moneys appropriated in subsection 1 fully
31 satisfies the contingent implementation provision in
32 2013 Iowa Acts, House File 312, if enacted.
33 SPECIAL APPROPRIATIONS
34 GENERAL FUND
35 Sec. 14. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
36 1. There is appropriated from the general fund of
37 the state to the department of natural resources for
38 the fiscal year beginning July 1, 2013, and ending June
39 30, 2014, the following amount, or so much thereof as
40 is necessary, to be used for the purpose designated:
41 For purposes of supporting floodplain management and
42 dam safety:
43 \$ 2,000,000
44 2. Of the amount appropriated in subsection 1, up
45 to \$400,000 may be used by the department to acquire
46 or install stream gages for purposes of tracking and
47 predicting flood events and for compiling necessary
48 data to improve flood frequency analysis.
49 3. Notwithstanding section 8.33, moneys
50 appropriated in subsection 1 that remain unencumbered

1 or unobligated at the close of the fiscal year shall
2 not revert but shall remain available for expenditure
3 for the purposes designated until the close of the
4 succeeding fiscal year.
5 Sec. 15. FORESTRY HEALTH MANAGEMENT.
6 1. There is appropriated from the general fund of
7 the state to the department of natural resources for
8 the fiscal year beginning July 1, 2013, and ending June
9 30, 2014, the following amount, or so much thereof as
10 is necessary, to be used for the purposes designated:
11 For purposes of providing for forestry health

12 management programs:
13 \$ 100,000
14 2. Notwithstanding section 8.33, moneys
15 appropriated in this section that remain unencumbered
16 or unobligated at the close of the fiscal year shall
17 not revert but shall remain available to be used
18 for the purposes designated until the close of the
19 succeeding fiscal year.
20 DIVISION III
21 IOWA STATE UNIVERSITY
22 SPECIAL GENERAL FUND APPROPRIATION FOR FY 2013–2014
23 Sec. 16. VETERINARY DIAGNOSTIC LABORATORY.
24 1. There is appropriated from the general fund
25 of the state to Iowa state university of science and
26 technology for the fiscal year beginning July 1, 2013,
27 and ending June 30, 2014, the following amount, or
28 so much thereof as is necessary, to be used for the
29 purposes designated:
30 For purposes of supporting the college of veterinary
31 medicine for the operation of the veterinary diagnostic
32 laboratory and for not more than the following
33 full-time equivalent positions:
34 \$ 3,487,636
35 FTEs 50.00
36 2. a. Iowa state university of science and
37 technology shall not reduce the amount that it
38 allocates to support the college of veterinary medicine
39 from any other source due to the appropriation made in
40 this section.
41 b. Paragraph “a” does not apply to a reduction made
42 to support the college of veterinary medicine, if the
43 same percentage of reduction imposed on the college
44 of veterinary medicine is also imposed on all of Iowa
45 state university’s budget units.
46 3. If by June 30, 2014, Iowa state university
47 of science and technology fails to allocate the
48 moneys appropriated in this section to the college of
49 veterinary medicine in accordance with this section,
50 the moneys appropriated in this section for that fiscal

1 year shall revert to the general fund of the state.
2 Sec. 17. VETERINARY DIAGNOSTIC LABORATORY — FUTURE
3 FISCAL YEAR. This section applies if appropriations
4 made in this Act and all other Acts enacted by the
5 Eighty-fifth General Assembly during the 2013 regular
6 session and all extraordinary sessions, for the
7 fiscal year beginning July 1, 2013, and ending June
8 30, 2014, for purposes of supporting the operation
9 of the veterinary diagnostic laboratory associated
10 with the college of veterinary medicine at Iowa state

11 university, total less than \$4,000,000. It is the
12 intent of the general assembly that the amount of any
13 deficit will be appropriated by the general assembly
14 during its 2014 regular session for purposes of
15 supporting the operation of the veterinary diagnostic
16 laboratory for the fiscal year beginning July 1, 2014,
17 and ending June 30, 2015.

18 DIVISION IV

19 ENVIRONMENT FIRST FUND

20 GENERAL APPROPRIATIONS FOR FY 2013–2014

21 Sec. 18. DEPARTMENT OF AGRICULTURE AND LAND
22 STEWARDSHIP. There is appropriated from the
23 environment first fund created in section 8.57A to the
24 department of agriculture and land stewardship for the
25 fiscal year beginning July 1, 2013, and ending June 30,
26 2014, the following amounts, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

29 a. For the conservation reserve enhancement program
30 to restore and construct wetlands for the purposes of
31 intercepting tile line runoff, reducing nutrient loss,
32 improving water quality, and enhancing agricultural
33 production practices:

34 \$ 1,000,000

35 b. Not more than 10 percent of the moneys
36 appropriated in paragraph “a” may be used for costs of
37 administration and implementation of soil and water
38 conservation practices.

39 c. Notwithstanding any other provision in law,
40 the department may provide state resources from this
41 appropriation, in combination with other appropriate
42 environment first fund appropriations, for cost sharing
43 to match United States department of agriculture,
44 natural resources conservation service, wetlands
45 reserve enhancement program (WREP) funding available
46 to Iowa.

47 2. WATERSHED PROTECTION

48 a. For continuation of a program that provides
49 multiobjective resource protections for flood control,
50 water quality, erosion control, and natural resource

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1 conservation:
2 \$ 900,000

3 b. Not more than 10 percent of the moneys
4 appropriated in paragraph “a” may be used for costs of
5 administration and implementation of soil and water
6 conservation practices.

7 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

8 a. For continuation of a statewide voluntary farm
9 management demonstration program to demonstrate the

effectiveness and adaptability of emerging practices in
agronomy that protect water resources and provide other
environmental benefits:

..... \$ 625,000

b. Not more than 10 percent of the moneys
appropriated in paragraph “a” may be used for costs of
administration and implementation of soil and water
conservation practices.

c. Of the amount appropriated in paragraph “a”,
\$400,000 shall be allocated to an organization
representing soybean growers to provide for an
agriculture and environment performance program in
order to carry out the purposes of this subsection as
specified in paragraph “a”.

4. SOIL AND WATER CONSERVATION — ADMINISTRATION

For use by the department for costs of
administration and implementation of soil and water
conservation practices:

..... \$ 2,550,000

5. CONSERVATION RESERVE PROGRAM (CRP)

a. To encourage and assist farmers in enrolling
in and the implementation of the federal conservation
reserve program and to work with them to enhance their
revegetation efforts to improve water quality and
habitat:

..... \$ 1,000,000

b. Not more than 10 percent of the moneys
appropriated in paragraph “a” may be used for costs of
administration and implementation of soil and water
conservation practices.

6. SOIL AND WATER CONSERVATION

a. For use by the department in providing for soil
and water conservation administration, the conservation
of soil and water resources, or the support of soil and
water conservation district commissioners:

..... \$ 6,650,000

b. Not more than 5 percent of the moneys
appropriated in paragraph “a” may be allocated for
cost sharing to address complaints filed under section
161A.47.

c. Of the moneys appropriated in paragraph “a”,

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1 5 percent shall be allocated for financial incentives
2 to establish practices to protect watersheds above
3 publicly owned lakes of the state from soil erosion and
4 sediment as provided in section 161A.73.

d. Not more than 30 percent of a soil and water
conservation district’s allocation of moneys as
financial incentives may be provided for the purpose
of establishing management practices to control soil

9 erosion on land that is row cropped, including but
10 not limited to no-till planting, ridge-till planting,
11 contouring, and contour strip-cropping as provided in
12 section 161A.73.
13 e. The state soil conservation committee
14 established by section 161A.4 may allocate moneys
15 appropriated in paragraph “a” to conduct research and
16 demonstration projects to promote conservation tillage
17 and nonpoint source pollution control practices.
18 f. The allocation of moneys as financial incentives
19 as provided in section 161A.73 may be used in
20 combination with moneys allocated by the department of
21 natural resources.

22 g. Not more than 15 percent of the moneys
23 appropriated in paragraph “a” may be used for costs of
24 administration and implementation of soil and water
25 conservation practices.

26 h. In lieu of moneys appropriated in section
27 466A.5, not more than \$50,000 of the moneys
28 appropriated in paragraph “a” shall be used by the soil
29 conservation division of the department of agriculture
30 and land stewardship to provide administrative support
31 to the watershed improvement review board established
32 in section 466A.3.

33 i. The department of agriculture and land
34 stewardship may procure computer program licenses for
35 use by soil and water conservation districts in order
36 to utilize light detection and ranging technology.

37 7. AGRICULTURAL DRAINAGE WELL WATER QUALITY
38 ASSISTANCE FUND

39 For deposit in the agricultural drainage well water
40 quality assistance fund created in section 460.303 to
41 be used for purposes of supporting the agricultural
42 drainage well water quality assistance program as
43 provided in section 460.304:

44 \$ 1,550,000

45 8. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

46 a. For deposit in the loess hills development and
47 conservation fund created in section 161D.2:

48 \$ 525,000

49 b. (1) Of the amount appropriated in paragraph
50 “a”, \$393,750 shall be allocated to the fund’s hungry

1 canyons account.
2 (2) Not more than 10 percent of the moneys
3 allocated to the hungry canyons account as provided in
4 subparagraph (1) may be used for administrative costs.
5 c. (1) Of the amount appropriated in paragraph
6 “a”, \$131,250 shall be allocated to the fund’s loess
7 hills alliance account.

8	(2) Not more than 10 percent of the moneys	
9	allocated to the loess hills alliance account	
10	as provided in subparagraph (1) may be used for	
11	administrative costs.	
12	9. WATER QUALITY INITIATIVE	
13	a. For purposes of supporting a water quality	
14	program to provide for nutrient management in order to	
15	reduce nutrients in state waters and rivers bordering	
16	the state:	
17	.....	\$ 2,400,000
18	b. The amount appropriated in paragraph "a" shall	
19	be used to support 1.00 FTE.	
20	Sec. 19. DEPARTMENT OF NATURAL RESOURCES. There is	
21	appropriated from the environment first fund created in	
22	section 8.57A to the department of natural resources	
23	for the fiscal year beginning July 1, 2013, and ending	
24	June 30, 2014, the following amounts, or so much	
25	thereof as is necessary, to be used for the purposes	
26	designated:	
27	1. KEEPERS OF THE LAND	
28	For statewide coordination of volunteer efforts	
29	under the water quality and keepers of the land	
30	programs:	
31	.....	\$ 100,000
32	2. STATE PARKS MAINTENANCE AND OPERATIONS	
33	For regular maintenance of state parks and staff	
34	time associated with these activities:	
35	.....	\$ 6,610,000
36	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)	
37	To provide local watershed managers with geographic	
38	information system data for their use in developing,	
39	monitoring, and displaying results of their watershed	
40	work:	
41	.....	\$ 195,000
42	4. WATER QUALITY MONITORING	
43	For continuing the establishment and operation of	
44	water quality monitoring stations:	
45	.....	\$ 2,955,000
46	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	
47	For deposit in the public water supply system	
48	account of the water quality protection fund created	
49	in section 455B.183A:	
50	\$ 500,000

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1	6. REGULATION OF ANIMAL FEEDING OPERATIONS	
2	For the regulation of animal feeding operations,	
3	including as provided for in chapters 459 through 459B:	
4	.....	\$ 1,120,000
5	7. AMBIENT AIR QUALITY	
6	For the abatement, control, and prevention of	

7	ambient air pollution in this state, including measures	
8	as necessary to assure attainment and maintenance of	
9	ambient air quality standards from particulate matter:	
10	.....	\$ 425,000
11	8. WATER QUANTITY REGULATION	
12	For regulating water quantity from surface and	
13	subsurface sources by providing for the allocation and	
14	use of water resources, the protection and management	
15	of water resources, and the preclusion of conflicts	
16	among users of water resources, including as provided	
17	in chapter 455B, division III, part 4:	
18	.....	\$ 495,000
19	9. GEOLOGICAL AND WATER SURVEY	
20	For continuing the operations of the department's	
21	geological and water survey including but not limited	
22	to providing analysis, data collection, investigative	
23	programs, and information for water supply development	
24	and protection:	
25	.....	\$ 200,000
26	10. KEEP IOWA BEAUTIFUL INITIATIVE	
27	For purposes of supporting a keep Iowa beautiful	
28	initiative in order to assist communities in developing	
29	and implementing beautification and community	
30	development plans:	
31	.....	\$ 200,000
32	Sec. 20. REVERSION. Notwithstanding section 8.33,	
33	moneys appropriated for the fiscal year beginning	
34	July 1, 2013, in this division of this Act that remain	
35	unencumbered or unobligated at the close of the fiscal	
36	year shall not revert but shall remain available to be	
37	used for the purposes designated until the close of the	
38	succeeding fiscal year or until the project for which	
39	the appropriation was made is completed, whichever is	
40	earlier.	
41	DIVISION V	
42	ENVIRONMENT FIRST FUND	
43	SPECIAL APPROPRIATION FOR FY 2013–2014	
44	Sec. 21. REAP — IN LIEU OF GENERAL FUND	
45	APPROPRIATION.	
46	Notwithstanding the amount of the standing	
47	appropriation from the general fund of the state to	
48	the Iowa resources enhancement and protection fund as	
49	provided in section 455A.18, there is appropriated from	
50	the environment first fund created in section 8.57A to	

1 the Iowa resources enhancement and protection fund,
2 in lieu of the appropriation made in section 455A.18,
3 for the fiscal year beginning July 1, 2013, and ending
4 June 30, 2014, the following amount, to be allocated as
5 provided in section 455A.19:

6	.....	\$	12,000,000
7	DIVISION VI		
8	DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP		
9	GENERAL APPROPRIATION FOR FY 2014–2015		
10	Sec. 22. GENERAL FUND — DEPARTMENT.		
11	1. There is appropriated from the general fund of		
12	the state to the department of agriculture and land		
13	stewardship for the fiscal year beginning July 1, 2014,		
14	and ending June 30, 2015, the following amount, or		
15	so much thereof as is necessary, to be used for the		
16	purposes designated:		
17	For purposes of supporting the department, including		
18	its divisions, for administration, regulation, and		
19	programs; for salaries, support, maintenance, and		
20	miscellaneous purposes; and for not more than the		
21	following full-time equivalent positions:		
22	.....	\$	8,790,664
23	.....	FTEs	372.00
24	2. Of the amount appropriated in subsection 1,		
25	the following amount is transferred to Iowa state		
26	university of science and technology, to be used		
27	for the university's midwest grape and wine industry		
28	institute:		
29	.....	\$	119,000
30	3. The department shall submit a report each		
31	quarter of the fiscal year to the legislative services		
32	agency, the department of management, the members of		
33	the joint appropriations subcommittee on agriculture		
34	and natural resources, and the chairpersons and		
35	ranking members of the senate and house committees on		
36	appropriations. The report shall describe in detail		
37	the expenditure of moneys appropriated in this section		
38	to support the department's administration, regulation,		
39	and programs.		
40	DESIGNATED APPROPRIATIONS		
41	MISCELLANEOUS FUNDS		
42	Sec. 23. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —		
43	HORSE AND DOG RACING. There is appropriated from the		
44	moneys available under section 99D.13 to the department		
45	of agriculture and land stewardship for the fiscal year		
46	beginning July 1, 2014, and ending June 30, 2015, the		
47	following amount, or so much thereof as is necessary,		
48	to be used for the purposes designated:		
49	For purposes of supporting the department's		
50	administration and enforcement of horse and dog racing		

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1	law pursuant to section 99D.22, including for salaries,		
2	support, maintenance, and miscellaneous purposes:		
3	.....	\$	152,758
4	Sec. 24. RENEWABLE FUEL INFRASTRUCTURE FUND —		

5	MOTOR FUEL INSPECTION. There is appropriated from	
6	the renewable fuel infrastructure fund created in	
7	section 159A.16 to the department of agriculture and	
8	land stewardship for the fiscal year beginning July 1,	
9	2014, and ending June 30, 2015, the following amount,	
10	or so much thereof as is necessary, to be used for the	
11	purposes designated:	
12	For purposes of the inspection of motor fuel,	
13	including salaries, support, maintenance, and	
14	miscellaneous purposes:	
15	.....	\$ 250,000
16	The department shall establish and administer	
17	programs for the auditing of motor fuel including	
18	biofuel processing and production plants, for screening	
19	and testing motor fuel, including renewable fuel,	
20	and for the inspection of motor fuel sold by dealers	
21	including retail dealers who sell and dispense motor	
22	fuel from motor fuel pumps.	
23	SPECIAL APPROPRIATIONS	
24	GENERAL FUND	
25	Sec. 25. DAIRY REGULATION. There is appropriated	
26	from the general fund of the state to the department of	
27	agriculture and land stewardship for the fiscal year	
28	beginning July 1, 2014, and ending June 30, 2015, the	
29	following amount, or so much thereof as is necessary,	
30	to be used for the purposes designated:	
31	1. For purposes of performing functions pursuant to	
32	section 192.109, including conducting a survey of grade	
33	“A” milk and certifying the results to the secretary	
34	of agriculture:	
35	.....	\$ 94,598
36	2. Notwithstanding section 8.33, moneys	
37	appropriated in this section that remain unencumbered	
38	or unobligated at the close of the fiscal year shall	
39	not revert but shall remain available to be used	
40	for the purposes designated until the close of the	
41	succeeding fiscal year.	
42	Sec. 26. LOCAL FOOD AND FARM PROGRAM. There is	
43	appropriated from the general fund of the state to the	
44	department of agriculture and land stewardship for the	
45	fiscal year beginning July 1, 2014, and ending June 30,	
46	2015, the following amount, or so much thereof as is	
47	necessary, to be used for the purposes designated:	
48	1. For purposes of supporting the local food and	
49	farm program pursuant to chapter 267A:	
50	.....	\$ 37,500

- 1 2. The department shall enter into a cost-sharing
- 2 agreement with Iowa state university to support the
- 3 local food and farm program coordinator position as

part of the university's cooperative extension service in agriculture and home economics pursuant to chapter 267A.

3. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 27. AGRICULTURAL EDUCATION. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For purposes of allocating moneys to an Iowa association affiliated with a national organization which promotes agricultural education providing for future farmers:

..... \$ 12,500

2. Notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2014, in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the purposes designated until the close of the succeeding fiscal year.

Sec. 28. FARMERS WITH DISABILITIES PROGRAM.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting a program for farmers with disabilities:

..... \$ 65,000

2. The moneys appropriated in subsection 1 shall be used for the public purpose of providing a grant to a national nonprofit organization with over 80 years of experience in assisting children and adults with disabilities and special needs.

a. The moneys shall be used to support a nationally recognized program that began in 1986 and has been replicated in at least 30 other states, but which is not available through any other entity in this state, and that provides assistance to farmers with

- 1 disabilities in all 99 counties to allow the farmers to
- 2 remain in their own homes and be gainfully engaged in

3 farming through provision of agricultural worksite and
4 home modification consultations, peer support services,
5 services to families, information and referral, and
6 equipment loan services.

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

13 DIVISION VII
14 DEPARTMENT OF NATURAL RESOURCES
15 GENERAL APPROPRIATIONS FOR FY 2014–2015
16 Sec. 29. GENERAL FUND — DEPARTMENT.

17 1. There is appropriated from the general fund of
18 the state to the department of natural resources for
19 the fiscal year beginning July 1, 2014, and ending June
20 30, 2015, the following amount, or so much thereof as
21 is necessary, to be used for the purposes designated:

22 For purposes of supporting the department, including
23 its divisions, for administration, regulation, and
24 programs; for salaries, support, maintenance, and
25 miscellaneous purposes; and for not more than the
26 following full-time equivalent positions:

27	\$	6,383,350
28	FTEs	1,145.95

29 2. Of the number of full-time equivalent positions
30 authorized to the department pursuant to subsection 1,
31 50.00 full-time equivalent positions shall be allocated
32 by the department for seasonal employees for purposes
33 of providing maintenance, upkeep, and sanitary services
34 at state parks. This subsection shall not impact park
35 ranger positions within the department.

36 3. The department shall submit a report each
37 quarter of the fiscal year to the legislative services
38 agency, the department of management, the members of
39 the joint appropriations subcommittee on agriculture
40 and natural resources, and the chairpersons and
41 ranking members of the senate and house committees on
42 appropriations. The report shall describe in detail
43 the expenditure of moneys appropriated under this
44 section to support the department's administration,
45 regulation, and programs.

46 Sec. 30. STATE FISH AND GAME PROTECTION FUND —
47 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

48 1. There is appropriated from the state fish and
49 game protection fund to the department of natural
50 resources for the fiscal year beginning July 1, 2014,

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1 and ending June 30, 2015, the following amount, or
2 so much thereof as is necessary, to be used for the
3 purposes designated:
4 For purposes of supporting the regulation or
5 advancement of hunting, fishing, or trapping, or the
6 protection, propagation, restoration, management,
7 or harvest of fish or wildlife, including for
8 administration, regulation, law enforcement, and
9 programs; and for salaries, support, maintenance,
10 equipment, and miscellaneous purposes:
11 \$ 20,539,117
12 2. Notwithstanding section 455A.10, the department
13 may use the unappropriated balance remaining in the
14 state fish and game protection fund to provide for the
15 funding of health and life insurance premium payments
16 from unused sick leave balances of conservation peace
17 officers employed in a protection occupation who
18 retire, pursuant to section 97B.49B.
19 3. Notwithstanding section 455A.10, the department
20 of natural resources may use the unappropriated
21 balance remaining in the state fish and game protection
22 fund for the fiscal year beginning July 1, 2014,
23 and ending June 30, 2015, as is necessary to fund
24 salary adjustments for departmental employees which
25 the general assembly has made an operating budget
26 appropriation for in subsection 1.
27 Sec. 31. GROUNDWATER PROTECTION FUND — WATER
28 QUALITY. There is appropriated from the groundwater
29 protection fund created in section 455E.11 to the
30 department of natural resources for the fiscal year
31 beginning July 1, 2014, and ending June 30, 2015, from
32 those moneys which are not allocated pursuant to that
33 section, the following amount, or so much thereof as is
34 necessary, to be used for the purposes designated:
35 For purposes of supporting the department's
36 protection of the state's groundwater, including
37 for administration, regulation, and programs, and
38 for salaries, support, maintenance, equipment, and
39 miscellaneous purposes:
40 \$ 1,727,916
41 DESIGNATED APPROPRIATIONS
42 MISCELLANEOUS FUNDS
43 Sec. 32. SPECIAL SNOWMOBILE FUND — SNOWMOBILE
44 PROGRAM. There is appropriated from the special
45 snowmobile fund created under section 321G.7 to the
46 department of natural resources for the fiscal year
47 beginning July 1, 2014, and ending June 30, 2015, the
48 following amount, or so much thereof as is necessary,
49 to be used for the purpose designated:
50 For purposes of administering and enforcing the

1 state snowmobile programs:
2 \$ 50,000

3 Sec. 33. UNASSIGNED REVENUE FUND — UNDERGROUND
4 STORAGE TANK SECTION EXPENSES. There is appropriated
5 from the unassigned revenue fund administered by the
6 Iowa comprehensive underground storage tank fund
7 board to the department of natural resources for the
8 fiscal year beginning July 1, 2014, and ending June 30,
9 2015, the following amount, or so much thereof as is
10 necessary, to be used for the purpose designated:
11 For purposes of paying for administration expenses
12 of the department's underground storage tank section:
13 \$ 100,000

14 SPECIAL APPROPRIATIONS
15 GENERAL FUND

16 Sec. 34. FLOODPLAIN MANAGEMENT AND DAM SAFETY.
17 1. There is appropriated from the general fund of
18 the state to the department of natural resources for
19 the fiscal year beginning July 1, 2014, and ending June
20 30, 2015, the following amount, or so much thereof as
21 is necessary, to be used for the purpose designated:
22 For purposes of supporting floodplain management and
23 dam safety:
24 \$ 1,000,000

25 2. Of the amount appropriated in subsection 1, up
26 to \$340,000 may be used by the department to acquire
27 or install stream gages for purposes of tracking and
28 predicting flood events and for compiling necessary
29 data to improve flood frequency analysis.

30 3. Notwithstanding section 8.33, moneys
31 appropriated in subsection 1 that remain unencumbered
32 or unobligated at the close of the fiscal year shall
33 not revert but shall remain available for expenditure
34 for the purposes designated until the close of the
35 succeeding fiscal year.

36 Sec. 35. FORESTRY HEALTH MANAGEMENT.
37 1. There is appropriated from the general fund of
38 the state to the department of natural resources for
39 the fiscal year beginning July 1, 2014, and ending June
40 30, 2015, the following amount, or so much thereof as
41 is necessary, to be used for the purposes designated:
42 For purposes of providing for forestry health
43 management programs:
44 \$ 50,000

45 2. Notwithstanding section 8.33, moneys
46 appropriated in this section that remain unencumbered
47 or unobligated at the close of the fiscal year shall
48 not revert but shall remain available to be used
49 for the purposes designated until the close of the
50 succeeding fiscal year.

1 DIVISION VIII
2 IOWA STATE UNIVERSITY
3 SPECIAL GENERAL FUND APPROPRIATION FOR FY 2014–2015
4 Sec. 36. VETERINARY DIAGNOSTIC LABORATORY.
5 1. There is appropriated from the general fund
6 of the state to Iowa state university of science and
7 technology for the fiscal year beginning July 1, 2014,
8 and ending June 30, 2015, the following amount, or
9 so much thereof as is necessary, to be used for the
10 purposes designated:
11 For purposes of supporting the college of veterinary
12 medicine for the operation of the veterinary diagnostic
13 laboratory and for not more than the following
14 full-time equivalent positions:
15 \$ 1,743,818
16 FTEs 50.00
17 2. a. Iowa state university of science and
18 technology shall not reduce the amount that it
19 allocates to support the college of veterinary medicine
20 from any other source due to the appropriation made in
21 this section.
22 b. Paragraph “a” does not apply to a reduction made
23 to support the college of veterinary medicine, if the
24 same percentage of reduction imposed on the college
25 of veterinary medicine is also imposed on all of Iowa
26 state university’s budget units.
27 3. If by June 30, 2015, Iowa state university
28 of science and technology fails to allocate the
29 moneys appropriated in this section to the college of
30 veterinary medicine in accordance with this section,
31 the moneys appropriated in this section for that fiscal
32 year shall revert to the general fund of the state.
33 Sec. 37. VETERINARY DIAGNOSTIC LABORATORY — FUTURE
34 FISCAL YEAR. This section applies if appropriations
35 made in this Act and all other Acts enacted by the
36 Eighty-fifth General Assembly during the 2014 regular
37 session and all extraordinary sessions, for the
38 fiscal year beginning July 1, 2014, and ending June
39 30, 2015, for purposes of supporting the operation
40 of the veterinary diagnostic laboratory associated
41 with the college of veterinary medicine at Iowa state
42 university, total less than \$4,000,000 It is the intent
43 of the general assembly that the amount of any deficit
44 will be appropriated by the general assembly during its
45 2015 regular session for purposes of supporting the
46 operation of the veterinary diagnostic laboratory for
47 the fiscal year beginning July 1, 2015, and ending June
48 30, 2016.
49 DIVISION IX
50 ENVIRONMENT FIRST FUND

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GENERAL APPROPRIATIONS FOR FY 2014–2015

Sec. 38. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

a. For the conservation reserve enhancement program to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:

.....\$ 500,000

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

c. Notwithstanding any other provision in law, the department may provide state resources from this appropriation, in combination with other appropriate environment first fund appropriations, for cost sharing to match United States department of agriculture, natural resources conservation service, wetlands reserve enhancement program (WREP) funding available to Iowa.

2. WATERSHED PROTECTION

a. For continuation of a program that provides multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation:

..... \$ 450,000

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

3. FARM MANAGEMENT DEMONSTRATION PROGRAM

a. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 312,500

b. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

c. Of the amount appropriated in paragraph "a",

\$200,000 shall be allocated to an organization

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1 representing soybean growers to provide for an
2 agriculture and environment performance program in
3 order to carry out the purposes of this subsection as
4 specified in paragraph “a”.

5 4. SOIL AND WATER CONSERVATION — ADMINISTRATION
6 For use by the department for costs of
7 administration and implementation of soil and water
8 conservation practices:
9 \$ 1,275,00

10 5. CONSERVATION RESERVE PROGRAM (CRP)
11 a. To encourage and assist farmers in enrolling
12 in and the implementation of the federal conservation
13 reserve program and to work with them to enhance their
14 revegetation efforts to improve water quality and
15 habitat:
16 \$ 500,000

17 b. Not more than 10 percent of the moneys
18 appropriated in paragraph “a” may be used for costs of
19 administration and implementation of soil and water
20 conservation practices.

21 6. SOIL AND WATER CONSERVATION
22 a. For use by the department in providing for soil
23 and water conservation administration, the conservation
24 of soil and water resources, or the support of soil and
25 water conservation district commissioners:
26 \$ 3,325,000

27 b. Not more than 5 percent of the moneys
28 appropriated in paragraph “a” may be allocated for
29 cost sharing to address complaints filed under section
30 161A.47.

31 c. Of the moneys appropriated in paragraph “a”,
32 5 percent shall be allocated for financial incentives
33 to establish practices to protect watersheds above
34 publicly owned lakes of the state from soil erosion and
35 sediment as provided in section 161A.73.

36 d. Not more than 30 percent of a soil and water
37 conservation district’s allocation of moneys as
38 financial incentives may be provided for the purpose
39 of establishing management practices to control soil
40 erosion on land that is row cropped, including but
41 not limited to no-till planting, ridge-till planting,
42 contouring, and contour strip-cropping as provided in
43 section 161A.73.

44 e. The state soil conservation committee
45 established by section 161A.4 may allocate moneys
46 appropriated in paragraph “a” to conduct research and
47 demonstration projects to promote conservation tillage
48 and nonpoint source pollution control practices.

49 f. The allocation of moneys as financial incentives
50 as provided in section 161A.73 may be used in

1 combination with moneys allocated by the department of
2 natural resources.

3 g. Not more than 15 percent of the moneys
4 appropriated in paragraph “a” may be used for costs of
5 administration and implementation of soil and water
6 conservation practices.

7 h. In lieu of moneys appropriated in section
8 466A.5, not more than \$25,000 of the moneys
9 appropriated in paragraph “a” shall be used by the soil
10 conservation division of the department of agriculture
11 and land stewardship to provide administrative support
12 to the watershed improvement review board established
13 in section 466A.3.

14 7. AGRICULTURAL DRAINAGE WELL WATER QUALITY
15 ASSISTANCE FUND

16 For deposit in the agricultural drainage well water
17 quality assistance fund created in section 460.303 to
18 be used for purposes of supporting the agricultural
19 drainage well water quality assistance program as
20 provided in section 460.304:

21 \$ 775,000

22 8. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

23 a. For deposit in the loess hills development and
24 conservation fund created in section 161D.2:

25 \$ 262,500

26 b. (1) Of the amount appropriated in paragraph
27 “a”, \$196,875 shall be allocated to the fund’s hungry
28 canyons account.

29 (2) Not more than 10 percent of the moneys
30 allocated to the hungry canyons account as provided in
31 subparagraph (1) may be used for administrative costs.

32 c. (1) Of the amount appropriated in paragraph
33 “a”, \$65,625 shall be allocated to the fund’s loess
34 hills alliance account.

35 (2) Not more than 10 percent of the moneys
36 allocated to the loess hills alliance account
37 as provided in subparagraph (1) may be used for
38 administrative costs.

39 9. WATER QUALITY INITIATIVE

40 a. For purposes of supporting a water quality
41 initiative to provide for nutrient management in
42 order to reduce nutrients in state waters and rivers
43 bordering the state:

44 \$ 2,200,000

45 b. The amount appropriated in paragraph “a” shall
46 be used to support 1.00 FTE.

47 Sec. 39. DEPARTMENT OF NATURAL RESOURCES. There is
48 appropriated from the environment first fund created in
49 section 8.57A to the department of natural resources
50 for the fiscal year beginning July 1, 2014, and ending

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1	June 30, 2015, the following amounts, or so much	
2	thereof as is necessary, to be used for the purposes	
3	designated:	
4	1. KEEPERS OF THE LAND	
5	For statewide coordination of volunteer efforts	
6	under the water quality and keepers of the land	
7	programs:	
8	.....	\$ 50,000
9	2. STATE PARKS MAINTENANCE AND OPERATIONS	
10	For regular maintenance of state parks and staff	
11	time associated with these activities:	
12	.....	\$ 2,305,000
13	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)	
14	To provide local watershed managers with geographic	
15	information system data for their use in developing,	
16	monitoring, and displaying results of their watershed	
17	work:	
18	.....	\$ 97,500
19	4. WATER QUALITY MONITORING	
20	For continuing the establishment and operation of	
21	water quality monitoring stations:	
22	.....	\$ 1,477,500
23	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	
24	For deposit in the public water supply system	
25	account of the water quality protection fund created	
26	in section 455B.183A:	
27	.....	\$ 250,000
28	6. REGULATION OF ANIMAL FEEDING OPERATIONS	
29	For the regulation of animal feeding operations,	
30	including as provided for in chapters 459 through 459B:	
31	.....	\$ 560,000
32	7. AMBIENT AIR QUALITY	
33	For the abatement, control, and prevention of	
34	ambient air pollution in this state, including measures	
35	as necessary to assure attainment and maintenance of	
36	ambient air quality standards from particulate matter:	
37	.....	\$ 212,500
38	8. WATER QUANTITY REGULATION	
39	For regulating water quantity from surface and	
40	subsurface sources by providing for the allocation and	
41	use of water resources, the protection and management	
42	of water resources, and the preclusion of conflicts	
43	among users of water resources, including as provided	
44	in chapter 455B, division III, part 4:	
45	.....	\$ 247,500
46	9. GEOLOGICAL AND WATER SURVEY	
47	For continuing the operations of the department's	
48	geological and water survey including but not limited	
49	to providing analysis, data collection, investigative	
50	programs, and information for water supply development	

1 and protection:
2 \$ 100,000
3 10. KEEP IOWA BEAUTIFUL INITIATIVE
4 For purposes of supporting a keep Iowa beautiful
5 initiative in order to assist communities in developing
6 and implementing beautification and community
7 development plans:
8 \$ 100,000
9 Sec. 40. REVERSION. Notwithstanding section 8.33,
10 moneys appropriated for the fiscal year beginning
11 July 1, 2014, in this division of this Act that remain
12 unencumbered or unobligated at the close of the fiscal
13 year shall not revert but shall remain available to
14 be used for the purposes designated until the close
15 of the fiscal year beginning July 1, 2015, or until
16 the project for which the appropriation was made is
17 completed, whichever is earlier.
18 DIVISION X
19 ENVIRONMENT FIRST FUND
20 SPECIAL APPROPRIATION FOR FY 2014–2015
21 Sec. 41. REAP — IN LIEU OF GENERAL FUND
22 APPROPRIATION.
23 Notwithstanding the amount of the standing
24 appropriation from the general fund of the state to
25 the Iowa resources enhancement and protection fund as
26 provided in section 455A.18, there is appropriated from
27 the environment first fund created in section 8.57A to
28 the Iowa resources enhancement and protection fund,
29 in lieu of the appropriation made in section 455A.18,
30 for the fiscal year beginning July 1, 2014, and ending
31 June 30, 2015, the following amount, to be allocated as
32 provided in section 455A.19:
33 \$ 6,000,000
34 DIVISION XI
35 RELATED STATUTORY CHANGES
36 Sec. 42. CERTIFICATION REQUIREMENTS —
37 REPEAL. 2013 Iowa Acts, House File 312, section 2,
38 subsection 3, if enacted by 2013 Iowa Acts, House File
39 312, is amended by striking the subsection.
40 Sec. 43. Section 6A.1, Code 2013, is amended to
41 read as follows:
42 6A.1 Exercise of power by state.
43 1. Proceedings may be instituted and maintained by
44 the state of Iowa, or for the use and benefit thereof,
45 for the condemnation of such private property as may be
46 necessary for any public improvement which the general
47 assembly has authorized to be undertaken by the state,
48 and for which an available appropriation has been made.
49 The executive council shall institute and maintain such
50 proceedings in case authority to so do be not otherwise

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delegated.

2. a. As used in this subsection, "state moneys" means moneys appropriated by the general assembly, including but not limited to any such moneys which are available to a state agency for any purpose.

b. Notwithstanding any provision of law to the contrary, state moneys and state employees shall not be used for the construction of a lake, including but not limited to the acquisition of land for the lake, if all of the following apply:

(1) The lake is to be used for boating, fishing, swimming, or other recreational activity.

(2) The land is to be condemned under this chapter and chapter 6B.

c. Paragraph "b" does not apply if the owner of land consents to the condemnation.

Sec. 44. Section 460.303, subsection 3, Code 2013, is amended to read as follows:

3. ~~The Moneys in the fund shall be used are~~ appropriated to support an agricultural drainage well water quality assistance program as provided in section 460.304. Moneys shall be used to provide financial incentives under the program, and to defray expenses by the division in administering the program. However, not more than one percent of the money in the fund is available to defray administrative expenses. The division may adopt rules pursuant to chapter 17A to administer this section.>

2. By renumbering as necessary.

S-3179

HOUSE AMENDMENT TO SENATE FILE 447

Amend Senate File 447, as amended, passed, and reprinted by the Senate, as follows:

1. By striking everything after the enacting clause and inserting:

<DIVISION I

FY 2013-2014

APPROPRIATIONS

Section 1. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous

16 purposes, including the prosecuting attorneys training
17 program, matching funds for federal violence against
18 women grant programs, victim assistance grants, office
19 of drug control policy prosecuting attorney program,
20 and odometer fraud enforcement, and for not more than
21 the following full-time equivalent positions:
22 \$ 7,221,367
23 FTEs 214.00
24 The office of attorney general may use a portion
25 of the funds appropriated in this lettered paragraph
26 to employ an agent of the division of criminal
27 investigation of the department of public safety to
28 investigate voter fraud.
29 It is the intent of the general assembly that as
30 a condition of receiving the appropriation provided
31 in this lettered paragraph, the department of justice
32 shall maintain a record of the estimated time incurred
33 representing each agency or department.
34 b. For victim assistance grants:
35 \$ 2,876,400
36 The funds appropriated in this lettered paragraph
37 shall be used to provide grants to care providers
38 providing services to crime victims of domestic abuse
39 or to crime victims of rape and sexual assault.
40 The balance of the victim compensation fund
41 established in section 915.94 may be used to provide
42 salary and support of not more than 24 FTEs and
43 to provide maintenance for the victim compensation
44 functions of the department of justice.
45 The department of justice shall transfer at least
46 \$150,000 from the victim compensation fund established
47 in section 915.94 to the victim assistance grant
48 program.
49 c. For legal services for persons in poverty grants
50 as provided in section 13.34:

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1 \$ 2,107,416
2 2. a. The department of justice, in submitting
3 budget estimates for the fiscal year commencing July
4 1, 2014, pursuant to section 8.23, shall include a
5 report of funding from sources other than amounts
6 appropriated directly from the general fund of the
7 state to the department of justice or to the office of
8 consumer advocate. These funding sources shall include
9 but are not limited to reimbursements from other state
10 agencies, commissions, boards, or similar entities, and
11 reimbursements from special funds or internal accounts
12 within the department of justice. The department of
13 justice shall also report actual reimbursements for the
14 fiscal year commencing July 1, 2012, and actual and

15 expected reimbursements for the fiscal year commencing
16 July 1, 2013.

17 b. The department of justice shall include the
18 report required under paragraph “a”, as well as
19 information regarding any revisions occurring as a
20 result of reimbursements actually received or expected
21 at a later date, in a report to the co-chairpersons
22 and ranking members of the joint appropriations
23 subcommittee on the justice system and the legislative
24 services agency. The department of justice shall
25 submit the report on or before January 15, 2014.

26 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
27 appropriated from the department of commerce revolving
28 fund created in section 546.12 to the office of
29 consumer advocate of the department of justice for the
30 fiscal year beginning July 1, 2013, and ending June 30,
31 2014, the following amount, or so much thereof as is
32 necessary, to be used for the purposes designated:

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

36	\$	3,136,163
37	FTEs	22.00

38 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

39 1. There is appropriated from the general fund of
40 the state to the department of corrections for the
41 fiscal year beginning July 1, 2013, and ending June
42 30, 2014, the following amounts, or so much thereof as
43 is necessary, to be used for the operation of adult
44 correctional institutions, reimbursement of counties
45 for certain confinement costs, and federal prison
46 reimbursement, to be allocated as follows:

47 a. For the operation of the Fort Madison
48 correctional facility, including salaries, support,
49 maintenance, and miscellaneous purposes:

50	\$	43,107,133
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1 The department of corrections shall submit, to
2 the co-chairpersons and ranking members of the joint
3 appropriations subcommittee on the justice system by
4 January 15, 2014, the plans for the integration of the
5 John Bennett facility and the clinical care unit into
6 the new Fort Madison maximum security correctional
7 facility and the future plans for the use of the
8 current Fort Madison maximum security correctional
9 facility after the inmates are transferred to the new
10 facility.

11 b. For the operation of the Anamosa correctional
12 facility, including salaries, support, maintenance, and
13 miscellaneous purposes:

14	.....	\$	31,277,482
15	c. For the operation of the Oakdale correctional		
16	facility, including salaries, support, maintenance, and		
17	miscellaneous purposes:		
18	.....	\$	58,550,123
19	d. For the operation of the Newton correctional		
20	facility, including salaries, support, maintenance, and		
21	miscellaneous purposes:		
22	.....	\$	27,127,290
23	e. For the operation of the Mt. Pleasant		
24	correctional facility, including salaries, support,		
25	maintenance, and miscellaneous purposes:		
26	.....	\$	24,811,427
27	f. For the operation of the Rockwell City		
28	correctional facility, including salaries, support,		
29	maintenance, and miscellaneous purposes:		
30	.....	\$	9,671,148
31	g. For the operation of the Clarinda correctional		
32	facility, including salaries, support, maintenance, and		
33	miscellaneous purposes:		
34	.....	\$	25,241,616
35	Moneys received by the department of corrections as		
36	reimbursement for services provided to the Clarinda		
37	youth corporation are appropriated to the department		
38	and shall be used for the purpose of operating the		
39	Clarinda correctional facility.		
40	h. For the operation of the Mitchellville		
41	correctional facility, including salaries, support,		
42	maintenance, and miscellaneous purposes:		
43	.....	\$	21,604,035
44	i. For the operation of the Fort Dodge correctional		
45	facility, including salaries, support, maintenance, and		
46	miscellaneous purposes:		
47	.....	\$	29,865,232
48	j. For reimbursement of counties for temporary		
49	confinement of work release and parole violators, as		
50	provided in sections 901.7, 904.908, and 906.17, and		

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1	for offenders confined pursuant to section 904.513:		
2	\$	1,075,092
3	k. For federal prison reimbursement, reimbursements		
4	for out-of-state placements, and miscellaneous		
5	contracts:		
6	.....	\$	484,411
7	2. The department of corrections shall use moneys		
8	appropriated in subsection 1 to continue to contract		
9	for the services of a Muslim imam and a Native American		
10	spiritual leader.		
11	Sec. 4. DEPARTMENT OF CORRECTIONS —		
12	ADMINISTRATION. There is appropriated from the general		

13 fund of the state to the department of corrections for
14 the fiscal year beginning July 1, 2013, and ending June
15 30, 2014, the following amounts, or so much thereof as
16 is necessary, to be used for the purposes designated:

17 1. For general administration, including salaries,
18 support, maintenance, employment of an education
19 director to administer a centralized education
20 program for the correctional system, and miscellaneous
21 purposes:

22 \$ 5,081,582

23 a. It is the intent of the general assembly
24 that each lease negotiated by the department of
25 corrections with a private corporation for the purpose
26 of providing private industry employment of inmates in
27 a correctional institution shall prohibit the private
28 corporation from utilizing inmate labor for partisan
29 political purposes for any person seeking election to
30 public office in this state and that a violation of
31 this requirement shall result in a termination of the
32 lease agreement.

33 b. It is the intent of the general assembly that as
34 a condition of receiving the appropriation provided in
35 this subsection the department of corrections shall not
36 enter into a lease or contractual agreement pursuant to
37 section 904.809 with a private corporation for the use
38 of building space for the purpose of providing inmate
39 employment without providing that the terms of the
40 lease or contract establish safeguards to restrict, to
41 the greatest extent feasible, access by inmates working
42 for the private corporation to personal identifying
43 information of citizens.

44 2. For educational programs for inmates at state
45 penal institutions:

46 \$ 2,358,109

47 a. To maximize the funding for educational
48 programs, the department shall establish guidelines
49 and procedures to prioritize the availability of
50 educational and vocational training for inmates based

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1 upon the goal of facilitating an inmate's successful
2 release from the correctional institution.

3 b. The director of the department of corrections
4 may transfer moneys from Iowa prison industries and the
5 canteen operating funds established pursuant to section
6 904.310, for use in educational programs for inmates.

7 c. Notwithstanding section 8.33, moneys
8 appropriated in this subsection that remain unobligated
9 or unexpended at the close of the fiscal year shall not
10 revert but shall remain available to be used only for
11 the purposes designated in this subsection until the

12 close of the succeeding fiscal year.

13 3. For the development of the Iowa corrections
14 offender network (ICON) data system:

15 \$ 2,000,000

16 4. For offender mental health and substance abuse
17 treatment:

18 \$ 22,319

19 5. For viral hepatitis prevention and treatment:

20 \$ 167,881

21 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF
22 CORRECTIONAL SERVICES.

23 1. There is appropriated from the general fund of
24 the state to the department of corrections for the
25 fiscal year beginning July 1, 2013, and ending June
26 30, 2014, for salaries, support, maintenance, and
27 miscellaneous purposes, the following amounts, or
28 so much thereof as is necessary, to be allocated as
29 follows:

30 a. For the first judicial district department of
31 correctional services:

32 \$ 13,646,172

33 b. For the second judicial district department of
34 correctional services:

35 \$ 10,870,425

36 c. For the third judicial district department of
37 correctional services:

38 \$ 6,885,470

39 d. For the fourth judicial district department of
40 correctional services:

41 \$ 5,495,309

42 e. For the fifth judicial district department of
43 correctional services, including funding for electronic
44 monitoring devices for use on a statewide basis:

45 \$ 19,375,428

46 f. For the sixth judicial district department of
47 correctional services:

48 \$ 14,095,408

49 g. For the seventh judicial district department of
50 correctional services:

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1 \$ 7,363,514

2 h. For the eighth judicial district department of
3 correctional services:

4 \$ 7,869,317

5 2. Each judicial district department of
6 correctional services, within the funding available,
7 shall continue programs and plans established within
8 that district to provide for intensive supervision, sex
9 offender treatment, diversion of low-risk offenders
10 to the least restrictive sanction available, job

11 development, and expanded use of intermediate criminal
12 sanctions.

13 3. Each judicial district department of
14 correctional services shall provide alternatives to
15 prison consistent with chapter 901B. The alternatives
16 to prison shall ensure public safety while providing
17 maximum rehabilitation to the offender. A judicial
18 district department of correctional services may also
19 establish a day program.

20 4. The governor's office of drug control policy
21 shall consider federal grants made to the department
22 of corrections for the benefit of each of the eight
23 judicial district departments of correctional services
24 as local government grants, as defined pursuant to
25 federal regulations.

26 5. The department of corrections shall continue
27 to contract with a judicial district department
28 of correctional services to provide for the rental
29 of electronic monitoring equipment which shall be
30 available statewide.

31 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION

32 OF APPROPRIATIONS. Notwithstanding section 8.39,
33 within the moneys appropriated in this division of this
34 Act to the department of corrections, the department
35 may reallocate the moneys appropriated and allocated as
36 necessary to best fulfill the needs of the correctional
37 institutions, administration of the department, and the
38 judicial district departments of correctional services.
39 However, in addition to complying with the requirements
40 of sections 904.116 and 905.8 and providing notice
41 to the legislative services agency, the department
42 of corrections shall also provide notice to the
43 department of management, prior to the effective date
44 of the revision or reallocation of an appropriation
45 made pursuant to this section. The department of
46 corrections shall not reallocate an appropriation or
47 allocation for the purpose of eliminating any program.

48 Sec. 7. INTENT — REPORTS.

49 1. The department of corrections in cooperation
50 with townships, the Iowa cemetery associations, and

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1 other nonprofit or governmental entities may use inmate
2 labor during the fiscal year beginning July 1, 2013,
3 to restore or preserve rural cemeteries and historical
4 landmarks. The department in cooperation with the
5 counties may also use inmate labor to clean up roads,
6 major water sources, and other water sources around the
7 state.

8 2. On a quarterly basis the department shall
9 provide a status report regarding private-sector

10 employment to the legislative services agency beginning
11 on July 1, 2013. The report shall include the number
12 of offenders employed in the private sector, the
13 combined number of hours worked by the offenders, the
14 total amount of allowances, and the distribution of
15 allowances pursuant to section 904.702, including any
16 moneys deposited in the general fund of the state.

17 3. The department of corrections, in cooperation
18 with the attorney general's office, shall submit a
19 report to the co-chairpersons and ranking members of
20 the joint appropriations subcommittee on the justice
21 system, and the legislative agency, by January 15,
22 2014. The report shall detail the results of the
23 central pharmacy pilot project that utilizes the Iowa
24 prescription drug corporation's voucher program for
25 indigent offenders. The report shall include but
26 is not limited to the number of offenders annually
27 served by the pilot project, funding sources, and the
28 recidivism rates of offenders in the pilot project.

29 Sec. 8. ELECTRONIC MONITORING REPORT. The
30 department of corrections shall submit a report on
31 electronic monitoring to the general assembly, to the
32 co-chairpersons and the ranking members of the joint
33 appropriations subcommittee on the justice system, and
34 to the legislative services agency by January 15, 2014.
35 The report shall specifically address the number of
36 persons being electronically monitored and break down
37 the number of persons being electronically monitored
38 by offense committed. The report shall also include a
39 comparison of any data from the prior fiscal year with
40 the current year.

41 Sec. 9. STATE AGENCY PURCHASES FROM PRISON
42 INDUSTRIES.

43 1. As used in this section, unless the context
44 otherwise requires, "state agency" means the government
45 of the state of Iowa, including but not limited to
46 all executive branch departments, agencies, boards,
47 bureaus, and commissions, the judicial branch,
48 the general assembly and all legislative agencies,
49 institutions within the purview of the state board of
50 regents, and any corporation whose primary function is

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1 to act as an instrumentality of the state.
2 2. State agencies are hereby encouraged to purchase
3 products from Iowa state industries, as defined in
4 section 904.802, when purchases are required and the
5 products are available from Iowa state industries.
6 State agencies shall obtain bids from Iowa state
7 industries for purchases of office furniture during the
8 fiscal year beginning July 1, 2013, exceeding \$5,000

or in accordance with applicable administrative rules related to purchases for the agency.

Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

.....	\$	1,001,698
.....	FTEs	23.88

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. 11. STATE PUBLIC DEFENDER. There is

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appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be allocated as follows for the purposes designated:

1. For salaries, support, maintenance,

8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:
10 \$ 25,862,182
11 FTEs 219.00

12 2. For payments on behalf of eligible adults and
13 juveniles from the indigent defense fund, in accordance
14 with section 815.11:
15 \$ 29,901,929

16 Sec. 12. BOARD OF PAROLE. There is appropriated
17 from the general fund of the state to the board of
18 parole for the fiscal year beginning July 1, 2013, and
19 ending June 30, 2014, the following amount, or so much
20 thereof as is necessary, to be used for the purposes
21 designated:

22 For salaries, support, maintenance, miscellaneous
23 purposes, and for not more than the following full-time
24 equivalent positions:
25 \$ 1,203,835
26 FTEs 11.00

27 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
28 appropriated from the general fund of the state to
29 the department of public defense for the fiscal year
30 beginning July 1, 2013, and ending June 30, 2014, the
31 following amounts, or so much thereof as is necessary,
32 to be used for the purposes designated:

33 1. MILITARY DIVISION
34 For salaries, support, maintenance, miscellaneous
35 purposes, and for not more than the following full-time
36 equivalent positions:
37 \$ 6,527,042
38 FTEs 293.61

39 The military division may temporarily exceed
40 and draw more than the amount appropriated in this
41 subsection and incur a negative cash balance as long
42 as there are receivables of federal funds equal to
43 or greater than the negative balance and the amount
44 appropriated in this subsection is not exceeded at the
45 close of the fiscal year.

46 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
47 DIVISION OR SUCCESSOR AGENCY
48 For salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-time
50 equivalent positions:

1 \$ 2,174,277
2 FTEs 37.40
3 a. The homeland security and emergency management
4 division or successor agency may temporarily exceed
5 and draw more than the amount appropriated in this
6 subsection and incur a negative cash balance as long

7 as there are receivables of federal funds equal to
 8 or greater than the negative balance and the amount
 9 appropriated in this subsection is not exceeded at the
 10 close of the fiscal year.

11 b. It is the intent of the general assembly that
 12 the homeland security and emergency management division
 13 or successor agency work in conjunction with the
 14 department of public safety, to the extent possible,
 15 when gathering and analyzing information related to
 16 potential domestic or foreign security threats, and
 17 when monitoring such threats.

18 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
 19 appropriated from the general fund of the state to
 20 the department of public safety for the fiscal year
 21 beginning July 1, 2013, and ending June 30, 2014, the
 22 following amounts, or so much thereof as is necessary,
 23 to be used for the purposes designated:

24 1. For the department's administrative functions,
 25 including the criminal justice information system, and
 26 for not more than the following full-time equivalent
 27 positions:

28	\$	4,067,054
29	FTEs	41.00

30 2. For the division of criminal investigation,
 31 including the state's contribution to the peace
 32 officers' retirement, accident, and disability system
 33 provided in chapter 97A in the amount of the state's
 34 normal contribution rate, as defined in section
 35 97A.8, multiplied by the salaries for which the
 36 moneys are appropriated, to meet federal fund matching
 37 requirements, and for not more than the following
 38 full-time equivalent positions:

39	\$	12,933,414
40	FTEs	149.60

41 3. For the criminalistics laboratory fund created
 42 in section 691.9:

43	\$	302,345
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44 4. a. For the division of narcotics enforcement,
 45 including the state's contribution to the peace
 46 officers' retirement, accident, and disability system
 47 provided in chapter 97A in the amount of the state's
 48 normal contribution rate, as defined in section
 49 97A.8, multiplied by the salaries for which the
 50 moneys are appropriated, to meet federal fund matching

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1 requirements, and for not more than the following
 2 full-time equivalent positions:

3	\$	6,755,855
4	FTEs	66.00

5 b. For the division of narcotics enforcement for

6	undercover purchases:		
7	.....	\$	109,042
8	5. For the division of state fire marshal, for fire		
9	protection services as provided through the state fire		
10	service and emergency response council as created in		
11	the department, and for the state's contribution to the		
12	peace officers' retirement, accident, and disability		
13	system provided in chapter 97A in the amount of the		
14	state's normal contribution rate, as defined in section		
15	97A.8, multiplied by the salaries for which the moneys		
16	are appropriated, and for not more than the following		
17	full-time equivalent positions:		
18	.....	\$	4,470,556
19	..... FTEs		54.00
20	6. For the division of state patrol, for salaries,		
21	support, maintenance, workers' compensation costs,		
22	and miscellaneous purposes, including the state's		
23	contribution to the peace officers' retirement,		
24	accident, and disability system provided in chapter 97A		
25	in the amount of the state's normal contribution rate,		
26	as defined in section 97A.8, multiplied by the salaries		
27	for which the moneys are appropriated, and for not more		
28	than the following full-time equivalent positions:		
29	.....	\$	55,536,208
30	..... FTEs		499.00
31	It is the intent of the general assembly that		
32	members of the state patrol be assigned to patrol		
33	the highways and roads in lieu of assignments for		
34	inspecting school buses for the school districts.		
35	7. For deposit in the sick leave benefits fund		
36	established under section 80.42 for all departmental		
37	employees eligible to receive benefits for accrued sick		
38	leave under the collective bargaining agreement:		
39	.....	\$	279,517
40	8. For costs associated with the training and		
41	equipment needs of volunteer fire fighters:		
42	.....	\$	725,520
43	a. Notwithstanding section 8.33, moneys		
44	appropriated in this subsection that remain		
45	unencumbered or unobligated at the close of the fiscal		
46	year shall not revert but shall remain available for		
47	expenditure only for the purpose designated in this		
48	subsection until the close of the succeeding fiscal		
49	year.		
50	b. Notwithstanding section 8.39, the department		

1 of public safety may reallocate moneys appropriated
2 in this section as necessary to best fulfill the
3 needs provided for in the appropriation. However, the
4 department shall not reallocate moneys appropriated

to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

Sec. 15. GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	10,898,008
.....	FTEs	115.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2013, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2013, and ending June 30, 2014, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2013, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2013. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year

beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

4 For salaries, support, maintenance, miscellaneous
5 purposes, and for not more than the following full-time
6 equivalent positions:
7 \$ 1,297,069
8 FTEs 28.00
9 The Iowa state civil rights commission may enter
10 into a contract with a nonprofit organization to
11 provide legal assistance to resolve civil rights
12 complaints.
13 Sec. 17. CRIMINAL AND JUVENILE JUSTICE PLANNING
14 DIVISION. There is appropriated from the general fund
15 of the state to the criminal and juvenile justice
16 planning division of the department of human rights for
17 the fiscal year beginning July 1, 2013, and ending June
18 30, 2014, the following amounts, or so much thereof as
19 is necessary, to be used for the purposes designated:
20 For salaries, support, maintenance, and
21 miscellaneous purposes, and for not more than the
22 following full-time equivalent positions:
23 \$ 1,100,105
24 FTEs 9.81
25 The criminal and juvenile justice planning advisory
26 council and the juvenile justice advisory council
27 shall coordinate their efforts in carrying out their
28 respective duties relative to juvenile justice.
29 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
30 DIVISION OR SUCCESSOR AGENCY. There is appropriated
31 from the E911 emergency communications fund created in
32 section 34A.7A to the homeland security and emergency
33 management division of the department of public defense
34 or successor agency for the fiscal year beginning
35 July 1, 2013, and ending June 30, 2014, an amount not
36 exceeding \$250,000 to be used for implementation,
37 support, and maintenance of the functions of the
38 administrator and program manager under chapter 34A and
39 to employ the auditor of the state to perform an annual
40 audit of the wireless E911 emergency communications
41 fund.
42 DIVISION II
43 FY 2014-2015
44 APPROPRIATIONS
45 Sec. 19. DEPARTMENT OF JUSTICE.
46 1. There is appropriated from the general fund
47 of the state to the department of justice for the
48 fiscal year beginning July 1, 2014, and ending June 30,
49 2015, the following amounts, or so much thereof as is
50 necessary, to be used for the purposes designated:

- 1 a. For the general office of attorney general for
- 2 salaries, support, maintenance, and miscellaneous

purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	3,610,683
.....	FTEs	214.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	1,438,200
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The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,053,708
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2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2013, and actual and expected reimbursements for the fiscal year commencing July 1, 2014.

b. The department of justice shall include the report required under paragraph "a", as well as

1	information regarding any revisions occurring as a		
2	result of reimbursements actually received or expected		
3	at a later date, in a report to the co-chairpersons		
4	and ranking members of the joint appropriations		
5	subcommittee on the justice system and the legislative		
6	services agency. The department of justice shall		
7	submit the report on or before January 15, 2015.		
8	Sec. 20. OFFICE OF CONSUMER ADVOCATE. There is		
9	appropriated from the department of commerce revolving		
10	fund created in section 546.12 to the office of		
11	consumer advocate of the department of justice for the		
12	fiscal year beginning July 1, 2014, and ending June 30,		
13	2015, the following amount, or so much thereof as is		
14	necessary, to be used for the purposes designated:		
15	For salaries, support, maintenance, miscellaneous		
16	purposes, and for not more than the following full-time		
17	equivalent positions:		
18	.....	\$	1,568,082
19	.....	FTEs	22.00
20	Sec. 21. DEPARTMENT OF CORRECTIONS — FACILITIES.		
21	1. There is appropriated from the general fund of		
22	the state to the department of corrections for the		
23	fiscal year beginning July 1, 2014, and ending June		
24	30, 2015, the following amounts, or so much thereof as		
25	is necessary, to be used for the operation of adult		
26	correctional institutions, reimbursement of counties		
27	for certain confinement costs, and federal prison		
28	reimbursement, to be allocated as follows:		
29	a. For the operation of the Fort Madison		
30	correctional facility, including salaries, support,		
31	maintenance, and miscellaneous purposes:		
32	.....	\$	21,553,567
33	The department of corrections shall submit, to		
34	the co-chairpersons and ranking members of the joint		
35	appropriations subcommittee on the justice system by		
36	January 15, 2015, the plans for the integration of the		
37	John Bennett facility and the clinical care unit into		
38	the new Fort Madison maximum security correctional		
39	facility and the future plans for the use of the		
40	current Fort Madison maximum security correctional		
41	facility after the inmates are transferred to the new		
42	facility.		
43	b. For the operation of the Anamosa correctional		
44	facility, including salaries, support, maintenance, and		
45	miscellaneous purposes:		
46	.....	\$	15,638,741
47	c. For the operation of the Oakdale correctional		
48	facility, including salaries, support, maintenance, and		
49	miscellaneous purposes:		
50	\$	29,275,062

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1 d. For the operation of the Newton correctional
 2 facility, including salaries, support, maintenance, and
 3 miscellaneous purposes:
 4 \$ 13,563,645
 5 e. For the operation of the Mt. Pleasant
 6 correctional facility, including salaries, support,
 7 maintenance, and miscellaneous purposes:
 8 \$ 12,405,714
 9 f. For the operation of the Rockwell City
 10 correctional facility, including salaries, support,
 11 maintenance, and miscellaneous purposes:
 12 \$ 4,835,574
 13 g. For the operation of the Clarinda correctional
 14 facility, including salaries, support, maintenance, and
 15 miscellaneous purposes:
 16 \$ 12,620,808
 17 Moneys received by the department of corrections as
 18 reimbursement for services provided to the Clarinda
 19 youth corporation are appropriated to the department
 20 and shall be used for the purpose of operating the
 21 Clarinda correctional facility.
 22 h. For the operation of the Mitchellville
 23 correctional facility, including salaries, support,
 24 maintenance, and miscellaneous purposes:
 25 \$ 10,802,018
 26 i. For the operation of the Fort Dodge correctional
 27 facility, including salaries, support, maintenance, and
 28 miscellaneous purposes:
 29 \$ 14,932,616
 30 j. For reimbursement of counties for temporary
 31 confinement of work release and parole violators, as
 32 provided in sections 901.7, 904.908, and 906.17, and
 33 for offenders confined pursuant to section 904.513:
 34 \$ 537,546
 35 k. For federal prison reimbursement, reimbursements
 36 for out-of-state placements, and miscellaneous
 37 contracts:
 38 \$ 242,206
 39 2. The department of corrections shall use moneys
 40 appropriated in subsection 1 to continue to contract
 41 for the services of a Muslim imam and a Native American
 42 spiritual leader.
 43 Sec. 22. DEPARTMENT OF CORRECTIONS —
 44 ADMINISTRATION. There is appropriated from the general
 45 fund of the state to the department of corrections for
 46 the fiscal year beginning July 1, 2014, and ending June
 47 30, 2015, the following amounts, or so much thereof as
 48 is necessary, to be used for the purposes designated:
 49 1. For general administration, including salaries,
 50 support, maintenance, employment of an education

1	director to administer a centralized education		
2	program for the correctional system, and miscellaneous		
3	purposes:		
4	.....	\$	2,540,791
5	a. It is the intent of the general assembly		
6	that each lease negotiated by the department of		
7	corrections with a private corporation for the purpose		
8	of providing private industry employment of inmates in		
9	a correctional institution shall prohibit the private		
10	corporation from utilizing inmate labor for partisan		
11	political purposes for any person seeking election to		
12	public office in this state and that a violation of		
13	this requirement shall result in a termination of the		
14	lease agreement.		
15	b. It is the intent of the general assembly that as		
16	a condition of receiving the appropriation provided in		
17	this subsection the department of corrections shall not		
18	enter into a lease or contractual agreement pursuant to		
19	section 904.809 with a private corporation for the use		
20	of building space for the purpose of providing inmate		
21	employment without providing that the terms of the		
22	lease or contract establish safeguards to restrict, to		
23	the greatest extent feasible, access by inmates working		
24	for the private corporation to personal identifying		
25	information of citizens.		
26	2. For educational programs for inmates at state		
27	penal institutions:		
28	.....	\$	1,179,055
29	a. To maximize the funding for educational		
30	programs, the department shall establish guidelines		
31	and procedures to prioritize the availability of		
32	educational and vocational training for inmates based		
33	upon the goal of facilitating an inmate's successful		
34	release from the correctional institution.		
35	b. The director of the department of corrections		
36	may transfer moneys from Iowa prison industries and the		
37	canteen operating funds established pursuant to section		
38	904.310, for use in educational programs for inmates.		
39	c. Notwithstanding section 8.33, moneys		
40	appropriated in this subsection that remain unobligated		
41	or unexpended at the close of the fiscal year shall not		
42	revert but shall remain available to be used only for		
43	the purposes designated in this subsection until the		
44	close of the succeeding fiscal year.		
45	3. For the development of the Iowa corrections		
46	offender network (ICON) data system:		
47	.....	\$	1,000,000
48	4. For offender mental health and substance abuse		
49	treatment:		
50	\$	11,160

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1 5. For viral hepatitis prevention and treatment:
 2 \$ 83,941
 3 Sec. 23. JUDICIAL DISTRICT DEPARTMENTS OF
 4 CORRECTIONAL SERVICES.
 5 1. There is appropriated from the general fund of
 6 the state to the department of corrections for the
 7 fiscal year beginning July 1, 2014, and ending June
 8 30, 2015, for salaries, support, maintenance, and
 9 miscellaneous purposes, the following amounts, or
 10 so much thereof as is necessary, to be allocated as
 11 follows:
 12 a. For the first judicial district department of
 13 correctional services:
 14 \$ 6,823,086
 15 b. For the second judicial district department of
 16 correctional services:
 17 \$ 5,435,213
 18 c. For the third judicial district department of
 19 correctional services:
 20 \$ 3,442,735
 21 d. For the fourth judicial district department of
 22 correctional services:
 23 \$ 2,747,655
 24 e. For the fifth judicial district department of
 25 correctional services, including funding for electronic
 26 monitoring devices for use on a statewide basis:
 27 \$ 9,687,714
 28 f. For the sixth judicial district department of
 29 correctional services:
 30 \$ 7,047,704
 31 g. For the seventh judicial district department of
 32 correctional services:
 33 \$ 3,681,757
 34 h. For the eighth judicial district department of
 35 correctional services:
 36 \$ 3,934,659
 37 2. Each judicial district department of
 38 correctional services, within the funding available,
 39 shall continue programs and plans established within
 40 that district to provide for intensive supervision, sex
 41 offender treatment, diversion of low-risk offenders
 42 to the least restrictive sanction available, job
 43 development, and expanded use of intermediate criminal
 44 sanctions.
 45 3. Each judicial district department of
 46 correctional services shall provide alternatives to
 47 prison consistent with chapter 901B. The alternatives
 48 to prison shall ensure public safety while providing
 49 maximum rehabilitation to the offender. A judicial
 50 district department of correctional services may also

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1 establish a day program.

2 4. The governor's office of drug control policy
3 shall consider federal grants made to the department
4 of corrections for the benefit of each of the eight
5 judicial district departments of correctional services
6 as local government grants, as defined pursuant to
7 federal regulations.

8 5. The department of corrections shall continue
9 to contract with a judicial district department
10 of correctional services to provide for the rental
11 of electronic monitoring equipment which shall be
12 available statewide.

13 Sec. 24. DEPARTMENT OF CORRECTIONS — REALLOCATION

14 OF APPROPRIATIONS. Notwithstanding section 8.39,
15 within the moneys appropriated in this division of this
16 Act to the department of corrections, the department
17 may reallocate the moneys appropriated and allocated as
18 necessary to best fulfill the needs of the correctional
19 institutions, administration of the department, and the
20 judicial district departments of correctional services.
21 However, in addition to complying with the requirements
22 of sections 904.116 and 905.8 and providing notice
23 to the legislative services agency, the department
24 of corrections shall also provide notice to the
25 department of management, prior to the effective date
26 of the revision or reallocation of an appropriation
27 made pursuant to this section. The department of
28 corrections shall not reallocate an appropriation or
29 allocation for the purpose of eliminating any program.

30 Sec. 25. INTENT — REPORTS.

31 1. The department of corrections in cooperation
32 with townships, the Iowa cemetery associations, and
33 other nonprofit or governmental entities may use inmate
34 labor during the fiscal year beginning July 1, 2014,
35 to restore or preserve rural cemeteries and historical
36 landmarks. The department in cooperation with the
37 counties may also use inmate labor to clean up roads,
38 major water sources, and other water sources around the
39 state.

40 2. On a quarterly basis the department shall
41 provide a status report regarding private-sector
42 employment to the legislative services agency beginning
43 on July 1, 2014. The report shall include the number
44 of offenders employed in the private sector, the
45 combined number of hours worked by the offenders, the
46 total amount of allowances, and the distribution of
47 allowances pursuant to section 904.702, including any
48 moneys deposited in the general fund of the state.

49 3. The department of corrections, in cooperation
50 with the attorney general's office, shall submit a

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1 report to the co-chairpersons and ranking members of
2 the joint appropriations subcommittee on the justice
3 system, and the legislative agency, by January 15,
4 2015. The report shall detail the results of the
5 central pharmacy pilot project that utilizes the Iowa
6 prescription drug corporation's voucher program for
7 indigent offenders. The report shall include but shall
8 not be limited to the number of offenders annually
9 served by the pilot project, funding sources, and the
10 recidivism rates of offenders in the pilot project.

11 Sec. 26. ELECTRONIC MONITORING REPORT. The
12 department of corrections shall submit a report on
13 electronic monitoring to the general assembly, to the
14 co-chairpersons and the ranking members of the joint
15 appropriations subcommittee on the justice system, and
16 to the legislative services agency by January 15, 2015.
17 The report shall specifically address the number of
18 persons being electronically monitored and break down
19 the number of persons being electronically monitored
20 by offense committed. The report shall also include a
21 comparison of any data from the prior fiscal year with
22 the current year.

23 Sec. 27. STATE AGENCY PURCHASES FROM PRISON
24 INDUSTRIES.

25 1. As used in this section, unless the context
26 otherwise requires, "state agency" means the government
27 of the state of Iowa, including but not limited to
28 all executive branch departments, agencies, boards,
29 bureaus, and commissions, the judicial branch,
30 the general assembly and all legislative agencies,
31 institutions within the purview of the state board of
32 regents, and any corporation whose primary function is
33 to act as an instrumentality of the state.

34 2. State agencies are hereby encouraged to purchase
35 products from Iowa state industries, as defined in
36 section 904.802, when purchases are required and the
37 products are available from Iowa state industries.
38 State agencies shall obtain bids from Iowa state
39 industries for purchases of office furniture during the
40 fiscal year beginning July 1, 2014, exceeding \$5,000
41 or in accordance with applicable administrative rules
42 related to purchases for the agency.

43 Sec. 28. IOWA LAW ENFORCEMENT ACADEMY.

44 1. There is appropriated from the general fund of
45 the state to the Iowa law enforcement academy for the
46 fiscal year beginning July 1, 2014, and ending June 30,
47 2015, the following amount, or so much thereof as is
48 necessary, to be used for the purposes designated:

49 For salaries, support, maintenance, miscellaneous
50 purposes, including jailer training and technical

1 assistance, and for not more than the following
2 full-time equivalent positions:
3 \$ 500,849
4 FTEs 23.88
5 It is the intent of the general assembly that the
6 Iowa law enforcement academy may provide training of
7 state and local law enforcement personnel concerning
8 the recognition of and response to persons with
9 Alzheimer's disease.
10 The Iowa law enforcement academy may temporarily
11 exceed and draw more than the amount appropriated in
12 this subsection and incur a negative cash balance as
13 long as there are receivables equal to or greater than
14 the negative balance and the amount appropriated in
15 this subsection is not exceeded at the close of the
16 fiscal year.
17 2. The Iowa law enforcement academy may select
18 at least five automobiles of the department of public
19 safety, division of state patrol, prior to turning over
20 the automobiles to the department of administrative
21 services to be disposed of by public auction, and
22 the Iowa law enforcement academy may exchange any
23 automobile owned by the academy for each automobile
24 selected if the selected automobile is used in training
25 law enforcement officers at the academy. However,
26 any automobile exchanged by the academy shall be
27 substituted for the selected vehicle of the department
28 of public safety and sold by public auction with the
29 receipts being deposited in the depreciation fund to
30 the credit of the department of public safety, division
31 of state patrol.
32 Sec. 29. STATE PUBLIC DEFENDER. There is
33 appropriated from the general fund of the state to the
34 office of the state public defender of the department
35 of inspections and appeals for the fiscal year
36 beginning July 1, 2014, and ending June 30, 2015, the
37 following amounts, or so much thereof as is necessary,
38 to be allocated as follows for the purposes designated:
39 1. For salaries, support, maintenance,
40 miscellaneous purposes, and for not more than the
41 following full-time equivalent positions:
42 \$ 12,931,091
43 FTEs 219.00
44 2. For payments on behalf of eligible adults and
45 juveniles from the indigent defense fund, in accordance
46 with section 815.11:
47 \$ 14,950,965
48 Sec. 30. BOARD OF PAROLE. There is appropriated
49 from the general fund of the state to the board of
50 parole for the fiscal year beginning July 1, 2014, and

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1 ending June 30, 2015, the following amount, or so much
 2 thereof as is necessary, to be used for the purposes
 3 designated:

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

7	\$	601,918
8	FTEs	11.00

9 Sec. 31. DEPARTMENT OF PUBLIC DEFENSE. There is
 10 appropriated from the general fund of the state to
 11 the department of public defense for the fiscal year
 12 beginning July 1, 2014, and ending June 30, 2015, the
 13 following amounts, or so much thereof as is necessary,
 14 to be used for the purposes designated:

15 1. MILITARY DIVISION

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

19	\$	3,263,521
20	FTEs	308.21

21 The military division may temporarily exceed
 22 and draw more than the amount appropriated in this
 23 subsection and incur a negative cash balance as long
 24 as there are receivables of federal funds equal to
 25 or greater than the negative balance and the amount
 26 appropriated in this subsection is not exceeded at the
 27 close of the fiscal year.

28 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 29 DIVISION OR SUCCESSOR AGENCY

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

33	\$	1,087,139
34	FTEs	37.40

35 a. The homeland security and emergency management
 36 division or successor agency may temporarily exceed
 37 and draw more than the amount appropriated in this
 38 subsection and incur a negative cash balance as long
 39 as there are receivables of federal funds equal to
 40 or greater than the negative balance and the amount
 41 appropriated in this subsection is not exceeded at the
 42 close of the fiscal year.

43 b. It is the intent of the general assembly that
 44 the homeland security and emergency management division
 45 or successor agency work in conjunction with the
 46 department of public safety, to the extent possible,
 47 when gathering and analyzing information related to
 48 potential domestic or foreign security threats, and
 49 when monitoring such threats.

50 Sec. 32. DEPARTMENT OF PUBLIC SAFETY. There is

1	appropriated from the general fund of the state to		
2	the department of public safety for the fiscal year		
3	beginning July 1, 2014, and ending June 30, 2015, the		
4	following amounts, or so much thereof as is necessary,		
5	to be used for the purposes designated:		
6	1. For the department's administrative functions,		
7	including the criminal justice information system, and		
8	for not more than the following full-time equivalent		
9	positions:		
10	.....	\$	2,033,527
11	.....	FTEs	41.00
12	2. For the division of criminal investigation,		
13	including the state's contribution to the peace		
14	officers' retirement, accident, and disability system		
15	provided in chapter 97A in the amount of the state's		
16	normal contribution rate, as defined in section		
17	97A.8, multiplied by the salaries for which the		
18	moneys are appropriated, to meet federal fund matching		
19	requirements, and for not more than the following		
20	full-time equivalent positions:		
21	.....	\$	6,466,707
22	.....	FTEs	149.60
23	3. For the criminalistics laboratory fund created		
24	in section 691.9:		
25	.....	\$	151,173
26	4. a. For the division of narcotics enforcement,		
27	including the state's contribution to the peace		
28	officers' retirement, accident, and disability system		
29	provided in chapter 97A in the amount of the state's		
30	normal contribution rate, as defined in section		
31	97A.8, multiplied by the salaries for which the		
32	moneys are appropriated, to meet federal fund matching		
33	requirements, and for not more than the following		
34	full-time equivalent positions:		
35	.....	\$	3,377,928
36	.....	FTEs	66.00
37	b. For the division of narcotics enforcement for		
38	undercover purchases:		
39	.....	\$	54,521
40	5. For the division of state fire marshal, for fire		
41	protection services as provided through the state fire		
42	service and emergency response council as created in		
43	the department, and for the state's contribution to the		
44	peace officers' retirement, accident, and disability		
45	system provided in chapter 97A in the amount of the		
46	state's normal contribution rate, as defined in section		
47	97A.8, multiplied by the salaries for which the moneys		
48	are appropriated, and for not more than the following		
49	full-time equivalent positions:		
50	\$	2,235,278

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1	FTEs	54.00
2	6. For the division of state patrol, for salaries,		
3	support, maintenance, workers' compensation costs,		
4	and miscellaneous purposes, including the state's		
5	contribution to the peace officers' retirement,		
6	accident, and disability system provided in chapter 97A		
7	in the amount of the state's normal contribution rate,		
8	as defined in section 97A.8, multiplied by the salaries		
9	for which the moneys are appropriated, and for not more		
10	than the following full-time equivalent positions:		
11	.....	\$	27,768,104
12	.....	FTEs	499.00
13	It is the intent of the general assembly that		
14	members of the state patrol be assigned to patrol		
15	the highways and roads in lieu of assignments for		
16	inspecting school buses for the school districts.		
17	7. For deposit in the sick leave benefits fund		
18	established under section 80.42 for all departmental		
19	employees eligible to receive benefits for accrued sick		
20	leave under the collective bargaining agreement:		
21	.....	\$	139,759
22	8. For costs associated with the training and		
23	equipment needs of volunteer fire fighters:		
24	.....	\$	362,760
25	a. Notwithstanding section 8.33, moneys		
26	appropriated in this subsection that remain		
27	unencumbered or unobligated at the close of the fiscal		
28	year shall not revert but shall remain available for		
29	expenditure only for the purpose designated in this		
30	subsection until the close of the succeeding fiscal		
31	year.		
32	b. Notwithstanding section 8.39, the department		
33	of public safety may reallocate moneys appropriated		
34	in this section as necessary to best fulfill the		
35	needs provided for in the appropriation. However, the		
36	department shall not reallocate moneys appropriated		
37	to the department in this section unless notice of		
38	the reallocation is given to the legislative services		
39	agency and the department of management prior to		
40	the effective date of the reallocation. The notice		
41	shall include information regarding the rationale for		
42	reallocating the moneys. The department shall not		
43	reallocate moneys appropriated in this section for the		
44	purpose of eliminating any program.		
45	Sec. 33. GAMING ENFORCEMENT.		
46	1. There is appropriated from the gaming		
47	enforcement revolving fund created in section 80.43 to		
48	the department of public safety for the fiscal year		
49	beginning July 1, 2014, and ending June 30, 2015, the		
50	following amount, or so much thereof as is necessary,		

1 to be used for the purposes designated:

2 For any direct support costs for agents and officers

3 of the division of criminal investigation's excursion

4 gambling boat, gambling structure, and racetrack

5 enclosure enforcement activities, including salaries,

6 support, maintenance, miscellaneous purposes, and

7 for not more than the following full-time equivalent

8 positions:

9	\$	5,449,004
10	FTEs	115.00

11 2. For each additional license to conduct gambling

12 games on an excursion gambling boat, gambling

13 structure, or racetrack enclosure issued during

14 the fiscal year beginning July 1, 2014, there is

15 appropriated from the gaming enforcement fund to

16 the department of public safety for the fiscal year

17 beginning July 1, 2014, and ending June 30, 2015, an

18 additional amount of not more than \$300,000 to be used

19 for not more than 3.00 additional full-time equivalent

20 positions.

21 3. The department of public safety, with the

22 approval of the department of management, may employ

23 no more than three special agents for each additional

24 riverboat or gambling structure regulated after July 1,

25 2014, and three special agents for each racing facility

26 which becomes operational during the fiscal year which

27 begins July 1, 2014. Positions authorized in this

28 subsection are in addition to the full-time equivalent

29 positions otherwise authorized in this section.

30 Sec. 34. CIVIL RIGHTS COMMISSION. There is

31 appropriated from the general fund of the state to the

32 Iowa state civil rights commission for the fiscal year

33 beginning July 1, 2014, and ending June 30, 2015, the

34 following amount, or so much thereof as is necessary,

35 to be used for the purposes designated:

36 For salaries, support, maintenance, miscellaneous

37 purposes, and for not more than the following full-time

38 equivalent positions:

39	\$	648,535
40	FTEs	28.00

41 The Iowa state civil rights commission may enter

42 into a contract with a nonprofit organization to

43 provide legal assistance to resolve civil rights

44 complaints.

45 Sec. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING

46 DIVISION. There is appropriated from the general fund

47 of the state to the criminal and juvenile justice

48 planning division of the department of human rights for

49 the fiscal year beginning July 1, 2013, and ending June

50 30, 2014, the following amounts, or so much thereof as

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1 is necessary, to be used for the purposes designated:

2 For salaries, support, maintenance, and

3 miscellaneous purposes, and for not more than the

4 following full-time equivalent positions:

5 \$ 550,053

6 FTEs 9.81

7 The criminal and juvenile justice planning advisory

8 council and the juvenile justice advisory council

9 shall coordinate their efforts in carrying out their

10 respective duties relative to juvenile justice.

11 Sec. 36. HOMELAND SECURITY AND EMERGENCY MANAGEMENT

12 DIVISION. There is appropriated from the wireless

13 E911 emergency communications fund created in

14 section 34A.7A to the homeland security and emergency

15 management division or successor agency for the fiscal

16 year beginning July 1, 2014, and ending June 30,

17 2015, an amount not exceeding \$250,000 to be used

18 for implementation, support, and maintenance of the

19 functions of the administrator and program manager

20 under chapter 34A and to employ the auditor of the

21 state to perform an annual audit of the wireless E911

22 emergency communications fund.

23 DIVISION III

24 PUBLIC SAFETY INTEROPERABLE AND BROADBAND

25 COMMUNICATIONS FUND

26 Sec. 37. NEW SECTION. 80.44 Public safety

27 interoperable and broadband communications fund.

28 1. A statewide public safety interoperable and

29 broadband communications fund is established in the

30 office of the treasurer of state under the control of

31 the department of public safety. Any moneys annually

32 appropriated, granted, or credited to the fund,

33 including any federal moneys, are appropriated to

34 the department of public safety for the planning and

35 development of a statewide public safety interoperable

36 and broadband communications system.

37 2. Notwithstanding section 12C.7, subsection 2,

38 interest and earnings on moneys deposited in the fund

39 shall be credited to the fund. Notwithstanding section

40 8.33, moneys remaining in the fund at the end of the

41 fiscal year shall not revert to any other fund but

42 shall remain available to be used for the purposes

43 specified in subsection 1.

44 Sec. 38. 2011 Iowa Acts, chapter 134, section 43,

45 subsection 9, as amended by 2012 Iowa Acts, chapter

46 1134, section 10, is amended to read as follows:

47 9. For costs associated with the training and

48 operation of the statewide interoperable communications

49 system board ~~excluding salaries and contracts or~~

50 deposit in the statewide public safety interoperable

1 and broadband communications fund established in
2 section 80.44, as determined by the department:
3 \$ 48,000
4 Sec. 39. EFFECTIVE UPON ENACTMENT. The following
5 provision or provisions of this division of this Act,
6 being deemed of immediate importance, take effect upon
7 enactment:
8 1. The section of this division amending 2011 Iowa
9 Acts, chapter 134, section 43, subsection 9, as amended
10 by 2012 Iowa Acts, chapter 1134, section 10.
11 2. The section of this division enacting the
12 section tentatively numbered 80.44.
13 DIVISION IV
14 PUBLIC SAFETY AND TRAINING TASK FORCE APPROPRIATION
15 Sec. 40. PUBLIC SAFETY TRAINING AND FACILITIES TASK
16 FORCE.
17 1. A public safety training and facilities task
18 force is established. The department of public safety
19 shall provide administrative support for the task
20 force.
21 2. The task force shall consist of the following
22 members:
23 a. One member appointed by the Iowa state sheriffs'
24 and deputies' association.
25 b. One member appointed by the Iowa police chiefs
26 association.
27 c. One member who is a fire fighter appointed by
28 the Iowa professional fire fighters association.
29 d. One member who is the administrator of the Iowa
30 fire service training bureau or the administrator's
31 designee.
32 e. One member who is a representative of the fire
33 service who is not a fire chief appointed by the Iowa
34 firefighters association.
35 f. The director of the Iowa law enforcement academy
36 or the director's designee.
37 g. The commissioner of public safety or the
38 training coordinator of the department of public
39 safety, as designated by the commissioner.
40 h. The state fire marshal or the state fire
41 marshal's designee.
42 i. One member appointed by the Iowa state police
43 association.
44 j. One member who is a fire chief appointed by the
45 Iowa fire chiefs association.
46 k. One member appointed by the Iowa emergency
47 medical services association.
48 l. One member appointed by the Iowa emergency
49 management association.
50 m. One member who is a fire chief appointed by the

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1 Iowa association of professional fire chiefs.

2 n. One member who is a member of the office
3 of motor vehicle enforcement of the department of
4 transportation appointed by the director of the
5 department of transportation.

6 o. Four members of the general assembly serving
7 as ex officio, nonvoting members, one representative
8 to be appointed by the speaker of the house of
9 representatives, one representative to be appointed by
10 the minority leader of the house of representatives,
11 one senator to be appointed by the majority leader of
12 the senate, and one senator to be appointed by the
13 minority leader of the senate.

14 3. The members of the task force shall select
15 one chairperson and one vice chairperson. The vice
16 chairperson shall preside in the absence of the
17 chairperson. Section 69.16A shall apply to the voting
18 members of the task force.

19 4. It is the intent of the general assembly in
20 establishing this task force that the task force
21 develop a coordinated plan amongst all public safety
22 disciplines that would oversee the construction of a
23 consolidated fire and police public safety training
24 facility, provide for the establishment of a governance
25 board for the public safety disciplines and the
26 consolidated facility, and to establish a consistent
27 and steady funding mechanism to defray public safety
28 training costs on an ongoing basis.

29 5. The task force shall seek and consider input
30 from all interested stakeholders and members of the
31 public and shall include an emphasis on receiving input
32 from fire service, law enforcement, and emergency
33 medical services personnel. The task force shall
34 consider and develop strategies relating to public
35 safety training facility governance with the goal of
36 all public safety disciplines being represented. Each
37 public safety discipline shall advise the task force by
38 developing individual training policies as determined
39 by the discipline's governing bodies. The task force
40 shall also develop a proposal for a joint public safety
41 training facility, a budget for construction and future
42 operation of the facility, financing options, including
43 possible public-private partnerships, for construction
44 and operation of the facility, and potential locations
45 for the facility that are centrally located in this
46 state.

47 6. a. The task force shall provide interim reports
48 to the general assembly by December 31 of each year
49 concerning the activities of the task force and shall
50 submit its final report, including its findings and

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recommendations, to the general assembly by December 31, 2016.

b. The final report shall include but not be limited to recommendations concerning the following:

(1) Consolidation of public safety governance within a single board and the membership of the board. Board duties would include overseeing the construction and maintenance of a consolidated fire and police public safety training facility.

(2) Development of a consolidated fire and police public safety training facility, including possible locations, building recommendations, and financing options.

(3) Any other recommendations relating to public safety training and facilities requirements.

DIVISION V

CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

Sec. 41. Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for credit to the general fund of the state.

Sec. 42. Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. 43. Section 101B.9, Code 2013, is amended to read as follows:

101B.9 Cigarette fire safety standard fund.

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in addition to any moneys made available for such purpose, be available, subject to appropriation, moneys in the fund are appropriated~~ to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. 44. REPEAL. Section 101B.9, Code 2013, is repealed.

Sec. 45. CIGARETTE FIRE SAFETY STANDARD FUND. Notwithstanding any provision of law to the contrary, the first \$50,000 of the unencumbered or unobligated

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1 balance of the cigarette fire safety standard fund at
2 the close of the fiscal year beginning July 1, 2012,
3 is appropriated to the department of public safety to
4 be used for the administrative support of the public
5 safety training and facilities task force established
6 in this Act, during the fiscal period beginning July
7 1, 2013, and ending June 30, 2017. Any remaining
8 balance of the cigarette fire and safety standard fund
9 at the close of the fiscal year beginning July 1,
10 2012, is transferred to the department of corrections
11 and is appropriated for use during the fiscal year
12 beginning July 1, 2013, and ending June 30, 2014, for
13 the renovation or replacement of the farm one bunkhouse
14 at the Fort Madison correctional facility.

15 Sec. 46. EFFECTIVE UPON ENACTMENT. The following
16 provision or provisions of this division of this Act,
17 being deemed of immediate importance, take effect upon
18 enactment:

19 1. The section of this division amending section
20 101B.9.

21 2. The section of this division providing for
22 retroactive applicability.

23 Sec. 47. RETROACTIVE APPLICABILITY. The following
24 provision or provisions of this division of this Act
25 apply retroactively to July 1, 2007:

26 1. The section of this division amending section
27 101B.9.

28 DIVISION VI

29 SPECIAL AGENTS — GAMING

30 Sec. 48. Section 99D.14, subsection 2, paragraph a,
31 Code 2013, is amended to read as follows:

32 a. (1) A licensee shall pay a regulatory fee to be
33 charged as provided in this section. In determining
34 the regulatory fee to be charged as provided under
35 this section, the commission shall use the amount
36 appropriated to the commission plus the cost of
37 salaries for no more than ~~two~~ three special agents for
38 each racetrack that has not been issued a table games
39 license under chapter 99F or no more than three special
40 agents for each racetrack that has been issued a table
41 games license under chapter 99F, plus any direct and
42 indirect support costs for the agents, for the division
43 of criminal investigation's racetrack activities, as
44 the basis for determining the amount of revenue to be
45 raised from the regulatory fee.

46 (2) Indirect support costs under this section shall
47 be calculated at the same rate used in accordance
48 with the federal office of management and budget
49 cost principles for state, local, and Indian tribal
50 governments that receive a federally approved indirect

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1 cost rate.

2 Sec. 49. Section 99D.14, subsection 2, Code 2013,
3 is amended by adding the following new paragraphs:
4 NEW PARAGRAPH. d. The aggregate amount of the
5 regulatory fee assessed under paragraph "a" during each
6 fiscal year shall be reduced by an amount equal to the
7 unexpended moneys from the previous fiscal year that
8 were deposited into the revolving funds established in
9 sections 80.43 and 99F.20 during that previous fiscal
10 year.

11 NEW PARAGRAPH. e. By January 1, 2014, and by
12 January 1 of every year thereafter, the division of
13 criminal investigation shall provide the commission
14 with a report detailing the activities of the division
15 during the previous fiscal year for each racetrack
16 enclosure.

17 NEW PARAGRAPH. f. The division of criminal
18 investigation shall conduct a study relating to the
19 number of special agents permitted for each racetrack
20 under this subsection and the activities of such
21 agents. The study shall also include input from the
22 commission and licensees and be combined with the
23 report under section 99F.10, subsection 2, paragraph
24 "e". The division of criminal investigation shall file
25 a final report with the co-chairpersons and ranking
26 members of the joint appropriations subcommittee on the
27 justice system and the legislative services agency by
28 July 1, 2020.

29 Sec. 50. Section 99F.10, subsection 4, Code 2013,
30 is amended to read as follows:

31 4. a. In determining the license fees and state
32 regulatory fees to be charged as provided under section
33 99F.4 and this section, the commission shall use as
34 the basis for determining the amount of revenue to
35 be raised from the license fees and regulatory fees
36 the amount appropriated to the commission plus the
37 following as applicable:

38 (1) Prior to July 1, 2016, the cost of salaries
39 for no more than two special agents for each excursion
40 gambling boat or gambling structure and no more than
41 four gaming enforcement officers for each excursion
42 gambling boat or gambling structure with a patron
43 capacity of less than two thousand persons or no
44 more than five gaming enforcement officers for each
45 excursion gambling boat or gambling structure with
46 a patron capacity of at least two thousand persons,
47 plus any direct and indirect support costs for the
48 agents and officers, for the division of criminal
49 investigation's excursion gambling boat or gambling
50 structure activities. However, the division of

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1 criminal investigation may add one additional special
2 agent to the number of special agents specified in
3 this subparagraph for each excursion gambling boat or
4 gambling structure if at least two gaming enforcement
5 officer full-time equivalent positions are vacant.
6 Otherwise, the division of criminal investigation shall
7 not fill vacant gaming enforcement officer positions.

8 (2) On or after July 1, 2016, the cost of salaries
9 for no more than three special agents for each
10 excursion gambling boat or gambling structure, plus
11 any direct and indirect support costs for the agents,
12 for the division of criminal investigation's excursion
13 gambling boat or gambling structure activities.

14 b. Notwithstanding sections 8.60 and 99F.4, the
15 portion of the fee paid pursuant to paragraph "a"
16 relating to the costs of special agents and officers
17 plus any direct and indirect support costs for the
18 agents and officers, for the division of criminal
19 investigation's excursion gambling boat or gambling
20 structure activities, shall be deposited into the
21 gaming enforcement revolving fund established in
22 section 80.43. However, the department of public
23 safety shall transfer, on an annual basis, the portion
24 of the regulatory fee attributable to the indirect
25 support costs of the special agents and gaming
26 enforcement officers to the general fund of the state.

27 c. Notwithstanding sections 8.60 and 99F.4, the
28 portion of the fee paid pursuant to paragraph "a"
29 relating to the costs of the commission shall not be
30 deposited in the general fund of the state but instead
31 shall be deposited into the gaming regulatory revolving
32 fund established in section 99F.20.

33 d. Indirect support costs under paragraph "a" shall
34 be calculated at the same rate used in accordance
35 with the federal office of management and budget
36 cost principles for state, local, and Indian tribal
37 governments that receive a federally approved indirect
38 cost rate.

39 e. The aggregate amount of the regulatory fee
40 assessed under paragraph "a" during each fiscal year
41 shall be reduced by an amount equal to the unexpended
42 moneys from the previous fiscal year that were
43 deposited into the revolving funds established in
44 sections 80.43 or 99F.20 during that previous fiscal
45 year.

46 f. By January 1, 2014, and by January 1 of every
47 year thereafter, the division of criminal investigation
48 shall provide the commission with a report detailing
49 the activities of the division during the previous
50 fiscal year for each excursion gambling boat and

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1 gambling structure.

2 g. The division of criminal investigation shall
3 conduct a study relating to the number of special
4 agents permitted for each excursion gambling boat
5 or gambling structure under this subsection and the
6 activities of such agents. The study shall also
7 include input from the commission and licensees and
8 be combined with the report under section 99D.14,
9 subsection 2, paragraph “d”. The division of criminal
10 investigation shall file a final report with the
11 co-chairpersons and ranking members of the joint
12 appropriations subcommittee on the justice system and
13 the legislative services agency by July 1, 2020.

14 Sec. 51. GAMING ENFORCEMENT STUDY. The division
15 of criminal investigation of the department of public
16 safety and the Iowa gaming association shall jointly
17 or separately file a report with the co-chairpersons
18 and ranking members of the joint appropriations
19 subcommittee on the justice system and the legislative
20 services agency by December 15, 2013, detailing the
21 activities of gaming enforcement officers and special
22 agents working at excursion gambling boats, gambling
23 structures, and racetrack enclosures. The report shall
24 include the number of incidences the gaming enforcement
25 officers handle versus private security, the number of
26 fraud investigations and background checks performed
27 by the special agents, and the percentage of time
28 gaming enforcement officers and special agents work on
29 gaming-related and nongaming-related cases. The report
30 shall also include the time periods each excursion
31 gambling boat, gambling structure, and racetrack
32 enclosure are not staffed by at least one gaming
33 enforcement officer or special agent.

34 DIVISION VII

35 MISCELLANEOUS CODE CHANGES

36 Sec. 52. Section 85.67, Code 2013, is amended to
37 read as follows:

38 85.67 Administration of fund — special counsel —
39 payment of award.

40 The attorney general shall appoint a staff member to
41 represent the treasurer of state and the fund in all
42 proceedings and matters arising under this division.
43 The attorney general shall be reimbursed up to ~~one~~
44 hundred fifty two hundred fifteen thousand dollars
45 annually from the fund for services provided related
46 to the fund. The commissioner of insurance shall
47 consider the reimbursement to the attorney general as
48 an outstanding liability when making a determination of
49 funding availability under section 85.65A, subsection
50 2. In making an award under this division, the

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1 workers' compensation commissioner shall specifically
2 find the amount the injured employee shall be paid
3 weekly, the number of weeks of compensation which shall
4 be paid by the employer, the date upon which payments
5 out of the fund shall begin, and, if possible, the
6 length of time the payments shall continue.

7 Sec. 53. Section 654.4B, subsection 2, paragraph b,
8 Code 2013, is amended by striking the paragraph.

9 Sec. 54. 2009 Iowa Acts, chapter 178, section 20,
10 as amended by 2011 Iowa Acts, chapter 134, section 21,
11 is amended to read as follows:

12 SEC. 20. CONSUMER EDUCATION AND LITIGATION
13 FUND. Notwithstanding section 714.16C, for each
14 fiscal year of the period beginning July 1, 2008, and
15 ending June 30, ~~2013~~ 2014, the annual appropriations
16 in section 714.16C, are increased from \$1,125,000 to
17 \$1,875,000, and \$75,000 to \$125,000 respectively.
18 Moneys appropriated from the consumer education and
19 litigation fund may be allocated for cash flow purposes
20 to the victim compensation fund established in section
21 915.94 during each of the fiscal years enumerated,
22 provided that any moneys so allocated are returned to
23 the consumer education and litigation fund by the end
24 of each fiscal year an allocation occurs.

25 Sec. 55. IOWA CORRECTIONS OFFENDER NETWORK —
26 FUND. Notwithstanding any provision of law to the
27 contrary, the unencumbered or unobligated balance of
28 the Iowa corrections offender network fund at the close
29 of the fiscal year beginning July 1, 2012, or the close
30 of any succeeding fiscal year that would otherwise be
31 required by law to revert to, be deposited in, or to
32 be credited to the Iowa offender network fund shall
33 instead be credited to the general fund of the state.

34 Sec. 56. REPEAL. Section 904.118, Code 2013, is
35 repealed.>

S-3180

HOUSE AMENDMENT TO SENATE FILE 386

1 Amend Senate File 386, as passed by the Senate, as
2 follows:

3 1. Page 1, after line 9 by inserting:

4 <Sec. ____ Section 321.1, subsections 12A, 37, 59,
5 and 74, Code 2013, are amended to read as follows:

6 12A. "Completed motor vehicle" means a motor vehicle
7 which does not require any additional manufacturing
8 operations to perform its intended function except the
9 addition of readily attachable equipment, components,

10 or minor finishing operations. “Completed motor
11 vehicle” also includes a glider kit vehicle.

12 37. “Manufacturer” means every person engaged in
13 the business of fabricating or assembling vehicles of
14 a type required to be registered. ~~It~~ “Manufacturer”
15 does not include a person who converts, modifies,
16 or alters a completed motor vehicle manufactured by
17 another person or a person who assembles a glider kit
18 vehicle. ~~It~~ “Manufacturer” includes a person who uses
19 a completed motor vehicle manufactured by another
20 person to construct a class “B” motor home as defined
21 in section 321.124.

22 59. “Reconstructed vehicle” means every vehicle of
23 a type required to be registered under this chapter
24 materially altered from its original construction by
25 the removal, addition, or substitution of essential
26 parts, new or used. “Reconstructed vehicle” does not
27 include a street rod, ~~or~~ replica vehicle, or glider kit
28 vehicle.

29 74. “Specially constructed vehicle” means every
30 vehicle of a type required to be registered under
31 this chapter not originally constructed under a
32 distinctive name, make, model, or type by a generally
33 recognized manufacturer of vehicles and not materially
34 altered from its original construction. ~~A “specially~~
35 “Specially constructed vehicle” does not include a
36 street rod, ~~or~~ replica vehicle, or glider kit vehicle.>

37 2. Page 1, after line 32 by inserting:

38 <Sec. ____ Section 321.1, Code 2013, is amended by
39 adding the following new subsection:
40 NEW SUBSECTION. 28B. “Glider kit vehicle” means
41 a commercial motor vehicle, as defined in subsection
42 11, that is a combination of a new cab and a new frame
43 with an engine, transmission, and drive axle that are
44 not new such that the resulting vehicle is not a newly
45 manufactured vehicle pursuant to 49 C.F.R. § 571.7(e).>

46 3. Page 3, after line 3 by inserting:

47 <Sec. ____ Section 321.45, subsection 1, Code 2013,
48 is amended by adding the following new paragraph:
49 NEW PARAGRAPH. d. Notwithstanding paragraph “c”,
50 a glider kit vehicle shall take the identity of the

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1 new cab and the new frame used in the assembly of the
2 glider kit vehicle.>

3 4. Page 4, after line 23 by inserting:

4 <Sec. ____ Section 321.453, Code 2013, is amended
5 to read as follows:
6 321.453 Exceptions.
7 The provisions of this chapter governing size,
8 weight, and load, and the permit requirements

of chapter 321E do not apply to ~~fire~~ any of the following;>

1. Fire apparatus; road;>

2. Road maintenance equipment owned by, or under lease to, ~~a state or local authority~~, or used in the performance of a contract with ~~any~~ a state or local authority; or to implements. Upon application by the owner of road maintenance equipment used in the performance of a contract with a state or local authority or a private entity, the department may waive a provision of this chapter governing size, weight, or load or a permit requirement of chapter 321E to allow operation of the road maintenance equipment for purposes not related to the performance of the contract;>

3. Implements of husbandry moved or moving upon a highway, except for those implements of husbandry moved or moving on any portion of the interstate and except as provided in sections 321.463, 321.471, and 321.474. A vehicle, carrying an implement of husbandry, which is exempted from the permit requirements under this section shall be equipped with an amber flashing light visible from the rear. If the amber flashing light is obstructed by the loaded implement, the loaded implement shall also be equipped with and display an amber flashing light. The vehicle shall also be equipped with warning flags on that portion of the vehicle which protrudes into oncoming traffic, and shall only operate from thirty minutes prior to sunrise to thirty minutes following sunset.>

5. Page 8, after line 11 by inserting:

<Sec. ____ Section 322.2, subsections 2 and 11, Code 2013, are amended to read as follows:

2. “Completed motor vehicle” means a motor vehicle which does not require any additional manufacturing operations to perform its intended function except the addition of readily attachable equipment, components, or minor finishing operations. “Completed motor vehicle” also includes a glider kit vehicle as defined in section 321.1.

11. “Manufacturer” means any person engaged in the business of fabricating or assembling motor

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vehicles. ~~It~~ “Manufacturer” does not include a person who converts, modifies, or alters a completed motor vehicle manufactured by another person or a person who assembles a glider kit vehicle as defined in section 321.1. ~~It~~ “Manufacturer” includes a person who uses a completed motor vehicle manufactured by another person to construct a class “B” motor home as defined in

8 section 321.124.>
9 6. Page 8, after line 13 by inserting:
10 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
11 provision or provisions of this Act, being deemed of
12 immediate importance, take effect upon enactment:
13 1. The section of this Act amending section 321.1,
14 subsections 12A, 37, 59, and 74.
15 2. The section of this Act enacting section 321.1,
16 subsection 28B.
17 3. The section of this Act enacting section 321.45,
18 subsection 1, paragraph “d”.
19 4. The section of this Act amending section 322.2,
20 subsections 2 and 11.>
21 7. Title page, line 6, after <periods,> by
22 inserting <regulation of glider kit vehicles,>
23 8. Title page, line 7, after <operators,>
24 by inserting <the operation of road maintenance
25 equipment,>
26 9. Title page, line 10, after <contracts> by
27 inserting <, and including effective date provisions>
28 10. By renumbering as necessary.

S-3181

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 602

1 Amend the Senate amendment, H-1283, to House File
2 602, as passed by the House, as follows:
3 1. Page 1, by striking lines 3 through 5 and
4 inserting:
5 <____. By striking page 5, line 2, through page 8,
6 line 30, and inserting:
7 <Sec. ____ ROAD USE TAX FUND. There is
8 appropriated from the road use tax fund created in
9 section 312.1 to the department of transportation for
10 the fiscal year beginning July 1, 2014, and ending June
11 30, 2015, the following amounts, or so much thereof as
12 is necessary, to be used for the purposes designated:
13 1. For the payment of costs associated with the
14 production of driver’s licenses, as defined in section
15 321.1, subsection 20A:
16 \$ 1,938,000
17 Notwithstanding section 8.33, moneys appropriated in
18 this subsection that remain unencumbered or unobligated
19 at the close of the fiscal year shall not revert but
20 shall remain available for expenditure for the purposes
21 specified in this subsection until the close of the
22 succeeding fiscal year.
23 2. For salaries, support, maintenance, and
24 miscellaneous purposes:

25	a. Operations:		
26	.....	\$	3,192,480
27	b. Planning:		
28	.....	\$	207,000
29	c. Motor vehicles:		
30	.....	\$	16,960,500
31	d. Performance and technology:		
32	.....	\$	230,020
33	3. For payments to the department of administrative		
34	services for utility services:		
35	.....	\$	107,500
36	4. Unemployment compensation:		
37	.....	\$	3,500
38	5. For payments to the department of administrative		
39	services for paying workers' compensation claims under		
40	chapter 85 on behalf of employees of the department of		
41	transportation:		
42	.....	\$	57,000
43	6. For payment to the general fund of the state for		
44	indirect cost recoveries:		
45	.....	\$	39,000
46	7. For reimbursement to the auditor of state for		
47	audit expenses as provided in section 11.5B:		
48	.....	\$	33,660
49	8. For automation, telecommunications, and related		
50	costs associated with the county issuance of driver's		

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1	licenses and vehicle registrations and titles:		
2	\$	703,000
3	9. For transfer to the department of public safety		
4	for operating a system providing toll-free telephone		
5	road and weather conditions information:		
6	.....	\$	50,000
7	10. For costs associated with the participation in		
8	the Mississippi river parkway commission:		
9	.....	\$	20,000
10	11. For motor vehicle division field facility		
11	maintenance projects at various locations:		
12	.....	\$	100,000
13	For purposes of section 8.33, unless specifically		
14	provided otherwise, moneys appropriated in subsection		
15	11 that remain unencumbered or unobligated shall not		
16	revert but shall remain available for expenditure for		
17	the purposes designated until the close of the fiscal		
18	year that ends three years after the end of the fiscal		
19	year for which the appropriation was made. However, if		
20	the projects for which the appropriation was made are		
21	completed in an earlier fiscal year, unencumbered or		
22	unobligated moneys shall revert at the close of that		
23	same fiscal year.		

24 Sec. ____ PRIMARY ROAD FUND. There is appropriated
 25 from the primary road fund created in section 313.3 to
 26 the department of transportation for the fiscal year
 27 beginning July 1, 2014, and ending June 30, 2015, the
 28 following amounts, or so much thereof as is necessary,
 29 to be used for the purposes designated:
 30 1. For salaries, support, maintenance,
 31 miscellaneous purposes, and for not more than the
 32 following full-time equivalent positions:
 33 a. Operations:
 34 \$ 19,612,953
 35 FTEs 266.00
 36 b. Planning:
 37 \$ 3,932,727
 38 FTEs 102.00
 39 c. Highways:
 40 \$ 116,015,648
 41 FTEs 2,057.00
 42 d. Motor vehicles:
 43 \$ 706,770
 44 FTEs 410.00
 45 e. Performance and technology:
 46 \$ 1,412,980
 47 FTEs 35.00
 48 2. For payments to the department of administrative
 49 services for utility services:
 50 \$ 660,500

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1 3. Unemployment compensation:
 2 \$ 69,000
 3 4. For payments to the department of administrative
 4 services for paying workers' compensation claims under
 5 chapter 85 on behalf of the employees of the department
 6 of transportation:
 7 \$ 1,371,500
 8 5. For disposal of hazardous wastes from field
 9 locations and the central complex:
 10 \$ 400,000
 11 6. For payment to the general fund of the state for
 12 indirect cost recoveries:
 13 \$ 286,000
 14 7. For reimbursement to the auditor of state for
 15 audit expenses as provided in section 11.5B:
 16 \$ 207,591
 17 8. For costs associated with producing
 18 transportation maps:
 19 \$ 80,000
 20 9. For inventory and equipment replacement:
 21 \$ 2,683,000
 22 10. For utility improvements at various locations:

23	.....	\$	200,000
24	11. For roofing projects at various locations:		
25	.....	\$	250,000
26	12. For heating, cooling, and exhaust system		
27	improvements at various locations:		
28	.....	\$	250,000
29	13. For deferred maintenance projects at field		
30	facilities throughout the state:		
31	.....	\$	750,000
32	14. For wastewater treatment improvements at		
33	various locations:		
34	.....	\$	500,000
35	15. For replacement of the Des Moines north garage:		
36	.....	\$	3,176,500
37	For purposes of section 8.33, unless specifically		
38	provided otherwise, moneys appropriated in subsections		
39	10 through 15 that remain unencumbered or unobligated		
40	shall not revert but shall remain available for		
41	expenditure for the purposes designated until the close		
42	of the fiscal year that ends three years after the end		
43	of the fiscal year for which the appropriation was		
44	made. However, if the project or projects for which		
45	such appropriation was made are completed in an earlier		
46	fiscal year, unencumbered or unobligated moneys shall		
47	revert at the close of that same fiscal year. >>		
48	2. By renumbering as necessary.		

S-3182

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 356

- 1 Amend the Senate amendment, H-1280, to House File
- 2 356, as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by striking lines 7 and 8 and inserting
- 5 <to collect thereon is sold or otherwise assigned for
- 6 value to a third party other than a state or federally
- 7 chartered bank or credit union,>
- 8 2. By renumbering as necessary.

S-3183

HOUSE AMENDMENT TO
SENATE FILE 396

- 1 Amend Senate File 396, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 29 and 30 and
- 4 inserting <devices, information technology>
- 5 2. Page 12, by striking lines 12 through 23.

6 3. Page 31, after line 24 by inserting:
7 <Sec. _____. Section 8A.402, subsection 1, Code 2013,
8 is amended by adding the following new paragraph:
9 NEW PARAGRAPH. i. The development and
10 implementation of a plan to centralize the human
11 resource management functions for state executive
12 branch agencies within the department, except for
13 institutions under the control of the state board of
14 regents.
15 Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES —
16 CENTRALIZED HUMAN RESOURCE MANAGEMENT.
17 1. The director of the department of administrative
18 services shall develop and implement a plan to
19 centralize the human resource management functions
20 for executive branch agencies under the department of
21 administrative services, except for institutions under
22 the control of the state board of regents, by December
23 15, 2015.
24 2. The centralized human resource management plan
25 shall do all of the following:
26 a. Identify the human resource duties and processes
27 being utilized by each agency.
28 b. Identify the positions being utilized by the
29 agencies to perform the human resource duties.
30 c. Establish best practices for a consolidated
31 human resources model and identify the estimated cost
32 savings that will result from implementation of the
33 plan.
34 d. Detail and implement an organizational structure
35 to support a fully consolidated human resources model.
36 e. Identify space, technology, and equipment needs,
37 and acquire and implement such tools and resources in
38 support of the consolidated human resources model.
39 Such efforts shall be done in collaboration with
40 affected executive branch agencies and the state chief
41 information officer and the general services, state
42 accounting, and information technology enterprises of
43 the department of administrative services.
44 f. Establish a comprehensive budget to be used and
45 establish the utility rate to be charged each agency as
46 a result of the consolidation.
47 g. Establish detailed timelines for transition and
48 communicate the timelines to the agencies.
49 3. State executive branch agencies, except for
50 institutions under the control of the state board of

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- 1 regents, shall do all of the following:
- 2 a. Provide the department of administrative
- 3 services with all of the following information:
- 4 (1) Information regarding the human resource duties

5 and responsibilities being performed by agency staff.

6 (2) The direct and indirect costs associated with
7 agency staff performing human resource duties.

8 (3) Information about the human resource
9 information and records storage systems being used to
10 perform human resource work.

11 b. Adjust internal staffing as required in the
12 centralized human resource management plan developed by
13 the department of administrative services.

14 c. Agencies outside of the department of
15 administrative services shall not hire or replace any
16 staff for the purposes of conducting human resource
17 work. The department of administrative services shall
18 partner with agencies to transition and consolidate
19 work in the human resource enterprise of the department
20 of administrative services.

21 d. Transition to the human resources and payroll
22 systems selected and operated by the department
23 of administrative services pursuant to timelines
24 identified by the department of administrative
25 services.

26 e. Adhere to all objectives and timelines required
27 in the centralized human resource management plan
28 developed by the department of administrative services.

29 Sec. ____ HUMAN RESOURCES PERSONNEL — TRANSITION

30 PROVISIONS. Any noncontract employee who is subject
31 to an employer-mandated reassignment, reduction in
32 hours, layoff, or potential termination as a result of
33 the implementation of the centralized human resource
34 management plan as provided in this division of
35 this Act shall not be authorized to bump or replace
36 an employee in a position covered by a collective
37 bargaining agreement. In order to implement this
38 requirement, if a layoff of noncontract employees
39 were to occur as the result of the centralized human
40 resource management plan, then the layoff units
41 specified within the layoff plan shall not include any
42 positions covered by a collective bargaining agreement.
43 For purposes of this section, a noncontract employee
44 means an employee of the state in a position that is
45 not covered by a collective bargaining agreement.>

46 4. Page 33, after line 23 by inserting:

47 <Sec. ____ Section 135.11, subsection 24, Code
2013, is amended to read as follows:

48 24. ~~Establish an abuse education review panel for~~
50 ~~review and approval of~~ Review and approve mandatory

1 reporter training curricula for those persons who work
2 in a position classification that under law makes the
3 persons mandatory reporters of child or dependent adult

4 abuse and the position classification does not have a
5 mandatory reporter training curriculum approved by a
6 licensing or examining board.>

7 5. Page 34, after line 13 by inserting:

8 <Sec. ____ Section 232.69, subsection 3, paragraph
9 d, subparagraph (2), Code 2013, is amended to read as
10 follows:

11 (2) A training program using a curriculum approved
12 by the ~~abuse education review panel established by the~~
13 director of public health pursuant to section 135.11.

14 Sec. ____ Section 235B.16, subsection 5, paragraph
15 d, subparagraph (2), Code 2013, is amended to read as
16 follows:

17 (2) A training program using a curriculum approved
18 by the ~~abuse education review panel established by the~~
19 director of public health pursuant to section 135.11.

20 Sec. ____ Section 235B.16, subsection 5, paragraph
21 e, Code 2013, is amended to read as follows:

22 e. A person required to complete both child
23 abuse and dependent adult abuse mandatory reporter
24 training may complete the training through a program
25 which combines child abuse and dependent adult abuse
26 curricula and thereby meet the training requirements of
27 both this subsection and section 232.69 simultaneously.
28 A person who is a mandatory reporter for both child
29 abuse and dependent adult abuse may satisfy the
30 combined training requirements of this subsection
31 and section 232.69 through completion of a two-hour
32 training program, if the training program curriculum
33 is approved by the appropriate licensing board or
34 the ~~abuse education review panel established by the~~
35 director of public health pursuant to section 135.11.>

36 6. By striking page 34, line 16, through page 35,
37 line 35.

38 7. By renumbering, redesignating, and correcting
39 internal references as necessary.

S-3184

1 Amend the House amendment, S-3178, to Senate File
2 435, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 3, through page 25,
5 line 28, and inserting:

6 <____. By striking everything after the enacting
7 clause and inserting:

<DIVISION I

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

GENERAL APPROPRIATION FOR FY 2013-2014

Section 1. GENERAL FUND — DEPARTMENT.

12 1. There is appropriated from the general fund of
13 the state to the department of agriculture and land

14 stewardship for the fiscal year beginning July 1, 2013,
 15 and ending June 30, 2014, the following amount, or
 16 so much thereof as is necessary, to be used for the
 17 purposes designated:

18 For purposes of supporting the department, including
 19 its divisions, for administration, regulation, and
 20 programs; for salaries, support, maintenance, and
 21 miscellaneous purposes; and for not more than the
 22 following full-time equivalent positions:

23	\$	17,081,328
24	FTEs	372.00

25 2. Of the amount appropriated in subsection 1,
 26 the following amount is transferred to Iowa state
 27 university of science and technology, to be used
 28 for the university's midwest grape and wine industry
 29 institute:

30	\$	238,000
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31 3. The department shall submit a report each
 32 quarter of the fiscal year to the legislative services
 33 agency, the department of management, the members of
 34 the joint appropriations subcommittee on agriculture
 35 and natural resources, and the chairpersons and
 36 ranking members of the senate and house committees on
 37 appropriations. The report shall describe in detail
 38 the expenditure of moneys appropriated in this section
 39 to support the department's administration, regulation,
 40 and programs.

41 DESIGNATED APPROPRIATIONS

42 MISCELLANEOUS FUNDS

43 Sec. 2. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 44 HORSE AND DOG RACING. There is appropriated from the
 45 moneys available under section 99D.13 to the department
 46 of agriculture and land stewardship for the fiscal year
 47 beginning July 1, 2013, and ending June 30, 2014, the
 48 following amount, or so much thereof as is necessary,
 49 to be used for the purposes designated:

50 For purposes of supporting the department's

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1 administration and enforcement of horse and dog racing
 2 law pursuant to section 99D.22, including for salaries,
 3 support, maintenance, and miscellaneous purposes:

4	\$	305,516
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5 Sec. 3. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
 6 FUEL INSPECTION.

7 1. There is appropriated from the renewable fuel
 8 infrastructure fund created in section 159A.16 to the
 9 department of agriculture and land stewardship for the
 10 fiscal year beginning July 1, 2013, and ending June 30,
 11 2014, the following amount, or so much thereof as is
 12 necessary, to be used for the purposes designated:

13 For purposes of the inspection of motor fuel,
14 including salaries, support, maintenance, and
15 miscellaneous purposes:
16 \$ 500,000

17 2. The department shall establish and administer
18 programs for the auditing of motor fuel, including
19 biofuel processing and production plants, for screening
20 and testing motor fuel, including renewable fuel,
21 and for the inspection of motor fuel sold by dealers
22 including retail dealers who sell and dispense motor
23 fuel from motor fuel pumps.

24 SPECIAL APPROPRIATIONS
25 GENERAL FUND

26 Sec. 4. DAIRY REGULATION. There is appropriated
27 from the general fund of the state to the department of
28 agriculture and land stewardship for the fiscal year
29 beginning July 1, 2013, and ending June 30, 2014, the
30 following amount, or so much thereof as is necessary,
31 to be used for the purposes designated:

32 1. For purposes of performing functions pursuant to
33 section 192.109, including conducting a survey of grade
34 "A" milk and certifying the results to the secretary
35 of agriculture:
36 \$ 189,196

37 2. Notwithstanding section 8.33, moneys
38 appropriated in this section that remain unencumbered
39 or unobligated at the close of the fiscal year shall
40 not revert but shall remain available to be used
41 for the purposes designated until the close of the
42 succeeding fiscal year.

43 Sec. 5. LOCAL FOOD AND FARM PROGRAM.

44 1. There is appropriated from the general fund of
45 the state to the department of agriculture and land
46 stewardship for the fiscal year beginning July 1, 2013,
47 and ending June 30, 2014, the following amount, or
48 so much thereof as is necessary, to be used for the
49 purposes designated:

50 For purposes of supporting the local food and farm

1 program pursuant to chapter 267A:
2 \$ 75,000

3 2. The department shall enter into a cost-sharing
4 agreement with Iowa state university to support the
5 local food and farm program coordinator position as
6 part of the university's cooperative extension service
7 in agriculture and home economics pursuant to chapter
8 267A.

9 3. Notwithstanding section 8.33, moneys
10 appropriated in this section that remain unencumbered
11 or unobligated at the close of the fiscal year shall

12 not revert but shall remain available to be used
 13 for the purposes designated until the close of the
 14 succeeding fiscal year.

15 Sec. 6. AGRICULTURAL EDUCATION. There is
 16 appropriated from the general fund of the state to the
 17 department of agriculture and land stewardship for the
 18 fiscal year beginning July 1, 2013, and ending June 30,
 19 2014, the following amount, or so much thereof as is
 20 necessary, to be used for the purposes designated:

21 1. For purposes of allocating moneys to an Iowa
 22 association affiliated with a national organization
 23 which promotes agricultural education providing for
 24 future farmers:

25 \$ 25,000

26 2. Notwithstanding section 8.33, moneys
 27 appropriated in this section that remain unencumbered
 28 or unobligated at the close of the fiscal year shall
 29 not revert but shall remain available to be used
 30 for the purposes designated until the close of the
 31 succeeding fiscal year.

32 Sec. 7. FARMERS WITH DISABILITIES PROGRAM.

33 1. There is appropriated from the general fund of
 34 the state to the department of agriculture and land
 35 stewardship for the fiscal year beginning July 1, 2013,
 36 and ending June 30, 2014, the following amount, or
 37 so much thereof as is necessary, to be used for the
 38 purposes designated:

39 For purposes of supporting a program for farmers
 40 with disabilities:

41 \$ 130,000

42 2. The moneys appropriated in subsection 1 shall
 43 be used for the public purpose of providing a grant to
 44 a national nonprofit organization with over 80 years
 45 of experience in assisting children and adults with
 46 disabilities and special needs.

47 a. The moneys shall be used to support a nationally
 48 recognized program that began in 1986 and has been
 49 replicated in at least 30 other states, but which
 50 is not available through any other entity in this

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1 state, and that provides assistance to farmers with
 2 disabilities in all 99 counties to allow the farmers to
 3 remain in their own homes and be gainfully engaged in
 4 farming through provision of agricultural worksite and
 5 home modification consultations, peer support services,
 6 services to families, information and referral, and
 7 equipment loan services.

8 b. Notwithstanding section 8.33, moneys
 9 appropriated in this section that remain unencumbered
 10 or unobligated at the close of the fiscal year shall

11 not revert but shall remain available for expenditure
12 for the purposes designated until the close of the
13 succeeding fiscal year.

14 DIVISION II
15 GENERAL FUND
16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
17 SOIL AND WATER CONSERVATION AND WATER QUALITY
18 APPROPRIATIONS FOR FY 2013–2014

19 Sec. 8. SOIL AND WATER CONSERVATION — GENERAL.

20 There is appropriated from the general fund of the
21 state to the department of agriculture and land
22 stewardship for the fiscal year beginning July 1, 2013,
23 and ending June 30, 2014, the following amount, or
24 so much thereof as is necessary, to be used for the
25 purposes designated:

26 1. For use by the department in providing for soil
27 and water conservation administration, the conservation
28 of soil and water resources, or the support of soil and
29 water conservation district commissioners:
30 \$ 6,000,000

31 2. Not more than 5 percent of the moneys
32 appropriated in subsection 1 may be allocated for cost
33 sharing to address complaints filed under section
34 161A.47.

35 3. Of the moneys appropriated in subsection 1, 5
36 percent shall be allocated for financial incentives
37 to establish practices to protect watersheds above
38 publicly owned lakes of the state from soil erosion and
39 sediment as provided in section 161A.73.

40 4. Not more than 30 percent of a soil and water
41 conservation district's allocation of moneys as
42 financial incentives may be provided for the purpose
43 of establishing management practices to control soil
44 erosion on land that is row cropped, including but
45 not limited to no-till planting, ridge-till planting,
46 contouring, and contour strip-cropping as provided in
47 section 161A.73.

48 5. The state soil conservation committee
49 established by section 161A.4 may allocate moneys
50 appropriated in subsection 1 to conduct research and

1 demonstration projects to promote conservation tillage
2 and nonpoint source pollution control practices.

3 6. The allocation of moneys as financial incentives
4 as provided in section 161A.73 may be used in
5 combination with moneys allocated by the department of
6 natural resources.

7 7. Not more than 15 percent of the moneys
8 appropriated in subsection 1 may be used for costs of
9 administration and implementation of soil and water

10 conservation practices.

11 8. The moneys appropriated in this section shall
12 not be used by the soil conservation division of
13 the department of agriculture and land stewardship
14 to provide administrative support to the watershed
15 improvement review board established in section 466A.3.

16 Sec. 9. SOIL AND WATER CONSERVATION —
17 ADMINISTRATION. There is appropriated from the general
18 fund of the state to the department of agriculture and
19 land stewardship for the fiscal year beginning July 1,
20 2013, and ending June 30, 2014, the following amount,
21 or so much thereof as is necessary, to be used for the
22 purposes designated:

23 For use by the department for costs of		
24 administration and implementation of soil and water		
25 conservation practices:		
26	\$	2,550,000

27 Sec. 10. WATER QUALITY INITIATIVE — GENERAL.

28 1. There is appropriated from the general fund of
29 the state to the department of agriculture and land
30 stewardship for the fiscal year beginning July 1, 2013,
31 and ending June 30, 2014, the following amount, or
32 so much thereof as is necessary, to be used for the
33 purposes designated:

34 For deposit in the water quality initiative fund		
35 created in section 466B.45, as enacted by this Act, for		
36 purposes of supporting the water quality initiative		
37 administered by the soil conservation division as		
38 provided in section 466B.42, as enacted by this Act,		
39 including salaries, support, maintenance, miscellaneous		
40 purposes, and for not more than the following full-time		
41 equivalent positions:		
42	\$	2,400,000
43	FTEs	1.00

44 2. The moneys appropriated in subsection 1 shall
45 be used to support reducing nutrients in subwatersheds
46 as designated by the division that are part of
47 high-priority watersheds identified by the water
48 resources coordinating council established pursuant
49 to section 466B.3. In supporting reducing nutrients
50 in subwatersheds, the division shall establish and

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1 administer demonstration projects as follows:

2 a. The demonstration projects shall utilize water
3 quality practices as described in the latest revision
4 of the document entitled "Iowa Nutrient Reduction
5 Strategy" initially presented in November 2012 by
6 the department of agriculture and land stewardship,
7 the department of natural resources, and Iowa state
8 university of science and technology.

9 b. The division shall implement demonstration
10 projects as provided in paragraph "a" by providing for
11 participation by persons who hold a legal interest in
12 agricultural land used in farming. To every extent
13 practical, the division shall provide for collaborative
14 participation by such persons who hold a legal
15 interest in agricultural land located within the same
16 subwatershed.

17 c. The division shall implement a demonstration
18 project on a cost-share basis as determined by the
19 division. However, the state's share of the amount
20 shall not exceed 50 percent of the estimated cost of
21 establishing the practice as determined by the division
22 or 50 percent of the actual cost of establishing the
23 practice, whichever is less.

24 d. The demonstration projects shall be used to
25 educate other persons about the feasibility and value
26 of establishing similar water quality practices. The
27 division shall promote field day events for purposes of
28 allowing interested persons to establish water quality
29 practices on their agricultural land.

30 e. The division shall conduct water quality
31 evaluations within supported subwatersheds. Within
32 a reasonable period after accumulating information
33 from such evaluations, the division shall create an
34 aggregated database of water quality practices. Any
35 information identifying a person holding a legal
36 interest in agricultural land or specific agricultural
37 land shall be a confidential record under section 22.7.

38 3. The moneys appropriated in subsection 1 shall
39 be used to support education and outreach in a manner
40 that encourages persons who hold a legal interest in
41 agricultural land used for farming to implement water
42 quality practices, including the establishment of such
43 practices in watersheds generally, and not limited to
44 subwatersheds or high-priority watersheds.

45 4. The moneys appropriated in subsection 1 may
46 be used to contract with persons to coordinate the
47 implementation of efforts provided in this section.
48 Not more than \$150,000 shall be used to support
49 the administration of this section by a full-time
50 equivalent position.

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1 5. Notwithstanding any other provision in law
2 to the contrary, the department may use moneys
3 appropriated in subsection 1 in combination with
4 other moneys appropriated to the department from the
5 environment first fund created in section 8.57A for
6 cost sharing to match the United States department of
7 agriculture, natural resources conservation service,

wetland reserve enhancement program.

Sec. 11. WATER QUALITY INITIATIVE — SPECIAL PROJECTS.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, as enacted by this Act, for purposes of supporting special projects associated with a water quality initiative administered by the soil conservation division as provided in section 466B.42 as enacted by this Act:

..... \$ 10,000,000

2. a. Seventy percent of the moneys shall be used to support projects in subwatersheds as designated by the division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

b. Thirty percent of the moneys shall be used to support projects in watersheds generally, including regional watersheds, as designated by the division, and high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3.

3. In supporting projects in subwatersheds and watersheds as provided in subsection 2, the division shall do all of the following:

a. Utilize water quality practices as described in the latest revision of the document entitled “Iowa Nutrient Reduction Strategy” initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology.

b. Participate with persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same watershed.

c. Finance the establishment of water quality

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practices on a cost-share basis as determined by the division. However, the state’s share of the amount shall not exceed 50 percent of the estimated cost of establishing the water quality practice as determined by the division or 50 percent of the actual cost of establishing the water quality practice, whichever is

7 less.

8 4. Notwithstanding any other provision in law
9 to the contrary, the department may use moneys
10 appropriated in subsection 1 in combination with
11 other moneys appropriated to the department from the
12 environment first fund created in section 8.57A for
13 cost sharing to match the United States department of
14 agriculture, natural resources conservation service,
15 wetland reserve enhancement program.

16 Sec. 12. WATER QUALITY INITIATIVE APPROPRIATIONS
17 — FEDERAL MONEYS. The department of agriculture and
18 land stewardship, and its soil conservation division,
19 may use moneys appropriated in this division of this
20 Act to support the water quality initiative, including
21 its projects, as provided in this division of this Act,
22 in combination with other moneys provided by the United
23 States government.

24 Sec. 13. WATER QUALITY INITIATIVE — REPORT. The
25 department of agriculture and land stewardship shall
26 prepare a preliminary report and final report regarding
27 its efforts to administer the water quality initiative
28 as provided in this division. Each report shall
29 include information regarding the establishment of
30 water quality practices, including demonstration
31 projects, and education and outreach efforts. The
32 department shall deliver the preliminary report to the
33 governor and general assembly not later than January
34 15, 2014, and shall deliver the final report to the
35 governor and general assembly not later than January
36 15, 2015. A report shall not identify an individual or
37 specific agricultural land.

38 Sec. 14. IOWA NUTRIENT MANAGEMENT CENTER.

39 1. There is appropriated from the general fund
40 of the state to Iowa state university of science and
41 technology for the fiscal year beginning July 1, 2013,
42 and ending June 30, 2014, the following amount, or
43 so much thereof as is necessary, to be used for the
44 purposes designated:

45 For purposes of supporting an Iowa nutrient
46 management center as established in section 466B.47, as
47 enacted in this Act:

48 \$ 1,500,000

49 2. Of the amount appropriated in subsection 1, Iowa
50 state university shall make the following expenditures:

- 1 a. Not more than \$450,000 to advance a fundamental
- 2 understanding of nutrient management.
- 3 b. Not more than \$100,000 to establish a baseline
- 4 of conservation practices, and identify trends in soil
- 5 and water conservation programs, projects, and other

6 initiatives.

7 c. Not more than \$250,000 to develop mathematical
8 models to determine the linkage between hydrologic
9 processes and the transport of nutrients.

10 d. Not more than \$300,000 to conduct field-based
11 research to evaluate implementation of nutrient
12 management practices.

13 e. Not more than \$400,000 to develop and operate
14 a network of sensors in priority watersheds to
15 establish baseline nutrient loads, monitor the impact
16 of nutrient-reduction strategies, and support model
17 development.

18 Sec. 15. WATERSHED IMPROVEMENT FUND.

19 1. There is appropriated from the general fund of
20 the state to the department of agriculture and land
21 stewardship for the fiscal year beginning July 1, 2013,
22 and ending June 30, 2014, the following amount, or
23 so much thereof as is necessary, to be used for the
24 purpose designated:

25 For deposit in the watershed improvement fund
26 created in section 466A.2:

27 \$ 4,000,000

28 2. Of the amount appropriated in subsection 1,
29 50 percent shall be used for purposes of supporting
30 special projects associated with the water quality
31 initiative administered by the soil conservation
32 division as provided in this division.

33 Sec. 16. NONREVERSION.

34 1. Notwithstanding section 8.33, moneys
35 appropriated in this division that remain unencumbered
36 or unobligated at the close of the fiscal year shall
37 not revert but shall remain available for expenditure
38 for the purposes designated until the close of the
39 fiscal year beginning July 1, 2014.

40 2. Subsection 1 does not apply to the

41 appropriations made in this division for any of
42 the following purposes:

43 a. The appropriation made for deposit into the
44 watershed improvement fund pursuant to section 466A.2.
45 Notwithstanding section 8.33, the appropriation made in
46 that section shall not revert.

47 b. The appropriation made for use by the department
48 of agriculture and land stewardship in providing
49 for soil and water conservation administration,
50 the conservation of soil and water resources, or

1 the support of soil and water conservation district
2 commissioners. Notwithstanding section 8.33, moneys
3 appropriated in that section that remain unencumbered
4 or unobligated moneys at the close of the fiscal year

5 shall revert at the close of the fiscal year beginning
6 July 1, 2016.

7 c. The appropriations made in this division for
8 deposit into the water quality initiative fund created
9 in section 466B.45, as enacted by this Act.

10 DIVISION III
11 DEPARTMENT OF NATURAL RESOURCES
12 GENERAL APPROPRIATIONS FOR FY 2013–2014

13 Sec. 17. GENERAL FUND — DEPARTMENT.

14 1. There is appropriated from the general fund of
15 the state to the department of natural resources for
16 the fiscal year beginning July 1, 2013, and ending June
17 30, 2014, the following amount, or so much thereof as
18 is necessary, to be used for the purposes designated:

19 For purposes of supporting the department, including
20 its divisions, for administration, regulation, and
21 programs; for salaries, support, maintenance, and
22 miscellaneous purposes; and for not more than the
23 following full-time equivalent positions:

24	\$	12,516,700
25	FTEs	1,145.95

26 2. The department shall submit a report each
27 quarter of the fiscal year to the legislative services
28 agency, the department of management, the members of
29 the joint appropriations subcommittee on agriculture
30 and natural resources, and the chairpersons and
31 ranking members of the senate and house committees on
32 appropriations. The report shall describe in detail
33 the expenditure of moneys appropriated in this section
34 to support the department's administration, regulation,
35 and programs.

36 Sec. 18. STATE FISH AND GAME PROTECTION FUND —
37 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

38 1. There is appropriated from the state fish and
39 game protection fund to the department of natural
40 resources for the fiscal year beginning July 1, 2013,
41 and ending June 30, 2014, the following amount, or
42 so much thereof as is necessary, to be used for the
43 purposes designated:

44 For purposes of supporting the regulation or
45 advancement of hunting, fishing, or trapping, or the
46 protection, propagation, restoration, management,
47 or harvest of fish or wildlife, including for
48 administration, regulation, law enforcement, and
49 programs; and for salaries, support, maintenance,
50 equipment, and miscellaneous purposes:

1	\$	41,078,234
2 2. Notwithstanding section 455A.10, the department		
3 may use the unappropriated balance remaining in the		

state fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

3. Notwithstanding section 455A.10, the department of natural resources may use the unappropriated balance remaining in the state fish and game protection fund for the fiscal year beginning July 1, 2013, and ending June 30, 2014, as is necessary to fund salary adjustments for departmental employees for whom the general assembly has made an operating budget appropriation in subsection 1.

Sec. 19. GROUNDWATER PROTECTION FUND — WATER QUALITY. There is appropriated from the groundwater protection fund created in section 455E.11 to the department of natural resources for the fiscal year beginning July 1, 2013, and ending June 30, 2014, from those moneys which are not allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's protection of the state's groundwater, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

.....	\$	3,455,832
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DESIGNATED APPROPRIATIONS

MISCELLANEOUS FUNDS

Sec. 20. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM. There is appropriated from the special snowmobile fund created under section 321G.7 to the department of natural resources for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administering and enforcing the state snowmobile programs:

.....	\$	100,000
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Sec. 21. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE TANK SECTION EXPENSES. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board to the department of natural resources for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

- 1 For purposes of paying for administration expenses
- 2 of the department's underground storage tank section:

3	.....	\$	200,000
4	SPECIAL APPROPRIATIONS		
5	GENERAL FUND		
6	Sec. 22. FLOODPLAIN MANAGEMENT AND DAM SAFETY.		
7	1. There is appropriated from the general fund of		
8	the state to the department of natural resources for		
9	the fiscal year beginning July 1, 2013, and ending June		
10	30, 2014, the following amount, or so much thereof as		
11	is necessary, to be used for the purpose designated:		
12	For purposes of supporting floodplain management and		
13	dam safety:		
14	.....	\$	2,000,000
15	2. Of the amount appropriated in subsection 1, up		
16	to \$400,000 may be used by the department to acquire		
17	or install stream gages for purposes of tracking and		
18	predicting flood events and for compiling necessary		
19	data to improve flood frequency analysis.		
20	3. Notwithstanding section 8.33, moneys		
21	appropriated in subsection 1 that remain unencumbered		
22	or unobligated at the close of the fiscal year shall		
23	not revert but shall remain available for expenditure		
24	for the purposes designated until the close of the		
25	succeeding fiscal year.		
26	Sec. 23. FORESTRY HEALTH MANAGEMENT.		
27	1. There is appropriated from the general fund of		
28	the state to the department of natural resources for		
29	the fiscal year beginning July 1, 2013, and ending June		
30	30, 2014, the following amount, or so much thereof as		
31	is necessary, to be used for the purposes designated:		
32	For purposes of providing for forestry health		
33	management programs:		
34	.....	\$	200,000
35	2. Notwithstanding section 8.33, moneys		
36	appropriated for the fiscal year beginning July 1,		
37	2013, in this section that remain unencumbered or		
38	unobligated at the close of the fiscal year shall not		
39	revert but shall remain available to be used for the		
40	purposes designated until the close of the succeeding		
41	fiscal year.		
42	Sec. 24. STATE PARK MAINTENANCE AND OPERATIONS.		
43	1. There is appropriated from the general fund of		
44	the state to the department of natural resources for		
45	the fiscal year beginning July 1, 2013, and ending June		
46	30, 2014, the following amount, or so much thereof as		
47	is necessary, to be used for the purposes designated:		
48	For purposes of supporting the regular maintenance		
49	and operations of state parks, including salaries,		
50	support, maintenance, and miscellaneous purposes:		

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1 \$ 2,900,000

2 2. Notwithstanding section 8.33, moneys

3 appropriated in subsection 1 that remain unencumbered

4 or unobligated at the close of the fiscal year shall

5 not revert but shall remain available to be used

6 for the purposes designated until the close of the

7 succeeding fiscal year.

8 DIVISION IV

9 IOWA STATE UNIVERSITY

10 SPECIAL GENERAL FUND APPROPRIATIONS FOR FY 2013–2014

11 Sec. 25. VETERINARY DIAGNOSTIC LABORATORY.

12 1. There is appropriated from the general fund

13 of the state to Iowa state university of science and

14 technology for the fiscal year beginning July 1, 2013,

15 and ending June 30, 2014, the following amount, or

16 so much thereof as is necessary, to be used for the

17 purposes designated:

18 For purposes of supporting the college of veterinary

19 medicine for the operation of the veterinary diagnostic

20 laboratory and for not more than the following

21 full-time equivalent positions:

22 \$ 3,487,636

23 FTEs 50.00

24 2. a. Iowa state university of science and

25 technology shall not reduce the amount that it

26 allocates to support the college of veterinary medicine

27 from any other source due to the appropriation made in

28 this section.

29 b. Paragraph “a” does not apply to a reduction made

30 to support the college of veterinary medicine, if the

31 same percentage of reduction imposed on the college

32 of veterinary medicine is also imposed on all of Iowa

33 state university’s budget units.

34 3. If by June 30, 2014, Iowa state university

35 of science and technology fails to allocate the

36 moneys appropriated in this section to the college of

37 veterinary medicine in accordance with this section,

38 the moneys appropriated in this section for that fiscal

39 year shall revert to the general fund of the state.

40 Sec. 26. VETERINARY DIAGNOSTIC LABORATORY — FUTURE

41 FISCAL YEAR. This section applies if appropriations

42 made in this Act and all other Acts enacted by the

43 Eighty-fifth General Assembly during the 2013 regular

44 session and all extraordinary sessions, for the

45 fiscal year beginning July 1, 2013, and ending June

46 30, 2014, for purposes of supporting the operation

47 of the veterinary diagnostic laboratory associated

48 with the college of veterinary medicine at Iowa state

49 university, total less than \$4,000,000. It is the

50 intent of the general assembly that the amount of any

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1 deficit will be appropriated by the general assembly
2 during its 2014 regular session for purposes of
3 supporting the operation of the veterinary diagnostic
4 laboratory for the fiscal year beginning July 1, 2014,
5 and ending June 30, 2015.

6 DIVISION V

7 ENVIRONMENT FIRST FUND

8 GENERAL APPROPRIATIONS FOR FY 2013–2014

9 Sec. 27. DEPARTMENT OF AGRICULTURE AND LAND
10 STEWARDSHIP. There is appropriated from the
11 environment first fund created in section 8.57A to the
12 department of agriculture and land stewardship for the
13 fiscal year beginning July 1, 2013, and ending June 30,
14 2014, the following amounts, or so much thereof as is
15 necessary, to be used for the purposes designated:

16 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

17 a. For the conservation reserve enhancement program
18 to restore and construct wetlands for the purposes of
19 intercepting tile line runoff, reducing nutrient loss,
20 improving water quality, and enhancing agricultural
21 production practices:
22 \$ 1,000,000

23 b. Not more than 10 percent of the moneys
24 appropriated in paragraph “a” may be used for costs of
25 administration and implementation of soil and water
26 conservation practices.

27 c. Notwithstanding any other provision in law,
28 the department may provide state resources from this
29 appropriation, in combination with other appropriate
30 environment first fund appropriations, for cost sharing
31 to match United States department of agriculture,
32 natural resources conservation service, wetlands
33 reserve enhancement program (WREP) funding available
34 to Iowa.

35 2. WATERSHED PROTECTION

36 a. For continuation of a program that provides
37 multiobjective resource protections for flood control,
38 water quality, erosion control, and natural resource
39 conservation:
40 \$ 1,000,000

41 b. Not more than 10 percent of the moneys
42 appropriated in paragraph “a” may be used for costs of
43 administration and implementation of soil and water
44 conservation practices.

45 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

46 a. For continuation of a statewide voluntary farm
47 management demonstration program to demonstrate the
48 effectiveness and adaptability of emerging practices in
49 agronomy that protect water resources and provide other
50 environmental benefits:

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1	\$	625,000
2 b. Not more than 10 percent of the moneys		
3 appropriated in paragraph "a" may be used for costs of		
4 administration and implementation of soil and water		
5 conservation practices.		
6 c. Of the amount appropriated in paragraph "a",		
7 \$400,000 shall be allocated to an organization		
8 representing soybean growers to provide for an		
9 agriculture and environment performance program in		
10 order to carry out the purposes of this subsection as		
11 specified in paragraph "a".		
12 4. CONSERVATION RESERVE PROGRAM (CRP)		
13 a. To encourage and assist farmers in enrolling		
14 in and the implementation of the federal conservation		
15 reserve program and to work with them to enhance their		
16 revegetation efforts to improve water quality and		
17 habitat:		
18	\$	1,000,000
19 b. Not more than 10 percent of the moneys		
20 appropriated in paragraph "a" may be used for costs of		
21 administration and implementation of soil and water		
22 conservation practices.		
23 5. SOIL AND WATER CONSERVATION		
24 a. For use by the department in providing for soil		
25 and water conservation administration, the conservation		
26 of soil and water resources, or the support of soil and		
27 water conservation district commissioners:		
28	\$	6,650,000
29 b. Not more than 5 percent of the moneys		
30 appropriated in paragraph "a" may be allocated for		
31 cost sharing to address complaints filed under section		
32 161A.47.		
33 c. Of the moneys appropriated in paragraph "a",		
34 5 percent shall be allocated for financial incentives		
35 to establish practices to protect watersheds above		
36 publicly owned lakes of the state from soil erosion and		
37 sediment as provided in section 161A.73.		
38 d. Not more than 30 percent of a soil and water		
39 conservation district's allocation of moneys as		
40 financial incentives may be provided for the purpose		
41 of establishing management practices to control soil		
42 erosion on land that is row cropped, including but		
43 not limited to no-till planting, ridge-till planting,		
44 contouring, and contour strip-cropping as provided in		
45 section 161A.73.		
46 e. The state soil conservation committee		
47 established by section 161A.4 may allocate moneys		
48 appropriated in paragraph "a" to conduct research and		
49 demonstration projects to promote conservation tillage		
50 and nonpoint source pollution control practices.		

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1 f. The allocation of moneys as financial incentives
2 as provided in section 161A.73 may be used in
3 combination with moneys allocated by the department of
4 natural resources.

5 g. Not more than 15 percent of the moneys
6 appropriated in paragraph “a” may be used for costs of
7 administration and implementation of soil and water
8 conservation practices.

9 h. In lieu of moneys appropriated in section
10 466A.5, not more than \$50,000 of the moneys
11 appropriated in paragraph “a” shall be used by the soil
12 conservation division of the department of agriculture
13 and land stewardship to provide administrative support
14 to the watershed improvement review board established
15 in section 466A.3.

16 6. AGRICULTURAL DRAINAGE WELL WATER QUALITY
17 ASSISTANCE FUND

18 For deposit in the agricultural drainage well water
19 quality assistance fund created in section 460.303 to
20 be used for purposes of supporting the agricultural
21 drainage well water quality assistance program as
22 provided in section 460.304:

23 \$ 550,000

24 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

25 a. For deposit in the loess hills development and
26 conservation fund created in section 161D.2:

27 \$ 475,000

28 b. (1) Of the amount appropriated in paragraph
29 “a”, \$356,250 shall be allocated to the fund’s hungry
30 canyons account.

31 (2) Not more than 10 percent of the moneys
32 allocated to the hungry canyons account as provided in
33 subparagraph (1) may be used for administrative costs.

34 c. (1) Of the amount appropriated in paragraph
35 “a”, \$118,750 shall be allocated to the fund’s loess
36 hills alliance account.

37 (2) Not more than 10 percent of the moneys
38 allocated to the loess hills alliance account
39 as provided in subparagraph (1) may be used for
40 administrative costs.

41 Sec. 28. DEPARTMENT OF NATURAL RESOURCES. There is
42 appropriated from the environment first fund created in
43 section 8.57A to the department of natural resources
44 for the fiscal year beginning July 1, 2013, and ending
45 June 30, 2014, the following amounts, or so much
46 thereof as is necessary, to be used for the purposes
47 designated:

48 1. KEEPERS OF THE LAND

49 For statewide coordination of volunteer efforts
50 under the water quality and keepers of the land

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1	programs:	
2	\$ 100,000
3	2. STATE PARKS MAINTENANCE AND OPERATIONS	
4	For regular maintenance of state parks and staff	
5	time associated with these activities:	
6	.....	\$ 3,710,000
7	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)	
8	To provide local watershed managers with geographic	
9	information system data for their use in developing,	
10	monitoring, and displaying results of their watershed	
11	work:	
12	.....	\$ 195,000
13	4. WATER QUALITY MONITORING	
14	For continuing the establishment and operation of	
15	water quality monitoring stations:	
16	.....	\$ 2,955,000
17	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	
18	For deposit in the public water supply system	
19	account of the water quality protection fund created	
20	in section 455B.183A:	
21	.....	\$ 500,000
22	6. REGULATION OF ANIMAL FEEDING OPERATIONS	
23	For the regulation of animal feeding operations,	
24	including as provided for in chapters 459 through 459B:	
25	.....	\$ 1,920,000
26	7. AMBIENT AIR QUALITY	
27	For the abatement, control, and prevention of	
28	ambient air pollution in this state, including measures	
29	as necessary to assure attainment and maintenance of	
30	ambient air quality standards from particulate matter:	
31	.....	\$ 425,000
32	8. WATER QUANTITY REGULATION	
33	For regulating water quantity from surface and	
34	subsurface sources by providing for the allocation and	
35	use of water resources, the protection and management	
36	of water resources, and the preclusion of conflicts	
37	among users of water resources, including as provided	
38	in chapter 455B, division III, part 4:	
39	.....	\$ 495,000
40	9. GEOLOGICAL AND WATER SURVEY	
41	For continuing the operations of the department's	
42	geological and water survey including but not limited	
43	to providing analysis, data collection, investigative	
44	programs, and information for water supply development	
45	and protection:	
46	.....	\$ 200,000
47	10. KEEP IOWA BEAUTIFUL INITIATIVE	
48	For purposes of supporting a keep Iowa beautiful	
49	initiative in order to assist communities in developing	
50	and implementing beautification and community	

1 development plans:
2 \$ 200,000
3 Sec. 29. REVERSION. Notwithstanding section 8.33,
4 moneys appropriated for the fiscal year beginning
5 July 1, 2013, in this division of this Act that remain
6 unencumbered or unobligated at the close of the fiscal
7 year shall not revert but shall remain available to be
8 used for the purposes designated until the close of the
9 succeeding fiscal year or until the project for which
10 the appropriation was made is completed, whichever is
11 earlier.

12 DIVISION VI
13 ENVIRONMENT FIRST FUND
14 SPECIAL APPROPRIATION FOR FY 2013–2014
15 Sec. 30. REAP — IN LIEU OF GENERAL FUND
16 APPROPRIATION. Notwithstanding the amount of the
17 standing appropriation from the general fund of
18 the state to the Iowa resources enhancement and
19 protection fund as provided in section 455A.18, there
20 is appropriated from the environment first fund created
21 in section 8.57A to the Iowa resources enhancement and
22 protection fund, in lieu of the appropriation made in
23 section 455A.18, for the fiscal year beginning July 1,
24 2013, and ending June 30, 2014, the following amount,
25 to be allocated as provided in section 455A.19:
26 \$ 20,000,000

27 DIVISION VII
28 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
29 GENERAL APPROPRIATION FOR FY 2014–2015
30 Sec. 31. GENERAL FUND — DEPARTMENT.
31 1. There is appropriated from the general fund of
32 the state to the department of agriculture and land
33 stewardship for the fiscal year beginning July 1, 2014,
34 and ending June 30, 2015, the following amount, or
35 so much thereof as is necessary, to be used for the
36 purposes designated:
37 For purposes of supporting the department, including
38 its divisions, for administration, regulation, and
39 programs; for salaries, support, maintenance, and
40 miscellaneous purposes; and for not more than the
41 following full-time equivalent positions:
42 \$ 8,540,664
43 FTEs 372.00
44 2. Of the amount appropriated in subsection 1,
45 the following amount is transferred to Iowa state
46 university of science and technology, to be used
47 for the university’s midwest grape and wine industry
48 institute:
49 \$ 119,000
50 3. The department shall submit a report each

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1 quarter of the fiscal year to the legislative services
 2 agency, the department of management, the members of
 3 the joint appropriations subcommittee on agriculture
 4 and natural resources, and the chairpersons and
 5 ranking members of the senate and house committees on
 6 appropriations. The report shall describe in detail
 7 the expenditure of moneys appropriated in this section
 8 to support the department's administration, regulation,
 9 and programs.

10 DESIGNATED APPROPRIATIONS

11 MISCELLANEOUS FUNDS

12 Sec. 32. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 13 HORSE AND DOG RACING. There is appropriated from the
 14 moneys available under section 99D.13 to the department
 15 of agriculture and land stewardship for the fiscal year
 16 beginning July 1, 2014, and ending June 30, 2015, the
 17 following amount, or so much thereof as is necessary,
 18 to be used for the purposes designated:

19 For purposes of supporting the department's
 20 administration and enforcement of horse and dog racing
 21 law pursuant to section 99D.22, including for salaries,
 22 support, maintenance, and miscellaneous purposes:

23 \$ 152,758

24 Sec. 33. RENEWABLE FUEL INFRASTRUCTURE FUND —
 25 MOTOR FUEL INSPECTION.

26 1. There is appropriated from the renewable fuel
 27 infrastructure fund created in section 159A.16 to the
 28 department of agriculture and land stewardship for the
 29 fiscal year beginning July 1, 2014, and ending June 30,
 30 2015, the following amount, or so much thereof as is
 31 necessary, to be used for the purposes designated:

32 For purposes of the inspection of motor fuel,
 33 including salaries, support, maintenance, and
 34 miscellaneous purposes:

35 \$ 250,000

36 2. The department shall establish and administer
 37 programs for the auditing of motor fuel including
 38 biofuel processing and production plants, for screening
 39 and testing motor fuel, including renewable fuel,
 40 and for the inspection of motor fuel sold by dealers
 41 including retail dealers who sell and dispense motor
 42 fuel from motor fuel pumps.

43 SPECIAL APPROPRIATIONS

44 GENERAL FUND

45 Sec. 34. DAIRY REGULATION. There is appropriated
 46 from the general fund of the state to the department of
 47 agriculture and land stewardship for the fiscal year
 48 beginning July 1, 2014, and ending June 30, 2015, the
 49 following amount, or so much thereof as is necessary,
 50 to be used for the purposes designated:

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1 Sec. 37. FARMERS WITH DISABILITIES PROGRAM.

2 1. There is appropriated from the general fund of
3 the state to the department of agriculture and land
4 stewardship for the fiscal year beginning July 1, 2014,
5 and ending June 30, 2015, the following amount, or
6 so much thereof as is necessary, to be used for the
7 purposes designated:

8 For purposes of supporting a program for farmers
9 with disabilities:

0 \$ 65,000

1 2. The moneys appropriated in subsection 1 shall
2 be used for the public purpose of providing a grant to
3 a national nonprofit organization with over 80 years
4 of experience in assisting children and adults with
5 disabilities and special needs.

6 a. The moneys shall be used to support a nationally
7 recognized program that began in 1986 and has been
8 replicated in at least 30 other states, but which
9 is not available through any other entity in this
10 state, and that provides assistance to farmers with
11 disabilities in all 99 counties to allow the farmers to
12 remain in their own homes and be gainfully engaged in
13 farming through provision of agricultural worksite and
14 home modification consultations, peer support services,
15 services to families, information and referral, and
16 equipment loan services.

b. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

DIVISION VIII GENERAL FUND

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
SOIL AND WATER CONSERVATION AND WATER QUALITY
APPROPRIATION FOR FY 2014-2015

8 Sec. 38. SOIL AND WATER CONSERVATION —
9 ADMINISTRATION. There is appropriated from the general
10 fund of the state to the department of agriculture and
11 land stewardship for the fiscal year beginning July 1,
12 2014, and ending June 30, 2015, the following amount,
13 or so much thereof as is necessary, to be used for the
14 purposes designated:

5 For use by the department for costs of
6 administration and implementation of soil and water
7 conservation practices:

8 \$ 1,275,000

49 Sec. 39. WATER QUALITY INITIATIVE. There is
50 appropriated from the general fund of the state to the

1 department of agriculture and land stewardship for the
2 fiscal year beginning July 1, 2014, and ending June 30,
3 2015, the following amount, or so much thereof as is
4 necessary, to be used for the purposes designated:
5 1. For purposes of supporting a water quality
6 initiative administered by the soil conservation
7 division as provided in section 466B.42 as enacted by
8 this Act, including salaries, support, maintenance,
9 miscellaneous purposes, and for not more than the
10 following full-time equivalent positions:

11	\$	4,400,000
12	FTEs	1.00

13 2. The moneys appropriated in subsection 1 shall
14 be used by the division to support water quality
15 conservation practices in all of the following:

16 a. Subwatersheds as designated by the division that
17 are part of high-priority watersheds identified by
18 the water resources coordinating council established
19 pursuant to section 466B.3.

20 b. Watersheds, including regional watersheds, as
21 designated by the division and high-priority watersheds
22 identified by the water resources coordinating council
23 established pursuant to section 466B.3.

24 3. In supporting water quality conservation
25 practices in subwatersheds and watersheds as provided
26 in subsection 2, the division shall do all of the
27 following:

28 a. Utilize water quality practices as described
29 in the latest revision of the document entitled "Iowa
30 Nutrient Reduction Strategy" initially presented in
31 November 2012 by the department of agriculture and land
32 stewardship, the department of natural resources, and
33 Iowa state university of science and technology.

34 b. Participate with persons who hold a legal
35 interest in agricultural land used in farming. To
36 every extent practical, the division shall provide for
37 collaborative participation by such persons who hold a
38 legal interest in agricultural land located within the
39 same subwatershed.

40 c. Finance the establishment of water quality
41 practices on a cost-share basis as determined by the
42 division. However, the state's share of the amount
43 shall not exceed 50 percent of the estimated cost of
44 establishing the practice as determined by the division
45 or 50 percent of the actual cost of establishing the
46 practice, whichever is less.

47 4. Notwithstanding any other provision in law
48 to the contrary, the department may use moneys
49 appropriated in subsection 1 in combination with
50 other moneys appropriated to the department from the

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environment first fund created in section 8.57A for cost sharing to match the United States department of agriculture, natural resources conservation service, wetland reserve enhancement program.

Sec. 40. NONREVERSION. Notwithstanding section 8.33, moneys appropriated in this division that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2015.

DIVISION IX

DEPARTMENT OF NATURAL RESOURCES
GENERAL APPROPRIATIONS FOR FY 2014–2015

Sec. 41. GENERAL FUND — DEPARTMENT.

1. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs; for salaries, support, maintenance, and miscellaneous purposes; and for not more than the following full-time equivalent positions:

..... \$	6,258,350
..... FTEs	1,145.95

2. The department shall submit a report each quarter of the fiscal year to the legislative services agency, the department of management, the members of the joint appropriations subcommittee on agriculture and natural resources, and the chairpersons and ranking members of the senate and house committees on appropriations. The report shall describe in detail the expenditure of moneys appropriated under this section to support the department's administration, regulation, and programs.

Sec. 42. STATE FISH AND GAME PROTECTION FUND — REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

1. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, including for administration, regulation, law enforcement, and programs; and for salaries, support, maintenance,

1	equipment, and miscellaneous purposes:	
2	.....	\$ 20,539,117
3	2. Notwithstanding section 455A.10, the department	
4	may use the unappropriated balance remaining in the	
5	state fish and game protection fund to provide for the	
6	funding of health and life insurance premium payments	
7	from unused sick leave balances of conservation peace	
8	officers employed in a protection occupation who	
9	retire, pursuant to section 97B.49B.	
10	3. Notwithstanding section 455A.10, the department	
11	of natural resources may use the unappropriated	
12	balance remaining in the state fish and game protection	
13	fund for the fiscal year beginning July 1, 2014,	
14	and ending June 30, 2015, as is necessary to fund	
15	salary adjustments for departmental employees for	
16	whom the general assembly has made an operating budget	
17	appropriation in subsection 1.	
18	Sec. 43. GROUNDWATER PROTECTION FUND — WATER	
19	QUALITY. There is appropriated from the groundwater	
20	protection fund created in section 455E.11 to the	
21	department of natural resources for the fiscal year	
22	beginning July 1, 2014, and ending June 30, 2015, from	
23	those moneys which are not allocated pursuant to that	
24	section, the following amount, or so much thereof as is	
25	necessary, to be used for the purposes designated:	
26	For purposes of supporting the department's	
27	protection of the state's groundwater, including	
28	for administration, regulation, and programs, and	
29	for salaries, support, maintenance, equipment, and	
30	miscellaneous purposes:	
31	.....	\$ 1,727,916
32	DESIGNATED APPROPRIATIONS	
33	MISCELLANEOUS FUNDS	
34	Sec. 44. SPECIAL SNOWMOBILE FUND — SNOWMOBILE	
35	PROGRAM. There is appropriated from the special	
36	snowmobile fund created under section 321G.7 to the	
37	department of natural resources for the fiscal year	
38	beginning July 1, 2014, and ending June 30, 2015, the	
39	following amount, or so much thereof as is necessary,	
40	to be used for the purpose designated:	
41	For purposes of administering and enforcing the	
42	state snowmobile programs:	
43	.....	\$ 50,000
44	Sec. 45. UNASSIGNED REVENUE FUND — UNDERGROUND	
45	STORAGE TANK SECTION EXPENSES. There is appropriated	
46	from the unassigned revenue fund administered by the	
47	Iowa comprehensive underground storage tank fund	
48	board to the department of natural resources for the	
49	fiscal year beginning July 1, 2014, and ending June 30,	
50	2015, the following amount, or so much thereof as is	

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1 necessary, to be used for the purpose designated:

2 For purposes of paying for administration expenses
3 of the department's underground storage tank section:

4 \$ 100,000

5 SPECIAL APPROPRIATIONS

6 GENERAL FUND

7 Sec. 46. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

8 1. There is appropriated from the general fund of
9 the state to the department of natural resources for
10 the fiscal year beginning July 1, 2014, and ending June
11 30, 2015, the following amount, or so much thereof as
12 is necessary, to be used for the purpose designated:

13 For purposes of supporting floodplain management and
14 dam safety:

15 \$ 1,000,000

16 2. Of the amount appropriated in subsection 1, up
17 to \$200,000 may be used by the department to acquire
18 or install stream gages for purposes of tracking and
19 predicting flood events and for compiling necessary
20 data to improve flood frequency analysis.

21 3. Notwithstanding section 8.33, moneys
22 appropriated in subsection 1 that remain unencumbered
23 or unobligated at the close of the fiscal year shall
24 not revert but shall remain available for expenditure
25 for the purposes designated until the close of the
26 succeeding fiscal year.

27 Sec. 47. FORESTRY HEALTH MANAGEMENT.

28 1. There is appropriated from the general fund of
29 the state to the department of natural resources for
30 the fiscal year beginning July 1, 2014, and ending June
31 30, 2015, the following amount, or so much thereof as
32 is necessary, to be used for the purposes designated:

33 For purposes of providing for forestry health
34 management programs:

35 \$ 100,000

36 2. Notwithstanding section 8.33, moneys
37 appropriated for the fiscal year beginning July 1,
38 2014, in this section that remain unencumbered or
39 unobligated at the close of the fiscal year shall not
40 revert but shall remain available to be used for the
41 purposes designated until the close of the succeeding
42 fiscal year.

43 Sec. 48. STATE PARK MAINTENANCE AND OPERATIONS.

44 1. There is appropriated from the general fund of
45 the state to the department of natural resources for
46 the fiscal year beginning July 1, 2014, and ending June
47 30, 2015, the following amount, or so much thereof as
48 is necessary, to be used for the purposes designated:

49 For purposes of supporting the regular maintenance
50 and operations of state parks, including salaries,

1 support, maintenance, and miscellaneous purposes:
2 \$ 1,450,000
3 2. Notwithstanding section 8.33, moneys
4 appropriated in subsection 1 that remain unencumbered
5 or unobligated at the close of the fiscal year shall
6 not revert but shall remain available to be used
7 for the purposes designated until the close of the
8 succeeding fiscal year.

9 DIVISION X
10 IOWA STATE UNIVERSITY
11 SPECIAL GENERAL FUND APPROPRIATIONS FOR FY 2014–2015
12 Sec. 49. VETERINARY DIAGNOSTIC LABORATORY.

13 1. There is appropriated from the general fund
14 of the state to Iowa state university of science and
15 technology for the fiscal year beginning July 1, 2014,
16 and ending June 30, 2015, the following amount, or
17 so much thereof as is necessary, to be used for the
18 purposes designated:

19 For purposes of supporting the college of veterinary
20 medicine for the operation of the veterinary diagnostic
21 laboratory and for not more than the following
22 full-time equivalent positions:
23 \$ 1,743,818
24 FTEs 50.00

25 2. a. Iowa state university of science and
26 technology shall not reduce the amount that it
27 allocates to support the college of veterinary medicine
28 from any other source due to the appropriation made in
29 this section.

30 b. Paragraph “a” does not apply to a reduction made
31 to support the college of veterinary medicine, if the
32 same percentage of reduction imposed on the college
33 of veterinary medicine is also imposed on all of Iowa
34 state university’s budget units.

35 3. If by June 30, 2015, Iowa state university
36 of science and technology fails to allocate the
37 moneys appropriated in this section to the college of
38 veterinary medicine in accordance with this section,
39 the moneys appropriated in this section for that fiscal
40 year shall revert to the general fund of the state.

41 Sec. 50. VETERINARY DIAGNOSTIC LABORATORY — FUTURE
42 FISCAL YEAR. This section applies if appropriations
43 made in this Act and all other Acts enacted by the
44 Eighty-fifth General Assembly during the 2014 regular
45 session and all extraordinary sessions, for the
46 fiscal year beginning July 1, 2014, and ending June
47 30, 2015, for purposes of supporting the operation
48 of the veterinary diagnostic laboratory associated
49 with the college of veterinary medicine at Iowa state
50 university, total less than \$4,000,000. It is the

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1 intent of the general assembly that the amount of any
 2 deficit will be appropriated by the general assembly
 3 during its 2015 regular session for purposes of
 4 supporting the operation of the veterinary diagnostic
 5 laboratory for the fiscal year beginning July 1, 2015,
 6 and ending June 30, 2016.

7 DIVISION XI

8 ENVIRONMENT FIRST FUND

9 GENERAL APPROPRIATIONS FOR FY 2014–2015

10 Sec. 51. DEPARTMENT OF AGRICULTURE AND LAND

11 STEWARDSHIP. There is appropriated from the
 12 environment first fund created in section 8.57A to the
 13 department of agriculture and land stewardship for the
 14 fiscal year beginning July 1, 2014, and ending June 30,
 15 2015, the following amounts, or so much thereof as is
 16 necessary, to be used for the purposes designated:

17 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

18 a. For the conservation reserve enhancement program
 19 to restore and construct wetlands for the purposes of
 20 intercepting tile line runoff, reducing nutrient loss,
 21 improving water quality, and enhancing agricultural
 22 production practices:

23 \$ 500,000

24 b. Not more than 10 percent of the moneys
 25 appropriated in paragraph “a” may be used for costs of
 26 administration and implementation of soil and water
 27 conservation practices.

28 c. Notwithstanding any other provision in law,
 29 the department may provide state resources from this
 30 appropriation, in combination with other appropriate
 31 environment first fund appropriations, for cost sharing
 32 to match United States department of agriculture,
 33 natural resources conservation service, wetlands
 34 reserve enhancement program (WREP) funding available
 35 to Iowa.

36 2. WATERSHED PROTECTION

37 a. For continuation of a program that provides
 38 multiobjective resource protections for flood control,
 39 water quality, erosion control, and natural resource
 40 conservation:

41 \$ 500,000

42 b. Not more than 10 percent of the moneys
 43 appropriated in paragraph “a” may be used for costs of
 44 administration and implementation of soil and water
 45 conservation practices.

46 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

47 a. For continuation of a statewide voluntary farm
 48 management demonstration program to demonstrate the
 49 effectiveness and adaptability of emerging practices in
 50 agronomy that protect water resources and provide other

1	environmental benefits:	
2	.....	\$ 312,500
3	b. Not more than 10 percent of the moneys	
4	appropriated in paragraph “a” may be used for costs of	
5	administration and implementation of soil and water	
6	conservation practices.	
7	c. Of the amount appropriated in paragraph “a”,	
8	\$200,000 shall be allocated to an organization	
9	representing soybean growers to provide for an	
10	agriculture and environment performance program in	
11	order to carry out the purposes of this subsection as	
12	specified in paragraph “a”.	
13	4. CONSERVATION RESERVE PROGRAM (CRP)	
14	a. To encourage and assist farmers in enrolling	
15	in and the implementation of the federal conservation	
16	reserve program and to work with them to enhance their	
17	revegetation efforts to improve water quality and	
18	habitat:	
19	.....	\$ 500,000
20	b. Not more than 10 percent of the moneys	
21	appropriated in paragraph “a” may be used for costs of	
22	administration and implementation of soil and water	
23	conservation practices.	
24	5. SOIL AND WATER CONSERVATION	
25	a. For use by the department in providing for soil	
26	and water conservation administration, the conservation	
27	of soil and water resources, or the support of soil and	
28	water conservation district commissioners:	
29	.....	\$ 3,325,000
30	b. Not more than 5 percent of the moneys	
31	appropriated in paragraph “a” may be allocated for	
32	cost sharing to address complaints filed under section	
33	161A.47.	
34	c. Of the moneys appropriated in paragraph “a”,	
35	5 percent shall be allocated for financial incentives	
36	to establish practices to protect watersheds above	
37	publicly owned lakes of the state from soil erosion and	
38	sediment as provided in section 161A.73.	
39	d. Not more than 30 percent of a soil and water	
40	conservation district’s allocation of moneys as	
41	financial incentives may be provided for the purpose	
42	of establishing management practices to control soil	
43	erosion on land that is row cropped, including but	
44	not limited to no-till planting, ridge-till planting,	
45	contouring, and contour strip-cropping as provided in	
46	section 161A.73.	
47	e. The state soil conservation committee	
48	established by section 161A.4 may allocate moneys	
49	appropriated in paragraph “a” to conduct research and	
50	demonstration projects to promote conservation tillage	

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1 and nonpoint source pollution control practices.
 2 f. The allocation of moneys as financial incentives
 3 as provided in section 161A.73 may be used in
 4 combination with moneys allocated by the department of
 5 natural resources.

6 g. Not more than 15 percent of the moneys
 7 appropriated in paragraph "a" may be used for costs of
 8 administration and implementation of soil and water
 9 conservation practices.

10 h. In lieu of moneys appropriated in section
 11 466A.5, not more than \$50,000 of the moneys
 12 appropriated in paragraph "a" shall be used by the soil
 13 conservation division of the department of agriculture
 14 and land stewardship to provide administrative support
 15 to the watershed improvement review board established
 16 in section 466A.3.

17 6. AGRICULTURAL DRAINAGE WELL WATER QUALITY
 18 ASSISTANCE FUND

19 For deposit in the agricultural drainage well water
 20 quality assistance fund created in section 460.303 to
 21 be used for purposes of supporting the agricultural
 22 drainage well water quality assistance program as
 23 provided in section 460.304:

24 \$ 275,000

25 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

26 a. For deposit in the loess hills development and
 27 conservation fund created in section 161D.2:

28 \$ 237,500

29 b. (1) Of the amount appropriated in paragraph
 30 "a", \$178,125 shall be allocated to the fund's hungry
 31 canyons account.

32 (2) Not more than 10 percent of the moneys
 33 allocated to the hungry canyons account as provided in
 34 subparagraph (1) may be used for administrative costs.

35 c. (1) Of the amount appropriated in paragraph
 36 "a", \$59,375 shall be allocated to the fund's loess
 37 hills alliance account.

38 (2) Not more than 10 percent of the moneys
 39 allocated to the loess hills alliance account
 40 as provided in subparagraph (1) may be used for
 41 administrative costs.

42 Sec. 52. DEPARTMENT OF NATURAL RESOURCES. There is
 43 appropriated from the environment first fund created in
 44 section 8.57A to the department of natural resources
 45 for the fiscal year beginning July 1, 2014, and ending
 46 June 30, 2015, the following amounts, or so much
 47 thereof as is necessary, to be used for the purposes
 48 designated:

49 1. KEEPERS OF THE LAND

50 For statewide coordination of volunteer efforts

1	under the water quality and keepers of the land	
2	programs:	
3	.....	\$ 50,000
4	2. STATE PARKS MAINTENANCE AND OPERATIONS	
5	For regular maintenance of state parks and staff	
6	time associated with these activities:	
7	.....	\$ 1,855,000
8	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)	
9	To provide local watershed managers with geographic	
10	information system data for their use in developing,	
11	monitoring, and displaying results of their watershed	
12	work:	
13	.....	\$ 97,500
14	4. WATER QUALITY MONITORING	
15	For continuing the establishment and operation of	
16	water quality monitoring stations:	
17	.....	\$ 1,477,500
18	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT	
19	For deposit in the public water supply system	
20	account of the water quality protection fund created	
21	in section 455B.183A:	
22	.....	\$ 250,000
23	6. REGULATION OF ANIMAL FEEDING OPERATIONS	
24	For the regulation of animal feeding operations,	
25	including as provided for in chapters 459 through 459B:	
26	.....	\$ 960,000
27	7. AMBIENT AIR QUALITY	
28	For the abatement, control, and prevention of	
29	ambient air pollution in this state, including measures	
30	as necessary to assure attainment and maintenance of	
31	ambient air quality standards from particulate matter:	
32	.....	\$ 212,500
33	8. WATER QUANTITY REGULATION	
34	For regulating water quantity from surface and	
35	subsurface sources by providing for the allocation and	
36	use of water resources, the protection and management	
37	of water resources, and the preclusion of conflicts	
38	among users of water resources, including as provided	
39	in chapter 455B, division III, part 4:	
40	.....	\$ 247,500
41	9. GEOLOGICAL AND WATER SURVEY	
42	For continuing the operations of the department's	
43	geological and water survey including but not limited	
44	to providing analysis, data collection, investigative	
45	programs, and information for water supply development	
46	and protection:	
47	.....	\$ 100,000
48	10. KEEP IOWA BEAUTIFUL INITIATIVE	
49	For purposes of supporting a keep Iowa beautiful	
50	initiative in order to assist communities in developing	

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1 and implementing beautification and community
 2 development plans:

3 \$ 100,000

4 Sec. 53. REVERSION. Notwithstanding section 8.33,
 5 moneys appropriated for the fiscal year beginning
 6 July 1, 2014, in this division of this Act that remain
 7 unencumbered or unobligated at the close of the fiscal
 8 year shall not revert but shall remain available to be
 9 used for the purposes designated until the close of the
 10 succeeding fiscal year or until the project for which
 11 the appropriation was made is completed, whichever is
 12 earlier.

13 DIVISION XII

14 ENVIRONMENT FIRST FUND

15 SPECIAL APPROPRIATION FOR FY 2014–2015

16 Sec. 54. REAP — IN LIEU OF GENERAL FUND

17 APPROPRIATION. Notwithstanding the amount of the
 18 standing appropriation from the general fund of
 19 the state to the Iowa resources enhancement and
 20 protection fund as provided in section 455A.18, there
 21 is appropriated from the environment first fund created
 22 in section 8.57A to the Iowa resources enhancement and
 23 protection fund, in lieu of the appropriation made in
 24 section 455A.18, for the fiscal year beginning July 1,
 25 2014, and ending June 30, 2015, the following amount,
 26 to be allocated as provided in section 455A.19:

27 \$ 20,000,000

28 DIVISION XIII

29 RELATED STATUTORY CHANGES

30 DNR RADIOS

31 Sec. 55. 2011 Iowa Acts, chapter 128, section 19,
 32 subsection 1, as amended by 2012 Iowa Acts, chapter
 33 1135, section 15, is amended to read as follows:

34 SEC. 19. USE OF MONEYS — RADIOS.

35 1. Notwithstanding 2010 Iowa Acts, chapter 1191,
 36 section 7, the department of natural resources may use
 37 the unappropriated balance remaining in the state fish
 38 and game protection fund for the fiscal year beginning
 39 July 1, 2010, and ending June 30, 2011, to purchase
 40 mobile radios to meet federal and state requirements
 41 for homeland security and public safety. This section
 42 applies to those moneys in the fund that are not
 43 otherwise used, obligated, or encumbered for payment
 44 of health and life insurance premium payments for
 45 conservation peace officer retirements for that fiscal
 46 year. The department may use such moneys until June
 47 30, ~~2013~~ 2014.

48 Sec. 56. EFFECTIVE UPON ENACTMENT. This division
 49 of this Act, being deemed of immediate importance,
 50 takes effect upon enactment.

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DIVISION XIV
RELATED STATUTORY CHANGES
AGRICULTURAL DRAINAGE WELLS

Sec. 57. Section 460.303, subsection 3, Code 2013, is amended to read as follows:

3. ~~The Moneys in the fund shall be used are~~
appropriated to support an agricultural drainage well water quality assistance program as provided in section 460.304. Moneys shall be used to provide financial incentives under the program, and to defray expenses by the division in administering the program. However, not more than one percent of the money in the fund is available to defray administrative expenses. The division may adopt rules pursuant to chapter 17A to administer this section.

DIVISION XV
RELATED STATUTORY CHANGES
OUTDOOR RECREATION

Sec. 58. Section 321G.29, subsection 3, Code 2013, is amended to read as follows:

3. An owner of a snowmobile shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notarial officer as provided in chapter 9B or other person who administers oaths, or~~ shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the snowmobile or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for a snowmobile last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. 59. Section 321I.31, subsection 3, Code 2013, is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notary public as provided in chapter 9B or other person who administers oaths, or~~ shall include a certification signed in

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1 writing containing substantially the representation
2 that statements made are true and correct to the
3 best of the applicant's knowledge, information, and
4 belief, under penalty of perjury. The application
5 shall contain the date of sale and gross price of
6 the all-terrain vehicle or the fair market value if
7 no sale immediately preceded the transfer and any
8 additional information the department requires. If the
9 application is made for an all-terrain vehicle last
10 previously registered or titled in another state or
11 foreign country, the application shall contain this
12 information and any other information the department
13 requires.

14 Sec. 60. REPEAL. Section 461A.3A, Code 2013, is
15 repealed.

16 DIVISION XVI
17 RELATED STATUTORY CHANGES
18 WATERSHED PROTECTION

19 Sec. 61. Section 466B.2, Code 2013, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 2A. "Political subdivision" means a
22 city, county, or soil and water conservation district.

23 Sec. 62. Section 466B.21, subsection 3, Code 2013,
24 is amended by striking the subsection.

25 Sec. 63. NEW SECTION. 466B.41 Definitions.

26 As used in this subchapter, unless the context
27 otherwise requires:

28 1. "Center" means the Iowa nutrient management
29 center established pursuant to section 466B.47.

30 2. "Division" means the division of soil
31 conservation within the department of agriculture and
32 land stewardship as established in section 161A.4.

33 3. "Fund" means the water quality initiative fund
34 created in section 466B.45.

35 4. "Nutrient" includes nitrogen and phosphorus.

36 Sec. 64. NEW SECTION. 466B.42 Water quality
37 initiative.

38 The division shall establish a water quality
39 initiative in order to assess and reduce nutrients in
40 this state's watersheds, including subwatersheds, and
41 regional watersheds. The division shall establish
42 and administer projects to reduce nutrients in
43 surface waters from nonpoint sources in a scientific,
44 reasonable, and cost-effective manner. The division
45 shall utilize a pragmatic, strategic, and coordinated
46 approach with the goal of accomplishing reductions over
47 time.

48 Sec. 65. NEW SECTION. 466B.45 Water quality
49 initiative fund.

50 1. A water quality initiative fund is created in

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1 the state treasury under the management and control of
2 the division.

3 2. The fund shall include moneys appropriated
4 by the general assembly. The fund may include other
5 moneys available to and obtained or accepted by the
6 division, including moneys from public or private
7 sources.

8 3. Moneys in the fund are appropriated to the
9 division and shall be used exclusively to carry out
10 the provisions of this subchapter as determined by
11 the division, and shall not require further special
12 authorization by the general assembly.

13 4. a. Notwithstanding section 12C.7, interest or
14 earnings on moneys in the fund shall be credited to the
15 fund.

16 b. Notwithstanding section 8.33, moneys
17 appropriated or otherwise credited to the fund for a
18 fiscal year shall not revert to the fund from which
19 appropriated at the close of the fiscal year for which
20 the appropriation was made but shall remain available
21 for expenditure for the purposes designated until the
22 close of the fiscal year that begins two years from
23 the beginning date of the fiscal year for which the
24 appropriation was made.

25 Sec. 66. NEW SECTION. 466B.47 Iowa nutrient
26 management center — establishment.

27 1. The state board of regents shall establish and
28 maintain in Iowa City as a part of the state university
29 of Iowa an Iowa nutrient management center.

30 2. a. The center shall be established as
31 a collaborative enterprise among state regent
32 institutions, including entities which are part of the
33 university of Iowa, Iowa state university of science
34 and technology, and university of northern Iowa.

35 b. The center shall cooperate with all of the
36 following:

37 (1) The department of agriculture and land
38 stewardship, including its soil conservation division,
39 and soil and water conservation districts.

40 (2) The department of natural resources.

41 (3) The water resources coordinating council
42 established in section 466B.3.

43 (4) Other interested state agencies or
44 organizations and political subdivisions. The
45 center shall consult as it deems appropriate with the
46 watershed improvement review board as established
47 pursuant to section 466A.3 and local watershed
48 improvement committees as provided in section 466A.4.

49 c. The center shall invite cooperation and
50 participation with interested federal agencies.

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1 Sec. 67. NEW SECTION. 466B.48 Iowa nutrient
2 management center — mission.

3 1. The mission of the Iowa nutrient management
4 center is to provide research needed to quantify
5 the benefits of a water quality initiative which is
6 established to assess and reduce nutrients in this
7 state's watersheds, including subwatersheds, and
8 regional watersheds. The center shall provide for
9 research activities in watersheds and especially
10 those watersheds identified by the water resources
11 coordinating council as provided in section 466B.31
12 where projects are planned or being implemented
13 pursuant to part "A" of this subchapter.

14 2. In conducting research, the center shall do all
15 of the following:

16 a. Advance a fundamental understanding of nutrient
17 management.

18 b. Establish a baseline of conservation practices,
19 and identify trends in soil and water conservation
20 programs, projects, and other initiatives.

21 c. Develop mathematical models to determine the
22 linkage between hydrologic processes and the transport
23 of nutrients.

24 d. Conduct field-based research to evaluate
25 implementation of nutrient management practices.

26 e. Develop and operate a network of sensors in
27 priority watersheds to establish baseline nutrient
28 loads, monitor the impact of nutrient reduction
29 strategies, and support model development.

30 Sec. 68. CODE EDITOR. The Code editor shall codify
31 sections 466B.41 through 466B.46, as enacted in this
32 division of this Act, as a new subchapter, part A, and
33 sections 466B.47 through 466B.50, as enacted in this
34 division of this Act, as a new subchapter, part B. >>

DENNIS H. BLACK

S-3185

1 Amend House File 198, as passed by the House, as
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I
5 HOME AND COMMUNITY-BASED SERVICES PROVIDERS — TRAINING
6 COSTS>

7 2. Page 1, after line 10 by inserting:

8 <DIVISION II
9 DIRECT CARE PROFESSIONALS VOLUNTARY CERTIFICATION

10 Sec. ____ NEW SECTION. 152F.1 Definitions.

11 As used in this chapter, unless the context

12 otherwise requires:

13 1. "Board" means the board of direct care
14 professionals created under chapter 147.

15 2. "Community living professional" means a direct
16 care associate who has completed advanced training and
17 is certified to provide home and community living,
18 instrumental activities of daily living, and personal
19 support services.

20 3. "Core training" means training specified by the
21 board to provide basic foundational knowledge and an
22 introduction to the direct care profession.

23 4. "Direct care associate" means any of the
24 following:

25 a. An individual who has completed core training
26 and is certified to provide direct care services in the
27 state.

28 b. An individual who has completed a nurse aide
29 training and competency evaluation program approved
30 by the state as required pursuant to 42 C.F.R. §
31 483.152, is registered on the Iowa direct care worker
32 registry established by the department of inspections
33 and appeals, complies with the requirements of section
34 152F.3, and is certified to provide direct care
35 services in the state.

36 5. "Direct care instructor" means an individual
37 approved by the board to provide direct care
38 instruction to direct care professionals.

39 6. "Direct care professional" means an individual
40 who provides direct care services for compensation and
41 is certified as a direct care associate, a community
42 living professional, a health support professional, or
43 a personal support professional.

44 7. "Direct care services" means the services
45 provided to individuals who have health conditions,
46 are ill, or are individuals with disabilities as
47 specified in the individual's service plan or in
48 documented goals, including but not limited to home and
49 community living services, instrumental activities of
50 daily living services, personal activities of daily

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1 living services, personal support services, and health
2 monitoring and maintenance services.

3 8. "Direct care trainer" means a direct care
4 instructor who is approved by the board to train
5 instructors.

6 9. "Health monitoring and maintenance services"
7 means services provided to support and maintain
8 an individual's health, including observation and
9 reporting of behaviors or conditions; understanding
10 the causes and symptoms of conditions including but

11 not limited to muscular/skeletal, skin, respiratory
12 system, and neurologic conditions, and diabetes,
13 mental illness, pain, cancer, and intellectual and
14 developmental disabilities; and providing functional
15 support specific to certain conditions.

16 10. "Health support professional" means any of the
17 following:

18 a. A direct care associate who has completed
19 advanced training and is certified to provide personal
20 activities of daily living and health monitoring and
21 maintenance services.

22 b. An individual who has completed a nurse aide
23 training and competency evaluation program approved
24 by the state as required pursuant to 42 C.F.R. §
25 483.152, is registered on the Iowa direct care worker
26 registry established by the department of inspections
27 and appeals, complies with the requirements of section
28 152F.3, and is certified to provide personal activities
29 of daily living and health monitoring and maintenance
30 services.

31 11. "Home and community living services" means
32 services to enhance or maintain independence of
33 individuals including such activities as helping
34 individuals develop and meet personal goals, providing
35 direct physical and emotional support and assistance
36 for persons with disabilities, utilizing crisis
37 intervention and positive behavior supports, and using
38 and following individual service plans.

39 12. "Instrumental activities of daily living
40 services" means services provided to assist individuals
41 with daily living tasks to allow them to function
42 independently in a home or community setting, including
43 but not limited to assistance with managing money,
44 transportation, light housekeeping, and shopping and
45 cooking.

46 13. "Personal activities of daily living services"
47 means services to assist individuals in meeting basic
48 needs, including but not limited to bathing, back rubs,
49 and skin care; grooming activities; assistance with
50 dressing and undressing; assistance with eating and

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1 feeding; assistance with toileting; and assistance with
2 mobility, including transfers, walking, and turning in
3 bed.

4 14. "Personal support professional" means a direct
5 care associate who has completed advanced training and
6 is certified to provide instrumental activities of
7 daily living, personal activities of daily living, and
8 personal support services.

9 15. "Personal support services" means support

10 services provided to an individual as the individual
11 performs personal activities of daily living including
12 but not limited to coaching and prompting, and teaching
13 skills and behaviors.

14 16. "Service plan" means a written,
15 consumer-centered, outcome-based plan of services.

16 17. "Specialty endorsement" means an advanced level
17 of certification based on requirements developed by
18 experts in a particular discipline or professional area
19 and approved by the board.

20 Sec. ____ NEW SECTION. 152F.2 Voluntary
21 certification — use of title.

22 1. The board of direct care professionals shall
23 establish and publicize a program for voluntary
24 certification of direct care professionals who meet the
25 requirements for certification under this chapter.

26 2. An individual who is not certified pursuant to
27 this chapter shall not use words or titles which imply
28 or represent that the individual is certified as a
29 direct care professional under this chapter.

30 3. A direct care associate shall not represent
31 that the individual is certified as a direct care
32 professional with advanced training certification
33 or a specialty endorsement, unless the direct care
34 associate is first certified at the appropriate level
35 of certification under this chapter.

36 Sec. ____ NEW SECTION. 152F.3 Requirements to
37 obtain certification — renewal — continuing education
38 — reciprocity.

39 1. An applicant for certification as a direct care
40 associate shall present evidence satisfactory to the
41 board that the applicant satisfies all of the following
42 requirements:

43 a. The applicant has successfully completed the
44 required education for the certification from a
45 board-approved direct care instructor or direct care
46 trainer; or the individual has completed a nurse aide
47 training and competency evaluation program approved by
48 the state as required pursuant to 42 C.F.R. § 483.152
49 and is registered on the Iowa direct care worker
50 registry established by the department of inspections

Page 4

1 and appeals.

2 b. The applicant has paid all fees required by the
3 board.

4 c. The applicant certifies that the applicant will
5 conduct all professional activities in accordance with
6 standards for professional conduct established by the
7 board.

8 2. An applicant for certification as a direct care

9 professional with advanced training or a specialty
10 endorsement shall present evidence satisfactory to the
11 board that the applicant satisfies all of the following
12 requirements:

13 a. The applicant has successfully completed the
14 required education for the certification from a
15 board-approved direct care instructor or direct care
16 trainer.

17 b. The applicant has paid all fees required by the
18 board.

19 c. The applicant has passed a state examination
20 approved by the board.

21 d. The applicant certifies that the applicant will
22 conduct all professional activities in accordance with
23 standards for professional conduct established by the
24 board.

25 3. Notwithstanding subsection 2, an applicant for
26 certification as a health support professional shall
27 present evidence satisfactory to the board that the
28 applicant satisfies all of the following requirements:

29 a. The applicant has complied with one of the
30 following:

31 (1) Successful completion of the required education
32 for the certification from a board-approved direct
33 care instructor or direct care trainer and successful
34 passage of a state examination approved by the board.

35 (2) Successful completion of a nurse aide training
36 and competency evaluation program approved by the
37 state as required pursuant to 42 C.F.R. § 483.152 and
38 registration on the Iowa direct care worker registry
39 established by the department of inspections and
40 appeals.

41 b. The applicant has paid all fees required by the
42 board.

43 c. The applicant certifies that the applicant will
44 conduct all professional activities in accordance with
45 standards for professional conduct established by the
46 board.

47 4. An individual shall renew the individual's
48 certification biennially. Prior to such renewal, the
49 individual shall present evidence that the individual
50 has satisfied continuing education requirements and

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1 shall pay a renewal fee as determined by the board.

2 5. The board shall issue the appropriate
3 certification to an applicant who demonstrates
4 experience in direct care services in another state and
5 satisfies the requirements established by the board for
6 the specific certification.

7 Sec. ____ NEW SECTION. 152F.4 Duties of the board.

8 The board shall do all of the following:

9 1. Adopt rules consistent with this chapter,

10 chapter 147, chapter 272, and the recommendations of

11 the direct care worker advisory council established

12 pursuant to 2008 Iowa Acts, chapter 1188, section 69,

13 including the recommendations in the final report

14 submitted by the advisory council to the governor and

15 the general assembly in March 2012, which are necessary

16 for the performance of its duties.

17 2. Establish standards and guidelines for direct

18 care professionals, including establishing or

19 approving, as applicable, training and curriculum

20 requirements for direct care associates and each

21 advanced training credential and specialty endorsement.

22 a. The curriculum for core training shall provide

23 for its incorporation into and completion through

24 a flexible delivery system, utilizing a variety

25 of settings and methods, as approved by the board,

26 including but not limited to employer-provided

27 training, community college courses, and online

28 training including but not limited to the college of

29 direct support.

30 b. The curriculum requirements for health support

31 professionals shall satisfy the curriculum requirements

32 specified for nurse aides pursuant to 42 C.F.R. §

33 483.152.

34 c. The training and curriculum requirements

35 approved by the board shall provide for adaptations,

36 accommodations, modifications, and individualization

37 for applicants, based on their needs, abilities, and

38 personal learning styles.

39 3. Require an individual to undergo criminal

40 history and child and dependent adult abuse record

41 checks prior to certification, and establish record

42 checks requirements applicable to direct care

43 professionals consistent with section 135C.33.

44 The requirement shall provide for acceptance of

45 prior record checks completed by the individual's

46 current employer in lieu of new record checks, if

47 the individual has had no gap in employment since

48 completion of the checks.

49 4. Require compliance with child abuse and

50 dependent adult abuse reporting and training

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1 requirements in accordance with section 232.69 and

2 chapters 235B and 235E, as applicable.

3 5. Establish standards and guidelines for

4 certification reciprocity.

5 6. Prepare and conduct, or prescribe, an

6 examination for applicants for certification.

7 7. Establish standards and guidelines for direct
8 care instructors and direct care trainers, including
9 minimum curriculum requirements and continuing
10 education requirements. Training and continuing
11 education guidelines shall provide diverse options for
12 completion of the training and continuing education,
13 as appropriate, including but not limited to online,
14 employer-based, or educational institution-based
15 opportunities.

16 8. Define educational activities which fulfill
17 continuing education requirements for renewal of
18 certification.

19 9. Establish guidelines for inactive certification
20 status and inactive certification reentry.

21 10. Adopt rules to provide for a fifty percent
22 reduction in the fee for direct care associate
23 certification for applicants for certification during
24 the period beginning January 1, 2015, and ending
25 December 31, 2016.

26 11. Adopt rules to provide for all of the following
27 during the period beginning January 1, 2015, and ending
28 December 31, 2016:

29 a. Initial voluntary certification of an individual
30 providing direct care services on or before January
31 1, 2015, as a direct care associate, community living
32 professional, personal support professional, or
33 health support professional, as appropriate, based
34 on an appraisal of documented previous training,
35 employment history, and experience, submitted with the
36 application, in lieu of completion of the education,
37 training, or examination requirements specified for the
38 specific certification pursuant to section 152F.3.

39 b. Initial voluntary certification of an individual
40 who was registered on or before January 1, 2015, and is
41 registered on the date of application for certification
42 on the Iowa direct care worker registry established by
43 the department of inspections and appeals, in lieu of
44 completion of the education, training, and examination
45 requirements specified for the specific certification
46 pursuant to section 152F.3, as a direct care associate
47 or a health support professional, as requested in the
48 application submitted by the individual.

49 12. In collaboration with the direct care worker
50 advisory council established pursuant to 2008

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1 Iowa Acts, chapter 1188, section 69, do all of the
2 following:

3 a. Develop and conduct necessary outreach and
4 education for individuals providing direct care
5 services, consumers, training providers including but

6 not limited to community college health occupation
7 and training centers, employers, and other interested
8 parties to provide information about and the process
9 for participation in direct care professional voluntary
10 certification.

11 b. Determine data collection needs, collect data,
12 and track and analyze data to determine the effect of
13 certification on recruitment and retention, turnover
14 rates, the cost of turnover, consumer and employer
15 satisfaction, and public protection. The analysis of
16 data collected shall also be used to inform changes
17 in the certification system to provide for continuous
18 improvement for direct care professionals, consumers
19 and employers, and the public.

20 13. Provide for maintenance of the information
21 management system to be utilized for application for
22 and renewal of certification, comprehensive workforce
23 data collection and tracking, and a public interface.
24 The public interface shall include but is not limited
25 to searchable information regarding the credential
26 status of each certified direct care professional.

27 Sec. ____ NEW SECTION. 152F.5 Certification
28 suspension and revocation.

29 A certification issued by the board under this
30 chapter may be suspended or revoked, or renewal of
31 certification may be denied by the board, for violation
32 of any provision of this chapter, section 147.55 or
33 272C.10, or rules adopted by the board.

34 Sec. ____ NEW SECTION. 152F.6 Individuals
35 providing direct care services — disclosure.

36 Any individual providing direct care services in
37 this state shall disclose the individual's level of
38 certification under this chapter to a consumer prior to
39 the initial provision of direct care services to that
40 consumer.

41 Sec. ____ Section 10A.402, subsection 1, Code 2013,
42 is amended to read as follows:

43 1. Investigations relative to the practice of
44 regulated professions and occupations, except those
45 within the jurisdiction of the board of medicine, the
46 board of pharmacy, the dental board, ~~and~~ the board of
47 nursing, and the board of direct care professionals.

48 Sec. ____ Section 135.11A, Code 2013, is amended to
49 read as follows:

50 135.11A Professional licensure division — other

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1 licensing boards — expenses — fees.

2 1. There shall be a professional licensure
3 division within the department of public health. Each
4 board under chapter 147 or under the administrative

5 authority of the department, except the board of
6 nursing, board of medicine, dental board, ~~and~~ board of
7 pharmacy, and board of direct care professionals shall
8 receive administrative and clerical support from the
9 division and may not employ its own support staff for
10 administrative and clerical duties.

11 2. The professional licensure division and the
12 licensing boards may expend funds in addition to
13 amounts budgeted, if those additional expenditures are
14 directly the result of actual examination and exceed
15 funds budgeted for examinations. Before the division
16 or a licensing board expends or encumbers an amount
17 in excess of the funds budgeted for examinations, the
18 director of the department of management shall approve
19 the expenditure or encumbrance. Before approval is
20 given, the department of management shall determine
21 that the examination expenses exceed the funds budgeted
22 by the general assembly to the division or board
23 and the division or board does not have other funds
24 from which examination expenses can be paid. Upon
25 approval of the department of management, the division
26 or licensing board may expend and encumber funds for
27 excess examination expenses. The amounts necessary to
28 fund the excess examination expenses shall be collected
29 as fees from additional examination applicants and
30 shall be treated as repayment receipts as defined in
31 section 8.2.

32 Sec. _____. Section 135.31, Code 2013, is amended to
33 read as follows:

34 135.31 Location of boards — rulemaking.

35 The offices for the board of medicine, the board
36 of pharmacy, the board of nursing, ~~and~~ the dental
37 board, and the board of direct care professionals shall
38 be located within the department of public health.
39 The individual boards shall have policymaking and
40 rulemaking authority.

41 Sec. _____. Section 147.1, subsections 3 and 6, Code
42 2013, are amended to read as follows:

43 3. “Licensed” or “certified”, when applied
44 to a physician and surgeon, podiatric physician,
45 osteopathic physician and surgeon, physician assistant,
46 psychologist, chiropractor, nurse, dentist, dental
47 hygienist, dental assistant, optometrist, speech
48 pathologist, audiologist, pharmacist, physical
49 therapist, physical therapist assistant, occupational
50 therapist, occupational therapy assistant, orthotist,

1 prosthetist, pedorthist, respiratory care practitioner,
2 practitioner of cosmetology arts and sciences,
3 practitioner of barbering, funeral director, dietitian,

4 marital and family therapist, mental health counselor,
5 social worker, massage therapist, athletic trainer,
6 acupuncturist, nursing home administrator, hearing
7 aid dispenser, ~~or~~ sign language interpreter or
8 transliterator, or direct care professional means a
9 person licensed under this subtitle.

10 6. "Profession" means medicine and surgery,
11 podiatry, osteopathic medicine and surgery, practice
12 as a physician assistant, psychology, chiropractic,
13 nursing, dentistry, dental hygiene, dental assisting,
14 optometry, speech pathology, audiology, pharmacy,
15 physical therapy, physical therapist assisting,
16 occupational therapy, occupational therapy assisting,
17 respiratory care, cosmetology arts and sciences,
18 barbering, mortuary science, marital and family
19 therapy, mental health counseling, social work,
20 dietetics, massage therapy, athletic training,
21 acupuncture, nursing home administration, hearing
22 aid dispensing, sign language interpreting or
23 transliterating, orthotics, prosthetics, ~~or~~ pedorthics,
24 or practice as a direct care professional.

25 Sec. ____ Section 147.2, subsection 1, Code 2013,
26 is amended to read as follows:

27 1. A person shall not engage in the practice of
28 medicine and surgery, podiatry, osteopathic medicine
29 and surgery, psychology, chiropractic, physical
30 therapy, physical therapist assisting, nursing,
31 dentistry, dental hygiene, dental assisting, optometry,
32 speech pathology, audiology, occupational therapy,
33 occupational therapy assisting, orthotics, prosthetics,
34 pedorthics, respiratory care, pharmacy, cosmetology
35 arts and sciences, barbering, social work, dietetics,
36 marital and family therapy or mental health counseling,
37 massage therapy, mortuary science, athletic training,
38 acupuncture, nursing home administration, hearing
39 aid dispensing, or sign language interpreting or
40 transliterating, ~~or~~ shall not practice as a physician
41 assistant or as a certified direct care professional,
42 unless the person has obtained a license for that
43 purpose from the board for the profession.

44 Sec. ____ Section 147.13, Code 2013, is amended by
45 adding the following new subsection:

46 NEW SUBSECTION. 25. For direct care professionals,
47 the board of direct care professionals.

48 Sec. ____ Section 147.14, subsection 1, Code 2013,
49 is amended by adding the following new paragraph:

50 NEW PARAGRAPH. x. For the board of direct care

- 1 professionals, a total of nine members, five of whom
- 2 are direct care professionals who represent diverse

3 settings and populations served, two members of the
4 public who are consumers or family members of consumers
5 of direct care services, one registered nurse who
6 serves as a direct care instructor, and one human
7 services professional who serves as a direct care
8 instructor.

9 Sec. ____ Section 147.74, Code 2013, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 23A. A direct care professional
12 certified under chapter 152F and this chapter may use
13 the following:

14 a. A direct care professional certified as a
15 direct care associate may use the title “direct care
16 associate” or the letters “D.C.A.” after the person’s
17 name.

18 b. A direct care professional certified as a
19 community living professional may use the title
20 “community living professional” or the letters “C.L.P.”
21 after the person’s name.

22 c. A direct care professional certified as a
23 personal support professional may use the title
24 “personal support professional” or the letters “P.S.P.”
25 after the person’s name.

26 d. A direct care professional certified as a
27 health support professional may use the title “health
28 support professional” or the letters “H.S.P.” after the
29 person’s name.

30 e. A direct care professional certified with a
31 specialty endorsement may use the title or letters
32 determined by the specialty endorsement entity and
33 approved by the board of direct care professionals.

34 f. A direct care professional who completes a
35 nurse aide training and competency evaluation program
36 approved by the state as required pursuant to 42
37 C.F.R. § 483.152 may use the title “certified nursing
38 assistant” or the letters “C.N.A.” after the person’s
39 name.

40 Sec. ____ Section 147.80, subsection 3, Code 2013,
41 is amended to read as follows:

42 3. The board of medicine, the board of pharmacy,
43 the dental board, ~~and~~ the board of nursing, and
44 the board of direct care professionals shall retain
45 individual executive officers, but shall make
46 every effort to share administrative, clerical, and
47 investigative staff to the greatest extent possible.

48 Sec. ____ Section 147.88, Code 2013, is amended to
49 read as follows:

50 147.88 Inspections and investigations.

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1 The department of inspections and appeals may
2 perform inspections and investigations as required by
3 this subtitle, except inspections and investigations
4 for the board of medicine, board of pharmacy, board of
5 nursing, ~~and the dental board, and the board of direct~~
6 ~~care professionals~~. The department of inspections
7 and appeals shall employ personnel related to the
8 inspection and investigative functions.

9 Sec. ____ Section 272C.1, subsection 6, Code 2013,
10 is amended by adding the following new paragraph:

11 NEW PARAGRAPH. ag. The board of direct care
12 professionals, created pursuant to chapter 147.

13 Sec. ____ DEPARTMENT OF INSPECTIONS AND APPEALS —
14 NURSE AIDE CURRICULUM. The department of inspections
15 and appeals shall collaborate with the direct care
16 workforce initiative workgroup to ensure that the
17 training curriculum requirements developed for a
18 health support professional credential satisfy the
19 requirements for a nurse aide pursuant to 42 C.F.R.
20 § 483.152. If the training curriculum requirements
21 developed satisfy this standard, beginning January 1,
22 2015, the department of inspections and appeals shall
23 approve the health support professional training as the
24 approved training curriculum for nurse aides pursuant
25 to 42 C.F.R. § 483.152.

26 Sec. ____ TRANSITION PROVISIONS. Notwithstanding
27 sections 147.14 and 147.16, for the initial board
28 of direct care professionals, the governor may
29 appoint, subject to confirmation by the senate, in
30 lieu of the five members required to be direct care
31 professionals and the two members required to be
32 direct care instructors, members with employment
33 experience providing direct care services in diverse
34 settings or expertise that is substantially equivalent
35 to the professional requirements for a direct care
36 professional or direct care instructor, as applicable.

37 Sec. ____ IMPLEMENTATION. The provisions of this
38 division of this Act shall be implemented as follows:

39 1. The sections of this division of this Act
40 relating to the board of direct care professionals
41 including sections 152F.1 and 152F.4, as enacted in
42 this division of this Act; sections 10A.402, 135.11A,
43 135.31, 147.13, 147.14, 147.80, 147.88, and 272C.1, as
44 amended in this division of this Act; and the section
45 of this division of this Act providing transition
46 provisions relating to the board of direct care
47 professionals shall be implemented so that a board of
48 direct care professionals is appointed no later than
49 December 15, 2013.

50 2. The sections of this division of this Act

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1 relating to certification of direct care professionals
2 including sections 152F.2, 152F.3, and 152F.5, as
3 enacted in this division of this Act; and sections
4 147.1, 147.2, and 147.74, as amended in this division
5 of this Act, shall be implemented so that certification
6 is available beginning no later than January 1, 2015.

7 Sec. ____ FUNDING PROVISIONS.

8 1. The department of public health shall limit the
9 indirect service charge for the board of direct care
10 professionals to not more than fifteen percent.

11 2. It is the intent of the general assembly
12 that the board of direct care professionals be
13 self-sustaining by January 1, 2018.

14 Sec. ____ MEDICAL ASSISTANCE — PREFERENTIAL
15 RATE FOR CERTIFIED DIRECT CARE PROFESSIONALS. The
16 department of human services shall review and
17 make recommendations for providing a preferential
18 reimbursement rate under the medical assistance program
19 for services provided by direct care professionals
20 based upon the individual's level of certification
21 under chapter 152F, as enacted in this division of
22 this Act. The department shall report findings and
23 recommendations to the chairpersons and ranking members
24 of the joint appropriations subcommittee on health and
25 human services by December 15, 2013.

26 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
27 of this Act, being deemed of immediate importance,
28 takes effect upon enactment.>

29 3. Title page, line 1, after <to> by inserting
30 <direct care services, including>

31 4. Title page, line 3, after <programs>
32 by inserting <, certification of direct care
33 professionals, making penalties applicable, and
34 including effective date provisions>

35 5. By renumbering as necessary.

JACK HATCH

S-3186

1 Amend the House amendment, S-3180, to Senate File
2 386, as passed by the Senate, as follows:

3 1. Page 2, by striking lines 3 through 38.

4 2. Page 3, by striking lines 23 through 25.

5 3. By renumbering as necessary.

TOD R. BOWMAN

S-3187

- 1 Amend House File 634, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking page 4, line 33, through page 5,
- 4 line 13.
- 5 2. By striking page 5, line 35, through page 6,
- 6 line 19.
- 7 3. Page 7, by striking lines 27 through 32.
- 8 4. By renumbering, redesignating, and correcting
- 9 internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3188

- 1 Amend Senate File 452 as follows:
- 2 1. Page 1, after line 31 by inserting:
- 3 <If the total approved claims for reimbursement for
- 4 nonpublic school pupil transportation exceed the amount
- 5 appropriated in accordance with this subsection, the
- 6 department of education shall prorate the amount of
- 7 each approved claim.>
- 8 2. Page 2, by striking lines 7 through 15.
- 9 3. Page 2, after line 18 by inserting:
- 10 <If the total approved claims for reimbursement for
- 11 nonpublic school pupil transportation exceed the amount
- 12 appropriated in accordance with this subsection, the
- 13 department of education shall prorate the amount of
- 14 each approved claim.>
- 15 4. Page 3, by striking lines 6 and 7 and inserting
- 16 <appropriated from the general fund of the state to the
- 17 department of human rights for the fiscal>
- 18 5. Page 3, by striking lines 11 and 12 and
- 19 inserting:
- 20 <For deposit in the individual development account
- 21 state match fund created in section 541A.7 to support
- 22 the operating organization providing individual
- 23 development accounts in Iowa.>
- 24 6. Page 4, after line 4 by inserting:
- 25 <Sec. ____ GOVERNOR AND LIEUTENANT GOVERNOR — FTE
- 26 AUTHORIZATION. For purposes of the offices of the
- 27 governor and lieutenant governor, there is authorized
- 28 an additional 3.00 full-time equivalent positions above
- 29 those otherwise authorized pursuant to 2013 Iowa Acts,
- 30 House File 603, if enacted.>
- 31 7. Page 4, line 16, after <95,000> by inserting <as
- 32 of the last preceding certified federal census>
- 33 8. Page 4, by striking lines 17 through 25.
- 34 9. Page 5, by striking line 2 and inserting
- 35 <economic development>

36 10. Page 5, after line 5 by inserting:
37 <Sec. ____ Section 135C.7, Code 2013, is amended by
38 adding the following new unnumbered paragraph:
39 NEW UNNUMBERED PARAGRAPH In addition to the
40 license fees listed in this section, there shall be
41 an annual assessment assessed to each licensee in an
42 amount to cover the cost of independent reviewers
43 provided pursuant to section 135C.42. The department
44 shall, in consultation with licensees, establish
45 the assessment amount by rule based on the award of
46 a request for proposals. The assessment shall be
47 retained by the department as a repayment receipt as
48 defined in section 8.2 and used for the purpose of
49 paying the cost of the independent reviewers.>
50 11. Page 5, by striking line 23 and inserting

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1 <if 2013 Iowa Acts, House File 620, striking section
2 99F.11, subsection 3, paragraph d, subparagraph (3),
3 is enacted.>
4 12. Page 17, by striking line 30 and inserting
5 <(5).>
6 13. Page 25, after line 16 by inserting:
7 <DIVISION ____
8 IGNITION INTERLOCK
9 Sec. ____ Section 321J.20, subsections 1 and 2,
10 Code 2013, are amended to read as follows:
11 1. a. The department may, on application, issue
12 a temporary restricted license to a person whose
13 noncommercial driver's license is revoked under this
14 chapter allowing the person to drive to and from the
15 person's home and specified places at specified times
16 which can be verified by the department and which are
17 required by ~~the~~ any of the following:
18 (1) The person's full-time or part-time
19 employment;
20 (2) The person's continuing health care or the
21 continuing health care of another who is dependent upon
22 the person;
23 (3) The person's continuing education while
24 enrolled in an educational institution on a part-time
25 or full-time basis and while pursuing a course of study
26 leading to a diploma, degree, or other certification of
27 successful educational completion;
28 (4) The person's substance abuse treatment; and to
29 attend groups whose purpose is to eliminate or reduce
30 alcohol or other drug use.
31 (5) The person's court-ordered community service
32 responsibilities; and appointments.
33 (6) Appointments with the person's parole or
34 probation officer.

35 (7) Transport of the person's dependent minor child
36 to and from school when public school transportation is
37 not available for the child.

38 (8) Transport of the person's dependent minor child
39 to and from child care when necessary for the person's
40 full-time or part-time employment.

41 b. The department may also issue a temporary
42 restricted license under this subsection that allows
43 the person to drive for work purposes within the scope
44 of the person's full-time or part-time employment.
45 Any vehicle operated within the scope of the person's
46 full-time or part-time employment must be equipped
47 at all times with an ignition interlock device of a
48 type approved by the commissioner of public safety,
49 notwithstanding any provision of section 321J.4,
50 321J.9, or 321J.12 to the contrary.

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1 c. The department may issue a temporary restricted
2 license under this subsection only if the person's
3 driver's license has not been revoked previously under
4 section 321J.4, 321J.9, or 321J.12 and if any of the
5 following apply:

6 (1) The person's noncommercial driver's license is
7 revoked under section 321J.4 and the minimum period of
8 ineligibility for issuance of a temporary restricted
9 license has expired. This subsection shall not apply
10 to a revocation ordered under section 321J.4 resulting
11 from a plea or verdict of guilty of a violation of
12 section 321J.2 that involved a death.

13 (2) The person's noncommercial driver's license is
14 revoked under section 321J.9 and the person has entered
15 a plea of guilty on a charge of a violation of section
16 321J.2 which arose from the same set of circumstances
17 which resulted in the person's driver's license
18 revocation under section 321J.9 and the guilty plea
19 is not withdrawn at the time of or after application
20 for the temporary restricted license, and the minimum
21 period of ineligibility for issuance of a temporary
22 restricted license has expired.

23 (3) The person's noncommercial driver's license is
24 revoked under section 321J.12, and the minimum period
25 of ineligibility for issuance of a temporary restricted
26 license has expired.

27 ~~b. d.~~ A temporary restricted license may
28 be issued under this subsection if the person's
29 noncommercial driver's license is revoked for two years
30 under section 321J.4, subsection 2, or section 321J.9,
31 subsection 1, paragraph "b", and the first three
32 hundred sixty-five days of the revocation have expired.

33 ~~e. e.~~ This subsection does not apply to a person

34 whose license was revoked under section 321J.2A or
35 section 321J.4, subsection 4 or 6, or to a person whose
36 license is suspended or revoked for another reason.
37 ~~d. f.~~ Following the applicable minimum period
38 of ineligibility, a temporary restricted license
39 under this subsection shall not be issued until the
40 applicant installs an ignition interlock device of a
41 type approved by the commissioner of public safety on
42 all motor vehicles owned or operated by the applicant
43 in accordance with section 321J.2, 321J.4, 321J.9,
44 or 321J.12, or this subsection. Installation of an
45 ignition interlock device under this subsection shall
46 be required for the period of time for which the
47 temporary restricted license is issued and for such
48 additional period of time following reinstatement as is
49 required under section 321J.17, subsection 3.
50 2. a. Notwithstanding section 321.560, the

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1 department may, on application, and upon the expiration
2 of the minimum period of ineligibility for a temporary
3 restricted license provided for under section
4 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary
5 restricted license to a person whose noncommercial
6 driver's license has either been revoked under this
7 chapter, or revoked or suspended under chapter 321
8 solely for violations of this chapter, or who has been
9 determined to be a habitual offender under chapter
10 321 based solely on violations of this chapter or on
11 violations listed in section 321.560, subsection 1,
12 paragraph "b", and who is not eligible for a temporary
13 restricted license under subsection 1. However, the
14 department may not issue a temporary restricted license
15 under this subsection for a violation of section
16 321J.2A or to a person under the age of twenty-one
17 whose license is revoked under section 321J.4, 321J.9,
18 or 321J.12. ~~A~~
19 (1) If the person has no more than one previous
20 revocation under this chapter, a temporary restricted
21 license issued under this subsection may allow the
22 person to drive to and from the person's home and
23 specified places at specified times which can be
24 verified by the department and which are required by
25 any of the following:
26 (a) The person's full-time or part-time employment.
27 (b) The person's continuing health care or the
28 continuing health care of another who is dependent upon
29 the person.
30 (c) The person's continuing education while
31 enrolled in an educational institution on a part-time
32 or full-time basis and while pursuing a course of study

33 leading to a diploma, degree, or other certification of
34 successful educational completion.
35 (d) The person's substance abuse treatment and to
36 attend groups whose purpose is to eliminate or reduce
37 alcohol or other drug use.
38 (e) The person's court-ordered community service
39 responsibilities.
40 (f) Appointments with the person's parole or
41 probation officer.
42 (g) Transport of the person's dependent minor child
43 to and from child care when necessary for the person's
44 full-time or part-time employment.
45 (2) If the person has more than one previous
46 revocation under this chapter, a temporary restricted
47 license issued under this subsection may allow the
48 person to drive to and from the person's home and
49 specified places at specified times which can be
50 verified by the department and which are required by

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1 ~~the any of the following:~~
2 (a) The person's full-time or part-time
3 employment.
4 (b) The person's continuing education while
5 enrolled in an educational institution on a part-time
6 or full-time basis and while pursuing a course of study
7 leading to a diploma, degree, or other certification of
8 successful educational completion.
9 (c) The person's substance abuse treatment and to
10 attend groups whose purpose is to eliminate or reduce
11 alcohol or other drug use.

12 DIVISION ____
13 NOTARY PUBLIC

14 Sec. ____ Section 321I.31, subsection 3, Code 2013,
15 is amended to read as follows:

16 3. An owner of an all-terrain vehicle shall apply
17 to the county recorder for issuance of a certificate
18 of title within thirty days after acquisition.
19 The application shall be on forms the department
20 prescribes and accompanied by the required fee. The
21 application shall be signed and sworn to before a
22 ~~notary public~~ notarial officer as provided in chapter
23 9B or other person who administers oaths, or shall
24 include a certification signed in writing containing
25 substantially the representation that statements made
26 are true and correct to the best of the applicant's
27 knowledge, information, and belief, under penalty of
28 perjury. The application shall contain the date of
29 sale and gross price of the all-terrain vehicle or
30 the fair market value if no sale immediately preceded
31 the transfer and any additional information the

32 department requires. If the application is made for
33 an all-terrain vehicle last previously registered
34 or titled in another state or foreign country, the
35 application shall contain this information and any
36 other information the department requires.
37 Sec. ____ Section 462A.77, subsection 4, Code 2013,
38 is amended to read as follows:

39 4. Every owner of a vessel subject to titling
40 under this chapter shall apply to the county recorder
41 for issuance of a certificate of title for the vessel
42 within thirty days after acquisition. The application
43 shall be on forms the department prescribes, and
44 accompanied by the required fee. The application shall
45 be signed and sworn to before a ~~notary public~~ notarial
46 officer as provided in chapter 9B or other person who
47 administers oaths, or shall include a certification
48 signed in writing containing substantially the
49 representation that statements made are true and
50 correct to the best of the applicant's knowledge,

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1 information, and belief, under penalty of perjury.
2 The application shall contain the date of sale and
3 gross price of the vessel or the fair market value
4 if no sale immediately preceded the transfer, and any
5 additional information the department requires. If
6 the application is made for a vessel last previously
7 registered or titled in another state or foreign
8 country, it shall contain this information and any
9 other information the department requires.

10 Sec. ____ Section 554.3505, subsection 2, Code
11 2013, is amended to read as follows:

12 2. A protest is a certificate of dishonor made by a
13 United States consul or vice consul, or a ~~notary public~~
14 notarial officer as provided in chapter 9B or other
15 person authorized to administer oaths by the law of
16 the place where dishonor occurs. It may be made upon
17 information satisfactory to that person. The protest
18 must identify the instrument and certify either that
19 presentment has been made or, if not made, the reason
20 why it was not made, and that the instrument has been
21 dishonored by nonacceptance or nonpayment. The protest
22 may also certify that notice of dishonor has been given
23 to some or all parties.

24 Sec. ____ Section 622.86, Code 2013, is amended to
25 read as follows:

26 622.86 Foreign affidavits.

27 Those taken out of the state before any judge or
28 clerk of a court of record, or before a ~~notary public~~
29 notarial officer as provided in chapter 9B, or a
30 commissioner appointed by the governor of this state to

31 take acknowledgment of deeds in the state where such
32 affidavit is taken, are of the same credibility as if
33 taken within the state.

34 DIVISION ____

35 CORN PROMOTION BOARD

36 Sec. ____ Section 185C.1, Code 2013, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 4A. "Director" means a district
39 elected director or a board elected director as
40 provided in section 185C.6.

41 Sec. ____ Section 185C.1, subsection 5, Code 2013,
42 is amended to read as follows:

43 5. "District" means an official crop reporting
44 district formed by the United States department of
45 agriculture for use on January 1, 2013, and set out in
46 the annual farm census published in that year by the
47 ~~Iowa~~ department of agriculture and land stewardship.

48 Sec. ____ Section 185C.3, Code 2013, is amended to
49 read as follows:

50 185C.3 Establishment of corn promotion board.

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1 If a majority of the producers voting in the
2 referendum election approve the passage of the
3 promotional order, an Iowa corn promotion board shall
4 be established. ~~The board shall consist of one~~
5 ~~director elected from each district in the state,~~
6 ~~except that a district producing more than an average~~
7 ~~of one hundred million bushels of corn in the three~~
8 ~~previous marketing years is entitled to two directors.~~

9 Sec. ____ Section 185C.6, Code 2013, is amended by
10 striking the section and inserting in lieu thereof the
11 following:

12 185C.6 Number and election of directors.

13 The Iowa corn promotion board established pursuant
14 to section 185C.3 shall be composed of directors
15 elected as provided in this chapter. The directors
16 shall include all of the following:

17 1. Nine district elected directors. Each such
18 director shall be elected from a district as provided
19 in section 185C.5, this section, and sections 185C.7
20 and 185C.8. A candidate receiving the highest number
21 of votes in each district shall be elected to represent
22 that district.

23 2. Three board elected directors. Each such
24 director shall be elected by the board. The candidate
25 receiving the highest number of votes by the board
26 shall be elected to represent the state on at-large
27 basis.

28 Sec. ____ Section 185C.7, Code 2013, is amended to
29 read as follows:

30 185C.7 Terms of directors.

31 ~~1. Director terms~~ A director's term of office shall
32 be for three years ~~and no. A district elected director~~
33 ~~of the board shall not serve for more than three~~
34 complete consecutive terms. A board elected director
35 shall not serve for more than one complete term of
36 office. A district elected director who is elected
37 as board elected director shall not serve more than a
38 total of four terms of office, regardless of whether
39 any of the terms of office are complete or consecutive.

40 2. If the board is reconstituted pursuant to
41 section 185C.8, the terms of the directors shall be
42 controlled by this section. However, the initial terms
43 of the reconstituted board shall be staggered. To the
44 extent practicable, one-third of the elected directors
45 shall serve an initial term of one year, one-third of
46 the elected directors shall serve an initial term of
47 two years, and one-third of the elected directors shall
48 serve an initial term of three years. The initial
49 terms of board elected directors shall be determined
50 by board members directors drawing lots. The board

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1 ~~elected under this paragraph shall not contain two~~
2 ~~directors from the same district serving the same term.~~

3 Sec. ____ Section 185C.8, Code 2013, is amended to
4 read as follows:

5 185C.8 ~~Elections~~ Administration of elections for
6 directors.

7 1. The Iowa corn promotion board shall administer
8 elections for district elected directors of the board
9 with the assistance of the secretary. Prior to the
10 expiration of a director's term of office, the board
11 shall appoint a nominating committee for the district
12 represented by that director. The nominating committee
13 shall consist of five producers who are residents of
14 the district from which a director must be elected.
15 The nominating committee shall nominate two resident
16 producers as candidates for each director position for
17 which an election is to be held. Additional candidates
18 may be nominated by a written petition of twenty-five
19 producers. Procedures governing the time and place of
20 filing shall be adopted and publicized by the board.

21 Following recommencement of the promotional order,
22 or termination of the promotional order's suspension
23 as provided in section 185C.24, the secretary shall
24 order the reconstitution of the board. An election of
25 district elected directors shall be held within thirty
26 days from the date of the order. The secretary shall
27 call for, provide for notice of, conduct, and certify
28 the results of the election in a manner consistent

29 with section 185C.5 through 185C.7. Directors shall
30 serve terms as provided in section 185C.7. Rules
31 or procedures adopted by the board and in effect at
32 the date of suspension shall continue in effect upon
33 reconstitution of the board. The Iowa corn growers
34 association may nominate two resident producers as
35 candidates for each director position. Additional
36 candidates may be nominated by a written petition of at
37 least twenty-five producers.

38 2. The Iowa corn promotion board shall administer
39 elections for board elected directors. Prior to
40 the expiration of a board elected director's term of
41 office, the board may appoint a nominating committee.
42 In order to be eligible for nomination and election,
43 a candidate must have previously served on the board
44 as an elected director. An officer of the board shall
45 certify the results of the election.

46 Sec. ____ Section 185C.10, subsection 3, Code 2013,
47 is amended by striking the subsection.

48 Sec. ____ Section 185C.14, subsection 3, Code 2013,
49 is amended to read as follows:

50 3. The board shall meet at least ~~once every~~ three

Page 9

1 ~~months~~ times each year, and at such other times as
2 deemed necessary by the board.

3 Sec. ____ Section 185C.21, subsection 2, Code 2013,
4 is amended to read as follows:

5 2. Upon request of the board, the secretary shall
6 call a special referendum for producers to vote
7 on whether to authorize an increase in the state
8 assessment above one-quarter of one cent per bushel,
9 notwithstanding subsection 1. The special referendum
10 shall be conducted as provided in this chapter for
11 referendum elections. However, the special referendum
12 shall not affect the existence or length of the
13 promotional order in effect. If a majority of the
14 producers voting in the special referendum approve
15 the increase, the board may increase the assessment
16 to the amount approved in the special referendum.
17 However, a state assessment shall not exceed ~~one cent~~
18 ~~per a scheduled amount assessed on each~~ bushel of corn
19 marketed in this state determined as follows:

20 a. Until September 1, 2013, one cent.

21 b. For each marketing year of the period beginning
22 September 1, 2013, and ending August 31, 2018, two
23 cents.

24 c. For each marketing year of the period beginning
25 September 1, 2018, and ending August 31, 2023, three
26 cents.

27 d. For each marketing year of the period beginning

28 September 1, 2023, and ending August 31, 2028, four
29 cents.

30 e. For each marketing year beginning on and after
31 September 1, 2028, five cents.

32 Sec. ____ Section 185C.27, Code 2013, is amended to
33 read as follows:

34 185C.27 Refund of assessment.

35 A producer who has sold corn and had a state
36 assessment deducted from the sale price, by application
37 in writing to the board, may secure a refund in the
38 amount deducted. The refund shall be payable only
39 when the application shall have been made to the board
40 within sixty days after the deduction. Application
41 forms shall be given by the board to each first
42 purchaser when requested and the first purchaser
43 shall make the applications available to any producer.
44 Each application for refund by a producer shall have
45 attached to the application proof of the assessment
46 deducted. The proof of assessment may be in the
47 form of a duplicate or certified copy of the purchase
48 invoice by the first purchaser. The board shall have
49 thirty business days from the date the application
50 for refund is received to remit the refund to the

Page 10

1 producer. The board may provide for refunds of a
2 federal assessment as provided by federal law. Unless
3 inconsistent with federal law, refunds shall be made
4 under section 185C.26.

5 Sec. ____ IMPLEMENTATION. The Iowa corn promotion
6 board established pursuant to section 185C.3 shall
7 implement this Act.

8 1. During the implementation period all of the
9 following shall apply:

10 a. The board shall provide for staggered terms
11 of directors in the same manner as required for the
12 initial terms of office of a reconstituted board
13 pursuant to section 185C.7. However, the board is not
14 required to draw lots as otherwise provided in that
15 section.

16 b. The board is not required to fill a vacancy for
17 an unexpired term as required in section 185C.9.

18 c. The board may reduce the number of years of a
19 director's term in order to comply with this section.

20 2. The board shall complete implementation of this
21 Act not later than July 1, 2014.

22 Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
23 being deemed of immediate importance, takes effect upon
24 enactment.

25 DIVISION ____

26 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

27 Sec. ____ Section 312.3, subsection 2, Code 2013,
28 is amended by adding the following new paragraph:
29 NEW PARAGRAPH. d. For purposes of apportioning
30 among the cities of the state the percentage of
31 the road use tax fund to be credited to the street
32 construction fund of the cities for each month
33 beginning April 2011 and ending March 2021 pursuant to
34 this subsection, the population of each city shall be
35 determined by the greater of the population of the city
36 as of the last preceding certified federal census or
37 as of the April 1, 2010, population estimates base as
38 determined by the United States census bureau.
39 Sec. ____ STREET CONSTRUCTION FUND —
40 APPROPRIATION.
41 1. In a written application to the treasurer of
42 state submitted by October 1, 2013, a city may request
43 an additional distribution of moneys to be credited
44 to the street construction fund of the city equal to
45 that additional amount, calculated by the treasurer,
46 that the city would have received if the funds were
47 apportioned based upon the population of the city as
48 determined by section 312.3, subsection 2, paragraph
49 “d”, as enacted in this division of this Act, for the
50 months prior to the effective date of this division of

Page 11

1 this Act.
2 2. Upon determination by the treasurer of state
3 that an additional amount should be credited to a city
4 as provided by this section, there is appropriated from
5 the general fund of the state to the department of
6 transportation, for the fiscal year beginning July 1,
7 2013, and ending June 30, 2014, an amount sufficient to
8 pay the additional amount which shall be distributed to
9 the city for deposit in the street construction fund
10 of the city.
11 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
12 of this Act, being deemed of immediate importance,
13 takes effect upon enactment.
14 Sec. ____ RETROACTIVE APPLICABILITY. This division
15 of this Act applies retroactively to April 2011.>
16 14. By renumbering as necessary.

ROBERT E. DVORSKY

S-3189

1 Amend Senate File 452 as follows:
2 1. Page 5, after line 14 by inserting:
3 <Sec. ____ Section 216A.3, subsection 3, Code 2013,
4 is amended to read as follows:

- 5 3. A majority of the voting members of the board
6 shall constitute a quorum, and the affirmative vote of
7 two-thirds of the voting members present is necessary
8 for any substantive action taken by the board. The
9 board shall select a chairperson from the voting
10 members of the board. The board shall meet not less
11 than four times a year.>
12 2. By renumbering as necessary.

LIZ MATHIS

S-3190

- 1 Amend Senate File 452 as follows:
2 1. Page 4, before line 26 by inserting:
3 <Sec. ____ INTRASTATE TRANSPORT OF DEER INFECTED
4 BY CHRONIC WASTING DISEASE. Notwithstanding section
5 484B.12 or any other provision of law to the contrary,
6 during the fiscal year beginning July 1, 2013, the
7 department of natural resources shall allow one
8 intrastate shipment of deer infected with chronic
9 wasting disease to be made from a location in a
10 county with a population between 44,000 and 44,200, as
11 determined by the 2010 federal decennial census, to a
12 location in a second county with a population between
13 8,700 and 8,900, as determined by the 2010 federal
14 decennial census. Both the originating location of the
15 shipment and the destination location shall be chronic
16 wasting disease infected locations.>
17 2. By renumbering as necessary.

DR. JOE M. SENG

S-3191

- 1 Amend Senate File 452 as follows:
2 1. Page 16, line 31, by striking <5,000,000> and
3 inserting <9,800,000>
4 2. Page 16, line 33, by striking <5,000,000> and
5 inserting <9,800,000>

RICK BERTRAND

S-3192

- 1 Amend Senate File 452 as follows:
2 1. Page 25, after line 16 by inserting:
3 <DIVISION ____
4 INTEREST INCOME — TAX EXEMPTION
5 Sec. ____ Section 422.7, Code 2013, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 1A. Subtract, to the extent not

8 otherwise excluded, the total amount of interest,
9 up to a maximum of one hundred dollars for a person,
10 other than a married person who files a separate
11 return, and up to a maximum of two hundred dollars for
12 a married couple filing jointly. A married couple
13 filing separate returns or separately on a combined
14 return are allowed a combined maximum exclusion under
15 this subsection of up to two hundred dollars, which
16 exclusion shall be allocated to each spouse in the
17 proportion that the spouse's respective interest income
18 bears to total combined interest income.
19 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
20 of this Act, being deemed of immediate importance,
21 takes effect upon enactment.
22 Sec. ____ RETROACTIVE APPLICABILITY. This division
23 of this Act applies retroactively to January 1, 2013,
24 for tax years beginning on or after that date.>
25 2. By renumbering as necessary.

ROBY SMITH

S-3193

1 Amend Senate File 452 as follows:
2 1. Page 4, after line 25 by inserting:
3 <Sec. ____ Section 8.55, subsection 2, unnumbered
4 paragraph 1, Code 2013, is amended to read as follows:
5 The maximum balance of the fund is the amount equal
6 to ~~two and one half~~ five percent of the adjusted
7 revenue estimate for the fiscal year. If the amount of
8 moneys in the Iowa economic emergency fund is equal to
9 the maximum balance, moneys in excess of this amount
10 shall be distributed as follows:>
11 2. By renumbering as necessary.

JACK WHITVER
DAN ZUMBACH
MARK CHELGREN
RICK BERTRAND
BILL ANDERSON
JONI K. ERNST
ROBY SMITH
MARK SEGEBART
SANDRA GREINER
CHARLES SCHNEIDER
MICHAEL BREITBACH
HUBERT HOUSER

S-3194

1 Amend Senate File 452 as follows:
2 1. Page 16, line 31, by striking <5,000,000> and

3 inserting <27,700,000>

4 2. Page 16, line 33, by striking <5,000,000> and

5 inserting <27,700,000>

6 3. Page 16, after line 33 by inserting:

7 <3. FY 2015–2016

8 \$ 27,700,000>

RICK BERTRAND
MARK SEGEBART
BILL ANDERSON
BRAD ZAUN

S-3195

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION ____

4 BACKGROUND CHECKS — FOOD VENDORS

5 Sec. ____ NEW SECTION. 137G.1 Food vendor — motor
6 vehicle — background check.

7 1. A business that operates a motor vehicle
8 primarily marketing the sale and dispensing of ice
9 cream or other food products from or near the motor
10 vehicle to children may require an applicant for
11 employment or employee of the business to be subject to
12 a criminal history and abuse registry record background
13 check. The business shall perform the background check
14 by accessing the single contact repository established
15 under section 135C.33, subsection 6.

16 2. The business shall inform the applicant or
17 employee of the requirement of the background check
18 required under subsection 1 and obtain a signed waiver
19 from the applicant or employee prior to requesting such
20 a check.

21 Sec. ____ Section 235A.15, subsection 2, paragraph
22 e, Code 2013, is amended by adding the following new
23 subparagraph:

24 NEW SUBPARAGRAPH. (24) To a business which is
25 authorized to perform a background check pursuant to
26 section 137G.1.

27 Sec. ____ Section 235B.6, subsection 2, paragraph
28 e, Code 2013, is amended by adding the following new
29 subparagraph:

30 NEW SUBPARAGRAPH. (19) To a business which is
31 authorized to perform a background check pursuant to
32 section 137G.1.>

33 2. By renumbering as necessary.

TIM L. KAPUCIAN
DAVID JOHNSON
MARK SEGEBART
DENNIS GUTH

NANCY J. BOETTGER
CHARLES SCHNEIDER
JAKE CHAPMAN
SANDRA GREINER
DAN ZUMBACH
MICHAEL BREITBACH
MARK CHELGREN
ROBY SMITH

S-3196

- 1 Amend Senate File 452 as follows:
2 1. Page 5, after line 20 by inserting:
3 <Sec. ____ Section 904.808, subsection 1, Code
4 2013, is amended by adding the following new paragraph:
5 NEW PARAGRAPH. c. When a comparable bid for a
6 similar product has been received from an Iowa-based
7 business and the director of the department of
8 administrative services has determined the product from
9 the Iowa-based business is comparable or of better
10 value in both quality and price to a similar product
11 available from Iowa state industries.
12 Sec. ____ Section 904.808, subsection 3, Code 2013,
13 is amended to read as follows:
14 3. A department or agency of the state ~~shall~~ may
15 cooperate and enter into agreements, if possible, for
16 the provision of products and services under an inmate
17 work program established by the state director under
18 section 904.703.>
19 2. By renumbering as necessary.

RANDY FEENSTRA
BILL ANDERSON

S-3197

- 1 Amend Senate File 452 as follows:
2 1. Page 16, line 31, by striking <5,000,000> and
3 inserting <9,800,000>
4 2. Page 16, line 33, by striking <5,000,000> and
5 inserting <9,800,000>

RICK BERTRAND
BILL ANDERSON
KENT SORENSON
JONI K. ERNST
CHARLES SCHNEIDER
BRAD ZAUN
MARK CHELGREN
HUBERT HOUSER

S-3198

1 Amend Senate File 452 as follows:

2 1. Page 25, after line 16 by inserting:

3 <DIVISION ____

4 ROADS AND BRIDGES PROJECTS

5 Sec. ____ Section 8.55, subsection 2, Code 2013, is
6 amended to read as follows:

7 2. The maximum balance of the fund is the amount
8 equal to two and one-half percent of the adjusted
9 revenue estimate for the fiscal year. If the amount of
10 moneys in the Iowa economic emergency fund is equal to
11 the maximum balance, moneys in excess of this amount
12 shall be distributed as follows:

13 a. The first sixty million dollars of the
14 difference between the actual net revenue for the
15 general fund of the state for the fiscal year and the
16 adjusted revenue estimate for the fiscal year shall be
17 transferred to the taxpayers trust fund.

18 b. Moneys in excess of the amount transferred under
19 paragraph "a", up to a maximum of one hundred million
20 dollars, shall be transferred to the critical needs
21 road fund created under section 312B.1.

22 ~~b. c.~~ The remainder of the excess, if any, shall
23 be transferred to the general fund of the state.

24 Sec. ____ Section 8.58, Code 2013, is amended to
25 read as follows:

26 8.58 Exemption from automatic application.

27 1. To the extent that moneys appropriated under
28 section 8.57 do not result in moneys being credited
29 to the general fund under section 8.55, subsection
30 2, moneys appropriated under section 8.57 and moneys
31 contained in the cash reserve fund, rebuild Iowa
32 infrastructure fund, environment first fund, Iowa
33 economic emergency fund, ~~and~~ taxpayers trust fund, and
34 critical needs road fund shall not be considered in the
35 application of any formula, index, or other statutory
36 triggering mechanism which would affect appropriations,
37 payments, or taxation rates, contrary provisions of the
38 Code notwithstanding.

39 2. To the extent that moneys appropriated under
40 section 8.57 do not result in moneys being credited
41 to the general fund under section 8.55, subsection
42 2, moneys appropriated under section 8.57 and moneys
43 contained in the cash reserve fund, rebuild Iowa
44 infrastructure fund, environment first fund, Iowa
45 economic emergency fund, ~~and~~ taxpayers trust fund, and
46 critical needs road fund shall not be considered by an
47 arbitrator or in negotiations under chapter 20.

48 Sec. ____ NEW SECTION. 312B.1 Critical needs road
49 fund.

50 1. A critical needs road fund is created in the

Page 2

1 state treasury under the control of the department
2 of transportation. The fund shall be separate from
3 the general fund of the state and the balance in the
4 fund shall not be considered part of the balance of
5 the general fund of the state. The fund shall consist
6 of moneys appropriated by the general assembly and
7 any revenues credited by law to the critical needs
8 road fund. The moneys in the fund are not subject
9 to section 8.33 and shall not be transferred, used,
10 obligated, appropriated, or otherwise encumbered except
11 as provided in this section. Notwithstanding section
12 12C.7, subsection 2, interest or earnings on moneys
13 deposited in the critical needs road fund shall be
14 credited to the fund.

15 2. Moneys in the critical needs road fund are
16 appropriated to the department of transportation to
17 be used as directed by the department exclusively for
18 the repair and maintenance of roads on the primary or
19 secondary road system or the municipal street system,
20 including bridges. The department shall establish
21 guidelines to be used by the department, counties,
22 and cities for identifying roads and bridges in
23 critical need of repair or maintenance and for the
24 department to use in evaluating and prioritizing state
25 and local road projects to receive funding under this
26 section. Counties and cities may apply for funding
27 from the critical needs road fund by submitting to the
28 department proposals for projects on roads under their
29 respective jurisdictions. A qualifying proposal shall
30 include information regarding the status and condition
31 of the road that is the subject of the proposal,
32 the plan for completing the project, and any other
33 information required by the department. The department
34 shall develop an application process for counties and
35 cities to use for the submission of proposals for the
36 use of funds under this section. Moneys distributed
37 from the critical needs road fund may be used in
38 combination with other available funding as necessary
39 to accomplish the completion of a qualifying project
40 and to accomplish the goal of reducing the number of
41 Iowa roads and bridges with critical needs.>

42 2. By renumbering as necessary.

BILL ANDERSON
RICK BERTRAND
MARK CHELGREN
NANCY J. BOETTGER
KENT SORENSON
SANDRA GREINER
DENNIS GUTH

KEN ROZENBOOM
BRAD ZAUN
HUBERT HOUSER

S-3199

1 Amend Senate File 452 as follows:

2 1. Page 5, after line 20 by inserting:

3 <Sec. ____ Section 461C.1, Code 2013, is amended to
4 read as follows:

5 461C.1 Purpose.

6 1. The purpose of this chapter is to encourage
7 private ~~owners~~ holders of land to make land and water
8 areas available to the public for recreational purposes
9 and for urban deer control by limiting ~~an owner's~~ a
10 holder's liability toward persons entering onto the
11 ~~owner's~~ holder's property for such purposes. ~~The~~
12 provisions of this chapter shall be construed liberally
13 and broadly in favor of private holders of land to
14 accomplish the purposes of this chapter.

15 2. The general assembly declares that the holding
16 of Sallee v. Stewart, (No. 11-0892) (Iowa 2013) is
17 abrogated in its entirety as contrary to the general
18 assembly's intent for the construction of this chapter.

19 Sec. ____ Section 461C.2, subsections 3 and 5, Code
20 2013, are amended to read as follows:

21 3. "Land" means private land located in a
22 municipality including abandoned or inactive surface
23 mines; caves; ~~and~~ land used for agricultural
24 purposes; ~~including~~ marshlands, timber, ~~and~~
25 grasslands; and the privately owned roads, ~~water~~
26 paths, trails, waters, water courses, ~~private ways~~ and
27 exteriors and interiors of buildings, structures, and
28 machinery, or equipment ~~appurtenant thereto~~ located on
29 such land, "Land" includes land that is not open to
30 the general public.

31 5. "Recreational purpose" means any activity
32 undertaken for recreation, sport, exercise, education,
33 relaxation, or pleasure, including but not limited to
34 the following or any combination thereof: Hunting,
35 trapping, horseback riding, fishing, swimming,
36 boating, camping, picnicking, hiking, pleasure driving,
37 motorcycling, all-terrain vehicle riding, nature study,
38 water skiing, snowmobiling, ~~other summer and winter~~
39 sports or games, and agricultural tours, and viewing
40 or enjoying historical, archaeological, scenic, or
41 scientific sites ~~while going to and from or actually~~
42 engaged therein. "Recreational purpose" includes the
43 activity of accompanying another person who is engaging
44 in such activities. "Recreational purpose" is not
45 limited to active engagement in such activities, but
46 also includes entry onto, use of, passage over, and

47 presence on any part of the land in connection with
48 such activities.
49 Sec. ____ Section 461C.3, Code 2013, is amended to
50 read as follows:

Page 2

1 461C.3 Liability of ~~owner~~ holder limited.
2 1. Except as specifically recognized by or provided
3 in section 461C.6, ~~an owner~~ a holder of land ~~owes no~~
4 does not owe a duty of care to keep the premises safe
5 for entry or use by others for recreational purposes
6 or urban deer control, or to give any warning of a
7 dangerous condition, use, structure, or activity on
8 such premises to persons entering for such purposes.
9 2. Except as specifically recognized or provided
10 in section 461C.6, a holder of land does not owe a
11 duty of care to others because the holder is guiding,
12 directing, supervising, or participating in any
13 recreational purpose or urban deer control undertaken
14 by others on the holder's land.

15 Sec. ____ Section 461C.4, Code 2013, is amended by
16 adding the following new subsection:
17 NEW SUBSECTION. 2A. Assume a duty of care to
18 a person because the holder is guiding, directing,
19 supervising, or participating in any recreational
20 purpose or urban deer control undertaken by the person
21 on the holder's land.

22 Sec. ____ Section 461C.5, Code 2013, is amended to
23 read as follows:

24 461C.5 Duties and liabilities of ~~owner~~ holder of
25 leased land.

26 Unless otherwise agreed in writing, the provisions
27 of sections 461C.3 and 461C.4 shall be deemed
28 applicable to the duties and liability of ~~an owner~~ a
29 holder of land leased, or any interest or right therein
30 transferred to, or the subject of any agreement with,
31 the United States or any agency thereof, or the state
32 or any agency or subdivision thereof, for recreational
33 purposes or urban deer control.

34 Sec. 6. Section 461C.6, Code 2013, is amended to
35 read as follows:

36 461C.6 When liability lies against ~~owner~~ holder.
37 Nothing in this chapter limits in any way any
38 liability which otherwise exists:
39 1. For willful or malicious failure to guard or
40 warn against a dangerous condition, use, structure, or
41 activity.
42 2. For injury suffered in any case where the ~~owner~~
43 holder of land charges the person or persons who enter
44 or go on the land for the recreational use thereof or
45 for deer hunting, except that in the case of land or

46 any interest or right therein, leased or transferred
47 to, or the subject of any agreement with, the United
48 States or any agency thereof or the state or any agency
49 thereof or subdivision thereof, any consideration
50 received by the holder for such lease, interest, right

Page 3

- 1 or agreement shall not be deemed a charge within the
- 2 meaning of this section.>
- 3 2. By renumbering as necessary.

KEN ROZENBOOM
DAN ZUMBACH
MICHAEL BREITBACH
SANDRA GREINER
DAVID JOHNSON
JAKE CHAPMAN
DENNIS GUTH
JACK WHITVER
NANCY J. BOETTGER
HUBERT HOUSER
RICK BERTRAND
BILL ANDERSON
KENT SORENSON
TIM L. KAPUCIAN
MARK SEGEBART
MARK CHELGREN
JONI K. ERNST
ROBY SMITH
CHARLES SCHNEIDER

S-3200

- 1 Amend Senate File 452 as follows:
- 2 1. Page 25, after line 16 by inserting:
- 3 <DIVISION ____
- 4 AUTOMATED TRAFFIC LAW ENFORCEMENT
- 5 Sec. ____ Section 321.1, Code 2013, is amended by
- 6 adding the following new subsection:
- 7 NEW SUBSECTION. 95. “Automated traffic law
- 8 enforcement system” means a device with one or more
- 9 sensors working in conjunction with one of the
- 10 following:
- 11 a. An official traffic-control signal, to produce
- 12 recorded images of motor vehicles entering an
- 13 intersection against a red signal light.
- 14 b. A speed measuring device, to produce recorded
- 15 images of motor vehicles traveling at a prohibited rate
- 16 of speed.
- 17 c. A railroad grade crossing signal light, as
- 18 described in section 321.342, to produce images of

19 vehicles violating the signal light.

20 d. Any official traffic-control device, if failure
21 to comply with the official traffic-control device
22 constitutes a moving violation under this chapter.

23 Sec. ____ NEW SECTION. 321.5A Automated traffic
24 law enforcement systems prohibited.

25 The department or a local authority shall not place
26 or cause to be placed on or adjacent to a highway, or
27 maintain or employ the use of, an automated traffic law
28 enforcement system for the enforcement of any provision
29 of this chapter or any local ordinance relating to
30 motor vehicles.

31 Sec. ____ REMOVAL OF AUTOMATED TRAFFIC LAW
32 ENFORCEMENT SYSTEMS — VALIDITY OF PRIOR NOTICES
33 AND CITATIONS. On or before July 1, 2013, a local
34 authority using an automated traffic law enforcement
35 system shall discontinue using the system and remove
36 the system equipment. Effective July 1, 2013, all
37 local ordinances authorizing the use of an automated
38 traffic law enforcement system are void. However,
39 notices of violations mailed or citations issued
40 pursuant to such an ordinance prior to July 1, 2013,
41 shall not be invalidated by the enactment of this
42 division of this Act and shall be processed according
43 to the provisions of the law under which they were
44 authorized.

45 Sec. ____ EFFECTIVE UPON ENACTMENT. The section
46 of this division of this Act relating to the removal
47 of automated traffic law enforcement systems and the
48 validity of prior notices and citations, being deemed
49 of immediate importance, takes effect upon enactment.>

50 2. By renumbering as necessary.

BRAD ZAUN
JAKE CHAPMAN
DAVID JOHNSON
SANDRA GREINER
MARK CHELGREN
JONI K. ERNST
KEN ROZENBOOM
RANDY FEENSTRA
DENNIS GUTH
JACK WHITVER
NANCY J. BOETTGER
KENT SORENSON
BILL ANDERSON
MARK SEGEBART

S-3201

1 Amend Senate File 452 as follows:

2 1. Page 16, after line 29 by inserting:

3 <____. FY 2012–2013
 4 \$ 9,600,000>
 5 2. Page 17, after line 10 by inserting:
 6 <Sec. ____ EFFECTIVE UPON ENACTMENT. The section
 7 of this division of this Act appropriating moneys to
 8 the fire and police retirement fund, being deemed of
 9 immediate importance, takes effect upon enactment.>
 10 3. By renumbering as necessary.

ROBERT E. DVORSKY

S-3202

1 Amend the amendment, S-3188, to Senate File 452 as
 2 follows:
 3 1. Page 5, after line 13 by inserting:
 4 <Sec. ____ Section 9B.15, subsection 3, unnumbered
 5 paragraph 1, Code 2013, is amended to read as follows:
 6 A certificate of a notarial act is sufficient if it
 7 meets the requirements of subsections 1 and 2 and ~~all~~
 8 any of the following apply:
 9 Sec. ____ Section 9B.17, subsection 1, paragraph a,
 10 Code 2013, is amended to read as follows:
 11 a. Include the notary public's name, the words
 12 "Notarial Seal" and "Iowa", the words "Commission
 13 Number" followed by a number assigned to the notary
 14 public by the secretary of state, the words "My
 15 Commission Expires" followed either by the date that
 16 the notary public's term would ordinarily expire as
 17 provided in section 9B.21 or a blank line on which the
 18 notary public shall indicate the date of expiration,
 19 if any, of the notary public's commission, as required
 20 by and in satisfaction of section 9B.15, subsection 1,
 21 paragraph "e", and other information required by the
 22 secretary of state.>
 23 2. Page 6, after line 23 by inserting:
 24 <Sec. ____ Section 589.4, Code 2013, is amended to
 25 read as follows:
 26 589.4 Acknowledgments by corporation officers.
 27 The acknowledgments of all deeds, mortgages, or
 28 other instruments in writing taken or certified more
 29 than ten years earlier, which instruments have been
 30 recorded in the recorder's office of any county of this
 31 state, including acknowledgments of instruments made by
 32 a corporation, or to which the corporation was a party,
 33 or under which the corporation was a beneficiary,
 34 and which have been acknowledged before or certified
 35 by a ~~notary public notarial officer~~ as provided in
 36 chapter 9B who was at the time of the acknowledgment or
 37 certifying a stockholder or officer in the corporation,
 38 are legal and valid official acts of the notaries
 39 public, and entitle the instruments to be recorded,

40 anything in the laws of the state of Iowa in regard to
41 acknowledgments to the contrary notwithstanding. This
42 section does not affect pending litigation.
43 Sec. ____ Section 589.5, Code 2013, is amended to
44 read as follows:
45 589.5 Acknowledgments by stockholders.
46 All deeds and conveyances of lands within this
47 state executed more than ten years earlier, but
48 which have been acknowledged or proved according
49 to and in compliance with the laws of this state
50 before a ~~notary public~~ notarial officer as provided

Page 2

1 in chapter 9B or other official authorized by law
2 to take acknowledgments who was, at the time of
3 the acknowledgment, an officer or stockholder of a
4 corporation interested in the deed or conveyance, or
5 otherwise interested in the deeds or conveyances, are,
6 if otherwise valid, valid in law as though acknowledged
7 or proved before an officer not interested in the
8 deeds or conveyances; and if recorded more than ten
9 years earlier, in the respective counties in which
10 the lands are, the records are valid in law as though
11 the deeds and conveyances, so acknowledged or proved
12 and recorded, had, prior to being recorded, been
13 acknowledged or proved before an officer having no
14 interest in the deeds or conveyances.>
15 3. By renumbering as necessary.

ROBERT E. DVORSKY

S-3203

1 Amend House File 638, as passed by the House, as
2 follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. There is appropriated from the rebuild
8 Iowa infrastructure fund to the following departments
9 and agencies for the following fiscal years, the
10 following amounts, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 a. For projects related to major repairs and major
14 maintenance for state buildings and facilities:

15 FY 2013–2014:

16 \$ 14,000,000

17 Moneys appropriated in this lettered paragraph shall
18 not be used for projects at the Wallace and the state

19 historical buildings.

20 b. For routine and preventative maintenance,
21 notwithstanding section 8.57, subsection 5, paragraph
22 “c”;

23 FY 2013–2014:

24 \$ 5,000,000

25 Moneys appropriated in this lettered paragraph shall
26 be used for capitol complex grounds except for projects
27 at the Wallace and the state historical buildings.

28 c. For costs associated with the planning, design,
29 construction, and renovation of the Wallace office
30 building including roof replacement:

31 FY 2013–2014:

32 \$ 500,000

33 FY 2014–2015:

34 \$ 3,900,000

35 d. For costs associated with capitol interior and
36 exterior restoration, including the installation of a
37 lightning protection system:

38 FY 2013–2014:

39 \$ 330,000

40 2. DEPARTMENT OF CULTURAL AFFAIRS

41 For deposit into the Iowa great places program
42 fund created in section 303.3D for Iowa great places
43 program projects that meet the definition of “vertical
44 infrastructure” in section 8.57, subsection 5,
45 paragraph “c”:

46 FY 2013–2014:

47 \$ 1,000,000

48 3. ECONOMIC DEVELOPMENT AUTHORITY

49 a. For equal distribution to regional sports
50 authority districts certified by the economic

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1 development authority pursuant to section 15E.321,
2 notwithstanding section 8.57, subsection 5, paragraph
3 “c”:

4 FY 2013–2014:

5 \$ 1,000,000

6 b. For deposit into the river enhancement community
7 attraction and tourism fund created in section 15F.205:

8 FY 2013–2014:

9 \$ 2,000,000

10 c. For renovations, expansions, and enhancements
11 to facilities for an adult day program at a year-round
12 camp for persons with disabilities in a central Iowa
13 city with a population between one hundred ninety-five
14 thousand and two hundred five thousand in the latest
15 preceding certified federal census:

16 FY 2013–2014:

17 \$ 250,000

d. To Iowa state university of science and technology for the modernization and renovation of animal care facilities at the blank park zoo including the expansion of the surgical facility and the renovation of dormitory space:	
FY 2013–2014:	
.....	\$ 1,000,000
e. For administration and support of the world food prize including the Borlaug/Ruan scholar program, notwithstanding section 8.57, subsection 6, paragraph “c”:	
FY 2013–2014:	
.....	\$ 200,000
f. For costs associated with the hosting of a national junior Summer Olympics by a nonprofit sports organization, notwithstanding section 8.57, subsection 6, paragraph “c”:	
FY 2013–2014:	
.....	\$ 250,000
4. DEPARTMENT OF EDUCATION	
a. For accelerated career education program capital projects at community colleges that are authorized under chapter 260G and that meet the definition of the term “vertical infrastructure” in section 8.57, subsection 5, paragraph “c”:	
FY 2013–2014:	
.....	\$ 6,000,000
b. For major renovation and major repair needs, including health, life, and fire safety needs and for compliance with the federal Americans with Disabilities Act for buildings and facilities under the purview of the community colleges:	
FY 2013–2014:	

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.....	\$ 1,000,000
5. DEPARTMENT OF HUMAN SERVICES	
a. For a grant to a nonprofit child welfare, juvenile justice, and behavioral health agency for the construction of a psychiatric medical institution for children in a city with a population between twenty-eight thousand and twenty-nine thousand in the latest preceding certified federal census:	
FY 2013–2014:	
.....	\$ 500,000
FY 2014–2015:	
.....	\$ 500,000
b. For a grant to a nonprofit agency that provides innovative solutions to children and adults with autism in a city with a population between fourteen thousand five hundred and fifteen thousand five hundred in the	

17	latest preceding certified federal census for costs		
18	associated with improvements to facilities:		
19	FY 2013–2014:		
20	.....	\$	400,000
21	FY 2014–2015:		
22	.....	\$	400,000
23	c. For the renovation and construction of certain		
24	nursing facilities, consistent with the provisions of		
25	chapter 249K:		
26	FY 2013–2014:		
27	.....	\$	500,000
28	d. For a publicly owned acute care teaching		
29	hospital located in a county with a population between		
30	four hundred thousand and four hundred fifty thousand		
31	in the latest preceding certified federal census for		
32	the construction and expansion of inpatient mental		
33	health facilities and for the construction of an		
34	outpatient clinic building:		
35	FY 2013–2014:		
36	.....	\$	3,000,000
37	FY 2014–2015:		
38	.....	\$	3,000,000
39	6. DEPARTMENT OF PUBLIC DEFENSE		
40	a. For major maintenance projects at national guard		
41	armories and facilities:		
42	FY 2013–2014:		
43	.....	\$	2,000,000
44	b. For construction improvement projects at		
45	statewide readiness centers:		
46	FY 2013–2014:		
47	\$	2,000,000
48	c. For construction upgrades at Camp Dodge:		
49	FY 2013–2014:		
50	\$	500,000

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1	7. DEPARTMENT OF NATURAL RESOURCES		
2	a. For implementation of lake projects that		
3	have established watershed improvement initiatives		
4	and community support in accordance with the		
5	department's annual lake restoration plan and report,		
6	notwithstanding section 8.57, subsection 5, paragraph		
7	"c":		
8	FY 2013–2014:		
9	.....	\$	8,600,000
10	b. For the administration of a water trails and		
11	low head dam public hazard statewide plan, including		
12	salaries, support, maintenance, and miscellaneous		
13	purposes, notwithstanding section 8.57, subsection 5,		
14	paragraph "c":		
15	FY 2013–2014:		

16	.....	\$	2,000,000
17	8. BOARD OF REGENTS		
18	a. For allocation by the state board of regents to		
19	the state university of Iowa, the Iowa state university		
20	of science and technology, and the university of		
21	northern Iowa to reimburse the institutions for		
22	deficiencies in the operating funds resulting from the		
23	pledging of tuition, student fees and charges, and		
24	institutional income to finance the cost of providing		
25	academic and administrative buildings and facilities		
26	and utility services at the institutions:		
27	FY 2013–2014:		
28	.....	\$	27,867,775
29	b. For the repair or replacement of failed or		
30	failing building components, for immediate fire safety		
31	needs, and for compliance with the federal Americans		
32	with Disabilities Act, at regents institutions:		
33	FY 2013–2014:		
34	.....	\$	2,000,000
35	c. For costs associated with the renovation,		
36	modernization, and construction of a new addition at		
37	the pharmacy building at the state university of Iowa:		
38	FY 2014–2015:		
39	.....	\$	6,000,000
40	d. For infrastructure improvements to construct a		
41	multipurpose training facility at the state hygienic		
42	laboratory at the state university of Iowa:		
43	FY 2013–2014:		
44	.....	\$	1,000,000
45	9. STATE FAIR AUTHORITY		
46	For infrastructure costs associated with the		
47	construction of a plaza on the Iowa state fairgrounds:		
48	FY 2013–2014:		
49	\$	250,000
50	FY 2014–2015:		

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1	\$	750,000
2	10. DEPARTMENT OF TRANSPORTATION		
3	a. For acquiring, constructing, and improving		
4	recreational trails within the state:		
5	FY 2013–2014:		
6	.....	\$	3,000,000
7	b. For deposit into the public transit		
8	infrastructure grant fund created in section 324A.6A,		
9	for projects that meet the definition of “vertical		
10	infrastructure” in section 8.57, subsection 5,		
11	paragraph “c”:		
12	FY 2013–2014:		
13	.....	\$	2,000,000
14	c. For infrastructure improvements at the		

15 commercial service airports within the state:
 16 FY 2013–2014:
 17 \$ 1,500,000
 18 d. For infrastructure improvements at general
 19 aviation airports within the state:
 20 FY 2013–2014:
 21 \$ 750,000
 22 e. For deposit into the railroad revolving loan and
 23 grant fund created in section 327H.20A, notwithstanding
 24 section 8.57, subsection 5, paragraph “c”:
 25 FY 2013–2014:
 26 \$ 1,000,000
 27 f. For continuation of the job access and reverse
 28 commute grant program, notwithstanding section 8.57,
 29 subsection 5, paragraph “c”:
 30 FY 2013–2014:
 31 \$ 350,000
 32 Moneys appropriated in this section shall be
 33 distributed by the department in the form of grants to
 34 cities, nonprofit organizations, or operators of public
 35 transportation services for the fiscal year beginning
 36 July 1, 2013, and ending June 30, 2014, to continue
 37 an existing access to jobs project or reverse commute
 38 project serving a city with a population of fifty
 39 thousand or more and the surrounding metropolitan area.
 40 A grant awarded under this section shall not exceed 90
 41 percent of the cost of a program’s operation for the
 42 fiscal year beginning July 1, 2013, and ending June
 43 30, 2014. In awarding grants under this section, the
 44 department shall use criteria established under former
 45 49 U.S.C. § 5316 establishing the federal job access
 46 and reverse commute grant program.
 47 11. TREASURER OF STATE
 48 For distribution in accordance with chapter 174 to
 49 qualified fairs which belong to the association of Iowa
 50 fairs for county fair infrastructure improvements:

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1 FY 2013–2014:
 2 \$ 1,060,000
 3 12. DEPARTMENT OF VETERANS AFFAIRS
 4 a. For remodeling and upgrades to office space at
 5 Camp Dodge:
 6 FY 2013–2014:
 7 \$ 137,940
 8 b. For a grant to an American legion post located
 9 in a city with a population between one thousand
 10 ten and one thousand twenty in the latest preceding
 11 certified federal census for the construction of a
 12 veteran’s reception center and community center:
 13 FY 2013–2014:

14 \$ 604,000

15 c. For construction costs associated with the
16 expansion of an equipment and vehicle storage building
17 at the Iowa veterans cemetery:

18 FY 2013–2014:
19 \$ 250,000

20 Sec. 2. REVERSION. For purposes of section 8.33,
21 unless specifically provided otherwise, unencumbered
22 or unobligated moneys made from an appropriation in
23 this division of this Act shall not revert but shall
24 remain available for expenditure for the purposes
25 designated until the close of the fiscal year that ends
26 three years after the end of the fiscal year for which
27 the appropriation is made. However, if the project
28 or projects for which such appropriation was made are
29 completed in an earlier fiscal year, unencumbered or
30 unobligated moneys shall revert at the close of that
31 same fiscal year.

32 DIVISION II

33 TECHNOLOGY REINVESTMENT FUND

34 Sec. 3. There is appropriated from the technology
35 reinvestment fund created in section 8.57C to the
36 following departments and agencies for the following
37 fiscal years, the following amounts, or so much
38 thereof as is necessary, to be used for the purposes
39 designated:

40 1. DEPARTMENT OF EDUCATION

41 a. For maintenance and lease costs associated with
42 connections for part III of the Iowa communications
43 network:

44 FY 2013–2014:
45 \$ 2,727,000

46 b. For the continued development and implementation
47 of an education data warehouse to be utilized by
48 teachers, parents, school district administrators, area
49 education agency staff, department of education staff,
50 and policymakers:

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1 FY 2013–2014:
2 \$ 600,000

3 The department may use a portion of the moneys
4 appropriated in this lettered paragraph for an
5 e-transcript data system capable of tracking students
6 throughout their education via interconnectivity with
7 multiple schools.

8 c. To the public broadcasting division for the
9 replacement of equipment and for tower and facility
10 maintenance:

11 FY 2013–2014:
12 \$ 960,000

13 d. For allocation to the boards of directors of
 14 public school districts for voluntary short-term
 15 testing for radon gas of up to 10 percent of attendance
 16 centers in the state, with the goal of completing
 17 radon testing in at least one attendance center in
 18 each county in Iowa, notwithstanding section 8.57C,
 19 subsection 2:

20 FY 2013-2014:

21 \$ 100,000

22 For purposes of this lettered paragraph, “short-term
 23 testing” means a testing procedure approved by the
 24 department of public health in which a testing device
 25 remains in an area for not less than two days and not
 26 more than ninety days to determine the amount of radon
 27 in the air that is acceptable for human inhalation.

28 Radon testing pursuant to this lettered paragraph
 29 shall be conducted by a person certified to conduct
 30 such testing pursuant to section 136B.1.

31 The department shall prepare a comprehensive report
 32 of the results of the radon testing conducted at each
 33 attendance center and shall submit the report to the
 34 general assembly no later than January 1, 2014.

35 e. For hardware and software equipment for the
 36 state library, including laptop and tablet computers,
 37 audio and video equipment, and the purchase of online
 38 resources:

39 FY 2013–2014:

40 \$ 250,000

41 2. DEPARTMENT OF HUMAN RIGHTS

42 For the cost of equipment and computer software
 43 for the implementation of Iowa’s criminal justice
 44 information system:

45 FY 2013–2014:

46 \$ 1,454,734

47 3. DEPARTMENT OF HUMAN SERVICES

48 a. For a grant to a nonprofit agency that provides
 49 innovative solutions to children and adults with autism
 50 in a city with a population between fourteen thousand

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1 five hundred and fifteen thousand five hundred in
 2 the latest preceding certified federal census, for
 3 the cost associated with internet services and video
 4 communications systems for clinics:

5 FY 2013–2014:

6 \$ 154,972

7 b. For grants for nursing facilities categorized
 8 as rural on Iowa Medicaid enterprise cost reports
 9 to provide electronic health record implementation
 10 services to rural nursing facilities:

11 FY 2013–2014:

12	.....	\$	250,000
13	4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY		
14	COMMISSION		
15	For internet protocol video technology equipment for		
16	the Iowa communications network:		
17	FY 2013–2014:		
18	.....	\$	1,200,000
19	The commission may continue to enter into contracts		
20	pursuant to section 8D.13 for internet protocol video		
21	technology equipment and for operations and maintenance		
22	costs of the network.		
23	In addition to moneys appropriated in this		
24	subsection, the commission may use a financing		
25	agreement entered into by the treasurer of state in		
26	accordance with section 12.28 for internet protocol		
27	video technology equipment for the network. For		
28	purposes of this subsection, the treasurer of state		
29	is not subject to the maximum principal limitation		
30	contained in section 12.28, subsection 6. Repayment		
31	of any amounts financed shall be made from receipts		
32	associated with fees charged for use of the network.		
33	5. DEPARTMENT OF MANAGEMENT		
34	For the continued development and implementation		
35	of a searchable database that can be placed on the		
36	internet for budget and financial information:		
37	FY 2013–2014:		
38	.....	\$	45,000
39	6. DEPARTMENT OF PUBLIC DEFENSE		
40	To the homeland security and emergency management		
41	division or its successor, for grants for counties		
42	for emergency generators including emergency diesel		
43	generators for radio communications:		
44	FY 2013–2014:		
45	.....	\$	200,000
46	7. DEPARTMENT OF PUBLIC HEALTH		
47	For technology consolidation projects:		
48	FY 2013–2014:		
49	.....	\$	480,000
50	Sec. 4. REVERSION. For purposes of section 8.33,		

1 unless specifically provided otherwise, unencumbered
2 or unobligated moneys made from an appropriation in
3 this division of this Act shall not revert but shall
4 remain available for expenditure for the purposes
5 designated until the close of the fiscal year that ends
6 three years after the end of the fiscal year for which
7 the appropriation was made. However, if the project
8 or projects for which such appropriation was made are
9 completed in an earlier fiscal year, unencumbered or
10 unobligated moneys shall revert at the close of that

11 same fiscal year.

12 DIVISION III

13 CHILDREN'S HEALTH INSURANCE PROGRAM — REBUILD IOWA 14 INFRASTRUCTURE FUND

15 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM —
16 DEPARTMENT OF ADMINISTRATIVE SERVICES. Any moneys
17 remaining on June 30, 2013, from moneys received from
18 the federal government through the child enrollment
19 contingency fund established pursuant to section 103
20 of the federal Children's Health Insurance Program
21 Reauthorization Act of 2009, Pub. L. No. 111-3, are
22 transferred to the rebuild Iowa infrastructure fund
23 created in section 8.57 and appropriated to the
24 department of administrative services for the following
25 fiscal year, to be used for projects related to major
26 repairs and major maintenance for state buildings and
27 facilities:

28 FY 2013–2014:

29 \$ 11,310,648

30 The moneys appropriated pursuant to this section
31 shall not be used for any appropriations that receive
32 federal funding. Notwithstanding section 8.33, the
33 moneys appropriated in this section shall not revert to
34 the fund from which appropriated.

35 The department of human services shall work with
36 the department of management and the department of
37 administrative services in drawing down the federal
38 funds.

39 DIVISION IV

40 MULTIMODAL TRANSPORTATION — GENERAL FUND

41 Sec. 6. MULTIMODAL TRANSPORTATION.

42 1. There is appropriated from the general fund
43 of the state to the department of transportation for
44 the following fiscal years, the following amounts, or
45 so much thereof as is necessary, to be used for the
46 purposes designated:

47 For multimodal transportation projects as determined
48 by the transportation commission:

49 FY 2013–2014:

50 \$ 5,500,000

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1 FY 2014–2015:

2 \$ 5,500,000

3 2. For purposes of section 8.33, unless
4 specifically provided otherwise, moneys appropriated in
5 this section that remain unencumbered or unobligated
6 shall not revert but shall remain available for
7 expenditure for the purposes designated until the close
8 of the fiscal year that ends three years after the end
9 of the fiscal year for which the appropriation was

made. However, if the project or projects for which the appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION V

GENERAL FUND FY 2013 TRANSFER

Sec. 7. GENERAL FUND FY 2013 TRANSFER. There is transferred from the general fund of the state to the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the amount of \$15,000,000.

Sec. 8. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VI

FY 2014 GENERAL FUND TRANSFER — RIFF

Sec. 9. FY 2014 GENERAL FUND TRANSFER — RIFF. There is transferred from the general fund of the state to the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the amount of \$4,103,000.

DIVISION VII

PROPERTY TAX CREDIT FUND BALANCE TRANSFER — REBUILD IOWA INFRASTRUCTURE FUND

Sec. 10. PROPERTY TAX CREDIT FUND BALANCE TRANSFER — REBUILD IOWA INFRASTRUCTURE FUND. Moneys in the property tax credit fund created in 2010 Iowa Acts, chapter 1193, section 8, that remain unencumbered or unobligated on June 30, 2013, shall be transferred to the rebuild Iowa infrastructure fund.

Sec. 11. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION VIII

DEPARTMENT OF TRANSPORTATION — CONTINGENT APPROPRIATION

Sec. 12. DEPARTMENT OF TRANSPORTATION — APPROPRIATION.

1. For the fiscal year beginning July 1, 2014, and ending June 30, 2015, there is appropriated from the rebuild Iowa infrastructure fund to the department

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of transportation \$2,500,000 for any public transit authority to develop a bus rapid transit service, notwithstanding section 8.57, subsection 5, paragraph “c”.

2. This appropriation is contingent upon an authority’s receipt of local funds and the receipt of a federal grant, by December 31, 2014, in an amount sufficient to complete the project. The authority

9 shall notify the legislative services agency and the
10 department of management if such funds are received no
11 later than January 15, 2015.

12 Sec. 13. REVERSION. For purposes of section 8.33,
13 unless specifically provided otherwise, unencumbered
14 or unobligated moneys made from an appropriation in
15 this division of this Act shall not revert but shall
16 remain available for expenditure for the purposes
17 designated until the close of the fiscal year that ends
18 three years after the end of the fiscal year for which
19 the appropriation is made. However, if the project
20 or projects for which such appropriation was made are
21 completed in an earlier fiscal year, unencumbered or
22 unobligated moneys shall revert at the close of that
23 same fiscal year.

24 DIVISION IX
25 IOWA JOBS BOARD

26 Sec. 14. Section 12.87, subsection 12, Code 2013,
27 is amended to read as follows:

28 12. Neither the treasurer of state, the Iowa
29 ~~jobs board~~ finance authority, nor any person acting
30 on behalf of the treasurer of state or the Iowa ~~jobs~~
31 ~~board~~ finance authority while acting within the scope
32 of their employment or agency, is subject to personal
33 liability resulting from carrying out the powers and
34 duties conferred by this section and sections 12.88
35 through 12.90.

36 Sec. 15. Section 16.193, subsection 1, Code 2013,
37 is amended to read as follows:

38 ~~1. The Iowa finance authority, subject to approval~~
39 ~~by the Iowa jobs board,~~ shall adopt administrative
40 rules pursuant to chapter 17A necessary to administer
41 the Iowa jobs program and Iowa jobs II program. The
42 authority shall ~~provide the board with assistance in~~
43 ~~implementing administrative functions, be responsible~~
44 for providing technical assistance and application
45 assistance to applicants under the programs,
46 negotiating contracts, and providing project follow
47 up. The authority, in cooperation with the board,
48 ~~may conduct negotiations on behalf of the board with~~
49 ~~applicants regarding terms and conditions applicable to~~
50 ~~awards under the program.~~

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1 Sec. 16. Section 16.194, subsection 2, Code 2013,
2 is amended to read as follows:

3 2. A city or county or a public organization in
4 this state may submit an application to the ~~Iowa~~
5 ~~jobs board~~ authority for financial assistance for
6 a local infrastructure competitive grant for an
7 eligible project under the program, notwithstanding

8 any limitation on the state's percentage in funding as
9 contained in section 29C.6, subsection 17.

10 Sec. 17. Section 16.194, subsection 4, unnumbered
11 paragraph 1, Code 2013, is amended to read as follows:

12 The ~~board authority~~ shall consider the following
13 criteria in evaluating eligible projects to receive
14 financial assistance under the program:

15 Sec. 18. Section 16.194, subsection 7, Code 2013,
16 is amended to read as follows:

17 7. In order for a project to be eligible to receive
18 financial assistance from the ~~board authority~~, the
19 project must be a public construction project pursuant
20 to subsection 1 with a demonstrated substantial local,
21 regional, or statewide economic impact.

22 Sec. 19. Section 16.194, subsection 8, unnumbered
23 paragraph 1, Code 2013, is amended to read as follows:

24 The ~~board authority~~ shall not approve an application
25 for assistance for any of the following purposes:

26 Sec. 20. Section 16.194, subsection 9, paragraph b,
27 Code 2013, is amended to read as follows:

28 b. Any portion of an amount allocated for projects
29 that remains unexpended or unencumbered one year after
30 the allocation has been made may be reallocated to
31 another project category, at the discretion of the
32 ~~board authority~~. The ~~board authority~~ shall ensure that
33 all bond proceeds be expended within three years from
34 when the allocation was initially made.

35 Sec. 21. Section 16.194, subsection 10, Code 2013,
36 is amended to read as follows:

37 10. The ~~board authority~~ shall ensure that funds
38 obligated under this section are coordinated with other
39 federal program funds received by the state, and that
40 projects receiving funds are located in geographically
41 diverse areas of the state.

42 Sec. 22. Section 16.194A, subsections 2, 7, 9, and
43 10, Code 2013, are amended to read as follows:

44 2. A city or county in this state that applies the
45 smart planning principles and guidelines pursuant to
46 sections 18B.1 and 18B.2 may submit an application to
47 the ~~Iowa jobs board authority~~ for financial assistance
48 for a local infrastructure competitive grant for an
49 eligible project under the program, notwithstanding
50 any limitation on the state's percentage in funding as

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1 contained in section 29C.6, subsection 17.

2 7. In order for a project to be eligible to receive
3 financial assistance from the ~~board authority~~, the
4 project must be a public construction project pursuant
5 to subsection 1 with a demonstrated substantial local,
6 regional, or statewide economic impact.

9. Any portion of an amount allocated for projects that remains unexpended or unencumbered one year after the allocation has been made may be reallocated to another project category, at the discretion of the ~~board authority~~. The ~~board authority~~ shall ensure that all bond proceeds be expended within three years from when the allocation was initially made.

10. The ~~board authority~~ shall ensure that funds obligated under this section are coordinated with other federal program funds received by the state, and that projects receiving funds are located in geographically diverse areas of the state.

Sec. 23. Section 16.194A, subsection 4, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The ~~board authority~~ shall consider the following criteria in evaluating eligible projects to receive financial assistance under the program:

Sec. 24. Section 16.194A, subsection 8, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The ~~board authority~~ shall not approve an application for assistance for any of the following purposes:

Sec. 25. Section 16.195, Code 2013, is amended to read as follows:

16.195 Iowa jobs program application review.

1. Applications for assistance under the Iowa jobs program and Iowa jobs II program shall be submitted to the ~~Iowa finance authority for review and approval~~. ~~The authority shall provide a staff review and evaluation of applications to the Iowa jobs program review committee referred to in subsection 2 and to the Iowa jobs board.~~

2. ~~A review committee composed of members of the board as determined by the board shall review Iowa jobs program applications submitted to the board and make recommendations regarding the applications to the board.~~ When reviewing the applications, the ~~review committee and the~~ authority shall consider the project criteria specified in sections 16.194 and 16.194A. The ~~board authority~~ shall develop the appropriate level of transparency regarding project fund allocations.

3. Upon approval of an application for financial assistance under the program, the ~~board authority~~ shall notify the treasurer of state regarding the amount of moneys needed to satisfy the award of financial

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assistance and the terms of the award. The treasurer of state shall notify the ~~Iowa finance~~ authority any time moneys are disbursed to a recipient of financial assistance under the program.

Sec. 26. Section 16.196, Code 2013, is amended to

6 read as follows:

7 16.196 Iowa jobs ~~restricted capitals fund~~ — fund
8 appropriations.

9 ~~1. An Iowa jobs restricted capitals fund is created~~
10 ~~and established as a separate and distinct fund in~~
11 ~~the state treasury. The fund consists of moneys~~
12 ~~appropriated from the revenue bonds capitals fund~~
13 ~~created in section 12.88. The moneys in the fund~~
14 ~~are appropriated to the Iowa jobs board for purposes~~
15 ~~of the Iowa jobs program established in section~~
16 ~~16.194. Moneys in the fund shall not be subject to~~
17 ~~appropriation for any other purpose by the general~~
18 ~~assembly, but shall be used only for the purposes of~~
19 ~~the Iowa jobs program. The treasurer of state shall~~
20 ~~act as custodian of the fund and disburse moneys~~
21 ~~contained in the fund. The fund shall be administered~~
22 ~~by the board which shall make allocations from the fund~~
23 ~~consistent with the purposes of the Iowa jobs program.~~

24 ~~2. 1.~~ There is appropriated from the revenue bonds
25 capitals fund created in section 12.88, to the ~~Iowa~~
26 ~~jobs restricted capitals fund~~ authority, for the fiscal
27 year beginning July 1, 2009, and ending June 30, 2010,
28 one hundred sixty-five million dollars to be allocated
29 as follows:

30 a. One hundred eighteen million five hundred
31 thousand dollars for competitive grants for local
32 infrastructure projects relating to disaster
33 rebuilding, reconstruction and replacement of local
34 buildings, flood control and flood protection, and
35 future flood prevention public projects. An applicant
36 for a local infrastructure grant shall not receive more
37 than fifty million dollars in financial assistance from
38 the fund.

39 b. Forty-six million five hundred thousand
40 dollars for disaster relief and mitigation and local
41 infrastructure grants for the following renovation and
42 construction projects, notwithstanding any limitation
43 on the state's percentage participation in funding as
44 contained in section 29C.6, subsection 17:

45 (1) For grants to a county with a population
46 between one hundred eighty-nine thousand and one
47 hundred ninety-six thousand in the latest preceding
48 certified federal census, to be distributed as follows:

49 (a) Ten million dollars for the construction of a
50 new, shared facility between nonprofit human service

1 organizations serving the public, especially the needs
2 of low-income Iowans, including those displaced as a
3 result of the disaster of 2008.

4 (b) Five million dollars for the construction or

renovation of a facility for a county-funded workshop program serving the public and particularly persons with mental illness or developmental disabilities.

(2) For grants to a city with a population between one hundred ten thousand and one hundred twenty thousand in the latest preceding certified federal census, to be distributed as follows:

(a) Five million dollars for an economic redevelopment project benefiting the public by improving energy efficiency and the development of alternative and renewable energy technologies.

(b) Ten million dollars for a museum serving the public and dedicated to the preservation of an eastern European cultural heritage through the collection, exhibition, preservation, and interpretation of historical artifacts.

(c) Five million dollars for a theater serving the public and promoting culture, entertainment, and tourism.

(d) Five million dollars for a public library.

(e) Five million dollars for a public works building.

(3) One million five hundred thousand dollars, to be distributed as follows:

(a) Five hundred thousand dollars to a city with a population between six hundred and six hundred fifty in the latest preceding certified federal census, for a public fire station.

(b) Five hundred thousand dollars to a city with a population between one thousand four hundred and one thousand five hundred in the latest preceding certified federal census, for a public fire station.

(c) Five hundred thousand dollars for a city with a population between seven thousand eight hundred and seven thousand eight hundred fifty, for a public fire station.

~~3-2.~~ 2. Grant awards for a project under subsection 2-1, paragraph "b", are contingent upon submission of a plan for each project by the applicable county or city governing board or in the case of a project submitted pursuant to subsection 2-1, paragraph "b", subparagraph (2), subparagraph division (b), by the board of directors, to the ~~Iowa jobs board authority~~, no later than September 1, 2009, detailing a description of the project, the plan to rebuild, and the amount or percentage of federal, state, local, or private

1 matching moneys which will be or have been provided for
2 the project. Funds not utilized in accordance with
3 subsection ~~2-1~~, paragraph "b", due to failure to file a

4 plan by the September 1 deadline 1, shall revert to the
5 Iowa jobs restricted revenue bonds capitals fund to be
6 available for local infrastructure competitive grants.

7 A grant recipient under subsection ~~2~~ 1, paragraph
8 “b”, shall not be precluded from applying for a local
9 infrastructure competitive grant pursuant to this
10 section and section 16.195.

11 ~~4. Moneys in the fund are not subject to section~~
12 ~~8.33. Notwithstanding section 12C.7, subsection 2,~~
13 ~~interest or earnings on moneys in the fund shall be~~
14 ~~credited to the fund.~~

15 ~~5.~~ 3. Annually, on or before January 15 of
16 each year, the ~~board authority~~ shall report to the
17 legislative services agency and the department of
18 management the status of all projects receiving
19 moneys from the fund completed or in progress. The
20 report shall include a description of the project, the
21 progress of work completed, the total estimated cost of
22 the project, a list of all revenue sources being used
23 to fund the project, the amount of funds expended, the
24 amount of funds obligated, and the date the project
25 was completed or an estimated completion date of the
26 project, where applicable.

27 ~~6.~~ 4. Payment of moneys appropriated from the
28 fund shall be made in a manner that does not adversely
29 affect the tax-exempt status of any outstanding bonds
30 issued by the treasurer of state.

31 Sec. 27. Section 16.197, Code 2013, is amended to
32 read as follows:

33 16.197 Limitation of liability.

34 ~~A member of the Iowa jobs board, a person acting~~
35 ~~on behalf of the board while acting within the scope~~
36 ~~of their employment or agency. The authority or the~~
37 treasurer of state, shall not be subject to personal
38 liability resulting from carrying out the powers and
39 duties of the ~~board authority~~ or the treasurer, as
40 applicable, in sections ~~16.192~~ 16.193 through 16.196.

41 Sec. 28. IOWA JOBS BOARD — TRANSITION PROVISIONS
42 — LIMITATION OF LIABILITY.

43 1. Any contract or agreement issued or entered into
44 by the Iowa jobs board relating to the provisions of
45 this division of this Act, in effect on the effective
46 date of this division of this Act, shall continue
47 in full force and effect and any responsibility of
48 the board relative to the contracts or agreements as
49 provided in those contracts or agreements shall be
50 transferred to the Iowa finance authority.

- 1 2. A member of the Iowa jobs board or a person
- 2 acting on behalf of the board while acting within

the scope of that person's employment or agency shall not be subject to personal liability resulting from carrying out the powers and duties of the board prior to the effective date of this division of this Act, as applicable, in sections 12.87 through 12.90 and in sections 16.192 through 16.196, Code 2013.

Sec. 29. REPEAL. Sections 16.191 and 16.192, Code 2013, are repealed.

DIVISION X

MISCELLANEOUS CODE CHANGES

Sec. 30. Section 8.57, subsection 5, paragraph e, subparagraph (1), subparagraph division (a), subparagraph subdivision (i), Code 2013, is amended to read as follows:

(i) ~~Notwithstanding provisions to the contrary in sections 99D.17 and 99F.11, for~~ For the fiscal year beginning July 1, 2000, and for each fiscal year thereafter, not more than a total of sixty-six million dollars shall be deposited in the general fund of the state in any fiscal year pursuant to sections 99D.17 and 99F.11.

Sec. 31. Section 8.57, subsection 5, paragraph e, subparagraph (1), subparagraph division (d), subparagraph subdivision (i), Code 2013, is amended to read as follows:

(i) The total moneys in excess of the moneys deposited under this paragraph "e" in the revenue bonds debt service fund, the revenue bonds federal subsidy holdback fund, the vision Iowa fund, the school infrastructure fund, and the general fund of the state in a fiscal year shall be deposited in the rebuild Iowa infrastructure fund and shall be used as provided in this section, notwithstanding section 8.60.

Sec. 32. Section 8.57, subsection 5, paragraph e, subparagraph (1), subparagraph division (d), subparagraph subdivision (ii), Code 2013, is amended by adding the following new subparagraph part:

NEW SUBPARAGRAPH PART. (C) For the fiscal year beginning July 1, 2013, and ending June 30, 2014, thirty-four million one hundred twenty thousand dollars shall be deposited in the general fund of the state and the remainder shall be deposited in the rebuild Iowa infrastructure fund.

Sec. 33. Section 8.57C, subsection 3, Code 2013, is amended to read as follows:

3. a. There is appropriated from the general fund of the state for the fiscal year beginning July 1, ~~2013~~ 2014, and for each subsequent fiscal year thereafter,

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1 the sum of seventeen million five hundred thousand
2 dollars to the technology reinvestment fund.

3 b. There is appropriated from the rebuild Iowa
4 infrastructure fund for the fiscal year beginning
5 July 1, 2008, and ending June 30, 2009, the sum of
6 seventeen million five hundred thousand dollars,
7 and for the fiscal year beginning July 1, 2009, and
8 ending June 30, 2010, the sum of fourteen million five
9 hundred twenty-five thousand dollars to the technology
10 reinvestment fund, notwithstanding section 8.57,
11 subsection 5, paragraph "c".

12 c. There is appropriated from the rebuild Iowa
13 infrastructure fund for the fiscal year beginning
14 July 1, 2010, and ending June 30, 2011, the sum of ten
15 million dollars to the technology reinvestment fund,
16 notwithstanding section 8.57, subsection 5, paragraph
17 "c".

18 d. There is appropriated from the rebuild Iowa
19 infrastructure fund for the fiscal year beginning July
20 1, 2011, and ending June 30, 2012, the sum of fifteen
21 million five hundred forty-one thousand dollars to the
22 technology reinvestment fund, notwithstanding section
23 8.57, subsection 5, paragraph "c".

24 e. There is appropriated from the general fund of
25 the state for the fiscal year beginning July 1, 2013,
26 and ending June 30, 2014, the sum of thirteen million,
27 three hundred ninety-seven thousand dollars to the
28 technology reinvestment fund, notwithstanding section
29 8.57, subsection 5, paragraph "c".

30 Sec. 34. Section 15F.204, subsection 5, Code 2013,
31 is amended by adding the following new paragraph:
32 NEW PARAGRAPH. c. Priority to projects under this
33 subsection shall be given to projects that attract the
34 highest number of visitors and that attain the highest
35 match levels.

36 Sec. 35. Section 15F.204, subsection 8, paragraph
37 g, Code 2013, is amended to read as follows:

38 g. For each fiscal year for the fiscal period
39 beginning July 1, 2012, and ending June 30, ~~2014~~ 2016,
40 the sum of ~~five~~ ten million dollars.

41 Sec. 36. Section 99D.14, subsection 2, paragraph c,
42 Code 2013, is amended to read as follows:

43 c. Notwithstanding sections 8.60 and 99D.17, the
44 portion of the fee paid pursuant to paragraph "a"
45 relating to the costs of the commission shall ~~not be~~
46 ~~deposited in the general fund of the state but instead~~
47 ~~shall~~ be deposited into the gaming regulatory revolving
48 fund established in section 99F.20.

49 Sec. 37. Section 99D.17, Code 2013, is amended to
50 read as follows:

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99D.17 Use of funds.

Funds received pursuant to sections 99D.14 and 99D.15 shall be deposited ~~in the general fund of the state~~ as provided in section 8.57, subsection 5. and shall be subject to the requirements of section 8.60. These funds shall first be used to the extent appropriated by the general assembly. The commission is subject to the budget requirements of chapter 8 and the applicable auditing requirements and procedures of chapter 11.

Sec. 38. Section 99F.10, subsection 4, paragraph c, Code 2013, is amended to read as follows:

c. Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of the commission ~~shall not be deposited in the general fund of the state but instead~~ shall be deposited into the gaming regulatory revolving fund established in section 99F.20.

Sec. 39. Section 99F.11, subsection 3, paragraph e, Code 2013, is amended to read as follows:

e. The remaining amount of the adjusted gross receipts tax shall be credited ~~to the general fund of the state~~ as provided in section 8.57, subsection 5.

DIVISION XI

CHANGES TO PRIOR APPROPRIATIONS

Sec. 40. 2007 Iowa Acts, chapter 219, section 2, as amended by 2011 Iowa Acts, chapter 133, section 32, and 2012 Iowa Acts, chapter 1138, section 10, is amended to read as follows:

SEC. 2. REVERSION.

1. Except as provided in subsection 2 and notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2007, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2010, or until the project for which the appropriation was made is completed, whichever is earlier.

2. a. Notwithstanding section 8.33, moneys appropriated in section 1, subsection 1, paragraphs "a" and "f" of this division of this Act that remain unencumbered or unobligated at the close of the fiscal year for which they were appropriated shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, ~~2012~~ 2013, or until the project for which the appropriation was made is completed, whichever is earlier.

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b. The department of administrative services is authorized to provide for the disposition and relocation of structures located at 707 east locust and 709 east locust, Des Moines, Iowa, in a manner as deemed appropriate by the department. The disposition of the structures, if possible, shall be completed in a manner that reduces or eliminates the costs of the state associated with the removal of the structures from their current locations. Any amount received from the disposition of the structures as permitted under this section shall be retained by the department to pay for improvement costs associated with the restoration of the west capitol terrace. The department, if unable to otherwise dispose of the structures, is authorized to demolish the structures using other appropriate funding available to the department.

Sec. 41. 2008 Iowa Acts, chapter 1179, section 20, as amended by 2009 Iowa Acts, chapter 173, section 25, is amended to read as follows:

SEC 20. REVERSION.

1. Notwithstanding Except as provided in subsections 2 through 4 and notwithstanding section 8.33, moneys appropriated in this division of this Act for the fiscal year beginning July 1, 2008, and ending June 30, 2009, shall not revert at the close of the fiscal year for which they are appropriated but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2012, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated in section 18, subsection 9, paragraph "a", of this division as amended by 2009 Iowa Acts, chapter 173, section 24, that remain unencumbered or unobligated at the close of the fiscal year for which they were appropriated shall not revert but shall remain available for the purposes designated until the close of the fiscal year that begins July 1, 2017, or until the project for which the appropriation was made is completed, whichever is earlier.

3. Notwithstanding section 8.33, moneys appropriated in section 18, subsection 1, paragraph "h", of this division of this Act as amended by 2009 Iowa Acts, chapter 173, section 23, that remain unencumbered or unobligated at the close of the fiscal year for which the appropriation was made shall not revert but shall remain available for the purpose designated until the close of the fiscal year that begins July 1, 2013, or until the project for which the appropriation was made is completed, whichever is

Page 21

1 earlier.

2 4. Notwithstanding section 8.33, moneys
3 appropriated to the department of economic development
4 in section 18 of this division of this Act as amended
5 by 2009 Iowa Acts, chapter 173, section 24, and
6 2011 Iowa Acts, chapter 133, section 34, that remain
7 unencumbered or unobligated at the close of the fiscal
8 year for which the appropriation was made shall not
9 revert but shall remain available for the purpose
10 designated until the close of the fiscal year that
11 begins July 1, 2014, or until the project for which
12 the appropriation was made is completed, whichever is
13 earlier.

14 Sec. 42. 2008 Iowa Acts, chapter 1179, section 23,
15 is amended to read as follows:

16 SEC 23. REVERSION. Notwithstanding section 8.33,
17 moneys appropriated in this division of this Act for
18 the fiscal year beginning July 1, 2008, and ending June
19 30, 2009, shall not revert at the close of the fiscal
20 year for which they are appropriated but shall remain
21 available for the purposes designated until the close
22 of the fiscal year that begins July 1, ~~2012~~ 2013, or
23 until the project for which the appropriation was made
24 is completed, whichever is earlier.

25 Sec. 43. 2009 Iowa Acts, chapter 173, section 15,
26 is amended to read as follows:

27 SEC 15. REVERSION.

28 1. Notwithstanding Except as provided in
29 subsections 2 and 3 and notwithstanding section 8.33,
30 moneys appropriated in this division of this Act for
31 the fiscal year beginning July 1, 2009, and ending June
32 30, 2010, shall not revert at the close of the fiscal
33 year for which they are appropriated but shall remain
34 available for the purposes designated until the close
35 of the fiscal year that begins July 1, 2012, or until
36 the project for which the appropriation was made is
37 completed, whichever is earlier.

38 2. Notwithstanding section 8.33, moneys
39 appropriated in section 13, subsection 4, paragraph
40 "a", of this division of this Act that remain
41 unencumbered or unobligated at the close of the fiscal
42 year for which the appropriation was made shall not
43 revert but shall remain available for the purposes
44 designated until the close of the fiscal year that
45 begins July 1, 2014, or until the projects for which
46 the appropriation was made are completed, whichever is
47 earlier.

48 3. Notwithstanding section 8.33, moneys
49 appropriated in section 13, subsection 4, paragraph
50 "d", of this division of this Act as amended by 2010

1 Iowa Acts, chapter 1184, section 65, that remain
2 unencumbered or unobligated at the close of the fiscal
3 year for which the appropriation was made shall not
4 revert but shall remain available for the purposes
5 designated until the close of the fiscal year that
6 begins July 1, 2013, or until the projects for which
7 the appropriation was made are completed, whichever is
8 earlier.

9 Sec. 44. 2009 Iowa Acts, chapter 184, section 4, is
10 amended to read as follows:

11 SEC. 20. REVERSION.

12 1. ~~For~~ Except as provided in subsection 2, for
13 purposes of section 8.33, unless specifically provided
14 otherwise, unencumbered or unobligated moneys made from
15 an appropriation in this division of this Act shall not
16 revert but shall remain available for expenditure for
17 the purposes designated until the close of the fiscal
18 year that ends three years after the end of the fiscal
19 year for which the appropriation was made. However, if
20 the project or projects for which such appropriation
21 was made are completed in an earlier fiscal year,
22 unencumbered or unobligated moneys shall revert at the
23 close of that same fiscal year.

24 2. Notwithstanding section 8.33, moneys
25 appropriated in section 1, subsection 1, paragraphs “c”
26 and “e”, of this division of this Act shall not revert
27 but shall remain available for the purposes designated
28 until the close of the fiscal year that begins July 1,
29 2013, or until the project for which the appropriation
30 was made is completed, whichever is earlier.

31 Sec. 45. 2011 Iowa Acts, chapter 133, section 1,
32 subsection 10, paragraph d, as amended by 2012 Iowa
33 Acts, chapter 1140, section 15, is amended to read as
34 follows:

35 d. For construction, renovation, and related
36 improvements for phase II of the agricultural and
37 biosystems engineering complex, including classrooms,
38 laboratories, and offices at Iowa state university of
39 science and technology:

40 FY 2011–2012	\$ 1,000,000
41 FY 2012–2013	\$ 19,050,000
42 FY 2013–2014	\$ 21,750,000
43	<u>16,750,000</u>
44 FY 2014–2015	\$ 18,600,000

45 Sec. 46. 2011 Iowa Acts, chapter 133, section 3,
46 subsection 5, paragraph a, as amended by 2012 Iowa
47 Acts, chapter 1140, section 17, is amended to read as
48 follows:

49 a. To be used for medical contracts under the
50 medical assistance program for technology upgrades

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1 necessary to support Medicaid claims and other health
 2 operations, worldwide HIPAA claims transactions and
 3 coding requirements, and the Iowa automated benefits
 4 calculation system:

5 FY 2011–2012	\$	3,494,176
6 FY 2012–2013	\$	4,120,037
7 FY 2013–2014	\$	4,815,163
8		0
9 FY 2014–2015	\$	1,945,684
10		0

11 In seeking to contract with a private organization
 12 or organizations for the Medicaid management
 13 information system, the state's chief information
 14 officer shall oversee the procurement process. An
 15 advisory panel shall be established to review the final
 16 scoring of the evaluators and to make a recommendation
 17 to the director regarding the contract award for the
 18 Medicaid management information system. The advisory
 19 panel, which shall be appointed by the Governor, shall
 20 consist of no less than three members. All members of
 21 the advisory panel shall be from the private sector and
 22 shall not have participated in any previous procurement
 23 for the Medicaid management information system or any
 24 procurement related to consulting or oversight of the
 25 Medicaid management information system. At least one
 26 member of the advisory panel shall have experience and
 27 knowledge in the area of management information systems
 28 and at least one member of the advisory panel shall be
 29 a provider of Medicaid services in the state of Iowa.

30 Sec. 47. 2012 Iowa Acts, chapter 1140, section 1,
 31 subsection 1, paragraph a, unnumbered paragraph 2, is
 32 amended to read as follows:

33 The moneys appropriated in this lettered paragraph
 34 shall be used according to the department's major
 35 maintenance project recommendation list ~~submitted~~
 36 ~~to the Governor's vertical infrastructure advisory~~
 37 ~~committee.~~

38 Sec. 48. 2012 Iowa Acts, chapter 1140, section
 39 1, subsection 3, paragraph a, is amended to read as
 40 follows:

41 a. For exterior and interior repairs and related
 42 improvements to the state historical building,
 43 including the addition of a visitor center:

44 FY 2012–2013	\$	1,450,000
45 FY 2013–2014	\$	1,000,000

46 Notwithstanding section 8.57, subsection 5,
 47 paragraph "c", moneys appropriated in this lettered
 48 paragraph may be used to study a public-private
 49 partnership to sell the existing building and to
 50 relocate the historical building on the capitol

Page 24

1 complex, including a visitor center.
 2 By October 15, 2014, the department shall submit a
 3 report to the general assembly on the results of the
 4 study of the building including the use of anticipated
 5 cash flow needs for the projected building.
 6 Sec. 49. EFFECTIVE UPON ENACTMENT. This division
 7 of this Act, being deemed of immediate importance,
 8 takes effect upon enactment.>
 9 2. Title page, by striking line 3 and inserting
 10 <infrastructure fund, the technology reinvestment fund,
 11 and the general fund of the state,>

COMMITTEE ON APPROPRIATIONS
 ROBERT E. DVORSKY, Chair

S-3204

1 Amend Senate File 452 as follows:
 2 1. Page 16, after line 29 by inserting:
 3 <__. FY 2012-2013
 4 \$ 9,600,000>
 5 2. Page 17, after line 10 by inserting:
 6 <Sec. __. EFFECTIVE UPON ENACTMENT. The section
 7 of this division of this Act appropriating moneys to
 8 the fire and police retirement fund, being deemed of
 9 immediate importance, takes effect upon enactment.>
 10 3. By renumbering as necessary.

ROBERT E. DVORSKY
 RICK BERTRAND
 JEFF DANIELSON
 KENT SORENSON

S-3205

1 Amend House File 471, as passed by the House, as
 2 follows:
 3 1. Page 1, before line 1 by inserting:
 4 <Section 1. Section 598.41A, Code 2013, is amended
 5 to read as follows:
 6 598.41A Visitation — history of crimes against a
 7 minor.
 8 Notwithstanding section 598.41, ~~the court shall~~
 9 ~~consider, in there is a rebuttable presumption that~~
 10 the award of visitation rights to a parent of a child;
 11 ~~the criminal history of the parent if the parent who~~
 12 has been convicted of a sex offense against a minor as
 13 defined in section 692A.101 is not in the best interest
 14 of the child.>
 15 2. Title page, line 1, after <to> by inserting

16 <parental rights, including the awarding of visitation
17 and>
18 3. By renumbering as necessary.

BILL ANDERSON
KENT SORENSON

S-3206

1 Amend House File 471, as passed by the House, as
2 follows:
3 1. Page 2, after line 1 by inserting:
4 <Sec. ____ Section 600A.8, Code 2013, is amended by
5 adding the following new subsection:
6 **NEW SUBSECTION.** 11. a. The parent is palpably
7 unfit to be a party to the parent-child relationship
8 as determined by a consistent pattern of specific
9 conduct or specific conditions directly relating to the
10 parent-child relationship which are determined by the
11 court to be of a duration or nature that renders the
12 parent unable, for the reasonably foreseeable future,
13 to provide the appropriate care and support for the
14 ongoing physical, mental, or emotional needs of the
15 child.
16 b. In making a determination that a parent is
17 palpably unfit, the court may consider any specific
18 conduct or specific conditions directly relating
19 to the parent-child relationship that the court
20 deems significant in rendering the parent unable
21 to provide the appropriate care and support for the
22 ongoing physical, mental, or emotional needs of the
23 child. Such conduct or conditions may include but
24 are not limited to the parent's history relating to a
25 substance-related disorder as defined in section 125.2
26 that results in the parent being a danger to self or
27 others as evidenced by prior acts; the parent's history
28 of domestic abuse assault pursuant to section 708.2A;
29 the parent's history of imprisonment for a felony
30 offense including any crime against a child; or the
31 parent's current imprisonment from which the parent is
32 unlikely to be released in five years or less.>
33 2. Title page, line 1, after <to> by inserting
34 <termination of parental rights proceedings including
35 grounds for termination of parental rights and>
36 3. By renumbering as necessary.

BRAD ZAUN

S-3207

1 Amend the amendment, S-3203, to House File 638, as
2 passed by the House, as follows:

3 1. Page 1, by striking lines 17 through 19 and
4 inserting:
5 <Of the amount appropriated in this lettered
6 paragraph, \$250,000 shall be allocated for the
7 disposition and relocation of structures located at 707
8 east locust and 709 east locust, Des Moines, Iowa.
9 Of the amount appropriated in this lettered
10 paragraph, \$1,800,000 shall be allocated for relocation
11 costs for moving employees out of the Wallace building
12 including moving costs and lease adjustments. As a
13 condition of this allocation, all employees currently
14 located in the Wallace building shall be relocated to a
15 new office location by December 31, 2013, pursuant to
16 the department's competitive bidding process for office
17 space.

18 Moneys appropriated in this lettered paragraph shall
19 not be used for the state historical building.>

20 2. Page 1, by striking lines 28 through 34 and
21 inserting:

22 <c. For costs associated with the planning and
23 design of the Wallace office building, including roof
24 repair:

25 FY 2013–2014	\$	500,000
26 FY 2014–2015	\$	3,900,000

27 Of the amount appropriated in this lettered
28 paragraph for FY 2013–2014, \$500,000 shall be allocated
29 for relocation costs for moving employees out of the
30 Wallace building including moving costs and lease
31 adjustments. As a condition of this allocation, all
32 employees currently located in the Wallace building
33 shall be relocated to a new office location by December
34 31, 2013, pursuant to the department's competitive
35 bidding process for office space.>

36 3. Page 4, by striking lines 35 through 39.

37 4. Page 4, line 40, by striking <d.> and inserting
38 <c.>

39 5. Page 10, line 20, by striking <\$15,000,000> and
40 inserting <\$20,000,000>

41 6. Page 10, line 25, by striking <RIFF> and
42 inserting <RIIF>

43 7. Page 10, line 27, by striking <RIFF> and
44 inserting <RIIF>

45 8. Page 22, after line 8 by inserting:
46 <Sec. ____ 2009 Iowa Acts, chapter 184, section
47 1, subsection 1, paragraph "c" is amended to read as
48 follows:

49 c. For costs associated with improvements to and
50 renovation of the Wallace building for extending the

Page 2

- 1 useful life of the building:
 2 \$ 1,500,000
 3 Of the amount appropriated in this lettered
 4 paragraph, \$800,000 shall be allocated for relocation
 5 costs for moving employees out of the Wallace building
 6 including moving costs and lease adjustments. As a
 7 condition of this allocation, all employees currently
 8 located in the Wallace building shall be relocated to a
 9 new office location by December 31, 2013, pursuant to
 10 the department's competitive bidding process for office
 11 space.>
 12 9. Page 22, by striking lines 31 through 44.
 13 10. Page 24, line 1, after <center> by inserting
 14 <Any design for a new state historical building shall
 15 be compatible and consistent with the historical design
 16 of all buildings on the capitol complex.>
 17 11. By renumbering as necessary.

MATT McCOY

S-3208

- 1 Amend the amendment, S-3203, to House File 638, as
 2 passed by the House, as follows:
 3 1. Page 18, by striking lines 30 through 35.
 4 2. By renumbering as necessary.

DAVID JOHNSON
 BILL ANDERSON
 RICK BERTRAND
 MARK SEGEBART
 JAKE CHAPMAN
 DENNIS GUTH
 KEN ROZENBOOM
 SANDRA GREINER
 NANCY J. BOETTGER
 DAN ZUMBACH
 HUBERT HOUSER
 JONI K. ERNST
 MICHAEL BREITBACH
 MARK CHELGREN
 AMY SINCLAIR
 RANDY FEENSTRA
 TIM L. KAPUCIAN
 JERRY BEHN

S-3209

- 1 Amend the amendment, S-3203, to House File 638, as
 2 passed by the House, as follows:

- 3 1. Page 5, after line 46 by inserting:
 4 <g. For improvements for the U.S. highway 20
 5 expansion project in northwest Iowa, notwithstanding
 6 section 8.57, subsection 5, paragraph “c”:
 7 FY 2013–2014
 8 \$ 25,000,000>
 9 2. Page 10, after line 20 by inserting:
 10 <Sec. ____ GENERAL FUND FY 2013 TRANSFER. In
 11 addition to the amount transferred in this division of
 12 this Act, there is transferred from the general fund of
 13 the state to the rebuild Iowa infrastructure fund for
 14 the fiscal year beginning July 1, 2012, and ending June
 15 30, 2013, the amount of \$25,000,000.>
 16 3. By renumbering as necessary.

RICK BERTRAND
 BILL ANDERSON
 MARK SEGEBART
 NANCY J. BOETTGER

S-3210

HOUSE AMENDMENT TO SENATE FILE 296

- 1 Amend Senate File 296, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:
 5 <DIVISION I
 6 HEALTHY IOWA PLAN
 7 Section 1. NEW SECTION. 249N.1 Title.
 8 This chapter shall be known and may be cited as the
 9 “Healthy Iowa Plan”.
 10 Sec. 2. NEW SECTION. 249N.2 Definitions.
 11 As used in this chapter, unless the context
 12 otherwise requires:
 13 1. “Accountable care organization” means a
 14 risk-bearing, integrated health care organization
 15 characterized by a payment and care delivery model that
 16 ties provider reimbursement to quality metrics and
 17 reductions in the total cost of care for an attributed
 18 population of patients.
 19 2. “Affordable Care Act” or “federal Act” means the
 20 federal Patient Protection and Affordable Care Act,
 21 Pub. L. No. 111-148 as amended by the federal Health
 22 Care and Education Reconciliation Act of 2010, Pub. L.
 23 No. 111-152.
 24 3. “Clean claim” means a claim submitted by a
 25 healthy Iowa plan provider that may be adjudicated as
 26 paid or denied.
 27 4. “Covered benefits” means reimbursable health

28 care services as specified in section 249N.6.
29 5. "Department" means the department of human
30 services.
31 6. "Director" means the director of human services.
32 7. "Essential health benefits" means essential
33 health benefits as defined in section 1302 of the
34 Affordable Care Act, that include at least the general
35 categories and the items and services covered within
36 the categories of ambulatory patient services;
37 emergency services; hospitalization; maternity and
38 newborn care; mental health and substance use disorder
39 services, including behavioral health treatment;
40 prescription drugs; rehabilitative and habilitative
41 services and devices; laboratory services; preventive
42 and wellness services and chronic disease management;
43 and pediatric services, including oral and vision care.
44 8. "Federal approval" means approval by the centers
45 for Medicare and Medicaid services of the United States
46 department of health and human services.
47 9. "Federal poverty level" means the most recently
48 revised poverty income guidelines published by the
49 United States department of health and human services.
50 10. "Full benefits recipient" means an adult who is

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1 eligible for full medical assistance benefits pursuant
2 to chapter 249A under any category of eligibility.
3 11. "Healthy Iowa plan" or "plan" means the healthy
4 Iowa plan established under this chapter.
5 12. "Healthy Iowa plan provider" means any provider
6 enrolled in the medical assistance program or any
7 participating accountable care organization.
8 13. "Healthy Iowa plan provider network" means the
9 health care delivery network approved by the department
10 for healthy Iowa plan members.
11 14. "Medical assistance program" or "Medicaid" means
12 the program paying all or part of the costs of care and
13 services provided to an individual pursuant to chapter
14 249A and Tit. XIX of the federal Social Security Act.
15 15. "Medicare" means the federal Medicare program
16 established pursuant to Tit. XVIII of the federal
17 Social Security Act.
18 16. "Member" means an individual who meets the
19 eligibility requirements of section 249N.5 and is
20 enrolled in the healthy Iowa plan.
21 17. "My health rewards account" means an account
22 established by the department pursuant to section
23 249N.9 on behalf of a member to contain contributions
24 from the member, financial incentives earned by the
25 member, and other payments made by the plan, to be used
26 by the member for payment of required contributions,

27 cost-sharing, and health improvements.

28 18. "Participating accountable care organization"
29 means an accountable care organization approved by the
30 department to participate in the healthy Iowa plan
31 provider network.

32 19. "Preventive care services" means care that is
33 provided to an individual to promote health, prevent
34 disease, or diagnose disease.

35 20. "Primary medical provider" means the primary
36 care provider chosen by a member or to whom a member
37 is assigned to provide and manage the member's primary
38 care and to provide referrals, as necessary and
39 required by the healthy Iowa plan, to other healthy
40 Iowa plan providers.

41 21. "Value-based reimbursement" means a payment
42 methodology that links provider reimbursement to
43 improved performance by health care providers by
44 holding health care providers accountable for both the
45 cost and quality of care provided.

46 Sec. 3. NEW SECTION. 249N.3 Purpose —
47 establishment of healthy Iowa plan.

48 1. The purpose of this chapter is to establish and
49 administer a healthy Iowa plan to promote increased
50 access to health care, quality health care outcomes,

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1 and the use of personal responsibility mechanisms that
2 encourage individuals with incomes at or below one
3 hundred percent of the federal poverty level to be
4 cost-conscious consumers of health care and to exhibit
5 healthy behaviors.

6 2. The healthy Iowa plan is established within the
7 medical assistance program and shall be administered by
8 the department. Except as otherwise specified in this
9 chapter, the rules applicable to the medical assistance
10 program pursuant to chapter 249A shall be applicable
11 to the healthy Iowa plan.

12 3. The department may contract with a third-party
13 administrator to provide eligibility determination
14 support, and to administer enrollment, member
15 outreach, my health rewards account services, and other
16 components of the healthy Iowa plan.

17 Sec. 4. NEW SECTION. 249N.4 Federal financial
18 participation — limitations of program.

19 1. This chapter shall be implemented only to the
20 extent that federal matching funds are available for
21 nonfederal expenditures under this chapter. Except as
22 otherwise provided in section 249N.11, the department
23 shall not expend funds under this chapter, including
24 but not limited to expenditures for reimbursement of
25 providers and program administration, if appropriated

26 nonfederal funds are not matched by federal financial
27 participation.

28 2. Enrollment in the healthy Iowa plan may be
29 limited, closed, or reduced and the scope and duration
30 of services provided under the healthy Iowa plan may
31 be limited, reduced, or terminated if the department
32 determines that federal financial participation or
33 appropriated nonfederal funds will not be available to
34 pay for existing or additional enrollment costs.

35 3. The provisions of this chapter shall not be
36 construed, are not intended as, and shall not imply a
37 grant of entitlement to services for individuals who
38 are eligible for covered benefits under this chapter
39 or for utilization of services that do not exist or
40 are not otherwise available under this chapter. Any
41 state obligation to provide covered benefits pursuant
42 to this chapter is limited to the extent of the funds
43 appropriated or distributed for the purposes of this
44 chapter.

45 4. The provisions of this chapter shall not be
46 construed and are not intended to affect the provision
47 of services to medical assistance program recipients
48 existing on January 1, 2014.

49 Sec. 5. NEW SECTION. 249N.5 Healthy Iowa plan —
50 eligibility.

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1 1. Except as otherwise provided in this chapter,
2 an individual nineteen through sixty-four years of age
3 shall be eligible for covered benefits specified in
4 this chapter when provided through the healthy Iowa
5 plan provider network as described in this chapter, if
6 the individual meets all of the following conditions:
7 a. The individual meets the citizenship or alienage
8 requirements of the medical assistance program, is a
9 resident of Iowa, and provides a social security number
10 upon application for the plan.
11 b. The individual has household income at or below
12 one hundred percent of the federal poverty level.
13 Household income shall be determined using the modified
14 adjusted gross income methodology pursuant to section
15 2002 of the Affordable Care Act.

16 c. The individual fulfills all other conditions
17 of participation in the healthy Iowa plan, including
18 member financial participation pursuant to section
19 249N.8.

20 2. The following individuals are not eligible for
21 the healthy Iowa plan:

22 a. An individual eligible as a full benefits
23 recipient under the medical assistance program.
24 b. An individual who is entitled to or enrolled

25 for Medicare benefits under part A, or is enrolled for
26 Medicare benefits under part B, of Tit. XVIII of the
27 federal Social Security Act.

28 c. An individual who is pregnant and otherwise
29 eligible for the medical assistance program pursuant to
30 section 249A.3.

31 d. An individual who has access to affordable
32 employer-sponsored health care coverage, as defined by
33 rule of the department to align with rules adopted by
34 the federal internal revenue service under the federal
35 Affordable Care Act.

36 3. a. Each applicant for the healthy Iowa
37 plan shall provide to the department all insurance
38 information required by the health insurance premium
39 payment program in accordance with rules adopted by the
40 department.

41 b. The department may elect to pay the
42 cost of premiums for applicants with access
43 to employer-sponsored health care coverage if
44 the department determines such payment to be
45 cost-effective.

46 c. Eligibility for the healthy Iowa plan is a
47 qualifying event under the federal Health Insurance
48 Portability and Accountability Act of 1996, Pub. L. No.
49 104-191.

50 d. If premium payment is provided under this

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1 subsection for employer-sponsored health care coverage,
2 the healthy Iowa plan shall supplement such coverage
3 as necessary to provide the covered benefits specified
4 under section 249N.6.

5 4. The department shall implement the healthy Iowa
6 plan in a manner that ensures that the healthy Iowa
7 plan is the payor of last resort.

8 5. A member is eligible for coverage effective
9 the first day of the month following the month of
10 application for enrollment.

11 6. Following initial enrollment, a member is
12 eligible for covered benefits for twelve months,
13 subject to program termination and other limitations
14 otherwise specified in this chapter. The department
15 shall review the member's eligibility on at least an
16 annual basis.

17 Sec. 6. NEW SECTION. 249N.6 Healthy Iowa plan —
18 covered benefits.

19 Members shall receive coverage for benefits pursuant
20 to 42 U.S.C. § 1396u-7(b)(1)(B), adjusted as necessary
21 to provide the essential health benefits required
22 pursuant to section 1302 of the federal Act, and
23 including habilitation services consistent with the

24 state medical assistance program section 1915I waiver.
25 Sec. 7. NEW SECTION. 249N.7 Healthy Iowa plan
26 provider network.

27 1. The department shall develop a regionalized
28 healthy Iowa plan provider network statewide.

29 2. The healthy Iowa plan provider network shall
30 include all providers enrolled in the medical
31 assistance program and participating accountable care
32 organizations. Reimbursement under this chapter shall
33 only be made to such healthy Iowa plan providers for
34 covered benefits.

35 3. a. Upon enrollment, a member shall choose a
36 primary medical provider within the healthy Iowa plan
37 provider network.

38 b. If the member does not choose a primary medical
39 provider, the department shall assign the member to
40 a primary medical provider in accordance with the
41 mandatory enrollment provisions specified in rules
42 adopted by the department pursuant to chapter 249A
43 and in accordance with quality data available to the
44 department.

45 c. The department shall develop a mechanism for
46 primary medical providers and participating accountable
47 care organizations within a region to jointly
48 facilitate member care coordination.

49 4. a. The healthy Iowa plan provider network shall
50 include at least one participating accountable care

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1 organization per region with which the department shall
2 contract to ensure the coordination and management
3 of the health of the members within the region, to
4 produce improved health care quality, and to control
5 overall cost. The department shall contract with the
6 acute care teaching hospital located in a county with
7 a population over three hundred fifty thousand to act
8 as a participating accountable care organization within
9 the region specified by the department.

10 b. The department shall establish the
11 qualifications, contracting processes, and
12 contract terms for a participating accountable care
13 organization. The department shall also establish
14 a methodology for attribution of a specified member
15 population to the participating accountable care
16 organization.

17 c. A participating accountable care organization
18 contract shall establish accountability based on
19 quality performance and total cost of care metrics for
20 the attributed population. The metrics shall include
21 but are not limited to risk sharing, including both
22 shared savings and shared costs, between the state and

23 the participating accountable care organization.
24 d. The department shall ensure that payments made
25 to participating accountable care organizations do not
26 exceed available funds in the healthy Iowa account
27 created in section 249N.11.
28 e. The participating accountable care organization
29 shall provide access by members to primary medical
30 providers within thirty miles or thirty minutes of a
31 member's residence, unless such access is technically
32 infeasible.
33 5. To the extent possible, members shall have
34 a choice of providers within the healthy Iowa plan
35 provider network, subject to the results of attribution
36 under this section and subject to all of the following:
37 a. Member choice may be limited by the
38 participating accountable care organization, with prior
39 approval of the department, if the member's health
40 condition would benefit from limiting the member's
41 choice of a healthy Iowa plan provider to ensure
42 coordination of services, or due to overutilization of
43 covered benefits. The participating accountable care
44 organization shall provide thirty days' notice to the
45 member prior to limitation of such choice.
46 b. The department may require that access to
47 services not provided through the participating
48 accountable care organization be subject to prior
49 authorization by the participating accountable care
50 organization, if such prior authorization is projected

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1 to improve health care delivery in the region.
2 6. a. A healthy Iowa plan provider shall submit
3 clean claims within twenty days of the date of
4 provision of a covered benefit to a member.
5 b. A healthy Iowa plan provider shall be reimbursed
6 for covered benefits under the healthy Iowa plan
7 utilizing the same reimbursement methodology as
8 that applicable to individuals eligible for medical
9 assistance under section 249A.3, subsection 1.
10 c. Notwithstanding paragraph "b", a participating
11 accountable care organization under contract with the
12 department shall be reimbursed utilizing a value-based
13 reimbursement methodology.
14 7. a. Healthy Iowa plan providers shall exchange
15 member health information as provided by rule to
16 facilitate coordination and management of care,
17 improved health outcomes, and reduction in costs.
18 b. The department shall provide the health care
19 claims data of attributed members to a member's
20 participating accountable care organization on a
21 timeframe established by rule of the department.

22 Sec. 8. NEW SECTION. 249N.8 Member financial
23 participation.

24 1. Membership in the healthy Iowa plan shall
25 require payment of a monthly contribution and
26 cost-sharing amounts, annually, that align with the
27 cost-sharing limitations requirements for American
28 health benefit exchanges under the Affordable Care
29 Act. Copayments under the healthy Iowa plan shall
30 be applicable only to nonemergency use of a hospital
31 emergency department. Contribution and cost-sharing
32 amounts, including an annual deductible, shall be
33 established by rule of the department.

34 2. a. Even though a member is eligible for
35 coverage effective the first day of the month following
36 the month of application for enrollment, claims for
37 covered benefits shall not be paid until the initial
38 monthly contribution payment is made by the member.
39 If the initial monthly contribution payment is made
40 within sixty days of the eligibility date, claims for
41 covered benefits are payable from the effective date
42 of eligibility.

43 b. Timely payment of monthly contributions,
44 within sixty days of the date the payment is due, is
45 a condition of membership. A member who does not
46 make such timely payment is subject to disenrollment
47 from the plan, following notice from the department.
48 Following such disenrollment, an individual is not
49 eligible for reapplication for membership in the plan
50 for twelve months from the date of disenrollment.

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1 c. A member may request a hardship exemption if
2 a hardship would accrue from imposing payment of the
3 monthly contribution. Information regarding the
4 contribution obligation and the hardship exemption,
5 including the process by which a prospective member may
6 apply for the hardship exemption, shall be provided to
7 a prospective member at the time of application for
8 enrollment.

9 3. Any required member contributions or
10 cost-sharing that are unpaid are a debt owed the state.

11 Sec. 9. NEW SECTION. 249N.9 My health rewards
12 accounts.

13 1. The department shall establish a my health
14 rewards account for each healthy Iowa plan member.

15 2. The plan shall deposit all of the following in a
16 member's health rewards account:

17 a. All member contributions collected under section
18 249N.8.

19 b. Financial incentive payments paid by the plan,
20 annually, for the member's completion of a health risk

21 assessment, completion of an annual physical, receipt
22 of preventive services specified by the plan, or the
23 entering into by a member of a health responsibility
24 and self-sufficiency agreement, as specified by rule of
25 the department.

26 c. A payment paid by the plan upon initial
27 enrollment and annually thereafter, of an amount that
28 is the difference between the sum of the required
29 contributions made by the member plus the financial
30 incentive amounts paid by the plan, and the total
31 annual deductible for the member as established by
32 rule.

33 3. The moneys in a member's account shall only be
34 distributed from the account and used to improve the
35 health of the member as specified by rule based on best
36 practices. Such uses may include but are not limited
37 to payment for smoking cessation services or nutrition
38 counseling, or payment of required contributions or
39 cost-sharing amounts, exclusive of copayments for
40 nonemergency use of a hospital emergency department.
41 A member's deductible amount under the plan shall be
42 debited against the member's account annually.

43 4. If a member demonstrates an established pattern
44 of failure to pay required contribution or cost-sharing
45 amounts, or a pattern of inappropriate use of emergency
46 department or covered benefits, the member may be
47 subject to forfeiture of the funds in the account,
48 following notice from the department.

49 5. Any funds remaining in a member's my health
50 rewards account annually at the end of a twelve-month

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1 enrollment period are subject to the following:

2 a. If the member renews enrollment, the funds
3 shall remain in the account to be used to defray the
4 costs of the member's contributions and cost-sharing
5 requirements in the subsequent enrollment period.
6 However, if the member did not complete the preventive
7 care services specified by the plan during the prior
8 enrollment period, any portion of the remaining amount
9 paid by the plan shall not be used to defray the
10 costs of the member's contributions or cost-sharing
11 requirements in the subsequent enrollment period.

12 b. If an individual is no longer eligible for
13 the plan, does not reenroll in the plan, or is
14 terminated from the plan for nonpayment of required
15 contributions or cost-sharing amounts, the plan shall
16 refund a prorated amount of the member's contributions
17 as determined by rule of the department, less any
18 outstanding contributions or cost-sharing owed by the
19 member, to the individual within sixty days of such

occurrence. Any portion of the remaining amount in the account paid by the plan shall revert to the healthy Iowa account.

Sec. 10. NEW SECTION. 249N.10 Funding — county and county hospital contributions — certified public expenditures.

1. Notwithstanding any provision to the contrary relating to the taxes levied by a county pursuant to section 331.424A for which the collection is performed after January 1, 2014, the county treasurer of each county shall distribute thirty-seven and eighty-four hundredths percent of the maximum amount authorized to be levied and collected pursuant to section 331.424A, to the treasurer of state for deposit in the healthy Iowa account created in section 249N.11. One-half of the total amount specified under this subsection shall be distributed by each county treasurer to the treasurer of state by October 15, and one-half of the total amount shall be distributed to the treasurer of state by April 15, annually.

2. Notwithstanding any provision to the contrary, for the collection of taxes levied under section 347.7, for which the collection is performed after January 1, 2014, the county treasurer of a county with a population over three hundred fifty thousand in which a publicly owned acute care teaching hospital is located shall distribute the proceeds collected pursuant to section 347.7, in a total amount of forty-two million dollars annually, which would otherwise be distributed to the county hospital, to the treasurer of state for deposit in the healthy Iowa account created in section

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249N.11 as follows:

a. The first nineteen million dollars in collections pursuant to section 347.7, between July 1 and December 31 annually, shall be distributed to the treasurer of state for deposit in the healthy Iowa account and collections during this time period in excess of nineteen million dollars shall be distributed to the acute care teaching hospital identified in this subsection. In addition, of the collections during this time period in excess of nineteen million dollars received by the acute care teaching hospital, two million dollars shall be distributed by the acute care teaching hospital to the treasurer of state for deposit in the healthy Iowa account in the month of January following the July 1 through December 31 period.

b. The first nineteen million dollars in collections pursuant to section 347.7, between January 1 and June 30 annually, shall be distributed to the

19 treasurer of state for deposit in the healthy Iowa
20 account and collections during this time period in
21 excess of nineteen million dollars shall be distributed
22 to the acute care teaching hospital identified in
23 this subsection. In addition, of the collections
24 during this time period in excess of nineteen million
25 dollars received by the acute care teaching hospital,
26 two million dollars shall be distributed by the acute
27 care teaching hospital to the treasurer of state for
28 deposit in the healthy Iowa account in the month of
29 July following the January 1 through June 30 period.
30 3. In addition to the funding specified in this
31 section, the university of Iowa hospitals and clinics
32 shall certify public expenditures in an amount equal to
33 provide the nonfederal share of total expenditures not
34 to exceed thirty million dollars annually.
35 4. The distribution of county hospital funds to the
36 treasurer of state required under this section shall
37 not be the basis for an increase in the amount levied
38 and a county hospital shall not thereby increase the
39 amount levied pursuant to section 347.7.
40 Sec. 11. NEW SECTION. 249N.11 Healthy Iowa
41 account.
42 1. A healthy Iowa account is created in the state
43 treasury under the authority of the department. Moneys
44 appropriated from the general fund of the state to the
45 account, proceeds distributed from county treasurers as
46 specified in section 249N.10, and moneys from any other
47 source credited to the account shall be deposited in
48 the account. Moneys deposited in or credited to the
49 account are appropriated to the department of human
50 services to be used for the purposes of the healthy

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1 Iowa plan including administration of the plan and to
2 provide nonfederal matching funds for the healthy Iowa
3 plan, as specified in this chapter. An amount shall
4 be appropriated from the account to the county with a
5 population over three hundred fifty thousand in which a
6 publicly owned acute care teaching hospital is located,
7 annually, to offset any difference between the amount
8 of proceeds required to be distributed by the county
9 treasurer to the account and the actual amount received
10 by the hospital in reimbursements through the healthy
11 Iowa plan in the preceding fiscal year.
12 2. The account shall be separate from the general
13 fund of the state and shall not be considered part
14 of the general fund of the state. The moneys in
15 the account shall not be considered revenue of the
16 state, but rather shall be funds of the account.
17 The moneys in the account are not subject to

18 section 8.33 and shall not be transferred, used,
19 obligated, appropriated, or otherwise encumbered,
20 except to provide for the purposes of this chapter.
21 Notwithstanding section 12C.7, subsection 2, interest
22 or earnings on moneys deposited in the account shall
23 be credited to the account.
24 3. The department shall adopt rules pursuant to
25 chapter 17A to administer the account.
26 Sec. 12. NEW SECTION. 249N.12 Adoption of rules —
27 sole-source administration — reports.
28 1. The department shall adopt rules pursuant to
29 chapter 17A as necessary to administer this chapter.
30 The department may adopt emergency rules under section
31 17A.4, subsection 3, and section 17A.5, subsection 2,
32 paragraph “b”, as necessary for the administration
33 of this chapter and the rules shall become effective
34 immediately upon filing or on a later effective date
35 specified in the rules, unless the effective date is
36 delayed by the administrative rules review committee.
37 Any rules adopted in accordance with this section
38 shall not take effect before the rules are reviewed
39 by the administrative rules review committee. The
40 delay authority provided to the administrative rules
41 review committee under section 17A.4, subsection 7, and
42 section 17A.8, subsection 9, shall be applicable to a
43 delay imposed under this section, notwithstanding a
44 provision in those sections making them inapplicable
45 to section 17A.5, subsection 2, paragraph “b”. Any
46 rules adopted in accordance with the provisions of this
47 section shall also be published as notice of intended
48 action as provided in section 17A.4.
49 2. Notwithstanding section 8.47 or any other
50 provision of law to the contrary, the department may

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1 utilize a sole-source approach to administer this
2 chapter.
3 3. The department shall submit all of the following
4 to the governor and the generally assembly:
5 a. Biennially, a report of the results of a review,
6 by county and region, of mental health services
7 previously funded through taxes levied by counties
8 pursuant to section 331.424A, that are funded during
9 the reporting period under the healthy Iowa plan.
10 b. Annually, a report of the results of a review
11 of the outcomes and effectiveness of mental health
12 services provided under the healthy Iowa plan.
13 c. Annually, an analysis of whether the amount
14 distributed by each county to the treasurer of
15 state pursuant to section 249N.10, subsection 1, is
16 commensurate with the cost of mental health services

17 being provided under the healthy Iowa plan.

18 Sec. 13. Section 249J.26, subsection 2, Code 2013,
19 is amended to read as follows:

20 2. This chapter is repealed ~~October~~ December 31,
21 2013.

22 Sec. 14. HEALTHY IOWA ACCOUNT — APPROPRIATION FROM
23 GENERAL FUND — FY 2013–2014. There is appropriated
24 from the general fund of the state to the department of
25 human services for the fiscal year beginning July 1,
26 2013, and ending June 30, 2014, the following amount
27 or so much thereof as is necessary for the purposes
28 designated:

29 For deposit in the healthy Iowa account created in
30 section 249N.11, as enacted in this division of this
31 Act, to be used for the purposes of the account:

32 \$ 23,000,000

33 Sec. 15. MEDICAL ASSISTANCE APPROPRIATION
34 — TRANSFER TO THE HEALTHY IOWA ACCOUNT — FY

35 2013–2014. Of the funds appropriated to the department
36 of human services from the general fund of the state
37 for the fiscal year beginning July 1, 2013, and ending
38 June 30, 2014, for the medical assistance program,
39 \$35,500,000 is transferred to the healthy Iowa account
40 created in section 249N.11, as enacted in this division
41 of this Act, for the purposes of the account.

42 Sec. 16. DIRECTIVE TO DEPARTMENT OF HUMAN
43 SERVICES. Upon enactment of this division of this
44 Act, the department of human services shall request
45 federal approval of a medical assistance section 1115
46 demonstration waiver to implement this division of this
47 Act effective January 1, 2014.

48 Sec. 17. EFFECTIVE UPON ENACTMENT AND CONTINGENT
49 IMPLEMENTATION.

50 1. This division of this Act, being deemed of

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1 immediate importance, takes effect upon enactment.
2 However, the department of human services shall
3 implement this division of this Act effective January
4 1, 2014, contingent and only upon receipt of federal
5 approval of the waiver request submitted under this
6 division of this Act.

7 2. Notwithstanding subsection 1, if any portion
8 of the waiver is denied or if federal approval or
9 financial participation relative to any portion of the
10 waiver is denied, the department shall only implement
11 this division of this Act in accordance with both of
12 the following:

13 a. To the extent that federal approval is received
14 and federal financial participation is available.

15 b. To the extent federal approval is not required

and federal participation is not applicable.
3. The distributions of taxes levied pursuant to section 331.424A and distributed by each county treasurer to the treasurer of state pursuant to section 249N.10 and the distribution of taxes levied pursuant to section 347.7 and distributed by the county treasurer of a county with a population over three hundred fifty thousand in which a publicly owned acute care teaching hospital is located to the treasurer of state pursuant to section 249N.10, shall not be distributed until the department of human services has received federal approval of the waiver request submitted under this division of this Act.

DIVISION II

MEDICAL MALPRACTICE ACTIONS

Sec. 18. Section 147.139, Code 2013, is amended to read as follows:

147.139 Expert witness ~~testimony~~ — standards.

1. If the standard of care given by a physician and surgeon or an osteopathic physician and surgeon licensed pursuant to chapter 148, or a dentist licensed pursuant to chapter 153, is at issue, the court shall only allow a person to qualify as an expert witness and to testify on the issue of the appropriate standard of care ~~if the person's medical or dental qualifications relate directly to the medical problem or problems at issue and the type of treatment administered in the case, breach of the standard of care, or proximate cause of any damages or injury as a result of said breach if all of the following qualifications of the person are established:~~

a. The person is licensed to practice medicine, osteopathic medicine, or dentistry and in the five years preceding the allegedly negligent act, was engaged in the active practice of medicine, osteopathic

medicine, or dentistry, or was a qualified instructor at an accredited university of medicine and surgery, osteopathic medicine and surgery, or dentistry.

b. The person practices or provides university instruction in the same or substantially similar specialty as the defendant.

c. If the defendant is board-certified in a specialty, the person is also certified in that specialty by a board recognized by the American board of medical specialties or the American osteopathic association and is licensed and in good standing in each state of licensure, and has not had the person's license revoked or suspended in the past five years.

2. A person who is not licensed in this state who

15 testifies pursuant to this section as an expert against
16 a defendant, whether in contract or tort arising out
17 of the provision of or failure to provide care, shall
18 be deemed to hold a temporary license to practice in
19 this state for the purpose of providing such testimony
20 and shall be subject to the authority of the applicable
21 licensing board in this state including but not limited
22 to section 147.55.
23 Sec. 19. NEW SECTION. 147.140 Malpractice review
24 panels.
25 1. For the purpose of this section, "health care
26 provider" means a physician and surgeon, osteopathic
27 physician and surgeon, dentist, podiatric physician,
28 optometrist, pharmacist, chiropractor, physician
29 assistant, advanced registered nurse practitioner, or
30 nurse licensed pursuant to this chapter, a facility
31 certified as an ambulatory surgical center under the
32 federal Medicare program, a hospital licensed pursuant
33 to chapter 135B, or a health care facility licensed
34 pursuant to chapter 135C.
35 2. a. Immediately after the filing of any action
36 for personal injury or wrongful death against any
37 health care provider based upon the alleged negligence
38 of the licensee in the practice of that profession
39 or occupation, or upon the alleged negligence of a
40 facility certified as an ambulatory surgical center
41 under the federal Medicare program, hospital, or
42 health care facility in patient care and the answer
43 thereto by all named defendants, the chief judge of
44 the judicial district within which the action is filed
45 shall select a person pursuant to subsection 4 to serve
46 as chairperson of a malpractice review panel to review
47 the validity of the action.
48 b. Upon the selection of the chairperson, all legal
49 proceedings in the malpractice action shall be stayed
50 until thirty days after the malpractice review panel

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1 issues its findings under subsection 13.
2 3. a. The chairperson selected pursuant to
3 subsection 2 shall serve as a nonvoting member of the
4 malpractice review panel.
5 b. The chairperson shall select the members of the
6 malpractice review panel pursuant to subsection 6.
7 4. a. All of the following persons shall be
8 eligible to serve on a review panel:
9 (1) Retired judges, and senior judges and retired
10 senior judges as defined in section 602.9202.
11 (2) Health care providers and attorneys recommended
12 by their respective professions to serve on malpractice
13 review panels pursuant to this section. As a condition

14 of licensure as a health care provider or as an
15 attorney in this state, a health care provider or
16 attorney selected to serve on a malpractice review
17 panel shall be required to serve if so selected.
18 (3) Residents of this state who are neither
19 attorneys nor health care providers.
20 b. For purposes of selecting members of a
21 malpractice review panel, the clerk of the supreme
22 court shall maintain a list of persons identified in
23 paragraph "a", subparagraphs (1) and (2). Persons
24 identified in paragraph "a", subparagraph (3), shall be
25 selected from a current jury pool.
26 5. a. The chairperson of the malpractice review
27 panel shall be compensated. If the chairperson is
28 receiving compensation for the chairperson's service
29 on the review panel pursuant to section 602.1612, the
30 chairperson shall not receive additional compensation
31 for serving on the review panel.
32 b. A resident of this state who is neither an
33 attorney nor a health care provider who is selected as
34 a member of a review panel shall receive fifty dollars
35 per day for participating in hearings and deliberations
36 relating to service on the review panel.
37 c. All members of a review panel shall be
38 reimbursed for travel expenses.
39 6. a. Within ten days of receipt of the
40 notification of selection as chairperson of the
41 malpractice review panel, the chairperson shall select
42 the following persons to serve as members of the
43 malpractice review panel for the particular malpractice
44 action as follows:
45 (1) An attorney licensed to practice law in this
46 state.
47 (2) A health care provider licensed in this state.
48 (3) A resident of this state who is neither an
49 attorney nor a health care provider.
50 b. A person who is not referred to in paragraph "a"

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1 may be selected to serve on the review panel if agreed
2 to by all parties to the malpractice action.
3 7. a. Within thirty days of convening the
4 malpractice review panel, a party to the proceedings
5 shall produce to all other parties all medical and
6 health care provider records within the possession
7 or control of the party pertaining to the plaintiff
8 regardless of whether the party believes such records
9 are relevant to the proceedings.
10 b. The chairperson may permit reasonable discovery,
11 and if so allowed, shall determine a timetable for any
12 additional discovery prior to the hearing before the

13 malpractice review panel. Depositions of persons other
14 than the parties and experts designated by the parties
15 shall not be taken except for good cause shown by the
16 party requesting the deposition.

17 c. The chairperson shall have the power to issue
18 subpoenas for both discovery and compulsion of
19 testimony in the same manner and method as the district
20 court.

21 d. The chairperson shall also determine a date by
22 which the plaintiff must submit a certificate-of-merit
23 affidavit as provided in subsection 8 for each
24 defendant the plaintiff intends to call as a witness to
25 testify with respect to the issues of the applicable
26 standard of care, breach of the applicable standard of
27 care, or causation.

28 8. a. A plaintiff shall submit a separate
29 certificate-of-merit affidavit for each defendant named
30 in the malpractice action. The affidavit submitted
31 for each defendant must be signed by an expert. The
32 affidavit must certify under the oath of the expert all
33 of the following:

34 (1) The expert's statement of familiarity with the
35 applicable standard of care.

36 (2) The expert's statement that the standard of
37 care was breached by the health care provider named as
38 the defendant.

39 (3) The expert's statement of the actions that the
40 health care provider failed to take or should have
41 taken to comply with the standard of care.

42 (4) The expert's statement of the manner by which
43 the breach of the standard of care was the cause of the
44 injury alleged in the petition.

45 b. A single expert need not certify all of the
46 elements in paragraph "a" in regard to one particular
47 defendant, however, each of the elements must be
48 certified by an expert in regard to each defendant.

49 c. If a plaintiff fails to submit a
50 certificate-of-merit affidavit within the time

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1 period determined by the chairperson, the chairperson
2 shall file a motion with the district court to dismiss
3 the plaintiff's malpractice action with regard to the
4 defendant for which the certificate-of-merit affidavit
5 was not submitted. The district court shall then
6 dismiss with prejudice the plaintiff's malpractice
7 action against the defendant.

8 9. a. Within six months from the date all members
9 of the malpractice review panel were appointed, unless
10 the time period has been extended by the chairperson
11 for good cause shown by a requesting party, the

chairperson of the review panel shall hold a hearing of the full review panel to review the plaintiff's claims and the defendant's defenses. In no event shall any extension cause the hearing to occur more than one year after all review panel members were appointed.

b. Except as otherwise provided in this subsection, one combined hearing or hearings shall be held for all claims under this section arising out of the same malpractice action. If the malpractice action includes more than one defendant, the parties may, upon agreement of all parties, require that separate hearings be held for each defendant or group of defendants. The chairperson may, for good cause shown, order separate hearings.

10. At the hearing before the malpractice review panel, all parties who are natural persons shall be personally present and all entity parties shall have a representative present with responsibility for the subject matter that is the subject of the malpractice action. If a plaintiff fails to appear at the hearing, the chairperson shall file a motion with the district court to dismiss the plaintiff's action with prejudice, and the court shall grant the motion. If the defendant fails to appear at the hearing, the defendant shall be precluded from presenting any evidence or making any presentation before the malpractice review panel or at any subsequent trial. The absence of a party or an entity's representative may be excused by the chairperson for good cause shown.

11. At the hearing before the malpractice review panel, the plaintiff shall present the plaintiff's case to the review panel and each defendant shall present the defendant's case in response to the plaintiff's presentation. Wide latitude shall be afforded the parties in the conduct of the hearing including but not limited to the right of examination and cross-examination of witnesses by attorneys for the parties. Depositions allowed to be taken under subsection 7 shall be admissible regardless of whether

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the person deposed is available at the hearing. The Iowa rules of civil procedure shall not apply at the hearing, and evidence may be admitted if such evidence is evidence upon which reasonable persons are accustomed to rely. The chairperson shall make all procedural rulings and such rulings shall be binding and final. The hearing shall be recorded either electronically or by a court reporter. The cost of recording the hearing shall be equally divided among the parties. The record of the proceedings and all

11 documents presented as exhibits shall be confidential
12 except in the following circumstances:
13 a. Any testimony or writings made under oath may
14 be used in subsequent proceedings for purposes of
15 impeachment.
16 b. The party who made a statement or presented
17 evidence agrees to the submission, use, or disclosure
18 of the statement or evidence.
19 c. The parties unanimously agree upon disclosure of
20 any part of the record or proceedings.
21 12. Upon the conclusion of the hearing, the
22 malpractice review panel may request from any party
23 additional evidence, records, or other information to
24 be submitted in writing or at a continuation of the
25 hearing. A continued hearing shall be held as soon as
26 possible. A continued hearing shall be attended by
27 the same review panel members and parties who attended
28 the initial hearing, unless otherwise agreed to by all
29 parties.
30 13. The malpractice review panel shall issue its
31 findings in writing within thirty days of submission of
32 all presentations and evidence.
33 a. The review panel's findings shall contain
34 answers to all of the following questions:
35 (1) Whether the acts or omissions complained of
36 constitute a deviation from the applicable standard
37 of care by the health care provider charged with such
38 care.
39 (2) If the acts or omissions complained of are
40 found to have constituted a deviation from the
41 applicable standard of care, whether the acts or
42 omissions complained of proximately caused the injury
43 complained of.
44 (3) If negligence on the part of a health care
45 provider is found, whether any negligence on the part
46 of the plaintiff was equal to or greater than the
47 negligence of the health care provider.
48 b. The review panel shall make any affirmative
49 finding by a preponderance of the evidence.
50 c. With regard to each question, the review

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1 panel's findings with regard to each question shall be
2 determined by a majority of the panel members. The
3 determination of the answer to any question by any
4 individual review panel member shall be confidential
5 and shall not be disclosed to any party or other member
6 of the public. The findings shall reflect the number
7 of review panel members making a determination of an
8 answer in the affirmative and in making a determination
9 of an answer in the negative. The findings, including

the cumulative determinations in the affirmative and the negative for each answer, shall be signed by all review panel members, with each review panel member attesting that the written findings accurately reflect the determinations made.

d. The chairperson of the review panel shall serve the findings upon the parties within seven days of the date of the findings. The review panel's written findings shall be preserved until thirty days after final judgment or the action is finally resolved after which time such findings shall be destroyed. All medical and health care provider records shall be returned to the party providing them to the review panel.

e. The deliberations and discussion of the review panel shall be privileged and confidential and a review panel member shall not be asked or compelled to testify at a later proceeding concerning the deliberations, discussions, or findings expressed during the review panel's deliberations, except as such deliberation, discussion, or findings may be required to prove an allegation of intentional fraud. All review panel members and the chairperson shall be immune from liability as a result of participation in or serving as a review panel member, except for instances of intentional fraud by a panel member.

14. The effect of the malpractice review panel's findings shall be as follows:

a. If the review panel's findings are unanimous and unfavorable to the plaintiff in such a manner as would not permit recovery by the plaintiff if the answers were made at trial, all of the following shall apply:

(1) The review panel's findings are admissible in any subsequent court action for professional negligence against the health care provider accused of professional negligence by the claimant based upon the same set of facts which were considered reviewed by the review panel.

(2) If the malpractice action proceeds and results in a verdict and judgment for the defendant, the plaintiff shall be required to pay all expert witness

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fees and court costs incurred by the defendant.

(3) If the malpractice action proceeds and results in a verdict and judgment for the plaintiff, any noneconomic damages awarded to the plaintiff shall not exceed two hundred fifty thousand dollars.

b. If the review panel's findings are unanimous and unfavorable to the defendant, in such a manner as would permit the plaintiff to recover if the defendant's

9 answers were made at trial, all of the following shall
10 apply:

11 (1) The review panel's findings are admissible
12 in any subsequent court action for professional
13 negligence against the health care provider accused of
14 professional negligence by the claimant based upon the
15 same set of facts which were considered reviewed by the
16 review panel.

17 (2) The defendant shall promptly admit liability or
18 enter into negotiations to pay the plaintiff's claim
19 for damages.

20 (3) If liability is admitted, the claim may be
21 resubmitted to the review panel upon agreement of the
22 plaintiff and the defendant for a determination of
23 damages. Any determination of damages by the review
24 panel shall be admissible in any subsequent malpractice
25 action.

26 (4) If liability is not admitted and the parties
27 are not able to resolve the claim through settlement
28 negotiations within thirty days after service of the
29 review panel's findings, the plaintiff may proceed with
30 the malpractice action. If the plaintiff obtains a
31 verdict or judgment in excess of the plaintiff's last
32 formal demand in the settlement negotiations following
33 the review panel's findings, the defendant shall be
34 required to pay all expert witness fees and court costs
35 incurred by the plaintiff.

36 15. a. Upon the selection of all members of the
37 malpractice review panel, each party shall pay to the
38 clerk of the district court a filing fee of two hundred
39 fifty dollars.

40 b. Any party may apply to the chairperson of the
41 malpractice review panel for a waiver of the filing
42 fee. The chairperson shall grant the waiver if the
43 party is indigent.

44 c. Any party who is or was an employee of another
45 party at the time of the claimed injury and was acting
46 in the course and scope of employment with such other
47 party shall not be required to pay a filing fee.

48 Sec. 20. NEW SECTION. 622.31A Evidence-based
49 medical practice guidelines — affirmative defense.

50 1. For purposes of this section:

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1 a. "Evidence-based medical practice guidelines"
2 means voluntary medical practice parameters or
3 protocols established and released through a recognized
4 physician consensus-building organization approved
5 by the United States department of health and human
6 services, through the American medical association's
7 physician consortium for performance improvement or

8 similar activity, or through a recognized national
9 medical specialty society.

10 b. "Health care provider" means a physician and
11 surgeon, osteopathic physician and surgeon, physician
12 assistant, or advanced registered nurse practitioner.

13 2. In any action for personal injury or wrongful
14 death against any health care provider based upon the
15 alleged negligence of the health care provider in
16 patient care, the health care provider may assert,
17 as an affirmative defense, that the health care
18 provider complied with evidence-based medical practice
19 guidelines in the diagnosis and treatment of a patient.

20 3. A judge may admit evidence-based medical
21 practice guidelines into evidence if introduced only by
22 a health care provider or by the health care provider's
23 employer and if the health care provider or the health
24 care provider's employer establishes foundational
25 evidence in support of the evidence-based medical
26 practice guidelines as well as evidence that the health
27 care provider complied with the guidelines. Evidence
28 of departure from an evidence-based medical practice
29 guideline is admissible only on the issue of whether
30 the health care provider is entitled to assert an
31 affirmative defense.

32 4. This section shall not apply to any of the
33 following:

34 a. A mistaken determination by the health care
35 provider that the evidence-based medical practice
36 guideline applied to a particular patient where
37 such mistake is caused by the health care provider's
38 negligence or intentional misconduct.

39 b. The health care provider's failure to properly
40 follow the evidence-based medical practice guideline
41 where such failure is caused by the health care
42 provider's negligence or intentional misconduct. There
43 shall be no presumption of negligence if a health care
44 provider does not adhere to an evidence-based medical
45 practice guideline.>

46 2. Title page, by striking lines 1 through 5
47 and inserting <An Act relating to health care by
48 establishing the healthy Iowa plan, affecting medical
49 malpractice actions, making appropriations, providing
50 remedies, and including effective date provisions.>

S-3211

1 Amend the amendment, S-3126, to House File 527, as
2 passed by the House, as follows:

3 1. Page 1, after line 20 by inserting:

4 <___. Title page, by striking lines 1 through 3

5 and inserting <An Act requiring certain aggravated

6 misdemeanants to submit a DNA sample and including
7 effective>>

ROBERT M. HOGG

S-3212

1 Amend the amendment, S-3126, to House File 527, as
2 passed by the House, as follows:
3 1. Page 1, after line 9 by inserting:
4 0a. A violation of section 48A.14.>
5 2. By renumbering as necessary.

MARK CHELGREN

S-3213

1 Amend House File 527, as passed by the House, as
2 follows:
3 1. Page 1, after line 13 by inserting:
4 <Sec. ____ Section 81.2, Code 2013, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 7. An unauthorized alien stopped
7 by a law enforcement agency shall be required to submit
8 a DNA sample for DNA profiling pursuant to section
9 81.4.>
10 2. Title page, by striking lines 1 through 3 and
11 inserting <An Act requiring certain persons to submit a
12 DNA sample and including effective>
13 3. By renumbering as necessary.

MARK CHELGREN

S-3214

1 Amend the amendment, S-3126, to House File 527, as
2 passed by the House, as follows:
3 1. Page 1, line 7, by striking <by a person
4 eighteen years of age or older>

MARK CHELGREN

S-3215

1 Amend House File 527, as passed by the House, as
2 follows:
3 1. Page 1, after line 13 by inserting:
4 <Sec. ____ Section 81.9, Code 2013, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 3A. The DNA record and
7 identifiable information of a person convicted of an

- 8 aggravated misdemeanor, which is stored and maintained
9 in the DNA database and DNA data bank, shall be
10 expunged upon the discharge of the person's sentence
11 for the offense requiring the submission of a DNA
12 sample.>
13 2. Title page, line 1, before <requiring> by
14 inserting <relating to DNA sampling and>
15 3. By renumbering as necessary.

MARK CHELGREN

S-3216

- 1 Amend House File 471, as passed by the House, as
2 follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 598.41A, Code 2013, is amended
5 to read as follows:
6 598.41A Visitation — history of crimes against a
7 minor.
8 1. Notwithstanding section 598.41, the court shall
9 consider, in the award of visitation rights to a parent
10 of a child, the criminal history of the parent if the
11 parent has been convicted of a sex offense against a
12 minor as defined in section 692A.101.
13 2. Notwithstanding section 598.41, an individual
14 who is a parent of a minor child and who has been
15 convicted of a sex offense against a minor as defined
16 in section 692A.101, is not entitled to visitation
17 rights while incarcerated. While on probation, parole,
18 or any other type of conditional release including a
19 special sentence for such offense, visitation shall
20 be denied until the parent successfully completes a
21 treatment program approved by the court, if required
22 by the court. The circumstances described in this
23 subsection shall be considered a substantial change in
24 circumstances.>
25 2. Page 2, after line 1 by inserting:
26 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
27 provision or provisions of this Act, being deemed of
28 immediate importance, take effect upon enactment:
29 1. The section of this Act amending section
30 598.41A.
31 Sec. ____ RETROACTIVE APPLICABILITY. The following
32 provision or provisions of this Act apply retroactively
33 to an order or decree involving child custody or
34 visitation issued on or after July 1, 2000:
35 1. The section of this Act amending section
36 598.41A.>
37 3. Title page, line 1, after <to> by inserting
38 <parental rights, including>
39 4. Title page, line 3, after <petition> by

40 inserting <and the awarding of visitation when a
41 history of crimes against a minor is involved, and
42 including effective, retroactive, and applicability
43 date provisions>
44 5. By renumbering as necessary.

ROBERT M. HOGG
BILL ANDERSON

S-3217

HOUSE AMENDMENT TO
SENATE FILE 446

1 Amend Senate File 446, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

DEPARTMENT ON AGING — FY 2013–2014

7 Section 1. DEPARTMENT ON AGING. There is
8 appropriated from the general fund of the state to
9 the department on aging for the fiscal year beginning
10 July 1, 2013, and ending June 30, 2014, the following
11 amount, or so much thereof as is necessary, to be used
12 for the purposes designated:

13 For aging programs for the department on aging and
14 area agencies on aging to provide citizens of Iowa who
15 are 60 years of age and older with case management for
16 frail elders, Iowa's aging and disabilities resource
17 center, and other services which may include but are
18 not limited to adult day services, respite care, chore
19 services, information and assistance, and material aid,
20 for information and options counseling for persons with
21 disabilities who are 18 years of age or older, and
22 for salaries, support, administration, maintenance,
23 and miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:

25	\$	10,442,086
26	FTEs	35.00

27 1. Funds appropriated in this section may be used
28 to supplement federal funds under federal regulations.
29 To receive funds appropriated in this section, a local
30 area agency on aging shall match the funds with moneys
31 from other sources according to rules adopted by the
32 department. Funds appropriated in this section may be
33 used for elderly services not specifically enumerated
34 in this section only if approved by an area agency on
35 aging for provision of the service within the area.
36 2. Of the funds appropriated in this section,
37 \$279,946 is transferred to the economic development
38 authority for the Iowa commission on volunteer services

39 to be used for the retired and senior volunteer
40 program.

41 3. a. The department on aging shall establish and
42 enforce procedures relating to expenditure of state and
43 federal funds by area agencies on aging that require
44 compliance with both state and federal laws, rules, and
45 regulations, including but not limited to all of the
46 following:

47 (1) Requiring that expenditures are incurred only
48 for goods or services received or performed prior to
49 the end of the fiscal period designated for use of the
50 funds.

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1 (2) Prohibiting prepayment for goods or services
2 not received or performed prior to the end of the
3 fiscal period designated for use of the funds.

4 (3) Prohibiting the prepayment for goods or
5 services not defined specifically by good or service,
6 time period, or recipient.

7 (4) Prohibiting the establishment of accounts from
8 which future goods or services which are not defined
9 specifically by good or service, time period, or
10 recipient, may be purchased.

11 b. The procedures shall provide that if any funds
12 are expended in a manner that is not in compliance with
13 the procedures and applicable federal and state laws,
14 rules, and regulations, and are subsequently subject
15 to repayment, the area agency on aging expending such
16 funds in contravention of such procedures, laws, rules
17 and regulations, not the state, shall be liable for
18 such repayment.

19 4. Of the funds appropriated in this section,
20 \$100,000 shall be used to provide for a local long-term
21 care resident's advocate to administer the certified
22 volunteer long-term care resident's advocate program
23 pursuant to section 231.45.

24 DIVISION II

25 DEPARTMENT OF PUBLIC HEALTH — FY 2013–2014

26 Sec. 2. DEPARTMENT OF PUBLIC HEALTH. There is
27 appropriated from the general fund of the state to
28 the department of public health for the fiscal year
29 beginning July 1, 2013, and ending June 30, 2014, the
30 following amounts, or so much thereof as is necessary,
31 to be used for the purposes designated:

32 1. ADDICTIVE DISORDERS

33 For reducing the prevalence of use of tobacco,
34 alcohol, and other drugs, and treating individuals
35 affected by addictive behaviors, including gambling,
36 and for not more than the following full-time
37 equivalent positions:

38	.....	\$	23,863,690
39	.....	FTEs	13.00
40	a. (1) Of the funds appropriated in this		
41	subsection, \$3,648,361 shall be used for the tobacco		
42	use prevention and control initiative, including		
43	efforts at the state and local levels, as provided		
44	in chapter 142A. The commission on tobacco use		
45	prevention and control established pursuant to section		
46	142A.3 shall advise the director of public health in		
47	prioritizing funding needs and the allocation of moneys		
48	appropriated for the programs and activities of the		
49	initiative under this subparagraph (1) and shall make		
50	recommendations to the director in the development of		

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- 1 budget requests relating to the initiative.
- 2 (2) (a) Of the funds allocated in this paragraph
- 3 “a”, \$453,067 is transferred to the alcoholic beverages
- 4 division of the department of commerce for enforcement
- 5 of tobacco laws, regulations, and ordinances and to
- 6 engage in tobacco control activities approved by the
- 7 division of tobacco use prevention and control as
- 8 specified in the memorandum of understanding entered
- 9 into between the divisions.
- 10 (b) For the fiscal year beginning July 1, 2013, and
- 11 ending June 30, 2014, the terms of the memorandum of
- 12 understanding, entered into between the division of
- 13 tobacco use prevention and control of the department
- 14 of public health and the alcoholic beverages division
- 15 of the department of commerce, governing compliance
- 16 checks conducted to ensure licensed retail tobacco
- 17 outlet conformity with tobacco laws, regulations, and
- 18 ordinances relating to persons under eighteen years of
- 19 age, shall restrict the number of such checks to one
- 20 check per retail outlet, and one additional check for
- 21 any retail outlet found to be in violation during the
- 22 first check.
- 23 b. Of the funds appropriated in this subsection,
- 24 \$20,215,329 shall be used for problem gambling and
- 25 substance-related disorder prevention, treatment, and
- 26 recovery services, including a 24-hour helpline, public
- 27 information resources, professional training, and
- 28 program evaluation.
- 29 (1) Of the funds allocated in this paragraph
- 30 “b”, \$17,103,715 shall be used for substance-related
- 31 disorder prevention and treatment.
- 32 (a) Of the funds allocated in this subparagraph
- 33 (1), \$899,300 shall be used for the public purpose of
- 34 a grant program to provide substance-related disorder
- 35 prevention programming for children.
- 36 (i) Of the funds allocated in this subparagraph

37 division (a), \$427,539 shall be used for grant funding
38 for organizations that provide programming for
39 children by utilizing mentors. Programs approved for
40 such grants shall be certified or will be certified
41 within six months of receiving the grant award by the
42 Iowa commission on volunteer services as utilizing
43 the standards for effective practice for mentoring
44 programs.

45 (ii) Of the funds allocated in this subparagraph
46 division (a), \$426,839 shall be used for grant
47 funding for organizations that provide programming
48 that includes youth development and leadership. The
49 programs shall also be recognized as being programs
50 that are scientifically based with evidence of their

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1 effectiveness in reducing substance-related disorders
2 in children.

3 (iii) The department of public health shall utilize
4 a request for proposals process to implement the grant
5 program.

6 (iv) All grant recipients shall participate in a
7 program evaluation as a requirement for receiving grant
8 funds.

9 (v) Of the funds allocated in this subparagraph
10 division (a), up to \$44,922 may be used to administer
11 substance-related disorder prevention grants and for
12 program evaluations.

13 (b) Of the funds allocated in this subparagraph
14 (1), \$272,603 shall be used for culturally competent
15 substance-related disorder treatment pilot projects.

16 (i) The department shall utilize the amount
17 allocated in this subparagraph division (b) for at
18 least three pilot projects to provide culturally
19 competent substance-related disorder treatment in
20 various areas of the state. Each pilot project shall
21 target a particular ethnic minority population. The
22 populations targeted shall include but are not limited
23 to African American, Asian, and Latino.

24 (ii) The pilot project requirements shall provide
25 for documentation or other means to ensure access
26 to the cultural competence approach used by a pilot
27 project so that such approach can be replicated and
28 improved upon in successor programs.

29 (2) Of the funds allocated in this paragraph "b",
30 up to \$3,111,614 may be used for problem gambling
31 prevention, treatment, and recovery services.

32 (a) Of the funds allocated in this subparagraph

33 (2), \$2,573,762 shall be used for problem gambling
34 prevention and treatment.

35 (b) Of the funds allocated in this subparagraph

36 (2), up to \$437,852 may be used for a 24-hour helpline,
37 public information resources, professional training,
38 and program evaluation.

39 (c) Of the funds allocated in this subparagraph
40 (2), up to \$100,000 may be used for the licensing of
41 problem gambling treatment programs.

42 (3) It is the intent of the general assembly that
43 from the moneys allocated in this paragraph "b",
44 persons with a dual diagnosis of substance-related
45 disorder and gambling addiction shall be given priority
46 in treatment services.

47 c. Notwithstanding any provision of law to the
48 contrary, to standardize the availability, delivery,
49 cost of delivery, and accountability of problem
50 gambling and substance-related disorder treatment

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1 services statewide, the department shall continue
2 implementation of a process to create a system for
3 delivery of treatment services in accordance with the
4 requirements specified in 2008 Iowa Acts, chapter
5 1187, section 3, subsection 4. To ensure the system
6 provides a continuum of treatment services that best
7 meets the needs of Iowans, the problem gambling and
8 substance-related disorder treatment services in any
9 area may be provided either by a single agency or by
10 separate agencies submitting a joint proposal.

11 (1) The system for delivery of substance-related
12 disorder and problem gambling treatment shall include
13 problem gambling prevention.

14 (2) The system for delivery of substance-related
15 disorder and problem gambling treatment shall include
16 substance-related disorder prevention by July 1, 2014.

17 (3) Of the funds allocated in paragraph "b", the
18 department may use up to \$100,000 for administrative
19 costs to continue developing and implementing the
20 process in accordance with this paragraph "c".

21 d. The requirement of section 123.53, subsection
22 5, is met by the appropriations and allocations made
23 in this Act for purposes of substance-related disorder
24 treatment and addictive disorders for the fiscal year
25 beginning July 1, 2013.

26 e. The department of public health shall work with
27 all other departments that fund substance-related
28 disorder prevention and treatment services and all
29 such departments shall, to the extent necessary,
30 collectively meet the state maintenance of effort
31 requirements for expenditures for substance-related
32 disorder services as required under the federal
33 substance-related disorder prevention and treatment
34 block grant.

2. HEALTHY CHILDREN AND FAMILIES

For promoting the optimum health status for children, adolescents from birth through 21 years of age, and families, and for not more than the following full-time equivalent positions:

..... \$	2,653,559
..... FTEs	10.00

a. Of the funds appropriated in this subsection, not more than \$734,841 shall be used for the healthy opportunities to experience success (HOPES)-healthy families Iowa (HFI) program established pursuant to section 135.106. The funding shall be distributed to renew the grants that were provided to the grantees that operated the program during the fiscal year ending June 30, 2013.

b. In order to implement the legislative intent

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1 stated in sections 135.106 and 256I.9, that priority
2 for home visitation program funding be given to
3 programs using evidence-based or promising models
4 for home visitation, it is the intent of the general
5 assembly to phase-in the funding priority in accordance
6 with 2012 Iowa Acts, chapter 129, section 2, subsection
7 2, paragraph 0b.

c. Of the funds appropriated in this subsection,
9 \$327,887 shall be used to continue to address the
10 healthy mental development of children from birth
11 through five years of age through local evidence-based
12 strategies that engage both the public and private
13 sectors in promoting healthy development, prevention,
14 and treatment for children.

d. Of the funds appropriated in this subsection,
16 \$31,597 shall be distributed to a statewide dental
17 carrier to provide funds to continue the donated dental
18 services program patterned after the projects developed
19 by the lifeline network to provide dental services to
20 indigent elderly and disabled individuals.

e. Of the funds appropriated in this subsection,
22 \$111,995 shall be used for childhood obesity
23 prevention.

f. Of the funds appropriated in this subsection,
25 \$162,768 shall be used to provide audiological services
26 and hearing aids for children. The department may
27 enter into a contract to administer this paragraph.

g. Of the funds appropriated in this subsection,
29 \$25,000 is transferred to the university of Iowa
30 college of dentistry for provision of primary dental
31 services to children. State funds shall be matched
32 on a dollar-for-dollar basis. The university of Iowa
33 college of dentistry shall coordinate efforts with the

34 department of public health, bureau of oral and health
35 delivery systems, to provide dental care to underserved
36 populations throughout the state.

37 h. Of the funds appropriated in this subsection,
38 \$50,000 shall be used to address youth suicide
39 prevention.

40 3. CHRONIC CONDITIONS

41 For serving individuals identified as having chronic
42 conditions or special health care needs, and for not
43 more than the following full-time equivalent positions:

44	\$	4,155,429
45	FTEs	4.00

46 a. Of the funds appropriated in this subsection,
47 \$159,932 shall be used for grants to individual
48 patients who have phenylketonuria (PKU) to assist with
49 the costs of necessary special foods.

50 b. Of the funds appropriated in this subsection,

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1 \$481,644 is allocated for continuation of the contracts
2 for resource facilitator services in accordance with
3 section 135.22B, subsection 9, and for brain injury
4 training services and recruiting of service providers
5 to increase the capacity within this state to address
6 the needs of individuals with brain injuries and such
7 individuals' families.

8 c. Of the funds appropriated in this subsection,
9 \$547,982 shall be used as additional funding to
10 leverage federal funding through the federal Ryan
11 White Care Act, Tit. II, AIDS drug assistance program
12 supplemental drug treatment grants.

13 d. Of the funds appropriated in this subsection,
14 \$99,823 shall be used for the public purpose of
15 providing a grant to an existing national-affiliated
16 organization to provide education, client-centered
17 programs, and client and family support for people
18 living with epilepsy and their families.

19 e. Of the funds appropriated in this subsection,
20 \$785,114 shall be used for child health specialty
21 clinics.

22 f. Of the funds appropriated in this subsection,
23 \$200,000 shall be used by the regional autism
24 assistance program established pursuant to section
25 256.35, and administered by the child health specialty
26 clinic located at the university of Iowa hospitals
27 and clinics. The funds shall be used to enhance
28 interagency collaboration and coordination of
29 educational, medical, and other human services for
30 persons with autism, their families, and providers of
31 services, including delivering regionalized services of
32 care coordination, family navigation, and integration

33 of services through the statewide system of regional
 34 child health specialty clinics and fulfilling other
 35 requirements as specified in chapter 225D, creating the
 36 autism support program, as enacted in this Act. The
 37 university of Iowa shall not receive funds allocated
 38 under this paragraph for indirect costs associated with
 39 the regional autism assistance program.

40 g. Of the funds appropriated in this subsection,
 41 \$470,993 shall be used for the comprehensive cancer
 42 control program to reduce the burden of cancer in
 43 Iowa through prevention, early detection, effective
 44 treatment, and ensuring quality of life. Of the funds
 45 allocated in this lettered paragraph, \$150,000 shall
 46 be used to support a melanoma research symposium,
 47 a melanoma biorepository and registry, basic and
 48 translational melanoma research, and clinical trials.

49 h. Of the funds appropriated in this subsection,
 50 \$126,450 shall be used for cervical and colon cancer

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1 screening, and \$500,000 shall be used to enhance the
 2 capacity of the cervical cancer screening program to
 3 include provision of recommended prevention and early
 4 detection measures to a broader range of low-income
 5 women.

6 i. Of the funds appropriated in this subsection,
 7 \$526,695 shall be used for the center for congenital
 8 and inherited disorders.

9 j. Of the funds appropriated in this subsection,
 10 \$129,411 shall be used for the prescription drug
 11 donation repository program created in chapter 135M.

12 4. COMMUNITY CAPACITY

13 For strengthening the health care delivery system at
 14 the local level, and for not more than the following
 15 full-time equivalent positions:

16	\$	4,685,154
17	FTEs	14.00

18 a. Of the funds appropriated in this subsection,
 19 \$99,414 is allocated for a child vision screening
 20 program implemented through the university of Iowa
 21 hospitals and clinics in collaboration with early
 22 childhood Iowa areas. The program shall submit a
 23 report to the individuals identified in this Act
 24 for submission of reports regarding the use of funds
 25 allocated under this paragraph "a". The report shall
 26 include the objectives and results for the year of
 27 the program's implementation including the target
 28 population and how the funds allocated assisted the
 29 program in meeting the objectives; the number, age, and
 30 location within the state of individuals served; the
 31 type of services provided to the individuals served;

32 the distribution of funds based on service provided;
33 and the continuing needs of the program.
34 b. Of the funds appropriated in this subsection,
35 \$110,656 is allocated for continuation of an initiative
36 implemented at the university of Iowa and \$99,904 is
37 allocated for continuation of an initiative at the
38 state mental health institute at Cherokee to expand
39 and improve the workforce engaged in mental health
40 treatment and services. The initiatives shall receive
41 input from the university of Iowa, the department of
42 human services, the department of public health, and
43 the mental health and disability services commission to
44 address the focus of the initiatives.
45 c. Of the funds appropriated in this subsection,
46 \$1,164,628 shall be used for essential public health
47 services that promote healthy aging throughout the
48 lifespan, contracted through a formula for local boards
49 of health, to enhance health promotion and disease
50 prevention services.

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1 d. Of the funds appropriated in this section,
2 \$99,286 shall be deposited in the governmental public
3 health system fund created in section 135A.8 to be used
4 for the purposes of the fund.
5 e. Of the funds appropriated in this subsection,
6 \$105,448 shall be used for the mental health
7 professional shortage area program implemented pursuant
8 to section 135.180.
9 f. Of the funds appropriated in this subsection,
10 \$50,000 shall be used for a grant to a statewide
11 association of psychologists that is affiliated
12 with the American psychological association to be
13 used for continuation of a program to rotate intern
14 psychologists in placements in urban and rural mental
15 health professional shortage areas, as defined in
16 section 135.180.
17 g. Of the funds appropriated in this subsection,
18 the following amounts shall be allocated to the Iowa
19 collaborative safety net provider network established
20 pursuant to section 135.153 to be used for the purposes
21 designated. The following amounts allocated under
22 this lettered paragraph shall be distributed to
23 the specified provider and shall not be reduced for
24 administrative or other costs prior to distribution:
25 (1) For distribution to the Iowa primary care
26 association to be used to establish a grant program
27 for training sexual assault response team (SART)
28 members, including representatives of law enforcement,
29 victim advocates, prosecutors, and certified medical
30 personnel:

31	.....	\$	50,000
32	(2) For distribution to federally qualified health		
33	centers for necessary infrastructure, statewide		
34	coordination, provider recruitment, service delivery,		
35	and provision of assistance to patients in determining		
36	an appropriate medical home:		
37	.....	\$	75,000
38	(3) For distribution to the local boards of health		
39	that provide direct services for pilot programs in		
40	three counties to assist patients in determining an		
41	appropriate medical home:		
42	.....	\$	77,153
43	(4) For distribution to maternal and child health		
44	centers for pilot programs in three counties to assist		
45	patients in determining an appropriate medical home:		
46	.....	\$	95,126
47	(5) For distribution to free clinics for necessary		
48	infrastructure, statewide coordination, provider		
49	recruitment, service delivery, and provision of		
50	assistance to patients in determining an appropriate		

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1	medical home:		
2	\$	273,322
3	(6) For distribution to rural health clinics for		
4	necessary infrastructure, statewide coordination,		
5	provider recruitment, service delivery, and provision		
6	of assistance to patients in determining an appropriate		
7	medical home:		
8	.....	\$	141,544
9	(7) For continuation of the safety net provider		
10	patient access to specialty health care initiative as		
11	described in 2007 Iowa Acts, chapter 218, section 109:		
12	.....	\$	308,474
13	(8) For continuation of the pharmaceutical		
14	infrastructure for safety net providers as described in		
15	2007 Iowa Acts, chapter 218, section 108:		
16	.....	\$	318,415
17	The Iowa collaborative safety net provider network		
18	may continue to distribute funds allocated pursuant to		
19	this lettered paragraph through existing contracts or		
20	renewal of existing contracts.		
21	h. Of the funds appropriated in this subsection,		
22	\$222,025 is transferred to the department of		
23	workforce development to continue to implement the		
24	recommendations in the final report submitted to the		
25	governor and the general assembly in March 2012, by		
26	the direct care worker advisory council established		
27	pursuant to 2008 Iowa Acts, chapter 1188, section 69,		
28	and the direct care worker advisory council shall be		
29	eliminated effective June 30, 2013.		

30 i. Of the funds appropriated in this subsection,
31 the department may use up to \$58,175 for up to one
32 full-time equivalent position to administer the
33 volunteer health care provider program pursuant to
34 section 135.24.
35 j. Of the funds appropriated in this subsection,
36 \$49,707 shall be used for a matching dental education
37 loan repayment program to be allocated to a dental
38 nonprofit health service corporation to develop the
39 criteria and implement the loan repayment program.
40 k. Of the funds appropriated in this subsection,
41 \$105,823 is transferred to the college student aid
42 commission for deposit in the rural Iowa primary care
43 trust fund created in section 261.113 to be used for
44 the purposes of the fund.
45 l. Of the funds appropriated in this subsection,
46 \$50,000 shall be used for the purposes of the Iowa
47 donor registry as specified in section 142C.18.
48 m. Of the funds appropriated in this subsection,
49 \$100,000 shall be used for continuation of a grant to a
50 nationally affiliated volunteer eye organization that

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1 has an established program for children and adults
2 and that is solely dedicated to preserving sight and
3 preventing blindness through education, nationally
4 certified vision screening and training, and community
5 and patient service programs. The organization shall
6 submit a report to the individuals identified in this
7 Act for submission of reports regarding the use of
8 funds allocated under this paragraph "m". The report
9 shall include the objectives and results for the year
10 of the program's implementation including the target
11 population and how the funds allocated assisted the
12 program in meeting the objectives; the number, age, and
13 location within the state of individuals served; the
14 type of services provided to the individuals served;
15 the distribution of funds based on service provided;
16 and the continuing needs of the program.
17 n. Of the funds appropriated in this section,
18 \$50,000 shall be distributed to a statewide nonprofit
19 organization to be used for the public purpose of
20 supporting a partnership between medical providers and
21 parents through community health centers to promote
22 reading and encourage literacy skills so children enter
23 school prepared for success in reading.
24 o. A portion of the funds appropriated in this
25 subsection that are not allocated, used, obligated,
26 or otherwise encumbered may be used to administer the
27 vision screening program created pursuant to section
28 135.39D, as enacted by 2013 Iowa Acts, Senate File 419.

29 5. HEALTHY AGING

30 To provide public health services that reduce risks
 31 and invest in promoting and protecting good health over
 32 the course of a lifetime with a priority given to older
 33 Iowans and vulnerable populations:

34 \$ 7,297,142

35 6. ENVIRONMENTAL HAZARDS

36 For reducing the public's exposure to hazards in the
 37 environment, primarily chemical hazards, and for not
 38 more than the following full-time equivalent positions:

39 \$ 803,870

40 FTEs 4.00

41 Of the funds appropriated in this subsection,
 42 \$537,750 shall be used for childhood lead poisoning
 43 provisions.

44 7. INFECTIOUS DISEASES

45 For reducing the incidence and prevalence of
 46 communicable diseases, and for not more than the
 47 following full-time equivalent positions:

48 \$ 1,335,155

49 FTEs 4.00

50 8. PUBLIC PROTECTION

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1 For protecting the health and safety of the
 2 public through establishing standards and enforcing
 3 regulations, and for not more than the following
 4 full-time equivalent positions:

5 \$ 3,203,771

6 FTEs 131.00

7 a. Of the funds appropriated in this subsection,
 8 not more than \$454,700 shall be credited to the
 9 emergency medical services fund created in section
 10 135.25. Moneys in the emergency medical services fund
 11 are appropriated to the department to be used for the
 12 purposes of the fund.

13 b. Of the funds appropriated in this subsection,
 14 \$203,032 shall be used for sexual violence prevention
 15 programming through a statewide organization
 16 representing programs serving victims of sexual
 17 violence through the department's sexual violence
 18 prevention program. The amount allocated in this
 19 lettered paragraph shall not be used to supplant
 20 funding administered for other sexual violence
 21 prevention or victims assistance programs.

22 c. Of the funds appropriated in this subsection,
 23 \$523,751 shall be used for the state poison control
 24 center.

25 d. Of the funds appropriated in this section,
 26 \$368,000 shall be used for maintenance of environmental
 27 health programs to ensure public safety.

28 e. Of the funds appropriated in this section,
29 \$28,000 shall be used as one-time funding to transition
30 the licensing of orthotists, prosthetists, and
31 pedorthists to a fee-supported licensing model. The
32 fee-supported model shall provide for repayment of the
33 funds allocated under this paragraph to the general
34 fund of the state by June 30, 2015.

35 f. Of the funds appropriated in this section,
36 \$28,644 shall be used for the costs of the emergency
37 medical services task force as enacted in this Act.

38 9. RESOURCE MANAGEMENT

39 For establishing and sustaining the overall
40 ability of the department to deliver services to the
41 public, and for not more than the following full-time
42 equivalent positions:

43	\$	804,054
44	FTEs	5.00

45 The university of Iowa hospitals and clinics under
46 the control of the state board of regents shall not
47 receive indirect costs from the funds appropriated in
48 this section. The university of Iowa hospitals and
49 clinics billings to the department shall be on at least
50 a quarterly basis.

1 DIVISION III
2 DEPARTMENT OF VETERANS AFFAIRS — FY 2013–2014

3 Sec. 3. DEPARTMENT OF VETERANS AFFAIRS. There is
4 appropriated from the general fund of the state to the
5 department of veterans affairs for the fiscal year
6 beginning July 1, 2013, and ending June 30, 2014, the
7 following amounts, or so much thereof as is necessary,
8 to be used for the purposes designated:

9 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

10 For salaries, support, maintenance, and
11 miscellaneous purposes, including the war orphans
12 educational assistance fund created in section 35.8,
13 or a successor funding provision for war orphans
14 educational assistance, if enacted, and for not more
15 than the following full-time equivalent positions:

16	\$	1,093,508
17	FTEs	13.00

18 2. IOWA VETERANS HOME

19 For salaries, support, maintenance, and
20 miscellaneous purposes:

21	\$	7,525,714
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22 a. The Iowa veterans home billings involving the
23 department of human services shall be submitted to the
24 department on at least a monthly basis.

25 b. If there is a change in the employer of
26 employees providing services at the Iowa veterans home

27 under a collective bargaining agreement, such employees
 28 and the agreement shall be continued by the successor
 29 employer as though there had not been a change in
 30 employer.

31 c. Within available resources and in conformance
 32 with associated state and federal program eligibility
 33 requirements, the Iowa veterans home may implement
 34 measures to provide financial assistance to or
 35 on behalf of veterans or their spouses who are
 36 participating in the community reentry program.

37 d. The Iowa veterans home expenditure report
 38 shall be submitted monthly to the legislative services
 39 agency.

40 3. HOME OWNERSHIP ASSISTANCE PROGRAM

41 For transfer to the Iowa finance authority for the
 42 continuation of the home ownership assistance program
 43 for persons who are or were eligible members of the
 44 armed forces of the United States, pursuant to section
 45 16.54:

46 \$ 1,600,000

47 Sec. 4. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
 48 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding
 49 the standing appropriation in the following designated
 50 section for the fiscal year beginning July 1, 2013, and

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1 ending June 30, 2014, the amounts appropriated from the
 2 general fund of the state pursuant to that section for
 3 the following designated purposes shall not exceed the
 4 following amount:

5 For the county commissions of veteran affairs fund
 6 under section 35A.16:

7 \$ 990,000

8 DIVISION IV

9 DEPARTMENT OF HUMAN SERVICES — FY 2013–2014

10 Sec. 5. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

11 BLOCK GRANT. There is appropriated from the fund
 12 created in section 8.41 to the department of human
 13 services for the fiscal year beginning July 1, 2013,
 14 and ending June 30, 2014, from moneys received under
 15 the federal temporary assistance for needy families
 16 (TANF) block grant pursuant to the federal Personal
 17 Responsibility and Work Opportunity Reconciliation
 18 Act of 1996, Pub. L. No. 104-193, and successor
 19 legislation, the following amounts, or so much
 20 thereof as is necessary, to be used for the purposes
 21 designated:

22 1. To be credited to the family investment program
 23 account and used for assistance under the family
 24 investment program under chapter 239B:

25 \$ 18,116,948

26	2. To be credited to the family investment program		
27	account and used for the job opportunities and		
28	basic skills (JOBS) program and implementing family		
29	investment agreements in accordance with chapter 239B:		
30	.....	\$	11,866,439
31	3. To be used for the family development and		
32	self-sufficiency grant program in accordance with		
33	section 216A.107:		
34	.....	\$	2,898,980
35	Notwithstanding section 8.33, moneys appropriated in		
36	this subsection that remain unencumbered or unobligated		
37	at the close of the fiscal year shall not revert but		
38	shall remain available for expenditure for the purposes		
39	designated until the close of the succeeding fiscal		
40	year. However, unless such moneys are encumbered or		
41	obligated on or before September 30, 2014, the moneys		
42	shall revert.		
43	4. For field operations:		
44	.....	\$	31,296,232
45	5. For general administration:		
46	.....	\$	3,744,000
47	6. For state child care assistance:		
48	.....	\$	25,732,687
49	The funds appropriated in this subsection are		
50	transferred to the child care and development block		

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1	grant appropriation made by the Eighty-fifth General		
2	Assembly, 2013 Session, for the federal fiscal year		
3	beginning October 1, 2013, and ending September 30,		
4	2014. Of this amount, \$200,000 shall be used for		
5	provision of educational opportunities to registered		
6	child care home providers in order to improve services		
7	and programs offered by this category of providers and		
8	to increase the number of providers. The department		
9	may contract with institutions of higher education or		
10	child care resource and referral centers to provide the		
11	educational opportunities. Allowable administrative		
12	costs under the contracts shall not exceed 5 percent.		
13	The application for a grant shall not exceed two pages		
14	in length.		
15	7. For distribution to counties or regions for		
16	services for persons with mental illness or an		
17	intellectual disability:		
18	.....	\$	4,894,052
19	8. For child and family services:		
20	.....	\$	32,084,430
21	9. For child abuse prevention grants:		
22	.....	\$	125,000
23	10. For pregnancy prevention grants on the		
24	condition that family planning services are funded:		

25	.....	\$	1,930,067
26	Pregnancy prevention grants shall be awarded to		
27	programs in existence on or before July 1, 2013, if the		
28	programs have demonstrated positive outcomes. Grants		
29	shall be awarded to pregnancy prevention programs		
30	which are developed after July 1, 2013, if the programs		
31	are based on existing models that have demonstrated		
32	positive outcomes. Grants shall comply with the		
33	requirements provided in 1997 Iowa Acts, chapter		
34	208, section 14, subsections 1 and 2, including the		
35	requirement that grant programs must emphasize sexual		
36	abstinence. Priority in the awarding of grants shall		
37	be given to programs that serve areas of the state		
38	which demonstrate the highest percentage of unplanned		
39	pregnancies of females of childbearing age within the		
40	geographic area to be served by the grant.		
41	11. For technology needs and other resources		
42	necessary to meet federal welfare reform reporting,		
43	tracking, and case management requirements:		
44	.....	\$	1,037,186
45	12. For the family investment program share of		
46	the costs to develop and maintain a new, integrated		
47	eligibility determination system:		
48	.....	\$	5,050,451
49	13. a. Notwithstanding any provision to the		
50	contrary, including but not limited to requirements		

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1 in section 8.41 or provisions in 2012 or 2013 Iowa
2 Acts regarding the receipt and appropriation of
3 federal block grants, federal funds from the temporary
4 assistance for needy families block grant received by
5 the state not otherwise appropriated in this section
6 and remaining available for the fiscal year beginning
7 July 1, 2013, are appropriated to the department of
8 human services to the extent as may be necessary to
9 be used in the following priority order: the family
10 investment program, for state child care assistance
11 program payments for individuals enrolled in the
12 family investment program who are employed, and
13 for the family investment program share of costs to
14 develop and maintain a new, integrated eligibility
15 determination system. The federal funds appropriated
16 in this paragraph "a" shall be expended only after
17 all other funds appropriated in subsection 1 for
18 the assistance under the family investment program,
19 in subsection 6 for child care assistance, or in
20 subsection 12 for the family investment program share
21 of the costs to develop and maintain a new, integrated
22 eligibility determination system, as applicable, have
23 been expended.

24 b. The department shall, on a quarterly basis,
25 advise the legislative services agency and department
26 of management of the amount of funds appropriated in
27 this subsection that was expended in the prior quarter.

28 14. Of the amounts appropriated in this section,
29 \$12,962,008 for the fiscal year beginning July 1, 2013,
30 is transferred to the appropriation of the federal
31 social services block grant made to the department of
32 human services for that fiscal year.

33 15. For continuation of the program providing
34 categorical eligibility for the food assistance program
35 as specified for the program in the section of this
36 division relating to the family investment program
37 account:

38 \$ 25,000

39 16. The department may transfer funds allocated
40 in this section to the appropriations made in this
41 division of this Act for the same fiscal year for
42 general administration and field operations for
43 resources necessary to implement and operate the
44 services referred to in this section and those funded
45 in the appropriation made in this division of this Act
46 for the same fiscal year for the family investment
47 program from the general fund of the state.

48 Sec. 6. FAMILY INVESTMENT PROGRAM ACCOUNT.

49 1. Moneys credited to the family investment program
50 (FIP) account for the fiscal year beginning July

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1 1, 2013, and ending June 30, 2014, shall be used to
2 provide assistance in accordance with chapter 239B.

3 2. The department may use a portion of the moneys
4 credited to the FIP account under this section as
5 necessary for salaries, support, maintenance, and
6 miscellaneous purposes.

7 3. The department may transfer funds allocated
8 in this section to the appropriations made in this
9 division of this Act for the same fiscal year for
10 general administration and field operations for
11 resources necessary to implement and operate the
12 services referred to in this section and those funded
13 in the appropriation made in this division of this Act
14 for the same fiscal year for the family investment
15 program from the general fund of the state.

16 4. Moneys appropriated in this division of this Act
17 and credited to the FIP account for the fiscal year
18 beginning July 1, 2013, and ending June 30, 2014, are
19 allocated as follows:

20 a. To be retained by the department of human
21 services to be used for coordinating with the
22 department of human rights to more effectively serve

23 participants in the FIP program and other shared
 24 clients and to meet federal reporting requirements
 25 under the federal temporary assistance for needy
 26 families block grant:
 27 \$ 20,000
 28 b. To the department of human rights for staffing,
 29 administration, and implementation of the family
 30 development and self-sufficiency grant program in
 31 accordance with section 216A.107:
 32 \$ 5,542,834
 33 (1) Of the funds allocated for the family
 34 development and self-sufficiency grant program in this
 35 lettered paragraph, not more than 5 percent of the
 36 funds shall be used for the administration of the grant
 37 program.
 38 (2) The department of human rights may continue to
 39 implement the family development and self-sufficiency
 40 grant program statewide during fiscal year 2013–2014.
 41 c. For the diversion subaccount of the FIP account:
 42 \$ 1,698,400
 43 A portion of the moneys allocated for the subaccount
 44 may be used for field operations salaries, data
 45 management system development, and implementation
 46 costs and support deemed necessary by the director
 47 of human services in order to administer the FIP
 48 diversion program. To the extent moneys allocated
 49 in this lettered paragraph are not deemed by the
 50 department to be necessary to support diversion

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1 activities, such moneys may be used for other efforts
 2 intended to increase engagement by family investment
 3 program participants in work, education, or training
 4 activities.
 5 d. For the food assistance employment and training
 6 program:
 7 \$ 66,588
 8 (1) The department shall amend the federal
 9 supplemental nutrition assistance program (SNAP)
 10 employment and training state plan in order to maximize
 11 to the fullest extent permitted by federal law the
 12 use of the 50-50 match provisions for the claiming
 13 of allowable federal matching funds from the United
 14 States department of agriculture pursuant to the
 15 federal SNAP employment and training program for
 16 providing education, employment, and training services
 17 for eligible food assistance program participants,
 18 including but not limited to related dependent care and
 19 transportation expenses.
 20 (2) The department shall continue the categorical
 21 federal food assistance program eligibility at 160

22 percent of the federal poverty level and continue to
23 eliminate the asset test from eligibility requirements,
24 consistent with federal food assistance program
25 requirements. The department shall include as many
26 food assistance households as is allowed by federal
27 law. The eligibility provisions shall conform to all
28 federal requirements including requirements addressing
29 individuals who are incarcerated or otherwise
30 ineligible.

31 e. For the JOBS program:
32 \$ 19,690,816

33 5. Of the child support collections assigned under
34 FIP, an amount equal to the federal share of support
35 collections shall be credited to the child support
36 recovery appropriation made in this division of this
37 Act. Of the remainder of the assigned child support
38 collections received by the child support recovery
39 unit, a portion shall be credited to the FIP account,
40 a portion may be used to increase recoveries, and a
41 portion may be used to sustain cash flow in the child
42 support payments account. If as a consequence of the
43 appropriations and allocations made in this section
44 the resulting amounts are insufficient to sustain
45 cash assistance payments and meet federal maintenance
46 of effort requirements, the department shall seek
47 supplemental funding. If child support collections
48 assigned under FIP are greater than estimated or are
49 otherwise determined not to be required for maintenance
50 of effort, the state share of either amount may be

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1 transferred to or retained in the child support payment
2 account.

3 6. The department may adopt emergency rules for the
4 family investment, JOBS, food assistance, and medical
5 assistance programs if necessary to comply with federal
6 requirements.

7 Sec. 7. FAMILY INVESTMENT PROGRAM GENERAL
8 FUND. There is appropriated from the general fund of
9 the state to the department of human services for the
10 fiscal year beginning July 1, 2013, and ending June 30,
11 2014, the following amount, or so much thereof as is
12 necessary, to be used for the purpose designated:
13 To be credited to the family investment program
14 (FIP) account and used for family investment program
15 assistance under chapter 239B:

16 \$ 47,897,214

17 1. Of the funds appropriated in this section,
18 \$7,824,377 is allocated for the JOBS program.

19 2. Of the funds appropriated in this section,
20 \$2,663,854 is allocated for the family development and

21 self-sufficiency grant program.
22 3. Notwithstanding section 8.39, for the fiscal
23 year beginning July 1, 2013, if necessary to meet
24 federal maintenance of effort requirements or to
25 transfer federal temporary assistance for needy
26 families block grant funding to be used for purposes
27 of the federal social services block grant or to meet
28 cash flow needs resulting from delays in receiving
29 federal funding or to implement, in accordance with
30 this division of this Act, activities currently funded
31 with juvenile court services, county, or community
32 moneys and state moneys used in combination with such
33 moneys, the department of human services may transfer
34 funds within or between any of the appropriations made
35 in this division of this Act and appropriations in law
36 for the federal social services block grant to the
37 department for the following purposes, provided that
38 the combined amount of state and federal temporary
39 assistance for needy families block grant funding for
40 each appropriation remains the same before and after
41 the transfer:
42 a. For the family investment program.
43 b. For child care assistance.
44 c. For child and family services.
45 d. For field operations.
46 e. For general administration.
47 f. For distribution to counties or regions
48 for services to persons with mental illness or an
49 intellectual disability.
50 This subsection shall not be construed to prohibit

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1 the use of existing state transfer authority for other
2 purposes. The department shall report any transfers
3 made pursuant to this subsection to the legislative
4 services agency.
5 4. Of the funds appropriated in this section,
6 \$195,678 shall be used for continuation of a grant to
7 an Iowa-based nonprofit organization with a history
8 of providing tax preparation assistance to low-income
9 Iowans in order to expand the usage of the earned
10 income tax credit. The purpose of the grant is to
11 supply this assistance to underserved areas of the
12 state.
13 5. The department may transfer funds appropriated
14 in this section to the appropriations made in this
15 division of this Act for general administration and
16 field operations as necessary to administer this
17 section and the overall family investment program.
18 Sec. 8. CHILD SUPPORT RECOVERY. There is
19 appropriated from the general fund of the state to

20 the department of human services for the fiscal year
21 beginning July 1, 2013, and ending June 30, 2014, the
22 following amount, or so much thereof as is necessary,
23 to be used for the purposes designated:
24 For child support recovery, including salaries,
25 support, maintenance, and miscellaneous purposes, and
26 for not more than the following full-time equivalent
27 positions:
28 \$ 14,173,770
29 FTEs 464.00
30 1. The department shall expend up to \$24,329,
31 including federal financial participation, for the
32 fiscal year beginning July 1, 2013, for a child support
33 public awareness campaign. The department and the
34 office of the attorney general shall cooperate in
35 continuation of the campaign. The public awareness
36 campaign shall emphasize, through a variety of media
37 activities, the importance of maximum involvement of
38 both parents in the lives of their children as well as
39 the importance of payment of child support obligations.
40 2. Federal access and visitation grant moneys shall
41 be issued directly to private not-for-profit agencies
42 that provide services designed to increase compliance
43 with the child access provisions of court orders,
44 including but not limited to neutral visitation sites
45 and mediation services.
46 3. The appropriation made to the department for
47 child support recovery may be used throughout the
48 fiscal year in the manner necessary for purposes of
49 cash flow management, and for cash flow management
50 purposes the department may temporarily draw more

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1 than the amount appropriated, provided the amount
2 appropriated is not exceeded at the close of the fiscal
3 year.
4 4. With the exception of the funding amount
5 specified, the requirements established under 2001
6 Iowa Acts, chapter 191, section 3, subsection 5,
7 paragraph “c”, subparagraph (3), shall be applicable
8 to parental obligation pilot projects for the fiscal
9 year beginning July 1, 2013, and ending June 30,
10 2014. Notwithstanding 441 IAC 100.8, providing for
11 termination of rules relating to the pilot projects,
12 the rules shall remain in effect until June 30, 2014.
13 Sec. 9. HEALTH CARE TRUST FUND — MEDICAL
14 ASSISTANCE — FY 2013–2014. Any funds remaining in the
15 health care trust fund created in section 453A.35A for
16 the fiscal year beginning July 1, 2013, and ending June
17 30, 2014, are appropriated to the department of human
18 services to supplement the medical assistance program

19 appropriations made in this division of this Act, for
20 medical assistance reimbursement and associated costs,
21 including program administration and costs associated
22 with program implementation.

23 Sec. 10. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE
24 — FY 2013–2014. Any funds remaining in the Medicaid
25 fraud fund created in section 249A.7 for the fiscal
26 year beginning July 1, 2013, and ending June 30, 2014,
27 are appropriated to the department of human services to
28 supplement the medical assistance appropriations made
29 in this division of this Act, for medical assistance
30 reimbursement and associated costs, including program
31 administration and costs associated with program
32 implementation.

33 Sec. 11. MEDICAL ASSISTANCE. There is appropriated
34 from the general fund of the state to the department of
35 human services for the fiscal year beginning July 1,
36 2013, and ending June 30, 2014, the following amount,
37 or so much thereof as is necessary, to be used for the
38 purpose designated:

39 For medical assistance program reimbursement and
40 associated costs as specifically provided in the
41 reimbursement methodologies in effect on June 30, 2013,
42 except as otherwise expressly authorized by law:

43 \$ 1,126,011,962

44 1. a. Funds appropriated in this section that
45 are distributed to a hospital, as defined in section
46 135B.1, or to a person, as defined in section 4.1, who
47 receives funding from the IowaCare account created in
48 section 249J.24, shall not be used for the willful
49 termination of human life.

50 b. With the exception of the distributions in

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1 paragraph “a”, funds appropriated under this section
2 shall not be distributed to any person, as defined
3 in section 4.1, who participates in the willful
4 termination of human life.

5 2. The department shall utilize not more than
6 \$60,000 of the funds appropriated in this section
7 to continue the AIDS/HIV health insurance premium
8 payment program as established in 1992 Iowa Acts,
9 Second Extraordinary Session, chapter 1001, section
10 409, subsection 6. Of the funds allocated in this
11 subsection, not more than \$5,000 may be expended for
12 administrative purposes.

13 3. Of the funds appropriated in this Act to the
14 department of public health for addictive disorders,
15 \$950,000 for the fiscal year beginning July 1, 2013, is
16 transferred to the department of human services for an
17 integrated substance abuse managed care system. The

18 department shall not assume management of the substance
19 abuse system in place of the managed care contractor
20 unless such a change in approach is specifically
21 authorized in law. The departments of human services
22 and public health shall work together to maintain the
23 level of mental health and substance-related disorder
24 treatment services provided by the managed care
25 contractor through the Iowa plan for behavioral health.
26 Each department shall take the steps necessary to
27 continue the federal waivers as necessary to maintain
28 the level of services.

29 4. a. The department shall aggressively pursue
30 options for providing medical assistance or other
31 assistance to individuals with special needs who become
32 ineligible to continue receiving services under the
33 early and periodic screening, diagnostic, and treatment
34 program under the medical assistance program due
35 to becoming 21 years of age who have been approved
36 for additional assistance through the department's
37 exception to policy provisions, but who have health
38 care needs in excess of the funding available through
39 the exception to policy provisions.

40 b. Of the funds appropriated in this section,
41 \$100,000 shall be used for participation in one or more
42 pilot projects operated by a private provider to allow
43 the individual or individuals to receive service in the
44 community in accordance with principles established in
45 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
46 of providing medical assistance or other assistance to
47 individuals with special needs who become ineligible
48 to continue receiving services under the early and
49 periodic screening, diagnosis, and treatment program
50 under the medical assistance program due to becoming

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1 21 years of age who have been approved for additional
2 assistance through the department's exception to policy
3 provisions, but who have health care needs in excess
4 of the funding available through the exception to the
5 policy provisions.

6 5. Of the funds appropriated in this section, up to
7 \$3,050,082 may be transferred to the field operations
8 or general administration appropriations in this Act
9 for operational costs associated with Part D of the
10 federal Medicare Prescription Drug Improvement and
11 Modernization Act of 2003, Pub. L. No. 108-173.

12 6. Of the funds appropriated in this section, up
13 to \$442,100 may be transferred to the appropriation
14 in this division of this Act for medical contracts
15 to be used for clinical assessment services and prior
16 authorization of services.

17 7. A portion of the funds appropriated in this
 18 section may be transferred to the appropriations in
 19 this division of this Act for general administration,
 20 medical contracts, the children's health insurance
 21 program, or field operations to be used for the
 22 state match cost to comply with the payment error
 23 rate measurement (PERM) program for both the medical
 24 assistance and children's health insurance programs
 25 as developed by the centers for Medicare and Medicaid
 26 services of the United States department of health and
 27 human services to comply with the federal Improper
 28 Payments Information Act of 2002, Pub. L. No. 107-300.

29 8. It is the intent of the general assembly
 30 that the department continue to implement the
 31 recommendations of the assuring better child health
 32 and development initiative II (ABCDII) clinical panel
 33 to the Iowa early and periodic screening, diagnostic,
 34 and treatment services healthy mental development
 35 collaborative board regarding changes to billing
 36 procedures, codes, and eligible service providers.

37 9. Of the funds appropriated in this section,
 38 a sufficient amount is allocated to supplement
 39 the incomes of residents of nursing facilities,
 40 intermediate care facilities for persons with mental
 41 illness, and intermediate care facilities for persons
 42 with an intellectual disability, with incomes of less
 43 than \$50 in the amount necessary for the residents to
 44 receive a personal needs allowance of \$50 per month
 45 pursuant to section 249A.30A.

46 10. Of the funds appropriated in this section, the
 47 following amounts are transferred to the appropriations
 48 made in this division of this Act for the state mental
 49 health institutes:

50 a. Cherokee mental health institute.....	\$	9,098,425
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1 b. Clarinda mental health institute.....	\$	1,977,305
2 c. Independence mental health		
3 institute	\$	9,045,894
4 d. Mount Pleasant mental health institute		
5	\$	5,752,587

6 11. a. Of the funds appropriated in this section,
 7 \$7,969,074 is allocated for the state match for a
 8 disproportionate share hospital payment of \$19,133,430
 9 to hospitals that meet both of the conditions specified
 10 in subparagraphs (1) and (2). In addition, the
 11 hospitals that meet the conditions specified shall
 12 either certify public expenditures or transfer to
 13 the medical assistance program an amount equal to
 14 provide the nonfederal share for a disproportionate
 15 share hospital payment of \$7,500,000. The hospitals

16 that meet the conditions specified shall receive and
17 retain 100 percent of the total disproportionate share
18 hospital payment of \$26,633,430.

19 (1) The hospital qualifies for disproportionate
20 share and graduate medical education payments.

21 (2) The hospital is an Iowa state-owned hospital
22 with more than 500 beds and eight or more distinct
23 residency specialty or subspecialty programs recognized
24 by the American college of graduate medical education.

25 b. Distribution of the disproportionate share
26 payments shall be made on a monthly basis. The total
27 amount of disproportionate share payments including
28 graduate medical education, enhanced disproportionate
29 share, and Iowa state-owned teaching hospital payments
30 shall not exceed the amount of the state's allotment
31 under Pub. L. No. 102-234. In addition, the total
32 amount of all disproportionate share payments shall not
33 exceed the hospital-specific disproportionate share
34 limits under Pub. L. No. 103-66.

35 12. The university of Iowa hospitals and clinics
36 shall either certify public expenditures or transfer to
37 the medical assistance appropriation an amount equal
38 to provide the nonfederal share for increased medical
39 assistance payments for inpatient and outpatient
40 hospital services of \$9,900,000. The university of
41 Iowa hospitals and clinics shall receive and retain 100
42 percent of the total increase in medical assistance
43 payments.

44 13. Of the funds appropriated in this section,
45 up to \$11,921,225 may be transferred to the IowaCare
46 account created in section 249J.24.

47 14. One hundred percent of the nonfederal share of
48 payments to area education agencies that are medical
49 assistance providers for medical assistance-covered
50 services provided to medical assistance-covered

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1 children, shall be made from the appropriation made in
2 this section.

3 15. Any new or renewed contract entered into by the
4 department with a third party to administer behavioral
5 health services under the medical assistance program
6 shall provide that any interest earned on payments
7 from the state during the state fiscal year shall be
8 remitted to the department and treated as recoveries to
9 offset the costs of the medical assistance program.

10 16. The department shall continue to implement the
11 provisions in 2007 Iowa Acts, chapter 218, section
12 124 and section 126, as amended by 2008 Iowa Acts,
13 chapter 1188, section 55, relating to eligibility for
14 certain persons with disabilities under the medical

15 assistance program in accordance with the federal
16 Family Opportunity Act.

17 17. A portion of the funds appropriated in this
18 section may be transferred to the appropriation in this
19 division of this Act for medical contracts to be used
20 for administrative activities associated with the money
21 follows the person demonstration project.

22 18. Of the funds appropriated in this section,
23 \$349,011 shall be used for the administration of the
24 health insurance premium payment program, including
25 salaries, support, maintenance, and miscellaneous
26 purposes.

27 19. a. The department shall implement the
28 following cost containment strategies for the medical
29 assistance program and shall adopt emergency rules for
30 such implementation:

31 (1) Notwithstanding any provision of law to the
32 contrary, the department shall integrate medical
33 assistance program habilitation services into the Iowa
34 plan contract for the fiscal year beginning July 1,
35 2013.

36 (2) The department shall require prior
37 authorization for provision of any home health services
38 for adults in excess of one hundred visits per year.

39 (3) The department shall implement a 39-week
40 elective cesarean section strategy that emphasizes
41 the importance of reducing the number of elective
42 deliveries performed before 39 weeks without a medical
43 indication.

44 (4) The department shall require prior
45 authorization based on specified criteria before
46 providing reimbursement for hospital swing bed
47 placements and continued stays.

48 (5) The department shall align payment
49 methodologies and rates between medical and nonmedical
50 transportation services through the transportation

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1 brokerage provider.

2 (6) The department shall require that all fees for
3 employee records checks shall be paid by the medical
4 assistance home and community-based waiver services
5 consumer-directed attendant care or consumer choices
6 option provider, with the exception of one initial
7 state records check per employee which shall be paid by
8 the Iowa Medicaid enterprise.

9 (7) The department shall require transition of the
10 provision by individual providers of personal care
11 under the consumer-directed attendant care option to
12 agency-provided personal care services and shall retain
13 the consumer choice option for those individuals able

14 and desiring to self-direct services.

15 (8) The department shall require that persons with
16 an intellectual disability receiving services under
17 the medical assistance program receive a functional
18 assessment utilizing the supports intensity scale tool.
19 The department shall contract with an independent
20 entity to perform the functional assessments. The
21 department shall implement a tiered resource allocation
22 methodology for service plans under the medical
23 assistance home and community-based services waiver for
24 persons with an intellectual disability.

25 (9) The department shall develop a new
26 reimbursement methodology for medical assistance
27 targeted case management that applies appropriate cost
28 limits.

29 (10) The department shall implement an integrated
30 health home approach under the medical assistance
31 program for persons with chronic mental illness. The
32 approach shall integrate the functions of medical
33 assistance targeted case management.

34 (11) The department shall expand the categories of
35 diabetic supplies for which a rebate may be received.

36 (12) The department shall limit initial
37 authorizations for institutional-based care to 30 days
38 for members following discharge from a hospital if the
39 member previously lived in a community-based setting.

40 b. The department shall not implement the cost
41 containment strategy to require a primary care referral
42 for the provision of chiropractic services.

43 c. The department may increase the amounts
44 allocated for salaries, support, maintenance, and
45 miscellaneous purposes associated with the medical
46 assistance program, as necessary, to implement the cost
47 containment strategies. The department shall report
48 any such increase to the legislative services agency
49 and the department of management.

50 d. If the savings to the medical assistance program

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1 exceed the cost for the fiscal year, the department may
2 transfer any savings generated for the fiscal year due
3 to medical assistance program cost containment efforts
4 to the appropriation made in this division of this Act
5 for medical contracts or general administration to
6 defray the increased contract costs associated with
7 implementing such efforts.

8 e. The department shall report the implementation
9 of any cost containment strategies under this
10 subsection to the individuals specified in this
11 division of this Act for submission of reports on a
12 quarterly basis.

13 20. a. Of the funds appropriated in this section,
14 \$900,000 shall be used to implement the children's
15 mental health home project proposed by the department
16 of human services and reported to the general
17 assembly's mental health and disability services study
18 committee in December 2011. Of this amount, up to
19 \$50,000 may be transferred by the department to the
20 appropriation made in this division of this Act to
21 the department for the same fiscal year for general
22 administration to be used for associated administrative
23 expenses and for not more than one full-time equivalent
24 position, in addition to those authorized for the
25 same fiscal year, to be assigned to implementing the
26 project.

27 b. Of the funds appropriated in this section, up to
28 \$400,000 may be transferred by the department to the
29 appropriation made to the department in this division
30 of this Act for the same fiscal year for general
31 administration to support the redesign of mental
32 health and disability services and the state balancing
33 incentive payments program planning and implementation
34 activities. The funds may be used for contracts or for
35 personnel in addition to the amounts appropriated for
36 and the positions authorized for general administration
37 for the same fiscal year.

38 c. Of the funds appropriated in this section, up
39 to \$3,000,000 may be transferred by the department
40 to the appropriations made to the department in this
41 division of this Act for the same fiscal year for
42 general administration or medical contracts to be
43 used to support the development and implementation of
44 standardized assessment tools for persons with mental
45 illness, an intellectual disability, a developmental
46 disability, or a brain injury.

47 d. For the fiscal year beginning July 1, 2013, and
48 ending June 30, 2014, the replacement generation tax
49 revenues required to be deposited in the property tax
50 relief fund pursuant to section 437A.8, subsection

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1 4, paragraph "d", and section 437A.15, subsection
2 3, paragraph "f", shall instead be credited to and
3 supplement the appropriation made in this section and
4 used for the allocations made in this subsection.

5 e. The moneys reimbursed and credited to the risk
6 pool in the property tax relief fund pursuant to 2012
7 Iowa Acts, chapter 1128, section 6, subsection 5, as
8 amended by 2012 Iowa Acts, chapter 1133, section 67,
9 are appropriated to the department of human services
10 for the fiscal year beginning July 1, 2013, and
11 ending June 30, 2014, to be used to supplement the

12 appropriation made in this section for the medical
13 assistance program.

14 21. Of the funds appropriated in this section,
15 \$250,000 shall be used for lodging expenses associated
16 with care provided at the university of Iowa hospitals
17 and clinics under chapter 249J for patients with
18 cancer whose travel distance is 30 miles or more
19 from the university of Iowa hospitals and clinics.
20 The department of human services shall establish the
21 maximum number of overnight stays and the maximum rate
22 reimbursed for overnight lodging, which may be based on
23 the state employee rate established by the department
24 of administrative services. The funds allocated
25 in this subsection shall not be used as nonfederal
26 share matching funds. The department shall provide
27 a transition plan for patients described by this
28 subsection to continue to provide for lodging beyond
29 December 31, 2013.

30 22. The department shall continue to administer the
31 state balancing incentive payments program as specified
32 in 2012 Iowa Acts, chapter 1133, section 14.

33 23. Of the funds appropriated in this section,
34 \$2,000,000 shall be used for the autism support program
35 created in chapter 225D, as enacted in this Act,
36 beginning January 1, 2014.

37 24. Of the funds appropriated in this section,
38 \$300,000 shall be used for reimbursement of staff
39 training as direct costs for home and community-based
40 services providers beginning January 1, 2014, as
41 provided under 2013 Iowa Acts, House File 198 or 2013
42 successor legislation, if enacted.

43 Sec. 12. MEDICAL CONTRACTS. There is appropriated
44 from the general fund of the state to the department of
45 human services for the fiscal year beginning July 1,
46 2013, and ending June 30, 2014, the following amount,
47 or so much thereof as is necessary, to be used for the
48 purpose designated:

49 For medical contracts:
50 \$ 8,520,749

1 1. The department of inspections and appeals
2 shall provide all state matching funds for survey and
3 certification activities performed by the department
4 of inspections and appeals. The department of human
5 services is solely responsible for distributing the
6 federal matching funds for such activities.

7 2. Of the funds appropriated in this section,
8 \$50,000 shall be used for continuation of home and
9 community-based services waiver quality assurance
10 programs, including the review and streamlining of

11 processes and policies related to oversight and quality
 12 management to meet state and federal requirements.

13 3. Of the amount appropriated in this section, up
 14 to \$200,000 may be transferred to the appropriation for
 15 general administration in this division of this Act to
 16 be used for additional full-time equivalent positions
 17 in the development of key health initiatives such as
 18 cost containment, development and oversight of managed
 19 care programs, and development of health strategies
 20 targeted toward improved quality and reduced costs in
 21 the Medicaid program.

22 4. Of the funds appropriated in this section,
 23 \$64,398 shall be used for provision of the IowaCare
 24 program nurse helpline for the expansion population as
 25 provided in section 249J.6.

26 5. Of the funds appropriated in this section,
 27 \$80,000 shall be used for costs related to audits,
 28 performance evaluations, and studies required pursuant
 29 to chapter 249J.

30 6. Of the funds appropriated in this section,
 31 \$194,654 shall be used for administrative costs
 32 associated with chapter 249J.

33 7. Of the funds appropriated in this section,
 34 \$1,000,000 shall be used for planning and development,
 35 in cooperation with the department of public health,
 36 of a phased-in program to provide a dental home for
 37 children in accordance with section 249J.14.

38 8. Of the funds appropriated in this section,
 39 \$270,000 shall be used for payment to the publicly
 40 owned acute care teaching hospital located in a
 41 county with a population of over 350,000 that is a
 42 participating provider pursuant to chapter 249J.
 43 Disbursements under this subsection shall be made
 44 monthly. The hospital shall submit a report following
 45 the close of the fiscal year regarding use of the funds
 46 allocated in this subsection to the persons specified
 47 in this Act to receive reports.

48 9. Of the funds appropriated in this section,
 49 \$75,000 shall be used for continued implementation of a
 50 uniform cost report.

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1 Sec. 13. STATE SUPPLEMENTARY ASSISTANCE.

2 1. There is appropriated from the general fund of
 3 the state to the department of human services for the
 4 fiscal year beginning July 1, 2013, and ending June 30,
 5 2014, the following amount, or so much thereof as is
 6 necessary, to be used for the purpose designated:

7 For the state supplementary assistance program:

8 \$

16,512,174

9 2. The department shall increase the personal needs

10 allowance for residents of residential care facilities
11 by the same percentage and at the same time as federal
12 supplemental security income and federal social
13 security benefits are increased due to a recognized
14 increase in the cost of living. The department may
15 adopt emergency rules to implement this subsection.

16 3. If during the fiscal year beginning July 1,
17 2013, the department projects that state supplementary
18 assistance expenditures for a calendar year will not
19 meet the federal pass-through requirement specified
20 in Tit. XVI of the federal Social Security Act,
21 section 1618, as codified in 42 U.S.C. § 1382g,
22 the department may take actions including but not
23 limited to increasing the personal needs allowance
24 for residential care facility residents and making
25 programmatic adjustments or upward adjustments of the
26 residential care facility or in-home health-related
27 care reimbursement rates prescribed in this division of
28 this Act to ensure that federal requirements are met.
29 In addition, the department may make other programmatic
30 and rate adjustments necessary to remain within the
31 amount appropriated in this section while ensuring
32 compliance with federal requirements. The department
33 may adopt emergency rules to implement the provisions
34 of this subsection.

35 Sec. 14. CHILDREN'S HEALTH INSURANCE PROGRAM.

36 1. There is appropriated from the general fund of
37 the state to the department of human services for the
38 fiscal year beginning July 1, 2013, and ending June 30,
39 2014, the following amount, or so much thereof as is
40 necessary, to be used for the purpose designated:

41 For maintenance of the healthy and well kids in Iowa
42 (hawk-i) program pursuant to chapter 514I, including
43 supplemental dental services, for receipt of federal
44 financial participation under Tit. XXI of the federal
45 Social Security Act, which creates the children's
46 health insurance program:

47 \$ 36,806,102

48 2. Of the funds appropriated in this section,
49 \$141,450 is allocated for continuation of the contract
50 for outreach with the department of public health.

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1 Sec. 15. CHILD CARE ASSISTANCE. There is
2 appropriated from the general fund of the state to
3 the department of human services for the fiscal year
4 beginning July 1, 2013, and ending June 30, 2014, the
5 following amount, or so much thereof as is necessary,
6 to be used for the purpose designated:

7 For child care programs:

8 \$ 59,264,342

9 1. Of the funds appropriated in this section,
10 \$51,409,737 shall be used for state child care
11 assistance in accordance with section 237A.13.
12 2. Nothing in this section shall be construed or
13 is intended as or shall imply a grant of entitlement
14 for services to persons who are eligible for assistance
15 due to an income level consistent with the waiting
16 list requirements of section 237A.13. Any state
17 obligation to provide services pursuant to this section
18 is limited to the extent of the funds appropriated in
19 this section.
20 3. Of the funds appropriated in this section,
21 \$432,453 is allocated for the statewide program for
22 child care resource and referral services under section
23 237A.26. A list of the registered and licensed child
24 care facilities operating in the area served by a
25 child care resource and referral service shall be made
26 available to the families receiving state child care
27 assistance in that area.
28 4. Of the funds appropriated in this section,
29 \$936,974 is allocated for child care quality
30 improvement initiatives including but not limited to
31 the voluntary quality rating system in accordance with
32 section 237A.30.
33 5. Of the funds appropriated in this section,
34 \$135,178 shall be used to conduct fingerprint-based
35 national criminal history record checks of home-based
36 child care providers pursuant to section 237A.5,
37 subsection 2, through the United States department of
38 justice, federal bureau of investigation.
39 6. Of the funds appropriated in this section,
40 \$6,350,000 shall be credited to the school ready
41 children grants account in the early childhood Iowa
42 fund. The moneys credited to the account pursuant
43 to this subsection shall be distributed by the early
44 childhood Iowa board by applying the formula for
45 distribution of moneys from the account.
46 7. The department may use any of the funds
47 appropriated in this section as a match to obtain
48 federal funds for use in expanding child care
49 assistance and related programs. For the purpose of
50 expenditures of state and federal child care funding,

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1 funds shall be considered obligated at the time
2 expenditures are projected or are allocated to the
3 department's service areas. Projections shall be based
4 on current and projected caseload growth, current and
5 projected provider rates, staffing requirements for
6 eligibility determination and management of program
7 requirements including data systems management,

8 staffing requirements for administration of the
9 program, contractual and grant obligations and any
10 transfers to other state agencies, and obligations for
11 decategorization or innovation projects.

12 8. A portion of the state match for the federal
13 child care and development block grant shall be
14 provided as necessary to meet federal matching
15 funds requirements through the state general fund
16 appropriation made for child development grants and
17 other programs for at-risk children in section 279.51.

18 9. If a uniform reduction ordered by the governor
19 under section 8.31 or other operation of law,
20 transfer, or federal funding reduction reduces the
21 appropriation made in this section for the fiscal year,
22 the percentage reduction in the amount paid out to or
23 on behalf of the families participating in the state
24 child care assistance program shall be equal to or
25 less than the percentage reduction made for any other
26 purpose payable from the appropriation made in this
27 section and the federal funding relating to it. The
28 percentage reduction to the other allocations made in
29 this section shall be the same as the uniform reduction
30 ordered by the governor or the percentage change of the
31 federal funding reduction, as applicable. If there is
32 an unanticipated increase in federal funding provided
33 for state child care assistance, the entire amount
34 of the increase shall be used for state child care
35 assistance payments. If the appropriations made for
36 purposes of the state child care assistance program for
37 the fiscal year are determined to be insufficient, it
38 is the intent of the general assembly to appropriate
39 sufficient funding for the fiscal year in order to
40 avoid establishment of waiting list requirements.

41 10. Notwithstanding section 8.33, moneys advanced
42 for purposes of the programs developed by early
43 childhood Iowa areas, advanced for purposes of
44 wraparound child care, or received from the federal
45 appropriations made for the purposes of this section
46 that remain unencumbered or unobligated at the close
47 of the fiscal year shall not revert to any fund but
48 shall remain available for expenditure for the purposes
49 designated until the close of the succeeding fiscal
50 year.

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1 Sec. 16. JUVENILE INSTITUTIONS. There is
2 appropriated from the general fund of the state to
3 the department of human services for the fiscal year
4 beginning July 1, 2013, and ending June 30, 2014, the
5 following amounts, or so much thereof as is necessary,
6 to be used for the purposes designated:

7 1. For operation of the Iowa juvenile home at
 8 Toledo and for salaries, support, maintenance, and
 9 miscellaneous purposes, and for not more than the
 10 following full-time equivalent positions:
 11 \$ 8,859,355
 12 FTEs 114.00
 13 2. For operation of the state training school at
 14 Eldora and for salaries, support, maintenance, and
 15 miscellaneous purposes, and for not more than the
 16 following full-time equivalent positions:
 17 \$ 11,256,969
 18 FTEs 164.30
 19 Of the funds appropriated in this subsection,
 20 \$91,150 shall be used for distribution to licensed
 21 classroom teachers at this and other institutions under
 22 the control of the department of human services based
 23 upon the average student yearly enrollment at each
 24 institution as determined by the department.
 25 3. A portion of the moneys appropriated in this
 26 section shall be used by the state training school and
 27 by the Iowa juvenile home for grants for adolescent
 28 pregnancy prevention activities at the institutions in
 29 the fiscal year beginning July 1, 2013.
 30 Sec. 17. CHILD AND FAMILY SERVICES.
 31 1. There is appropriated from the general fund of
 32 the state to the department of human services for the
 33 fiscal year beginning July 1, 2013, and ending June 30,
 34 2014, the following amount, or so much thereof as is
 35 necessary, to be used for the purpose designated:
 36 For child and family services:
 37 \$ 81,274,946
 38 2. Up to \$5,200,000 of the amount of federal
 39 temporary assistance for needy families block grant
 40 funding appropriated in this division of this Act for
 41 child and family services shall be made available for
 42 purposes of juvenile delinquent graduated sanction
 43 services.
 44 3. The department may transfer funds appropriated
 45 in this section as necessary to pay the nonfederal
 46 costs of services reimbursed under the medical
 47 assistance program, state child care assistance
 48 program, or the family investment program which are
 49 provided to children who would otherwise receive
 50 services paid under the appropriation in this section.

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1 The department may transfer funds appropriated in this
 2 section to the appropriations made in this division
 3 of this Act for general administration and for field
 4 operations for resources necessary to implement and
 5 operate the services funded in this section.

6 4. a. Of the funds appropriated in this section,
7 up to \$30,837,098 is allocated as the statewide
8 expenditure target under section 232.143 for group
9 foster care maintenance and services. If the
10 department projects that such expenditures for the
11 fiscal year will be less than the target amount
12 allocated in this lettered paragraph, the department
13 may reallocate the excess to provide additional
14 funding for shelter care or the child welfare emergency
15 services addressed with the allocation for shelter
16 care.

17 b. If at any time after September 30, 2013,
18 annualization of a service area's current expenditures
19 indicates a service area is at risk of exceeding its
20 group foster care expenditure target under section
21 232.143 by more than 5 percent, the department and
22 juvenile court services shall examine all group
23 foster care placements in that service area in order
24 to identify those which might be appropriate for
25 termination. In addition, any aftercare services
26 believed to be needed for the children whose
27 placements may be terminated shall be identified. The
28 department and juvenile court services shall initiate
29 action to set dispositional review hearings for the
30 placements identified. In such a dispositional review
31 hearing, the juvenile court shall determine whether
32 needed aftercare services are available and whether
33 termination of the placement is in the best interest of
34 the child and the community.

35 5. In accordance with the provisions of section
36 232.188, the department shall continue the child
37 welfare and juvenile justice funding initiative during
38 fiscal year 2013–2014. Of the funds appropriated in
39 this section, \$1,717,753 is allocated specifically
40 for expenditure for fiscal year 2013–2014 through the
41 decategorization service funding pools and governance
42 boards established pursuant to section 232.188.

43 6. A portion of the funds appropriated in this
44 section may be used for emergency family assistance
45 to provide other resources required for a family
46 participating in a family preservation or reunification
47 project or successor project to stay together or to be
48 reunified.

49 7. Notwithstanding section 234.35 or any other
50 provision of law to the contrary, state funding for

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1 shelter care and the child welfare emergency services
2 contracting implemented to provide for or prevent the
3 need for shelter care shall be limited to \$6,431,868.

4 8. Federal funds received by the state during

5 the fiscal year beginning July 1, 2013, as the
6 result of the expenditure of state funds appropriated
7 during a previous state fiscal year for a service or
8 activity funded under this section are appropriated
9 to the department to be used as additional funding
10 for services and purposes provided for under this
11 section. Notwithstanding section 8.33, moneys
12 received in accordance with this subsection that remain
13 unencumbered or unobligated at the close of the fiscal
14 year shall not revert to any fund but shall remain
15 available for the purposes designated until the close
16 of the succeeding fiscal year.

17 9. a. Of the funds appropriated in this section,
18 up to \$2,062,488 is allocated for the payment of
19 the expenses of court-ordered services provided to
20 juveniles who are under the supervision of juvenile
21 court services, which expenses are a charge upon the
22 state pursuant to section 232.141, subsection 4. Of
23 the amount allocated in this lettered paragraph,
24 up to \$1,556,287 shall be made available to provide
25 school-based supervision of children adjudicated under
26 chapter 232, of which not more than \$15,000 may be used
27 for the purpose of training. A portion of the cost of
28 each school-based liaison officer shall be paid by the
29 school district or other funding source as approved by
30 the chief juvenile court officer.

31 b. Of the funds appropriated in this section, up to
32 \$748,985 is allocated for the payment of the expenses
33 of court-ordered services provided to children who are
34 under the supervision of the department, which expenses
35 are a charge upon the state pursuant to section
36 232.141, subsection 4.

37 c. Notwithstanding section 232.141 or any other
38 provision of law to the contrary, the amounts allocated
39 in this subsection shall be distributed to the
40 judicial districts as determined by the state court
41 administrator and to the department's service areas as
42 determined by the administrator of the department's
43 division of child and family services. The state court
44 administrator and the division administrator shall make
45 the determination of the distribution amounts on or
46 before June 15, 2013.

47 d. Notwithstanding chapter 232 or any other
48 provision of law to the contrary, a district or
49 juvenile court shall not order any service which is
50 a charge upon the state pursuant to section 232.141

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- 1 if there are insufficient court-ordered services
- 2 funds available in the district court or departmental
- 3 service area distribution amounts to pay for the

4 service. The chief juvenile court officer and the
5 departmental service area manager shall encourage use
6 of the funds allocated in this subsection such that
7 there are sufficient funds to pay for all court-related
8 services during the entire year. The chief juvenile
9 court officers and departmental service area managers
10 shall attempt to anticipate potential surpluses and
11 shortfalls in the distribution amounts and shall
12 cooperatively request the state court administrator
13 or division administrator to transfer funds between
14 the judicial districts' or departmental service areas'
15 distribution amounts as prudent.

16 e. Notwithstanding any provision of law to the
17 contrary, a district or juvenile court shall not order
18 a county to pay for any service provided to a juvenile
19 pursuant to an order entered under chapter 232 which
20 is a charge upon the state under section 232.141,
21 subsection 4.

22 f. Of the funds allocated in this subsection, not
23 more than \$83,000 may be used by the judicial branch
24 for administration of the requirements under this
25 subsection.

26 g. Of the funds allocated in this subsection,
27 \$17,000 shall be used by the department of human
28 services to support the interstate commission for
29 juveniles in accordance with the interstate compact for
30 juveniles as provided in section 232.173.

31 10. Of the funds appropriated in this section,
32 \$6,022,602 is allocated for juvenile delinquent
33 graduated sanctions services. Any state funds saved as
34 a result of efforts by juvenile court services to earn
35 federal Tit. IV-E match for juvenile court services
36 administration may be used for the juvenile delinquent
37 graduated sanctions services.

38 11. Of the funds appropriated in this section,
39 \$1,288,285 is transferred to the department of public
40 health to be used for the child protection center
41 grant program in accordance with section 135.118. The
42 grant amounts under the program shall be equalized so
43 that each center receives a uniform amount of at least
44 \$245,000.

45 12. If the department receives federal approval
46 to implement a waiver under Tit. IV-E of the federal
47 Social Security Act to enable providers to serve
48 children who remain in the children's families and
49 communities, for purposes of eligibility under the
50 medical assistance program, children who participate in

13. Of the funds appropriated in this section,
\$3,092,375 is allocated for the preparation for adult
living program pursuant to section 234.46.

14. Of the funds appropriated in this section,
\$520,150 shall be used for juvenile drug courts.
The amount allocated in this subsection shall be
distributed as follows:

To the judicial branch for salaries to assist with
the operation of juvenile drug court programs operated
in the following jurisdictions:

a. Marshall county:

..... \$ 62,708

b. Woodbury county:

..... \$ 125,682

c. Polk county:

..... \$ 195,892

d. The third judicial district:

..... \$ 67,934

e. The eighth judicial district:

..... \$ 67,934

15. Of the funds appropriated in this section,
\$227,337 shall be used for the public purpose of
continuing a grant to a nonprofit human services
organization providing services to individuals and
families in multiple locations in southwest Iowa and
Nebraska for support of a project providing immediate,
sensitive support and forensic interviews, medical
exams, needs assessments, and referrals for victims of
child abuse and their nonoffending family members.

16. Of the funds appropriated in this section,
\$200,590 is allocated for the foster care youth council
approach of providing a support network to children
placed in foster care.

17. Of the funds appropriated in this section,
\$202,000 is allocated for use pursuant to section
235A.1 for continuation of the initiative to address
child sexual abuse implemented pursuant to 2007 Iowa
Acts, chapter 218, section 18, subsection 21.

18. Of the funds appropriated in this section,
\$630,240 is allocated for the community partnership for
child protection sites.

19. Of the funds appropriated in this section,
\$371,250 is allocated for the department's minority
youth and family projects under the redesign of the
child welfare system.

20. Of the funds appropriated in this section,
\$1,436,595 is allocated for funding of the community
circle of care collaboration for children and youth

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1 in northeast Iowa. However, if the department seeks
2 to implement the integrated health home approach for
3 the children in the area served by the circle of care
4 collaboration, the approach shall be implemented
5 through a request for proposals process and the funding
6 allocated in this subsection shall be combined with the
7 other funding made available to the providers selected
8 to implement the approach in the area.

9 21. Of the funds appropriated in this section, at
10 least \$147,158 shall be used for the child welfare
11 training academy.

12 22. Of the funds appropriated in this section,
13 \$25,000 shall be used for the public purpose of
14 continuation of a grant to a child welfare services
15 provider headquartered in a county with a population
16 between 205,000 and 215,000 in the latest certified
17 federal census that provides multiple services
18 including but not limited to a psychiatric medical
19 institution for children, shelter, residential
20 treatment, after school programs, school-based
21 programming, and an Asperger's syndrome program, to
22 be used for support services for children with autism
23 spectrum disorder and their families.

24 23. Of the funds appropriated in this section,
25 \$25,000 shall be used for the public purpose of
26 continuing a grant to a hospital-based provider
27 headquartered in a county with a population between
28 90,000 and 95,000 in the latest certified federal
29 census that provides multiple services including but
30 not limited to diagnostic, therapeutic, and behavioral
31 services to individuals with autism spectrum disorder
32 across the lifespan. The grant recipient shall utilize
33 the funds to continue the pilot project to determine
34 the necessary support services for children with autism
35 spectrum disorder and their families to be included in
36 the children's disabilities services system. The grant
37 recipient shall submit findings and recommendations
38 based upon the results of the pilot project to the
39 individuals specified in this division of this Act for
40 submission of reports by December 31, 2013.

41 24. Of the funds appropriated in this section,
42 \$327,947 shall be used for continuation of the central
43 Iowa system of care program grant through June 30,
44 2014. However, if the department seeks to implement
45 the integrated health home approach for the children
46 in the area served by the system of care grantee, the
47 approach shall be implemented through a request for
48 proposals process and the funding allocated in this
49 subsection shall be combined with the other funding
50 made available to the providers selected to implement

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the approach in the area.

25. Of the funds appropriated in this section, \$160,000 shall be used for the public purpose of the continuation of a system of care grant implemented in Cerro Gordo and Linn counties. However, if the department seeks to implement the integrated health home approach for the children in the area served by the system of care grantee, the approach shall be implemented through a request for proposals process and the funding allocated in this subsection shall be combined with the other funding made available to the providers selected to implement the approach in the area.

26. Of the funds appropriated in this section, at least \$25,000 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support.

Sec. 18. ADOPTION SUBSIDY.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For adoption subsidy payments and services:	
.....	\$ 39,156,832

2. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for general administration for costs paid from the appropriation relating to adoption subsidy.

3. Federal funds received by the state during the fiscal year beginning July 1, 2013, as the result of the expenditure of state funds during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for the services and activities funded under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 19. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2013, and ending June 30, 2014, are

1 appropriated to the department of human services for
2 the fiscal year beginning July 1, 2013, and ending
3 June 30, 2014, for distribution of an amount equal
4 to a percentage of the costs of the establishment,
5 improvement, operation, and maintenance of county or
6 multicounty juvenile detention homes in the fiscal
7 year beginning July 1, 2012. Moneys appropriated for
8 distribution in accordance with this section shall be
9 allocated among eligible detention homes, prorated on
10 the basis of an eligible detention home's proportion
11 of the costs of all eligible detention homes in the
12 fiscal year beginning July 1, 2012. The percentage
13 figure shall be determined by the department based on
14 the amount available for distribution for the fund.
15 Notwithstanding section 232.142, subsection 3, the
16 financial aid payable by the state under that provision
17 for the fiscal year beginning July 1, 2013, shall be
18 limited to the amount appropriated for the purposes of
19 this section.

20 Sec. 20. FAMILY SUPPORT SUBSIDY PROGRAM.

21 1. There is appropriated from the general fund of
22 the state to the department of human services for the
23 fiscal year beginning July 1, 2013, and ending June 30,
24 2014, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For the family support subsidy program subject
27 to the enrollment restrictions in section 225C.37,
28 subsection 3:

29 \$ 994,955

30 2. The department shall use at least \$385,500 of
31 the moneys appropriated in this section for the family
32 support center component of the comprehensive family
33 support program under section 225C.47. Not more than
34 \$25,000 of the amount allocated in this subsection
35 shall be used for administrative costs.

36 3. If at any time during the fiscal year, the
37 amount of funding available for the family support
38 subsidy program is reduced from the amount initially
39 used to establish the figure for the number of family
40 members for whom a subsidy is to be provided at any one
41 time during the fiscal year, notwithstanding section
42 225C.38, subsection 2, the department shall revise the
43 figure as necessary to conform to the amount of funding
44 available.

45 Sec. 21. CONNER DECREE. There is appropriated from
46 the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2013, and ending June 30, 2014, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

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1 For building community capacity through the
2 coordination and provision of training opportunities
3 in accordance with the consent decree of Conner v.
4 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
5 \$ 33,622

6 Sec. 22. MENTAL HEALTH INSTITUTES. There is
7 appropriated from the general fund of the state to
8 the department of human services for the fiscal year
9 beginning July 1, 2013, and ending June 30, 2014, the
10 following amounts, or so much thereof as is necessary,
11 to be used for the purposes designated:

12 1. For the state mental health institute at
13 Cherokee for salaries, support, maintenance, and
14 miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:
16 \$ 5,975,057
17 FTEs 168.50

18 If recommended by the superintendent, the department
19 may sell or transfer ownership of unused facilities at
20 the state mental health institute to the city in which
21 the institute is located.

22 2. For the state mental health institute at
23 Clarinda for salaries, support, maintenance, and
24 miscellaneous purposes, and for not more than the
25 following full-time equivalent positions:
26 \$ 6,772,460
27 FTEs 86.10

28 3. For the state mental health institute at
29 Independence for salaries, support, maintenance, and
30 miscellaneous purposes, and for not more than the
31 following full-time equivalent positions:
32 \$ 10,339,371
33 FTEs 233.00

34 4. For the state mental health institute at Mount
35 Pleasant for salaries, support, maintenance, and
36 miscellaneous purposes, and for not more than the
37 following full-time equivalent positions:
38 \$ 1,387,278
39 FTEs 97.92

40 Sec. 23. STATE RESOURCE CENTERS.

41 1. There is appropriated from the general fund of
42 the state to the department of human services for the
43 fiscal year beginning July 1, 2013, and ending June 30,
44 2014, the following amounts, or so much thereof as is
45 necessary, to be used for the purposes designated:

46 a. For the state resource center at Glenwood for
47 salaries, support, maintenance, and miscellaneous
48 purposes:
49 \$ 20,046,519

50 b. For the state resource center at Woodward for

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1 salaries, support, maintenance, and miscellaneous
2 purposes:
3 \$ 13,809,566
4 2. The department may continue to bill for state
5 resource center services utilizing a scope of services
6 approach used for private providers of ICFID services,
7 in a manner which does not shift costs between the
8 medical assistance program, counties, or other sources
9 of funding for the state resource centers.
10 3. The state resource centers may expand the
11 time-limited assessment and respite services during the
12 fiscal year.
13 4. If the department's administration and the
14 department of management concur with a finding by a
15 state resource center's superintendent that projected
16 revenues can reasonably be expected to pay the salary
17 and support costs for a new employee position, or
18 that such costs for adding a particular number of new
19 positions for the fiscal year would be less than the
20 overtime costs if new positions would not be added, the
21 superintendent may add the new position or positions.
22 If the vacant positions available to a resource center
23 do not include the position classification desired to
24 be filled, the state resource center's superintendent
25 may reclassify any vacant position as necessary to
26 fill the desired position. The superintendents of the
27 state resource centers may, by mutual agreement, pool
28 vacant positions and position classifications during
29 the course of the fiscal year in order to assist one
30 another in filling necessary positions.
31 5. If existing capacity limitations are reached
32 in operating units, a waiting list is in effect
33 for a service or a special need for which a payment
34 source or other funding is available for the service
35 or to address the special need, and facilities for
36 the service or to address the special need can be
37 provided within the available payment source or other
38 funding, the superintendent of a state resource center
39 may authorize opening not more than two units or
40 other facilities and begin implementing the service
41 or addressing the special need during fiscal year
42 2013-2014.
43 Sec. 24. SEXUALLY VIOLENT PREDATORS.
44 1. There is appropriated from the general fund of
45 the state to the department of human services for the
46 fiscal year beginning July 1, 2013, and ending June 30,
47 2014, the following amount, or so much thereof as is
48 necessary, to be used for the purpose designated:
49 For costs associated with the commitment and
50 treatment of sexually violent predators in the unit

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1 located at the state mental health institute at
 2 Cherokee, including costs of legal services and
 3 other associated costs, including salaries, support,
 4 maintenance, and miscellaneous purposes, and for not
 5 more than the following full-time equivalent positions:

6	\$	10,916,969
7	FTEs	124.50

8 2. Unless specifically prohibited by law, if the
 9 amount charged provides for recoupment of at least
 10 the entire amount of direct and indirect costs, the
 11 department of human services may contract with other
 12 states to provide care and treatment of persons placed
 13 by the other states at the unit for sexually violent
 14 predators at Cherokee. The moneys received under such
 15 a contract shall be considered to be repayment receipts
 16 and used for the purposes of the appropriation made in
 17 this section.

18 Sec. 25. FIELD OPERATIONS. There is appropriated
 19 from the general fund of the state to the department of
 20 human services for the fiscal year beginning July 1,
 21 2013, and ending June 30, 2014, the following amount,
 22 or so much thereof as is necessary, to be used for the
 23 purposes designated:

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

27	\$	62,731,674
28	FTEs	1,781.00

29 Priority in filling full-time equivalent positions
 30 shall be given to those positions related to child
 31 protection services and eligibility determination for
 32 low-income families.

33 Sec. 26. GENERAL ADMINISTRATION. There is
 34 appropriated from the general fund of the state to
 35 the department of human services for the fiscal year
 36 beginning July 1, 2013, and ending June 30, 2014, the
 37 following amount, or so much thereof as is necessary,
 38 to be used for the purpose designated:

39 For general administration, including salaries,
 40 support, maintenance, and miscellaneous purposes, and
 41 for not more than the following full-time equivalent
 42 positions:

43	\$	15,450,045
44	FTEs	307.00

45 1. Of the funds appropriated in this section,
 46 \$63,543 is allocated for the prevention of disabilities
 47 policy council established in section 225B.3. Of the
 48 amount allocated in this subsection, \$25,000 shall be
 49 passed through to the council for the costs involved
 50 with holding a summit meeting of the multiple entities

1 providing services to persons with disabilities. The
2 focus of the summit meeting shall be to review existing
3 disability prevention activities in order to identify
4 cost effective public policy options for reaching the
5 greatest number of children and adults in order to
6 eliminate the risk of disabilities. The review shall
7 also address options for health care services available
8 to youth transitioning to the adult system of health
9 care. The council shall report to the individuals
10 identified in this Act for submission of reports within
11 30 calendar days of completing the summit meeting
12 concerning the review, policy options identified, and
13 recommendations made.

14 2. The department shall report at least monthly
15 to the legislative services agency concerning the
16 department's operational and program expenditures.

17 3. Of the funds appropriated in this section,
18 \$50,000 is transferred to the Iowa finance authority
19 to be used for administrative support of the council
20 on homelessness established in section 16.100A and for
21 the council to fulfill its duties in addressing and
22 reducing homelessness in the state.

23 4. Of the funds appropriated in this section,
24 \$150,000 shall be used to continue the contract for the
25 provision of a program to provide technical assistance,
26 support, and consultation to providers of habilitation
27 services and home and community-based services waiver
28 services for adults with disabilities under the medical
29 assistance program.

30 Sec. 27. VOLUNTEERS. There is appropriated from
31 the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2013, and ending June 30, 2014, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purpose designated:

36 For development and coordination of volunteer
37 services:

38 \$ 84,660

39 Sec. 28. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
40 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
41 UNDER THE DEPARTMENT OF HUMAN SERVICES.

42 1. a. (1) For the fiscal year beginning July 1,
43 2013, the total state funding amount for the nursing
44 facility budget shall not exceed \$267,712,511.

45 (2) For the fiscal year beginning July 1, 2013,
46 the department shall rebase case-mix nursing facility
47 rates effective July 1, 2013. However, total nursing
48 facility budget expenditures, including both case-mix
49 and noncase-mix shall not exceed the amount specified
50 in subparagraph (1). When calculating case-mix per

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1 diem cost and the patient-day-weighted medians used in
2 rate-setting for nursing facilities effective July 1,
3 2013, the inflation factor applied from the midpoint
4 of the cost report period to the first day of the
5 state fiscal year rate period shall be adjusted to
6 maintain state funding within the amount specified in
7 subparagraph (1).

8 (3) The department, in cooperation with nursing
9 facility representatives, shall review projections for
10 state funding expenditures for reimbursement of nursing
11 facilities on a quarterly basis and the department
12 shall determine if an adjustment to the medical
13 assistance reimbursement rate is necessary in order to
14 provide reimbursement within the state funding amount
15 for the fiscal year. Notwithstanding 2001 Iowa Acts,
16 chapter 192, section 4, subsection 2, paragraph "c",
17 and subsection 3, paragraph "a", subparagraph (2), if
18 the state funding expenditures for the nursing facility
19 budget for the fiscal year is projected to exceed the
20 amount specified in subparagraph (1), the department
21 shall adjust the reimbursement for nursing facilities
22 reimbursed under the case-mix reimbursement system to
23 maintain expenditures of the nursing facility budget
24 within the specified amount for the fiscal year.

25 (4) For the fiscal year beginning July 1, 2013,
26 special population nursing facilities shall be
27 reimbursed in accordance with the methodology in effect
28 on June 30, 2013.

29 b. (1) For the fiscal year beginning July 1, 2013,
30 the department shall establish the pharmacy dispensing
31 fee reimbursement at \$10.17 per prescription. The
32 actual dispensing fee shall be determined by a cost
33 of dispensing survey performed by the department and
34 required to be completed by all medical assistance
35 program participating pharmacies every two years
36 beginning in FY 2014–2015.

37 (2) The department shall utilize an average
38 acquisition cost reimbursement methodology for all
39 drugs covered under the medical assistance program in
40 accordance with 2012 Iowa Acts, chapter 1133, section
41 33.

42 c. (1) For the fiscal year beginning July 1, 2013,
43 reimbursement rates for outpatient hospital services
44 shall remain at the rates in effect on June 30, 2013.

45 (2) For the fiscal year beginning July 1, 2013,
46 reimbursement rates for inpatient hospital services
47 shall remain at the rates in effect on June 30, 2013.

48 (3) For the fiscal year beginning July 1, 2013,
49 the graduate medical education and disproportionate
50 share hospital fund shall remain at the amount in

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1 effect on June 30, 2013, except that the portion of
2 the fund attributable to graduate medical education
3 shall be reduced in an amount that reflects the
4 elimination of graduate medical education payments made
5 to out-of-state hospitals.

6 (4) In order to ensure the efficient use of limited
7 state funds in procuring health care services for
8 low-income Iowans, funds appropriated in this Act for
9 hospital services shall not be used for activities
10 which would be excluded from a determination of
11 reasonable costs under the federal Medicare program
12 pursuant to 42 U.S.C. § 1395X(v)(1)(N).

13 d. For the fiscal year beginning July 1, 2013,
14 reimbursement rates for rural health clinics, hospices,
15 and acute mental hospitals shall be increased in
16 accordance with increases under the federal Medicare
17 program or as supported by their Medicare audited
18 costs.

19 e. For the fiscal year beginning July 1, 2013,
20 independent laboratories and rehabilitation agencies
21 shall be reimbursed using the same methodology in
22 effect on June 30, 2013.

23 f. For the fiscal year beginning July 1, 2013,
24 reimbursement rates for home health agencies shall
25 remain at the rates in effect on June 30, 2013, not to
26 exceed a home health agency's actual allowable cost.

27 g. For the fiscal year beginning July 1, 2013,
28 federally qualified health centers shall receive
29 cost-based reimbursement for 100 percent of the
30 reasonable costs for the provision of services to
31 recipients of medical assistance.

32 h. For the fiscal year beginning July 1, 2013, the
33 reimbursement rates for dental services shall remain at
34 the rates in effect on June 30, 2013.

35 i. (1) For the fiscal year beginning July 1,
36 2013, state-owned psychiatric medical institutions
37 for children shall receive cost-based reimbursement
38 for 100 percent of the actual and allowable costs for
39 the provision of services to recipients of medical
40 assistance.

41 (2) For the nonstate-owned psychiatric medical
42 institutions for children, reimbursement rates shall be
43 based on the reimbursement methodology developed by the
44 department as required for federal compliance.

45 (3) As a condition of participation in the medical
46 assistance program, enrolled providers shall accept the
47 medical assistance reimbursement rate for any covered
48 goods or services provided to recipients of medical
49 assistance who are children under the custody of a
50 psychiatric medical institution for children.

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j. For the fiscal year beginning July 1, 2013, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2013, except for area education agencies, local education agencies, infant and toddler services providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2013, the reimbursement rate for anesthesiologists shall remain at the rate in effect on June 30, 2013.

l. For the fiscal year beginning July 1, 2013, the average reimbursement rate for health care providers eligible for use of the federal Medicare resource-based relative value scale reimbursement methodology under section 249A.20 shall remain at the rate in effect on June 30, 2013; however, this rate shall not exceed the maximum level authorized by the federal government.

m. For the fiscal year beginning July 1, 2013, the reimbursement rate for residential care facilities shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement. The flat reimbursement rate for facilities electing not to file annual cost reports shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

n. For the fiscal year beginning July 1, 2013, inpatient mental health services provided at hospitals shall remain at the rates in effect on June 30, 2013, subject to Medicaid program upper payment limit rules; community mental health centers and providers of mental health services to county residents pursuant to a waiver approved under section 225C.7, subsection 3, shall be reimbursed at 100 percent of the reasonable costs for the provision of services to recipients of medical assistance; and psychiatrists shall be reimbursed at the medical assistance program fee-for-service rate.

o. For the fiscal year beginning July 1, 2013, the reimbursement rate for consumer-directed attendant care shall remain at the rates in effect on June 30, 2013.

p. For the fiscal year beginning July 1, 2013, the reimbursement rate for providers of family planning services that are eligible to receive a 90 percent federal match shall remain at the rates in effect on June 30, 2013.

q. For the fiscal year beginning July 1, 2013, the

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1 upper limits on reimbursement rates for providers of
2 home and community-based services waiver services shall
3 be the limits in effect on June 30, 2013, pursuant
4 to 441 IAC 79.1(2), based on federal Medicare rates,
5 federal veterans administration rates, or the dollar
6 amount specified in rule, regardless of the providers'
7 previous Medicaid program rate.

8 2. For the fiscal year beginning July 1, 2013, the
9 reimbursement rate for providers reimbursed under the
10 in-home-related care program shall not be less than the
11 minimum payment level as established by the federal
12 government to meet the federally mandated maintenance
13 of effort requirement.

14 3. Unless otherwise directed in this section, when
15 the department's reimbursement methodology for any
16 provider reimbursed in accordance with this section
17 includes an inflation factor, this factor shall not
18 exceed the amount by which the consumer price index for
19 all urban consumers increased during the calendar year
20 ending December 31, 2002.

21 4. For the fiscal year beginning July 1, 2013,
22 the foster family basic daily maintenance rate and
23 the maximum adoption subsidy rate for children ages 0
24 through 5 years shall be \$15.98, the rate for children
25 ages 6 through 11 years shall be \$16.62, the rate for
26 children ages 12 through 15 years shall be \$18.19,
27 and the rate for children and young adults ages 16
28 and older shall be \$18.43. The maximum supervised
29 apartment living foster care reimbursement rate shall
30 be \$25.00 per day. For youth ages 18 to 21 who have
31 exited foster care, the maximum preparation for adult
32 living program maintenance rate shall be \$574.00 per
33 month. The payment for adoption subsidy nonrecurring
34 expenses shall be limited to \$500 and the disallowance
35 of additional amounts for court costs and other related
36 legal expenses implemented pursuant to 2010 Iowa Acts,
37 chapter 1031, section 408 shall be continued.

38 5. For the fiscal year beginning July 1, 2013,
39 the maximum reimbursement rates under the supervised
40 apartment living program and for social services
41 providers under contract shall remain at the rates
42 in effect on June 30, 2013, or the provider's actual
43 and allowable cost plus inflation for each service,
44 whichever is less. However, if a new service or
45 service provider is added after June 30, 2013, the
46 initial reimbursement rate for the service or provider
47 shall be based upon a weighted average of provider
48 rates for similar services.

49 6. For the fiscal year beginning July 1, 2013,
50 the reimbursement rates for family-centered service

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1 providers, family foster care service providers, group
2 foster care service providers, and the resource family
3 recruitment and retention contractor shall remain at
4 the rates in effect on June 30, 2013.

5 7. The group foster care reimbursement rates
6 paid for placement of children out of state shall
7 be calculated according to the same rate-setting
8 principles as those used for in-state providers,
9 unless the director of human services or the director's
10 designee determines that appropriate care cannot be
11 provided within the state. The payment of the daily
12 rate shall be based on the number of days in the
13 calendar month in which service is provided.

14 8. a. For the fiscal year beginning July 1, 2013,
15 the reimbursement rate paid for shelter care and
16 the child welfare emergency services implemented to
17 provide or prevent the need for shelter care shall be
18 established by contract.

19 b. For the fiscal year beginning July 1, 2013,
20 the combined service and maintenance components of
21 the reimbursement rate paid for shelter care services
22 shall be based on the financial and statistical report
23 submitted to the department. The maximum reimbursement
24 rate shall be \$92.36 per day. The department shall
25 reimburse a shelter care provider at the provider's
26 actual and allowable unit cost, plus inflation, not to
27 exceed the maximum reimbursement rate.

28 c. For the fiscal year beginning July 1, 2013,
29 the amount of the statewide average of the actual and
30 allowable rates for reimbursement of juvenile shelter
31 care homes that is utilized for the limitation on
32 recovery of unpaid costs shall remain at the amount in
33 effect for this purpose in the fiscal year beginning
34 July 1, 2012.

35 9. For the fiscal year beginning July 1, 2013,
36 the department shall calculate reimbursement rates
37 for intermediate care facilities for persons with
38 intellectual disabilities at the 80th percentile.
39 Beginning July 1, 2013, the rate calculation
40 methodology shall utilize the consumer price index
41 inflation factor applicable to the fiscal year
42 beginning July 1, 2013.

43 10. For the fiscal year beginning July 1, 2013,
44 for child care providers reimbursed under the state
45 child care assistance program, the department shall
46 set provider reimbursement rates based on the rate
47 reimbursement survey completed in December 2004.
48 Effective July 1, 2013, the child care provider
49 reimbursement rates shall remain at the rates in effect
50 on June 30, 2013. The department shall set rates in a

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1 manner so as to provide incentives for a nonregistered
2 provider to become registered by applying any increase
3 only to registered and licensed providers.

4 11. The department may adopt emergency rules to
5 implement this section.

6 Sec. 29. EMERGENCY RULES.

7 1. If specifically authorized by a provision
8 of this division of this Act for the fiscal year
9 beginning July 1, 2013, the department of human
10 services or the mental health, and disability services
11 commission may adopt administrative rules under section
12 17A.4, subsection 3, and section 17A.5, subsection
13 2, paragraph "b", to implement the provisions and
14 the rules shall become effective immediately upon
15 filing or on a later effective date specified in the
16 rules, unless the effective date is delayed by the
17 administrative rules review committee. Any rules
18 adopted in accordance with this section shall not
19 take effect before the rules are reviewed by the
20 administrative rules review committee. The delay
21 authority provided to the administrative rules review
22 committee under section 17A.4, subsection 7, and
23 section 17A.8, subsection 9, shall be applicable to a
24 delay imposed under this section, notwithstanding a
25 provision in those sections making them inapplicable
26 to section 17A.5, subsection 2, paragraph "b". Any
27 rules adopted in accordance with the provisions of this
28 section shall also be published as notice of intended
29 action as provided in section 17A.4.

30 2. If during the fiscal year beginning July 1,
31 2013, the department of human services is adopting
32 rules in accordance with this section or as otherwise
33 directed or authorized by state law, and the rules will
34 result in an expenditure increase beyond the amount
35 anticipated in the budget process or if the expenditure
36 was not addressed in the budget process for the
37 fiscal year, the department shall notify the persons
38 designated by this division of this Act for submission
39 of reports, the chairpersons and ranking members of
40 the committees on appropriations, and the department
41 of management concerning the rules and the expenditure
42 increase. The notification shall be provided at least
43 30 calendar days prior to the date notice of the rules
44 is submitted to the administrative rules coordinator
45 and the administrative code editor.

46 Sec. 30. REPORTS. Any reports or other information
47 required to be compiled and submitted under this Act
48 during the fiscal year beginning July 1, 2013, shall
49 be submitted to the chairpersons and ranking members
50 of the joint appropriations subcommittee on health and

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1 human services, the legislative services agency, and
2 the legislative caucus staffs on or before the dates
3 specified for submission of the reports or information.

4 DIVISION V

5 HEALTH CARE ACCOUNTS AND FUNDS — FY 2013–2014

6 Sec. 31. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
7 is appropriated from the pharmaceutical settlement
8 account created in section 249A.33 to the department of
9 human services for the fiscal year beginning July 1,
10 2013, and ending June 30, 2014, the following amount,
11 or so much thereof as is necessary, to be used for the
12 purpose designated:

13 Notwithstanding any provision of law to the
14 contrary, to supplement the appropriations made in this
15 Act for medical contracts under the medical assistance
16 program for the fiscal year beginning July 1, 2013, and
17 ending June 30, 2014:

18 \$ 6,650,000

19 Sec. 32. APPROPRIATIONS FROM IOWACARE ACCOUNT.

20 1. There is appropriated from the IowaCare account
21 created in section 249J.24 to the state board of
22 regents for distribution to the university of Iowa
23 hospitals and clinics for the fiscal year beginning
24 July 1, 2013, and ending June 30, 2014, for the program
25 period beginning July 1, 2013, and ending December 31,
26 2013, the following amount, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, equipment, and
29 miscellaneous purposes, for the provision of medical
30 and surgical treatment of indigent patients, for
31 provision of services to members of the expansion
32 population pursuant to chapter 249J, and for medical
33 education:

34 \$ 13,642,292

35 a. Funds appropriated in this section shall not be
36 used for the willful termination of human life.

37 b. Notwithstanding any provision of law to the
38 contrary, the amount appropriated in this subsection
39 shall be distributed based on claims submitted,
40 adjudicated, and paid by the Iowa Medicaid enterprise.

41 c. The university of Iowa hospitals and clinics
42 shall certify public expenditures in an amount equal
43 to provide the nonfederal share on total expenditures
44 not to exceed \$10,000,000.

45 2. There is appropriated from the IowaCare account
46 created in section 249J.24 to the state board of
47 regents for distribution to the university of Iowa
48 hospitals and clinics for the fiscal year beginning
49 July 1, 2013, and ending June 30, 2014, for the program
50 period beginning July 1, 2013, and ending December 31,

1 2013, the following amount, or so much thereof as is
2 necessary, to be used for the purposes designated:
3 For salaries, support, maintenance, equipment, and
4 miscellaneous purposes, for the provision of medical
5 and surgical treatment of indigent patients, for
6 provision of services to members of the expansion
7 population pursuant to chapter 249J, and for medical
8 education:
9 \$ 26,284,600
10 Notwithstanding any provision of law to the
11 contrary, the amount appropriated in this subsection
12 shall be distributed based on claims submitted,
13 adjudicated, and paid by the Iowa Medicaid enterprise.
14 3. There is appropriated from the IowaCare
15 account created in section 249J.24 to the state
16 board of regents for distribution to university of
17 Iowa physicians for the fiscal year beginning July
18 1, 2013, and ending June 30, 2014, for the program
19 period beginning July 1, 2013, and ending December 31,
20 2013, the following amount, or so much thereof as is
21 necessary to be used for the purposes designated:
22 For salaries, support, maintenance, equipment, and
23 miscellaneous purposes for the provision of medical and
24 surgical treatment of indigent patients, for provision
25 of services to members of the expansion population
26 pursuant to chapter 249J, and for medical education:
27 \$ 9,903,183
28 Notwithstanding any provision of law to the
29 contrary, the amount appropriated in this subsection
30 shall be distributed based on claims submitted,
31 adjudicated, and paid by the Iowa Medicaid enterprise.
32 Once the entire amount appropriated in this subsection
33 has been distributed, claims shall continue to
34 be submitted and adjudicated by the Iowa Medicaid
35 enterprise; however, no payment shall be made based
36 upon such claims.
37 4. There is appropriated from the IowaCare account
38 created in section 249J.24 to the department of
39 human services for the fiscal year beginning July
40 1, 2013, and ending June 30, 2014, for the program
41 period beginning July 1, 2013, and ending December 31,
42 2013, the following amount, or so much thereof as is
43 necessary, to be used for the purposes designated:
44 For distribution to a publicly owned acute care
45 teaching hospital located in a county with a population
46 over 350,000 for the provision of medical and surgical
47 treatment of indigent patients, for provision of
48 services to members of the expansion population
49 pursuant to chapter 249J, and for medical education:
50 \$ 33,750,000

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1 a. Notwithstanding any provision of law to the
2 contrary, the amount appropriated in this subsection
3 shall be distributed based on claims submitted,
4 adjudicated, and paid by the Iowa Medicaid enterprise
5 plus a monthly disproportionate share hospital payment.
6 Any amount appropriated in this subsection in excess
7 of \$32,000,000 shall be distributed only if the sum of
8 the expansion population claims adjudicated and paid
9 by the Iowa Medicaid enterprise plus the estimated
10 disproportionate share hospital payments exceeds
11 \$32,000,000. The amount paid in excess of \$32,000,000
12 shall not adjust the original monthly payment amount
13 but shall be distributed monthly based on actual
14 claims adjudicated and paid by the Iowa Medicaid
15 enterprise plus the estimated disproportionate share
16 hospital amount. Any amount appropriated in this
17 subsection in excess of \$32,000,000 shall be allocated
18 only if federal funds are available to match the
19 amount allocated. Pursuant to paragraph “b”, of the
20 amount appropriated in this subsection, not more than
21 \$2,000,000 shall be distributed for prescription drugs,
22 podiatry services, optometric services, and durable
23 medical equipment.

24 b. Notwithstanding any provision of law to the
25 contrary, the hospital identified in this subsection
26 shall be reimbursed for outpatient prescription
27 drugs, podiatry services, optometric services, and
28 durable medical equipment provided to members of the
29 expansion population pursuant to all applicable medical
30 assistance program rules, in an amount not to exceed
31 \$2,000,000.

32 c. Notwithstanding the total amount of proceeds
33 distributed pursuant to section 249J.24, subsection 4,
34 paragraph “a”, unnumbered paragraph 1, for the fiscal
35 year beginning July 1, 2013, and ending June 30, 2014,
36 the county treasurer of a county with a population
37 of over 350,000 in which a publicly owned acute care
38 teaching hospital is located shall distribute the
39 proceeds collected pursuant to section 347.7 between
40 July 1, 2013, and December 31, 2013, in a total amount
41 of \$19,000,000, which would otherwise be distributed
42 to the county hospital, to the treasurer of state for
43 deposit in the IowaCare account.

44 d. Notwithstanding the amount collected and
45 distributed for deposit in the IowaCare account
46 pursuant to section 249J.24, subsection 4, paragraph
47 “a”, subparagraph (1), the first \$19,000,000 in
48 proceeds collected pursuant to section 347.7 between
49 July 1, 2013, and December 31, 2013, shall be
50 distributed to the treasurer of state for deposit in

1 the IowaCare account and collections during this time
2 period in excess of \$19,000,000 shall be distributed
3 to the acute care teaching hospital identified in
4 this subsection. Of the collections in excess of
5 the \$19,000,000 received by the acute care teaching
6 hospital under this paragraph “d”, \$2,000,000 shall be
7 distributed by the acute care teaching hospital to the
8 treasurer of state for deposit in the IowaCare account
9 in the month of January 2014, following the July 1
10 through December 31, 2013, period.

11 5. There is appropriated from the IowaCare account
12 created in section 249J.24 to the department of
13 human services for the fiscal year beginning July
14 1, 2013, and ending June 30, 2014, for the program
15 period beginning July 1, 2013, and ending December 31,
16 2013, the following amount, or so much thereof as is
17 necessary to be used for the purpose designated:
18 For payment to the regional provider network
19 specified by the department pursuant to section 249J.7
20 for provision of covered services to members of the
21 expansion population pursuant to chapter 249J:
22 \$ 2,993,183

23 Notwithstanding any provision of law to the
24 contrary, the amount appropriated in this subsection
25 shall be distributed based on claims submitted,
26 adjudicated, and paid by the Iowa Medicaid enterprise.
27 Once the entire amount appropriated in this subsection
28 has been distributed, claims shall continue to
29 be submitted and adjudicated by the Iowa Medicaid
30 enterprise; however, no payment shall be made based
31 upon such claims.

32 6. There is appropriated from the IowaCare account
33 created in section 249J.24 to the department of
34 human services for the fiscal year beginning July
35 1, 2013, and ending June 30, 2014, for the program
36 period beginning July 1, 2013, and ending December 31,
37 2013, the following amount, or so much thereof as is
38 necessary, to be used for the purposes designated:
39 For a care coordination pool to pay the expansion
40 population providers consisting of the university of
41 Iowa hospitals and clinics, the publicly owned acute
42 care teaching hospital as specified in section 249J.7,
43 and current medical assistance program providers that
44 are not expansion population network providers pursuant
45 to section 249J.7, for services covered by the full
46 benefit medical assistance program but not under the
47 IowaCare program pursuant to section 249J.6, that are
48 provided to expansion population members:
49 \$ 1,500,000

50 a. Notwithstanding sections 249J.6 and 249J.7,

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1 the amount appropriated in this subsection is
2 intended to provide payment for medically necessary
3 services provided to expansion population members for
4 continuation of care provided by the university of
5 Iowa hospitals and clinics or the publicly owned acute
6 care teaching hospital as specified in section 249J.7.
7 Payment may only be made for services that are not
8 otherwise covered under section 249J.6, and which are
9 follow-up services to covered services provided by the
10 hospitals specified in this paragraph "a".

11 b. The funds appropriated in this subsection are
12 intended to provide limited payment for continuity
13 of care services for an expansion population member,
14 and are intended to cover the costs of services
15 to expansion population members, regardless of
16 the member's county of residence or medical home
17 assignment, if the care is related to specialty or
18 hospital services provided by the hospitals specified
19 in paragraph "a".

20 c. The funds appropriated in this subsection are
21 not intended to provide for expanded coverage under
22 the IowaCare program, and shall not be used to cover
23 emergency transportation services.

24 d. The department shall adopt administrative
25 rules pursuant to chapter 17A to establish a prior
26 authorization process and to identify covered services
27 for reimbursement under this subsection.

28 7. There is appropriated from the IowaCare account
29 created in section 249J.24 to the department of
30 human services for the fiscal year beginning July
31 1, 2013, and ending June 30, 2014, for the program
32 period beginning July 1, 2013, and ending December 31,
33 2013, the following amount, or so much thereof as is
34 necessary, for the purposes designated:

35 For transfer to the medical contracts appropriation
36 in this division of this Act to be used for
37 administrative costs associated with chapter 249J
38 including eligibility determinations:

39 \$ 371,552

40 8. For the fiscal year beginning July 1, 2013, and
41 ending June 30, 2014, for the program period beginning
42 July 1, 2013, and ending December 31, 2013, the
43 state board of regents shall transfer \$637,789 to the
44 IowaCare account created in section 249J.24, to provide
45 the nonfederal share for distribution to university
46 of Iowa physicians under the IowaCare program. The
47 university of Iowa hospitals and clinics shall receive
48 and retain 100 percent of the total increase in
49 IowaCare program payments.

50 Sec. 33. APPROPRIATIONS FROM NONPARTICIPATING

1 PROVIDER REIMBURSEMENT FUND — DEPARTMENT OF HUMAN
2 SERVICES. Notwithstanding any provision to the
3 contrary, and subject to the availability of funds,
4 there is appropriated from the nonparticipating
5 provider reimbursement fund created in section 249J.24A
6 to the department of human services for the fiscal year
7 beginning July 1, 2013, and ending June 30, 2014, for
8 the program period beginning July 1, 2013, and ending
9 December 31, 2013, the following amount, or so much
10 thereof as is necessary, for the purposes designated:
11 To reimburse nonparticipating providers in
12 accordance with section 249J.24A:
13 \$ 1,000,000
14 Sec. 34. QUALITY ASSURANCE TRUST FUND — DEPARTMENT
15 OF HUMAN SERVICES. Notwithstanding any provision to
16 the contrary and subject to the availability of funds,
17 there is appropriated from the quality assurance trust
18 fund created in section 249L.4 to the department of
19 human services for the fiscal year beginning July 1,
20 2013, and ending June 30, 2014, the following amounts,
21 or so much thereof as is necessary, for the purposes
22 designated:
23 To supplement the appropriation made in this Act
24 from the general fund of the state to the department
25 of human services for medical assistance for the same
26 fiscal year:
27 \$ 28,788,917
28 Sec. 35. HOSPITAL HEALTH CARE ACCESS TRUST FUND
29 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
30 any provision to the contrary and subject to the
31 availability of funds, there is appropriated from
32 the hospital health care access trust fund created in
33 section 249M.4 to the department of human services for
34 the fiscal year beginning July 1, 2013, and ending June
35 30, 2014, the following amounts, or so much thereof as
36 is necessary, for the purposes designated:
37 1. To supplement the appropriation made in this Act
38 from the general fund of the state to the department
39 of human services for medical assistance for the same
40 fiscal year:
41 \$ 34,288,000
42 2. For deposit in the nonparticipating provider
43 reimbursement fund created in section 249J.24A to be
44 used for the purposes of the fund:
45 \$ 412,000
46 Sec. 36. MEDICAL ASSISTANCE PROGRAM — NONREVERSION
47 FOR FY 2013–2014. Notwithstanding section 8.33,
48 if moneys appropriated for purposes of the medical
49 assistance program for the fiscal year beginning
50 July 1, 2013, and ending June 30, 2014, from the

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1 general fund of the state, the quality assurance
 2 trust fund and the hospital health care access trust
 3 fund, are in excess of actual expenditures for the
 4 medical assistance program and remain unencumbered or
 5 unobligated at the close of the fiscal year, the excess
 6 moneys shall not revert but shall remain available for
 7 expenditure for the purposes of the medical assistance
 8 program until the close of the succeeding fiscal year.

DIVISION VI

PRIOR YEAR APPROPRIATIONS

RESPITE

12 Sec. 37. 2011 Iowa Acts, chapter 129, section 128,
 13 as amended by 2012 Iowa Acts, chapter 1133, section 22,
 14 subsection 26, is amended to read as follows:

15 26. Of the funds appropriated in this section,
 16 at least \$25,000 shall be used to continue and to
 17 expand the foster care respite pilot program in which
 18 postsecondary students in social work and other human
 19 services-related programs receive experience by
 20 assisting family foster care providers with respite and
 21 other support. Notwithstanding section 8.33, moneys
 22 allocated in this subsection that remain unencumbered
 23 or unobligated at the close of the fiscal year shall
 24 not revert but shall remain available for expenditure
 25 for the purposes designated until the close of the
 26 succeeding fiscal year.

MEDICAL ASSISTANCE — GENERAL FUND

28 Sec. 38. 2011 Iowa Acts, chapter 129, section 122,
 29 unnumbered paragraph 2, is amended to read as follows:

30 For medical assistance program reimbursement and
 31 associated costs as specifically provided in the
 32 reimbursement methodologies in effect on June 30,
 33 2012, except as otherwise expressly authorized by
 34 law, ~~and consistent with options under federal law and~~
 35 ~~regulations:~~

36 \$ 914,993,421
 37 975,993,421

38 Sec. 39. 2011 Iowa Acts, chapter 129, section 122,
 39 subsection 1, is amended by striking the subsection and
 40 inserting in lieu thereof the following:

41 1. a. Funds appropriated in this section that
 42 are distributed to a hospital, as defined in section
 43 135B.1, or to a person, as defined in section 4.1, who
 44 receives funding from the IowaCare account created in
 45 section 249J.24, shall not be used for the willful
 46 termination of human life.

47 b. With the exception of the distributions in
 48 paragraph “a”, funds appropriated under this section
 49 shall not be distributed to any person, as defined
 50 in section 4.1, who participates in the willful

1 termination of human life.

2 ADOPTION SUBSIDY — GENERAL FUND

3 Sec. 40. 2011 Iowa Acts, chapter 129, section 129,
4 as amended by 2012 Iowa Acts, chapter 1133, section 23,
5 subsection 1, is amended to read as follows:

6 1. There is appropriated from the general fund of
7 the state to the department of human services for the
8 fiscal year beginning July 1, 2012, and ending June 30,
9 2013, the following amount, or so much thereof as is
10 necessary, to be used for the purpose designated:

11 For adoption subsidy payments and services:	
12	\$ 36,788,576
13	<u>37,743,429</u>

14 NURSING FACILITY REIMBURSEMENT

15 Sec. 41. 2011 Iowa Acts, chapter 129, section 141,
16 subsection 1, paragraph a, subparagraph (1), as amended
17 by 2012 Iowa Acts, chapter 1133, section 32, is amended
18 to read as follows:

19 (1) For the fiscal year beginning July 1, 2012, the
20 total state funding amount for the nursing facility
21 budget shall not exceed ~~\$237,226,901~~ \$239,226,901.

22 Sec. 42. 2012 Iowa Acts, chapter 1133, section 55,
23 is amended to read as follows:

24 SEC. 55. REPLACEMENT GENERATION TAX REVENUES —
25 LEVY RATES FOR FY 2011–2012 AND FY 2012–2013.

26 1. a. For the fiscal year beginning July 1, 2011,
27 and ending June 30, 2012, and for the fiscal year
28 beginning July 1, 2012, and ending June 30, 2013, the
29 replacement generation tax revenues required to be
30 deposited in the property tax relief fund pursuant
31 to section 437A.8, subsection 4, paragraph “d”, and
32 section 437A.15, subsection 3, paragraph “f”, shall
33 instead be credited to the mental health and disability
34 services redesign fund created in this division of this
35 Act.

36 b. If this section of this division of this Act is
37 enacted after the department of management has reduced
38 county certified budgets and revised rates of taxation
39 pursuant to section 426B.2, subsection 3, paragraph
40 “b”, to reflect anticipated replacement generation tax
41 revenues, and the enactment date is during the period
42 beginning May 1, 2012, and ending June 30, 2012, the
43 reductions and revisions shall be rescinded and the
44 department of management shall expeditiously report
45 that fact to the county auditors.

46 2. Except as otherwise provided in subsection 1
47 for department of management reductions of certified
48 budgets and revisions of tax rates and rescinding
49 of those reductions and revisions, the budgets and
50 tax rates certified for a county services fund under

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1 section 331.424A, for the fiscal year beginning July 1,
2 2012, shall remain in effect, notwithstanding section
3 426B.3, subsection 1, the property tax relief fund
4 payment and other services fund financing changes
5 made in this division of this Act, or other statutory
6 amendments affecting county services funds for the
7 fiscal year to the contrary.

8 Sec. 43. EFFECTIVE UPON ENACTMENT. This division
9 of this Act, being deemed of immediate importance,
10 takes effect upon enactment.

11 Sec. 44. RETROACTIVE APPLICABILITY. The following
12 provision of this Act applies retroactively to July 1,
13 2011:

14 1. The section amending 2012 Iowa Acts, chapter
15 1133, section 55.

16 DIVISION VII 17 AGING

18 Sec. 45. Section 231.33, subsection 21, Code 2013,
19 if enacted by 2013 Iowa Acts, Senate File 184, section
20 22, is amended to read as follows:

21 21. Comply with all applicable requirements of the
22 Iowa public employees' retirement system established
23 pursuant to chapter 97B. Notwithstanding any provision
24 to the contrary, an employee of an area agency on aging
25 that was enrolled in an alternative qualified plan
26 prior to July 1, 2012, may continue participation in
27 that alternative qualified plan in lieu of mandatory
28 participation in the Iowa public employees' retirement
29 system.

30 Sec. 46. Section 231.42, subsection 7, paragraph a,
31 Code 2013, is amended to read as follows:

32 a. An officer, owner, director, or employee of a
33 long-term care facility, assisted living program, or
34 elder group home who intentionally prevents, interferes
35 with, or attempts to impede the work of the state or a
36 local long-term care resident's advocate is subject to
37 a penalty imposed by the director of not more than one
38 thousand five hundred dollars for each violation. If
39 the director imposes a penalty for a violation under
40 this paragraph, no other state agency shall impose
41 a penalty for the same interference violation. Any
42 moneys collected pursuant to this subsection shall be
43 deposited in the general fund of the state and are
44 appropriated to the office of long-term care resident's
45 advocate to be used for administration and the duties
46 of the office.

47 Sec. 47. EFFECTIVE UPON ENACTMENT. The section
48 of this division of this Act amending section 231.33,
49 subsection 21, if enacted by 2013 Iowa Acts, Senate
50 File 184, being deemed of immediate importance, takes

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1 effect upon enactment.

2 Sec. 48. RETROACTIVE APPLICABILITY. The section
3 of this division of this Act amending section 231.33,
4 subsection 21, if enacted by 2013 Iowa Acts, Senate
5 File 184, applies retroactively to July 1, 2012.

6 DIVISION VIII

7 EMS REPORT

8 Sec. 49. EMERGENCY MEDICAL SERVICES REPORT.

9 1. The department of public health shall coordinate
10 a comprehensive review detailing the availability and
11 quality of emergency medical services in the state.

12 2. In conducting the review, the department of
13 public health shall consult with the emergency medical
14 services advisory council, members of the general
15 public, and the Iowa emergency medical services
16 association.

17 3. The department shall submit a final report,
18 including a statistical review of the current status
19 of emergency medical services in the state, concerns
20 identified, and recommendations for improvement to
21 the governor and the general assembly no later than
22 December 15, 2013.

23 DIVISION IX

24 HOSPITAL PROVIDER TAX

25 Sec. 50. Section 249M.5, Code 2013, is amended to
26 read as follows:

27 249M.5 Future repeal.

28 This chapter is repealed June 30, ~~2013~~ 2016.

29 Sec. 51. EFFECTIVE UPON ENACTMENT. The section of
30 this division of this Act relating to the future repeal
31 of the hospital health care access assessment program
32 chapter, being deemed of immediate importance, takes
33 effect upon enactment.

34 DIVISION X

35 ILL AND HANDICAPPED WAIVER NAME CHANGE

36 Sec. 52. Section 423.3, subsection 18, paragraph
37 f, subparagraph (1), Code 2013, is amended to read as
38 follows:

39 (1) ~~Ill and handicapped~~ Health and disability
40 waiver service providers, described in 441 IAC 77.30.

41 DIVISION XI

42 AUTISM SUPPORT PROGRAM

43 Sec. 53. NEW SECTION. 225D.1 Definitions.

44 As used in this chapter unless the context otherwise
45 requires:

46 1. "Applied behavioral analysis" means the design,
47 implementation, and evaluation of environmental
48 modifications, using behavioral stimuli and
49 consequences, to produce socially significant
50 improvement in human behavior or to prevent loss of

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1 attained skill or function, including the use of direct
2 observation, measurement, and functional analysis of
3 the relations between environment and behavior.

4 2. "Autism" means autism spectrum disorders as
5 defined in section 514C.28.

6 3. "Autism service provider" means a person
7 providing applied behavioral analysis, who meets all
8 of the following criteria:

9 a. Is certified as a behavior analyst by the
10 behavior analyst certification board or is a health
11 professional licensed under chapter 147.

12 b. Is approved as a member of the provider network
13 by the department.

14 4. "Autism support fund" or "fund" means the autism
15 support fund created in section 225D.2.

16 5. "Clinically relevant" means medically necessary
17 and resulting in the development, maintenance, or
18 restoration, to the maximum extent practicable, of the
19 functioning of an individual.

20 6. "Department" means the department of human
21 services.

22 7. "Diagnostic assessment of autism" means medically
23 necessary assessment, evaluations, or tests performed
24 by a licensed child psychiatrist, developmental
25 pediatrician, or clinical psychologist.

26 8. "Eligible individual" means a child less than
27 nine years of age who has been diagnosed with autism
28 based on a diagnostic assessment of autism, is not
29 otherwise eligible for coverage for applied behavioral
30 analysis treatment under the medical assistance
31 program, section 514C.28, or private insurance
32 coverage, and whose household income does not exceed
33 four hundred percent of the federal poverty level.

34 9. "Federal poverty level" means the most recently
35 revised poverty income guidelines published by the
36 United States department of health and human services.

37 10. "Household income" means household income as
38 determined using the modified adjusted gross income
39 methodology pursuant to section 2002 of the federal
40 Patient Protection and Affordable Care Act, Pub. L. No.
41 111-148.

42 11. "Medical assistance" or "Medicaid" means
43 assistance provided under the medical assistance
44 program pursuant to chapter 249A.

45 12. "Regional autism assistance program" means the
46 regional autism assistance program created in section
47 256.35.

48 13. "Treatment plan" means a plan for the treatment
49 of autism developed by a licensed physician or licensed
50 psychologist pursuant to a comprehensive evaluation or

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1 reevaluation performed in consultation with the patient
2 and the patient's representative.

3 Sec. 54. NEW SECTION. 225D.2 Autism support
4 program — fund.

5 1. The department shall implement an autism support
6 program beginning January 1, 2014, to provide payment
7 for the provision of applied behavioral analysis
8 treatment for eligible individuals. The department
9 shall adopt rules, including standards and guidelines
10 pursuant to chapter 17A to implement and administer
11 the program. In adopting the rules, standards, and
12 guidelines for the program, the department shall
13 consult with and incorporate the recommendations
14 of an expert panel convened by the regional autism
15 assistance program to provide expert opinion on
16 clinically relevant practices and guidance on program
17 implementation and administration. The expert panel
18 shall consist of families of individuals with autism;
19 educational, medical, and human services specialists,
20 professionals, and providers; and others with interest
21 in or expertise related to autism. The program shall
22 be implemented and administered in a manner so that
23 payment for services is available throughout the state,
24 including in rural and under-resourced areas.

25 2. At a minimum, the rules, standards, and
26 guidelines for the program shall address all of the
27 following:

28 a. A maximum annual benefit amount for an eligible
29 individual of thirty-six thousand dollars.

30 b. A maximum of twenty-four months of applied
31 behavioral analysis treatment.

32 c. Notwithstanding the age limitation for an
33 eligible individual, a provision that if an eligible
34 individual reaches nine years of age prior to
35 completion of the maximum applied behavioral analysis
36 treatment period specified in paragraph "b", the
37 individual may complete such treatment in accordance
38 with the individual's treatment plan, not to exceed the
39 maximum treatment period.

40 d. A graduated schedule for cost-sharing by an
41 eligible individual based on a percentage of the total
42 benefit amount expended for the eligible individual,
43 annually. Cost-sharing shall be applicable to eligible
44 individuals with household incomes at or above two
45 hundred percent of the federal poverty level in
46 incrementally increased amounts up to a maximum of ten
47 percent. The rules shall provide a financial hardship
48 exemption from payment of the cost-sharing based on
49 criteria established by rule of the department.

50 e. Application, approval, compliance, and appeal

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1 processes for eligible individuals as necessary to
2 operate and manage the program.

3 f. Enrollment, renewal, and reimbursement of claims
4 provisions for autism service providers participating
5 in the program.

6 g. A requirement of family engagement and
7 participation as part of the eligible individual's
8 treatment plan.

9 h. A requirement that the autism service provider
10 coordinate interventions with the school in which the
11 eligible individual is enrolled.

12 i. A requirement that the administrator of the
13 program utilize the regional autism assistance
14 program to coordinate interventions between eligible
15 individuals and their families receiving support
16 through the autism support program with appropriate
17 medical, educational, and treatment providers,
18 including integrated health homes. The regional
19 autism assistance program shall provide for family
20 navigation and coordination and integration of services
21 through the statewide system of regional child health
22 specialty clinics, utilizing the community child
23 health team model. As necessitated by the availability
24 of resources in the community where services are
25 delivered, telehealth may be used in delivering and
26 coordinating interventions with appropriate providers.
27 To the extent available and accessible to an eligible
28 individual, the eligible individual shall be enrolled
29 in an integrated health home that is an approved
30 provider enrolled in the medical assistance program.
31 Health home services that are covered services under
32 the medical assistance program shall be reimbursed
33 under the autism support program at rates consistent
34 with those established under the medical assistance
35 program.

36 j. Requirements related to review of treatment
37 plans, which may require review once every six months,
38 subject to utilization review requirements established
39 by rule. A more or less frequent review may be agreed
40 upon by the eligible individual and the licensed
41 physician or licensed psychologist developing the
42 treatment plan.

43 k. Recognition of the results of a diagnostic
44 assessment of autism as valid for a period of not less
45 than twelve months, unless a licensed physician or
46 licensed psychologist determines that a more frequent
47 assessment is necessary.

48 3. Moneys in the autism support fund created under
49 subsection 5 shall be expended only for eligible
50 individuals who are not eligible for coverage for

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1 applied behavioral analysis treatment under the
2 medical assistance program, section 514C.28, or
3 private insurance. Payment for applied behavioral
4 analysis treatment through the fund shall be limited
5 to only applied behavioral analysis treatment that is
6 clinically relevant and only to the extent approved
7 under the guidelines established by rule of the
8 department.

9 4. This section shall not be construed as granting
10 an entitlement for any program, service, or other
11 support for eligible individuals. Any state obligation
12 to provide a program, service, or other support
13 pursuant to this section is limited to the extent
14 of the funds appropriated for the purposes of the
15 program. The department may establish a waiting list
16 or terminate participation of eligible individuals if
17 the department determines that moneys in the autism
18 support fund are insufficient to cover future claims
19 for reimbursement beyond ninety days.

20 5. a. An autism support fund is created in the
21 state treasury under the authority of the department.
22 Moneys appropriated to and all other moneys specified
23 for deposit in the fund shall be deposited in the fund
24 and used for the purposes of the program.

25 b. The fund shall be separate from the general
26 fund of the state and shall not be considered part
27 of the general fund of the state. The moneys in the
28 fund shall not be considered revenue of the state, but
29 rather shall be funds of the autism support program.
30 The moneys deposited in the fund are not subject
31 to section 8.33 and shall not be transferred, used,
32 obligated, appropriated, or otherwise encumbered,
33 except to provide for the purposes of this section.
34 Notwithstanding section 12C.7, subsection 2, interest
35 or earnings on moneys deposited in the fund shall be
36 credited to the fund.

37 c. The department shall adopt rules pursuant to
38 chapter 17A to administer the fund and reimbursements
39 made from the fund.

40 d. Moneys in the fund are appropriated to the
41 department and shall be used by the department for the
42 purposes of the autism support program. The department
43 shall be the administrator of the fund for auditing
44 purposes.

45 e. The department shall submit an annual report to
46 the governor and the general assembly no later than
47 January 1 of each year that includes but is not limited
48 to all of the following:

49 (1) The total number of applications received under
50 the program for the immediately preceding fiscal year.

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(2) The number of applications approved and the total amount of funding expended for reimbursements under the program in the immediately preceding fiscal year.

(3) The cost of administering the program in the immediately preceding fiscal year.

(4) The number of eligible individuals on a waiting list, if any, and the amount of funding necessary to reduce the existing waiting list.

(5) Recommendations for any changes to the program.

Sec. 55. IMPLEMENTATION.

1. The department of human services shall implement the autism support program beginning January 1, 2014, subject to available funding.

2. Notwithstanding section 8.47 or any other provision of law to the contrary, the department may utilize a sole-source contract and utilize the managed care entity under contract with the department to manage behavioral health services under the medical assistance program to administer the program. Total administrative costs of the program shall not exceed ten percent of the funds expended through the program, annually.

Sec. 56. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XII

DEPARTMENT OF HUMAN SERVICES — CHILD, ADULT, AND FAMILY SERVICES

Sec. 57. Section 225C.38, subsection 1, paragraph c, Code 2013, is amended to read as follows:

c. Except as provided in section 225C.41, a family support subsidy for a fiscal year shall be in an amount determined by the department ~~in consultation with the comprehensive family support council created in section 225C.48.~~ The parent or legal guardian receiving a family support subsidy may elect to receive a payment amount which is less than the amount determined in accordance with this paragraph.

Sec. 58. Section 225C.42, subsection 1, Code 2013, is amended to read as follows:

1. The department shall conduct an annual evaluation of the family support subsidy program ~~in conjunction with the comprehensive family support council~~ and shall submit the evaluation report with recommendations to the governor and general assembly. The report shall be submitted on or before October 30 and provide an evaluation of the latest completed fiscal year.

Sec. 59. Section 225C.47, subsection 5, unnumbered

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paragraph 1, Code 2013, is amended to read as follows:

The department shall design the program ~~in consultation with the comprehensive family support council created in section 225C.48.~~ The department shall adopt rules to implement the program which provide for all of the following:

Sec. 60. Section 225C.49, subsection 4, Code 2013, is amended to read as follows:

4. The department shall designate one individual whose sole duties are to provide central coordination of the programs under sections 225C.36 and 225C.47 and ~~to work with the comprehensive family support council~~ to oversee development and implementation of the programs.

Sec. 61. Section 239B.5, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4. a. The department shall implement policies and procedures as necessary to comply with provisions of the federal Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, to prevent assistance provided under this chapter from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. For purposes of this paragraph, the definitions found in the federal Middle Class Tax Relief and Job Creation Act and related rules and statutes apply.

b. Unless otherwise precluded by federal law or regulation, policies and procedures implemented under this subsection shall at a minimum impose the prohibition described in paragraph "a" as a condition for continued eligibility for assistance under this chapter.

c. The department may implement additional measures as may be necessary to comply with federal regulations in implementing paragraph "a".

d. The department shall adopt rules as necessary to implement this subsection.

Sec. 62. Section 239B.14, subsection 1, Code 2013, is amended to read as follows:

1. a. An individual who obtains, or attempts to obtain, or aids or abets an individual to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation, or any fraudulent device, any assistance or other benefits under this chapter to which the individual is not entitled, commits a fraudulent

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1 practice.

2 b. An individual who accesses benefits provided
3 under this chapter in violation of any prohibition
4 imposed by the department pursuant to section 239B.5,
5 subsection 4, commits a fraudulent practice.

6 Sec. 63. Section 249A.3, subsection 1, Code 2013,
7 is amended by adding the following new paragraph:
8 NEW PARAGRAPH. v. Beginning January 1, 2014, is an
9 individual who meets all of the following requirements:

10 (1) Is under twenty-six years of age.

11 (2) Was in foster care under the responsibility
12 of the state on the date of attaining eighteen years
13 of age or such higher age to which foster care is
14 provided.

15 (3) Was enrolled in the medical assistance program
16 under this chapter while in such foster care.

17 Sec. 64. Section 249A.3, subsection 2, paragraph
18 a, subparagraph (9), Code 2013, is amended by striking
19 the subparagraph.

20 Sec. 65. Section 249J.26, subsection 2, Code 2013,
21 is amended to read as follows:

22 2. This chapter is repealed ~~October~~ December 31,
23 2013.

24 Sec. 66. Section 514I.4, subsection 5, paragraph a,
25 Code 2013, is amended by striking the paragraph.

26 Sec. 67. Section 514I.5, subsection 7, paragraph f,
27 Code 2013, is amended to read as follows:

28 f. Review, in consultation with the department,
29 and take necessary steps to improve interaction
30 between the program and other public and private
31 programs which provide services to the population of
32 eligible children. ~~The board, in consultation with the~~
33 ~~department, shall also develop and implement a plan to~~
34 ~~improve the medical assistance program in coordination~~
35 ~~with the hawk i program, including but not limited~~
36 ~~to a provision to coordinate eligibility between the~~
37 ~~medical assistance program and the hawk i program, and~~
38 ~~to provide for common processes and procedures under~~
39 ~~both programs to reduce duplication and bureaucracy.~~

40 Sec. 68. Section 514I.5, subsection 8, paragraphs
41 b and f, Code 2013, are amended by striking the
42 paragraphs.

43 Sec. 69. Section 514I.7, subsection 2, paragraphs a
44 and g, Code 2013, are amended to read as follows:

45 a. Determine ~~individual~~ eligibility for program
46 enrollment ~~based upon review of completed applications~~
47 ~~and supporting documentation as prescribed by federal~~
48 law and regulation, using policies and procedures
49 adopted by rule of the department pursuant to chapter
50 17A. The administrative contractor shall not enroll a

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1 child who has group health coverage, unless expressly
2 authorized by such rules.

3 g. ~~Create and~~ Utilize the department's eligibility
4 system to maintain eligibility files that are
5 ~~compatible with the data system of the department~~
6 with pertinent eligibility determination and ongoing
7 enrollment information including, but not limited
8 to, data regarding beneficiaries, enrollment dates,
9 disenrollments, and annual financial redeterminations.

10 Sec. 70. Section 514I.7, subsection 2, paragraphs
11 c, d, e, f, and k, Code 2013, are amended by striking
12 the paragraphs.

13 Sec. 71. Section 514I.8, subsection 1, Code 2013,
14 is amended to read as follows:

15 1. a. Effective July 1, 1998, and notwithstanding
16 any medical assistance program eligibility criteria
17 to the contrary, medical assistance shall be provided
18 to, or on behalf of, an eligible child under the age
19 of nineteen whose family income does not exceed one
20 hundred thirty-three percent of the federal poverty
21 level, as defined by the most recently revised poverty
22 income guidelines published by the United States
23 department of health and human services.

24 b. ~~Additionally, effective~~ Effective July 1,
25 2000, and notwithstanding any medical assistance
26 program eligibility criteria to the contrary, medical
27 assistance shall be provided to, or on behalf of, an
28 eligible infant whose family income does not exceed
29 two hundred percent of the federal poverty level, as
30 defined by the most recently revised poverty income
31 guidelines published by the United States department of
32 health and human services.

33 c. Effective July 1, 2009, and notwithstanding any
34 medical assistance program eligibility criteria to the
35 contrary, medical assistance shall be provided to, or
36 on behalf of, a pregnant woman or an eligible child who
37 is an infant and whose family income is at or below
38 three hundred percent of the federal poverty level, as
39 defined by the most recently revised poverty income
40 guidelines published by the United States department of
41 health and human services.

42 Sec. 72. Section 514I.8, subsection 2, paragraph c,
43 Code 2013, is amended to read as follows:

44 c. Is a member of a family whose income does not
45 exceed three hundred percent of the federal poverty
46 level, as defined in 42 U.S.C. § 9902(2), including any
47 revision required by such section, and in accordance
48 with the federal Children's Health Insurance Program
49 Reauthorization Act of 2009, Pub. L. No. 111-3. The
50 modified adjusted gross income methodology prescribed

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1 in section 2101 of the federal Patient Protection and
2 Affordable Care Act, Pub. L. No. 111-148, to determine
3 family income under this paragraph.

4 Sec. 73. Section 514I.8, subsections 3 and 4, Code
5 2013, are amended to read as follows:

6 3. In accordance with the rules adopted by the
7 board, a child may be determined to be presumptively
8 eligible for the program pending a final eligibility
9 determination. Following final determination of
10 eligibility ~~by the administrative contractor~~, a child
11 shall be eligible for a twelve-month period. At the
12 end of the twelve-month period, ~~the administrative~~
13 ~~contractor shall conduct~~ a review of the circumstances
14 of the eligible child's family shall be conducted
15 to establish eligibility and cost sharing for the
16 subsequent twelve-month period.

17 4. Once an eligible child is enrolled in a plan,
18 the ~~eligible child shall remain enrolled in the plan~~
19 ~~unless a determination is made, according to criteria~~
20 ~~established by the board, that the eligible child~~
21 ~~should be allowed to enroll in another qualified child~~
22 ~~health plan or should be disenrolled. An enrollee may~~
23 ~~request to change plans within ninety days of initial~~
24 ~~enrollment for any reason and at any time for cause,~~
25 ~~as defined in 42 C.F.R. § 438.56(d)(2). Otherwise, an~~
26 ~~enrollee may~~ change plan enrollment once a year on the
27 enrollee's anniversary date.

28 Sec. 74. Section 514I.8, subsections 5 and 6, Code
29 2013, are amended by striking the subsections.

30 Sec. 75. Section 514I.9, Code 2013, is amended to
31 read as follows:

32 514I.9 Program benefits.

33 1. ~~Until June 30, 1999, the benefits provided under~~
34 ~~the program shall be those benefits established by rule~~
35 ~~of the board and in compliance with Tit. XXI of the~~
36 ~~federal Social Security Act.~~

37 2. ~~On or before June 30, 1999, the hawk-i board~~
38 ~~shall adopt rules to amend the benefits package based~~
39 ~~upon review of the results of the initial benefits~~
40 ~~package used.~~

41 3. ~~Subsequent to June 30, 1999, the~~ The hawk-i
42 board shall review the benefits package annually and
43 shall determine additions to or deletions from the
44 benefits package offered. The hawk-i board shall
45 submit the recommendations to the general assembly for
46 any amendment to the benefits package.

47 4. 2. Benefits, in addition to those required
48 by rule, may be provided to eligible children by a
49 participating insurer if the benefits are provided at
50 no additional cost to the state.

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1 Sec. 76. REPEAL. Section 225C.48, Code 2013, is
2 repealed.

3 Sec. 77. EFFECTIVE DATE. The following provision
4 or provisions of this Act take effect December 31,
5 2013:

6 1. The section of this Act amending section 249A.3,
7 subsection 2, paragraph “a”, subparagraph (9).

8 DIVISION XIII

9 MEDICAID COST CONTAINMENT

10 Sec. 78. 2011 Iowa Acts, chapter 129, section
11 122, subsection 26, as enacted by 2012 Iowa Acts,
12 chapter 1133, section 12, is amended by striking the
13 subsection.

14 DIVISION XIV

15 CIGARETTE AND TOBACCO TAX PROCEEDS — HEALTH CARE TRUST 16 FUND

17 Sec. 79. Section 453A.35, Code 2013, is amended to
18 read as follows:

19 453A.35 ~~Tax and fees~~ Proceeds paid to general fund
20 — ~~standing appropriation to~~ health care trust fund.

21 1. a. With the exception of revenues credited to
22 the health care trust fund pursuant to paragraph “b”,
23 the proceeds derived from the sale of stamps and the
24 payment of ~~taxes, fees, and penalties~~ provided for
25 under this chapter, and the permit fees received from
26 all permits issued by the department, shall be credited
27 to the general fund of the state.

28 b. ~~Of the~~ The revenues generated from the tax on
29 cigarettes pursuant to section 453A.6, subsection 1,
30 and from the tax on tobacco products as specified in
31 section 453A.43, subsections 1, 2, 3, and 4, ~~the first~~
32 ~~one hundred six million sixteen thousand four hundred~~
33 ~~dollars~~ shall be credited to the health care trust fund
34 created in section 453A.35A.

35 2. All permit fees provided for in this chapter and
36 collected by cities in the issuance of permits granted
37 by the cities shall be paid to the treasurer of the
38 city where the permit is effective, or to another city
39 officer as designated by the council, and credited to
40 the general fund of the city. Permit fees so collected
41 by counties shall be paid to the county treasurer.

42 DIVISION XV

43 IOWACARE — ACCOUNT FOR HEALTH CARE TRANSFORMATION

44 Sec. 80. Section 249J.8, subsection 1, paragraph k,
45 Code 2013, is amended to read as follows:

46 k. Premiums collected under this subsection shall
47 be deposited in the ~~premiums subaccount of the IowaCare~~
48 ~~account for health care transformation~~ created pursuant
49 to section ~~249J.23~~ 249J.24.

50 Sec. 81. Section 249J.23, subsection 1, Code 2013,

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1 is amended to read as follows:

2 1. An account for health care transformation is
3 created in the state treasury under the authority of
4 the department. Moneys received from sources including
5 but not limited to appropriations from the general
6 fund of the state, grants, and contributions shall be
7 deposited in the account. ~~The account shall include~~
8 ~~a separate premiums subaccount. Revenue generated~~
9 ~~through payment of premiums by expansion population~~
10 ~~members as required pursuant to section 249J.8 shall be~~
11 ~~deposited in the separate premiums subaccount within~~
12 ~~the account.~~

13 Sec. 82. Section 249J.24, subsection 1, Code 2013,
14 is amended to read as follows:

15 1. An IowaCare account is created in the state
16 treasury under the authority of the department of human
17 services. Moneys appropriated from the general fund of
18 the state to the account, moneys received as federal
19 financial participation funds under the expansion
20 population provisions of this chapter and credited to
21 the account, moneys received for disproportionate share
22 hospitals and credited to the account, moneys received
23 for graduate medical education and credited to the
24 account, proceeds distributed from the county treasurer
25 as specified in subsection 4, revenue generated through
26 payment of premiums pursuant to section 249J.8, and
27 moneys from any other source credited to the account
28 shall be deposited in the account. Moneys deposited
29 in or credited to the account shall be used only as
30 provided in appropriations or distributions from the
31 account for the purposes specified in the appropriation
32 or distribution. Moneys in the account shall be
33 appropriated to the university of Iowa hospitals and
34 clinics and to a publicly owned acute care teaching
35 hospital located in a county with a population over
36 three hundred fifty thousand for the purposes provided
37 in the federal law making the funds available or as
38 specified in the state appropriation and shall be
39 distributed as determined by the department.

40 DIVISION XVI

41 TELEPHARMACY

42 Sec. 83. Section 155A.3, Code 2013, is amended by
43 adding the following new subsection:

44 NEW SUBSECTION. 40A. "Telepharmacy" means the
45 provision of pharmacy services by a central pharmacy
46 through remote pharmacy locations utilizing technology.

47 Sec. 84. Section 155A.13, Code 2013, is amended by
48 adding the following new subsection:

49 NEW SUBSECTION. 12. Notwithstanding any provision
50 of section 147.107, subsection 2, or section 155A.33,

1 to the contrary, the board of pharmacy shall adopt
2 rules and procedures pursuant to chapter 17A for
3 telepharmacy.

4 DIVISION XVII
5 DEPARTMENT ON AGING — FY 2014–2015

6 Sec. 85. DEPARTMENT ON AGING. There is
7 appropriated from the general fund of the state to
8 the department on aging for the fiscal year beginning
9 July 1, 2014, and ending June 30, 2015, the following
10 amount, or so much thereof as is necessary, to be used
11 for the purposes designated:

12 For aging programs for the department on aging and
13 area agencies on aging to provide citizens of Iowa who
14 are 60 years of age and older with case management for
15 frail elders, Iowa's aging and disabilities resource
16 center, and other services which may include but are
17 not limited to adult day services, respite care, chore
18 services, information and assistance, and material aid,
19 for information and options counseling for persons with
20 disabilities who are 18 years of age or older, and
21 for salaries, support, administration, maintenance,
22 and miscellaneous purposes, and for not more than the
23 following full-time equivalent positions:

24	\$	5,221,043
25	FTEs	35.00

26 1. Funds appropriated in this section may be used
27 to supplement federal funds under federal regulations.
28 To receive funds appropriated in this section, a local
29 area agency on aging shall match the funds with moneys
30 from other sources according to rules adopted by the
31 department. Funds appropriated in this section may be
32 used for elderly services not specifically enumerated
33 in this section only if approved by an area agency on
34 aging for provision of the service within the area.

35 2. Of the funds appropriated in this section,
36 \$139,973 is transferred to the economic development
37 authority for the Iowa commission on volunteer services
38 to be used for the retired and senior volunteer
39 program.

40 3. a. The department on aging shall establish and
41 enforce procedures relating to expenditure of state and
42 federal funds by area agencies on aging that require
43 compliance with both state and federal laws, rules, and
44 regulations, including but not limited to all of the
45 following:

46 (1) Requiring that expenditures are incurred only
47 for goods or services received or performed prior to
48 the end of the fiscal period designated for use of the
49 funds.

50 (2) Prohibiting prepayment for goods or services

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1 not received or performed prior to the end of the
 2 fiscal period designated for use of the funds.
 3 (3) Prohibiting the prepayment for goods or
 4 services not defined specifically by good or service,
 5 time period, or recipient.
 6 (4) Prohibiting the establishment of accounts from
 7 which future goods or services which are not defined
 8 specifically by good or service, time period, or
 9 recipient, may be purchased.
 10 b. The procedures shall provide that if any funds
 11 are expended in a manner that is not in compliance with
 12 the procedures and applicable federal and state laws,
 13 rules, and regulations, and are subsequently subject
 14 to repayment, the area agency on aging expending such
 15 funds in contravention of such procedures, laws, rules
 16 and regulations, not the state, shall be liable for
 17 such repayment.
 18 4. Of the funds appropriated in this section,
 19 \$50,000 shall be used to provide for a local long-term
 20 care resident's advocate to administer the certified
 21 volunteer long-term care resident's advocate program
 22 pursuant to section 231.45.

23 DIVISION XVIII

24 DEPARTMENT OF PUBLIC HEALTH — FY 2014–2015

25 Sec. 86. DEPARTMENT OF PUBLIC HEALTH. There is
 26 appropriated from the general fund of the state to
 27 the department of public health for the fiscal year
 28 beginning July 1, 2014, and ending June 30, 2015, the
 29 following amounts, or so much thereof as is necessary,
 30 to be used for the purposes designated:

31 1. ADDICTIVE DISORDERS

32 For reducing the prevalence of use of tobacco,
 33 alcohol, and other drugs, and treating individuals
 34 affected by addictive behaviors, including gambling,
 35 and for not more than the following full-time
 36 equivalent positions:

37	\$	11,931,845
38	FTEs	13.00

39 a. (1) Of the funds appropriated in this
 40 subsection, \$1,824,181 shall be used for the tobacco
 41 use prevention and control initiative, including
 42 efforts at the state and local levels, as provided
 43 in chapter 142A. The commission on tobacco use
 44 prevention and control established pursuant to section
 45 142A.3 shall advise the director of public health in
 46 prioritizing funding needs and the allocation of moneys
 47 appropriated for the programs and activities of the
 48 initiative under this subparagraph (1) and shall make
 49 recommendations to the director in the development of
 50 budget requests relating to the initiative.

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(2) (a) Of the funds allocated in this paragraph “a”, \$226,534 is transferred to the alcoholic beverages division of the department of commerce for enforcement of tobacco laws, regulations, and ordinances and to engage in tobacco control activities approved by the division of tobacco use prevention and control as specified in the memorandum of understanding entered into between the divisions.

(b) For the fiscal year beginning July 1, 2014, and ending June 30, 2015, the terms of the memorandum of understanding, entered into between the division of tobacco use prevention and control of the department of public health and the alcoholic beverages division of the department of commerce, governing compliance checks conducted to ensure licensed retail tobacco outlet conformity with tobacco laws, regulations, and ordinances relating to persons under eighteen years of age, shall restrict the number of such checks to one check per retail outlet, and one additional check for any retail outlet found to be in violation during the first check.

b. Of the funds appropriated in this subsection, \$10,107,665 shall be used for problem gambling and substance-related disorder prevention, treatment, and recovery services, including a 24-hour helpline, public information resources, professional training, and program evaluation.

(1) Of the funds allocated in this paragraph “b”, \$8,551,858 shall be used for substance-related disorder prevention and treatment.

(a) Of the funds allocated in this subparagraph (1), \$449,650 shall be used for the public purpose of a grant program to provide substance-related disorder prevention programming for children.

(i) Of the funds allocated in this subparagraph division (a), \$213,770 shall be used for grant funding for organizations that provide programming for children by utilizing mentors. Programs approved for such grants shall be certified or will be certified within six months of receiving the grant award by the Iowa commission on volunteer services as utilizing the standards for effective practice for mentoring programs.

(ii) Of the funds allocated in this subparagraph division (a), \$213,420 shall be used for grant funding for organizations that provide programming that includes youth development and leadership. The programs shall also be recognized as being programs that are scientifically based with evidence of their effectiveness in reducing substance-related disorders

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1 in children.

2 (iii) The department of public health shall utilize
3 a request for proposals process to implement the grant
4 program.

5 (iv) All grant recipients shall participate in a
6 program evaluation as a requirement for receiving grant
7 funds.

8 (v) Of the funds allocated in this subparagraph
9 division (a), up to \$22,461 may be used to administer
10 substance-related disorder prevention grants and for
11 program evaluations.

12 (b) Of the funds allocated in this subparagraph
13 (1), \$136,302 shall be used for culturally competent
14 substance-related disorder treatment pilot projects.

15 (i) The department shall utilize the amount
16 allocated in this subparagraph division (b) for at
17 least three pilot projects to provide culturally
18 competent substance-related disorder treatment in
19 various areas of the state. Each pilot project shall
20 target a particular ethnic minority population. The
21 populations targeted shall include but are not limited
22 to African American, Asian, and Latino.

23 (ii) The pilot project requirements shall provide
24 for documentation or other means to ensure access
25 to the cultural competence approach used by a pilot
26 project so that such approach can be replicated and
27 improved upon in successor programs.

28 (2) Of the funds allocated in this paragraph "b",
29 up to \$1,555,807 may be used for problem gambling
30 prevention, treatment, and recovery services.

31 (a) Of the funds allocated in this subparagraph
32 (2), \$1,286,881 shall be used for problem gambling
33 prevention and treatment.

34 (b) Of the funds allocated in this subparagraph
35 (2), up to \$218,926 may be used for a 24-hour helpline,
36 public information resources, professional training,
37 and program evaluation.

38 (c) Of the funds allocated in this subparagraph
39 (2), up to \$50,000 may be used for the licensing of
40 problem gambling treatment programs.

41 (3) It is the intent of the general assembly that
42 from the moneys allocated in this paragraph "b",
43 persons with a dual diagnosis of substance-related
44 disorder and gambling addiction shall be given priority
45 in treatment services.

46 c. Notwithstanding any provision of law to the
47 contrary, to standardize the availability, delivery,
48 cost of delivery, and accountability of problem
49 gambling and substance-related disorder treatment
50 services statewide, the department shall continue

1 implementation of a process to create a system for
2 delivery of treatment services in accordance with the
3 requirements specified in 2008 Iowa Acts, chapter
4 1187, section 3, subsection 4. To ensure the system
5 provides a continuum of treatment services that best
6 meets the needs of Iowans, the problem gambling and
7 substance-related disorder treatment services in any
8 area may be provided either by a single agency or by
9 separate agencies submitting a joint proposal.

10 (1) The system for delivery of substance-related
11 disorder and problem gambling treatment shall include
12 problem gambling prevention.

13 (2) The system for delivery of substance-related
14 disorder and problem gambling treatment shall include
15 substance-related disorder prevention by July 1, 2015.

16 (3) Of the funds allocated in paragraph “b”, the
17 department may use up to \$50,000 for administrative
18 costs to continue developing and implementing the
19 process in accordance with this paragraph “c”.

20 d. The requirement of section 123.53, subsection
21 5, is met by the appropriations and allocations made
22 in this Act for purposes of substance-related disorder
23 treatment and addictive disorders for the fiscal year
24 beginning July 1, 2014.

25 e. The department of public health shall work with
26 all other departments that fund substance-related
27 disorder prevention and treatment services and all
28 such departments shall, to the extent necessary,
29 collectively meet the state maintenance of effort
30 requirements for expenditures for substance-related
31 disorder services as required under the federal
32 substance-related disorder prevention and treatment
33 block grant.

34 2. HEALTHY CHILDREN AND FAMILIES

35 For promoting the optimum health status for
36 children, adolescents from birth through 21 years of
37 age, and families, and for not more than the following
38 full-time equivalent positions:

39	\$	1,326,780
40	FTEs	10.00

41 a. Of the funds appropriated in this subsection,
42 not more than \$367,421 shall be used for the healthy
43 opportunities to experience success-healthy families
44 Iowa (HOPES-HFI) program established pursuant to
45 section 135.106. The funding shall be distributed to
46 renew the grants that were provided to the grantees
47 that operated the program during the fiscal year ending
48 June 30, 2014.

49 b. In order to implement the legislative intent
50 stated in sections 135.106 and 256I.9, that priority

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1 for home visitation program funding be given to
 2 programs using evidence-based or promising models
 3 for home visitation, it is the intent of the general
 4 assembly to phase-in the funding priority in accordance
 5 with 2012 Iowa Acts, chapter 129, section 2, subsection
 6 2, paragraph 0b.

7 c. Of the funds appropriated in this subsection,
 8 \$163,944 shall be used to continue to address the
 9 healthy mental development of children from birth
 10 through five years of age through local evidence-based
 11 strategies that engage both the public and private
 12 sectors in promoting healthy development, prevention,
 13 and treatment for children.

14 d. Of the funds appropriated in this subsection,
 15 \$15,799 shall be distributed to a statewide dental
 16 carrier to provide funds to continue the donated dental
 17 services program patterned after the projects developed
 18 by the lifeline network to provide dental services to
 19 indigent elderly and disabled individuals.

20 e. Of the funds appropriated in this subsection,
 21 \$55,998 shall be used for childhood obesity prevention.

22 f. Of the funds appropriated in this subsection,
 23 \$81,384 shall be used to provide audiological services
 24 and hearing aids for children. The department may
 25 enter into a contract to administer this paragraph.

26 g. Of the funds appropriated in this subsection,
 27 \$12,500 is transferred to the university of Iowa
 28 college of dentistry for provision of primary dental
 29 services to children. State funds shall be matched
 30 on a dollar-for-dollar basis. The university of Iowa
 31 college of dentistry shall coordinate efforts with the
 32 department of public health, bureau of oral health,
 33 to provide dental care to underserved populations
 34 throughout the state.

35 h. Of the funds appropriated in this subsection,
 36 \$25,000 shall be used to address youth suicide
 37 prevention.

38 3. CHRONIC CONDITIONS

39 For serving individuals identified as having chronic
 40 conditions or special health care needs, and for not
 41 more than the following full-time equivalent positions:

42	\$	2,077,715
43	FTEs	4.00

44 a. Of the funds appropriated in this subsection,
 45 \$79,966 shall be used for grants to individual patients
 46 who have phenylketonuria (PKU) to assist with the costs
 47 of necessary special foods.

48 b. Of the funds appropriated in this subsection,
 49 \$240,822 is allocated for continuation of the contracts
 50 for resource facilitator services in accordance with

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1 section 135.22B, subsection 9, and for brain injury
2 training services and recruiting of service providers
3 to increase the capacity within this state to address
4 the needs of individuals with brain injuries and such
5 individuals' families.

6 c. Of the funds appropriated in this subsection,
7 \$273,991 shall be used as additional funding to
8 leverage federal funding through the federal Ryan
9 White Care Act, Tit. II, AIDS drug assistance program
10 supplemental drug treatment grants.

11 d. Of the funds appropriated in this subsection,
12 \$24,912 shall be used for the public purpose of
13 providing a grant to an existing national-affiliated
14 organization to provide education, client-centered
15 programs, and client and family support for people
16 living with epilepsy and their families.

17 e. Of the funds appropriated in this subsection,
18 \$392,557 shall be used for child health specialty
19 clinics.

20 f. Of the funds appropriated in this subsection,
21 \$100,000 shall be used by the regional autism
22 assistance program established pursuant to section
23 256.35, and administered by the child health specialty
24 clinic located at the university of Iowa hospitals
25 and clinics. The funds shall be used to enhance
26 interagency collaboration and coordination of
27 educational, medical, and other human services for
28 persons with autism, their families, and providers of
29 services, including delivering regionalized services of
30 care coordination, family navigation, and integration
31 of services through the statewide system of regional
32 child health specialty clinics and fulfilling other
33 requirements as specified in chapter 225D, creating the
34 autism support program, as enacted in this Act. The
35 university of Iowa shall not receive funds allocated
36 under this paragraph for indirect costs associated with
37 the regional autism assistance program.

38 g. Of the funds appropriated in this subsection,
39 \$235,497 shall be used for the comprehensive cancer
40 control program to reduce the burden of cancer in
41 Iowa through prevention, early detection, effective
42 treatment, and ensuring quality of life. Of the funds
43 allocated in this lettered paragraph, \$75,000 shall
44 be used to support a melanoma research symposium,
45 a melanoma biorepository and registry, basic and
46 translational melanoma research, and clinical trials.

47 h. Of the funds appropriated in this subsection,
48 \$63,225 shall be used for cervical and colon cancer
49 screening, and \$250,000 shall be used to enhance the
50 capacity of the cervical cancer screening program to

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1 include provision of recommended prevention and early
2 detection measures to a broader range of low-income
3 women.

4 i. Of the funds appropriated in this subsection,
5 \$263,348 shall be used for the center for congenital
6 and inherited disorders.

7 j. Of the funds appropriated in this subsection,
8 \$64,706 shall be used for the prescription drug
9 donation repository program created in chapter 135M.

10 4. COMMUNITY CAPACITY

11 For strengthening the health care delivery system at
12 the local level, and for not more than the following
13 full-time equivalent positions:

14	\$	2,342,577
15	FTEs	14.00

16 a. Of the funds appropriated in this subsection,
17 \$49,707 is allocated for a child vision screening
18 program implemented through the university of Iowa
19 hospitals and clinics in collaboration with early
20 childhood Iowa areas. The program shall submit a
21 report to the individuals identified in this Act
22 for submission of reports regarding the use of funds
23 allocated under this paragraph "a". The report shall
24 include the objectives and results for the year of
25 the program's implementation including the target
26 population and how the funds allocated assisted the
27 program in meeting the objectives; the number, age, and
28 location within the state of individuals served; the
29 type of services provided to the individuals served;
30 the distribution of funds based on service provided;
31 and the continuing needs of the program.

32 b. Of the funds appropriated in this subsection,
33 \$55,328 is allocated for continuation of an initiative
34 implemented at the university of Iowa and \$49,952 is
35 allocated for continuation of an initiative at the
36 state mental health institute at Cherokee to expand
37 and improve the workforce engaged in mental health
38 treatment and services. The initiatives shall receive
39 input from the university of Iowa, the department of
40 human services, the department of public health, and
41 the mental health and disability services commission to
42 address the focus of the initiatives.

43 c. Of the funds appropriated in this subsection,
44 \$582,314 shall be used for essential public health
45 services that promote healthy aging throughout the
46 lifespan, contracted through a formula for local boards
47 of health, to enhance health promotion and disease
48 prevention services.

49 d. Of the funds appropriated in this section,
50 \$49,643 shall be deposited in the governmental public

1	health system fund created in section 135A.8 to be used	
2	for the purposes of the fund.	
3	e. Of the funds appropriated in this subsection,	
4	\$52,724 shall be used for the mental health	
5	professional shortage area program implemented pursuant	
6	to section 135.180.	
7	f. Of the funds appropriated in this subsection,	
8	\$25,000 shall be used for a grant to a statewide	
9	association of psychologists that is affiliated	
10	with the American psychological association to be	
11	used for continuation of a program to rotate intern	
12	psychologists in placements in urban and rural mental	
13	health professional shortage areas, as defined in	
14	section 135.180.	
15	g. Of the funds appropriated in this subsection,	
16	the following amounts shall be allocated to the Iowa	
17	collaborative safety net provider network established	
18	pursuant to section 135.153 to be used for the purposes	
19	designated. The following amounts allocated under	
20	this lettered paragraph shall be distributed to	
21	the specified provider and shall not be reduced for	
22	administrative or other costs prior to distribution:	
23	(1) For distribution to the Iowa primary care	
24	association to be used to establish a grant program	
25	for training sexual assault response team (SART)	
26	members, including representatives of law enforcement,	
27	victim advocates, prosecutors, and certified medical	
28	personnel:	
29	.....	\$ 25,000
30	(2) For distribution to federally qualified health	
31	centers for necessary infrastructure, statewide	
32	coordination, provider recruitment, service delivery,	
33	and provision of assistance to patients in determining	
34	an appropriate medical home:	
35	.....	\$ 37,500
36	(3) For distribution to the local boards of health	
37	that provide direct services for pilot programs in	
38	three counties to assist patients in determining an	
39	appropriate medical home:	
40	.....	\$ 38,577
41	(4) For distribution to maternal and child health	
42	centers for pilot programs in three counties to assist	
43	patients in determining an appropriate medical home:	
44	.....	\$ 47,563
45	(5) For distribution to free clinics for necessary	
46	infrastructure, statewide coordination, provider	
47	recruitment, service delivery, and provision of	
48	assistance to patients in determining an appropriate	
49	medical home:	
50	\$ 136,661

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1 (6) For distribution to rural health clinics for
 2 necessary infrastructure, statewide coordination,
 3 provider recruitment, service delivery, and provision
 4 of assistance to patients in determining an appropriate
 5 medical home:
 6 \$ 70,772
 7 (7) For continuation of the safety net provider
 8 patient access to specialty health care initiative as
 9 described in 2007 Iowa Acts, chapter 218, section 109:
 10 \$ 154,237
 11 (8) For continuation of the pharmaceutical
 12 infrastructure for safety net providers as described in
 13 2007 Iowa Acts, chapter 218, section 108:
 14 \$ 159,208
 15 The Iowa collaborative safety net provider network
 16 may continue to distribute funds allocated pursuant to
 17 this lettered paragraph through existing contracts or
 18 renewal of existing contracts.
 19 h. Of the funds appropriated in this subsection,
 20 \$111,013 is transferred to the department of
 21 workforce development to continue to implement the
 22 recommendations in the final report submitted to the
 23 governor and the general assembly in March 2012, by
 24 the direct care worker advisory council established
 25 pursuant to 2008 Iowa Acts, chapter 1188, section 69.
 26 i. Of the funds appropriated in this subsection,
 27 the department may use up to \$29,088 for up to one
 28 full-time equivalent position to administer the
 29 volunteer health care provider program pursuant to
 30 section 135.24.
 31 j. Of the funds appropriated in this subsection,
 32 \$24,854 shall be used for a matching dental education
 33 loan repayment program to be allocated to a dental
 34 nonprofit health service corporation to develop the
 35 criteria and implement the loan repayment program.
 36 k. Of the funds appropriated in this subsection,
 37 \$52,912 is transferred to the college student aid
 38 commission for deposit in the rural Iowa primary care
 39 trust fund created in section 261.113 to be used for
 40 the purposes of the fund.
 41 l. Of the funds appropriated in this subsection,
 42 \$25,000 shall be used for the purposes of the Iowa
 43 donor registry as specified in section 142C.18.
 44 m. Of the funds appropriated in this subsection,
 45 \$50,000 shall be used for continuation of a grant to a
 46 nationally affiliated volunteer eye organization that
 47 has an established program for children and adults
 48 and that is solely dedicated to preserving sight and
 49 preventing blindness through education, nationally
 50 certified vision screening and training, and community

1 and patient service programs. The organization shall
2 submit a report to the individuals identified in this
3 Act for submission of reports regarding the use of
4 funds allocated under this paragraph “m”. The report
5 shall include the objectives and results for the year
6 of the program’s implementation including the target
7 population and how the funds allocated assisted the
8 program in meeting the objectives; the number, age, and
9 location within the state of individuals served; the
10 type of services provided to the individuals served;
11 the distribution of funds based on service provided;
12 and the continuing needs of the program.

13 n. Of the funds appropriated in this section,
14 \$25,000 shall be distributed to a statewide nonprofit
15 organization to be used for the public purpose of
16 supporting a partnership between medical providers and
17 parents through community health centers to promote
18 reading and encourage literacy skills so children enter
19 school prepared for success in reading.

20 o. A portion of the funds appropriated in this
21 subsection that are not allocated, used, obligated,
22 or otherwise encumbered may be used to administer the
23 vision screening program created pursuant to section
24 135.39D, as enacted by 2013 Iowa Acts, Senate File 419.

25 5. HEALTHY AGING

26 To provide public health services that reduce risks
27 and invest in promoting and protecting good health over
28 the course of a lifetime with a priority given to older
29 Iowans and vulnerable populations:

30 \$ 3,648,571

31 a. Of the funds appropriated in this subsection,
32 \$1,004,594 shall be used for local public health
33 nursing services.

34 b. Of the funds appropriated in this subsection,
35 \$2,643,978 shall be used for home care aide services.

36 6. ENVIRONMENTAL HAZARDS

37 For reducing the public’s exposure to hazards in the
38 environment, primarily chemical hazards, and for not
39 more than the following full-time equivalent positions:

40 \$ 401,935

41 FTEs 4.00

42 Of the funds appropriated in this subsection,
43 \$268,875 shall be used for childhood lead poisoning
44 provisions.

45 7. INFECTIOUS DISEASES

46 For reducing the incidence and prevalence of
47 communicable diseases, and for not more than the
48 following full-time equivalent positions:

49 \$ 667,578

50 FTEs 4.00

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1 8. PUBLIC PROTECTION

2 For protecting the health and safety of the
 3 public through establishing standards and enforcing
 4 regulations, and for not more than the following
 5 full-time equivalent positions:

6	\$	1,601,886
7	FTEs	131.00

8 a. Of the funds appropriated in this subsection,
 9 not more than \$227,350 shall be credited to the
 10 emergency medical services fund created in section
 11 135.25. Moneys in the emergency medical services fund
 12 are appropriated to the department to be used for the
 13 purposes of the fund.

14 b. Of the funds appropriated in this subsection,
 15 \$101,516 shall be used for sexual violence prevention
 16 programming through a statewide organization
 17 representing programs serving victims of sexual
 18 violence through the department's sexual violence
 19 prevention program. The amount allocated in this
 20 lettered paragraph shall not be used to supplant
 21 funding administered for other sexual violence
 22 prevention or victims assistance programs.

23 c. Of the funds appropriated in this subsection,
 24 \$261,876 shall be used for the state poison control
 25 center.

26 9. RESOURCE MANAGEMENT

27 For establishing and sustaining the overall
 28 ability of the department to deliver services to the
 29 public, and for not more than the following full-time
 30 equivalent positions:

31	\$	402,027
32	FTEs	5.00

33 The university of Iowa hospitals and clinics under
 34 the control of the state board of regents shall not
 35 receive indirect costs from the funds appropriated in
 36 this section. The university of Iowa hospitals and
 37 clinics billings to the department shall be on at least
 38 a quarterly basis.

39 DIVISION XIX

40 DEPARTMENT OF VETERANS AFFAIRS — FY 2014–2015

41 Sec. 87. DEPARTMENT OF VETERANS AFFAIRS. There

42 is appropriated from the general fund of the state to
 43 the department of veterans affairs for the fiscal year
 44 beginning July 1, 2014, and ending June 30, 2015, the
 45 following amounts, or so much thereof as is necessary,
 46 to be used for the purposes designated:

47 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

48 For salaries, support, maintenance, and
 49 miscellaneous purposes, including the war orphans
 50 educational assistance fund created in section 35.8,

1 or a successor funding provision for war orphans
2 educational assistance, if enacted, and for not more
3 than the following full-time equivalent positions:
4 \$ 546,754
5 FTEs 13.00
6 2. IOWA VETERANS HOME
7 For salaries, support, maintenance, and
8 miscellaneous purposes:
9 \$ 3,762,857
10 a. The Iowa veterans home billings involving the
11 department of human services shall be submitted to the
12 department on at least a monthly basis.
13 b. If there is a change in the employer of
14 employees providing services at the Iowa veterans home
15 under a collective bargaining agreement, such employees
16 and the agreement shall be continued by the successor
17 employer as though there had not been a change in
18 employer.
19 c. Within available resources and in conformance
20 with associated state and federal program eligibility
21 requirements, the Iowa veterans home may implement
22 measures to provide financial assistance to or
23 on behalf of veterans or their spouses who are
24 participating in the community reentry program.
25 d. The Iowa veterans home expenditure report
26 shall be submitted monthly to the legislative services
27 agency.
28 4. HOME OWNERSHIP ASSISTANCE PROGRAM
29 For transfer to the Iowa finance authority for the
30 continuation of the home ownership assistance program
31 for persons who are or were eligible members of the
32 armed forces of the United States, pursuant to section
33 16.54:
34 \$ 800,000
35 Sec. 88. LIMITATION OF COUNTY
36 COMMISSIONS OF VETERAN AFFAIRS FUND STANDING
37 APPROPRIATIONS. Notwithstanding the standing
38 appropriation in the following designated section for
39 the fiscal year beginning July 1, 2014, and ending June
40 30, 2015, the amounts appropriated from the general
41 fund of the state pursuant to that section for the
42 following designated purposes shall not exceed the
43 following amount:
44 For the county commissions of veteran affairs fund
45 under section 35A.16:
46 \$ 495,000
47 DIVISION XX
48 DEPARTMENT OF HUMAN SERVICES — FY 2014–2015
49 Sec. 89. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
50 BLOCK GRANT. There is appropriated from the fund

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1 created in section 8.41 to the department of human
 2 services for the fiscal year beginning July 1, 2014,
 3 and ending June 30, 2015, from moneys received under
 4 the federal temporary assistance for needy families
 5 (TANF) block grant pursuant to the federal Personal
 6 Responsibility and Work Opportunity Reconciliation
 7 Act of 1996, Pub. L. No. 104-193, and successor
 8 legislation, the following amounts, or so much
 9 thereof as is necessary, to be used for the purposes
 10 designated:

11 1. To be credited to the family investment program		
12 account and used for assistance under the family		
13 investment program under chapter 239B:		
14	\$	9,058,474
15 2. To be credited to the family investment program		
16 account and used for the job opportunities and		
17 basic skills (JOBS) program and implementing family		
18 investment agreements in accordance with chapter 239B:		
19	\$	5,733,220
20 3. To be used for the family development and		
21 self-sufficiency grant program in accordance with		
22 section 216A.107:		
23	\$	1,449,490
24 Notwithstanding section 8.33, moneys appropriated in		
25 this subsection that remain unencumbered or unobligated		
26 at the close of the fiscal year shall not revert but		
27 shall remain available for expenditure for the purposes		
28 designated until the close of the succeeding fiscal		
29 year. However, unless such moneys are encumbered or		
30 obligated on or before September 30, 2015, the moneys		
31 shall revert.		
32 4. For field operations:		
33	\$	15,648,116
34 5. For general administration:		
35	\$	1,872,000
36 6. For state child care assistance:		
37	\$	12,866,344

38 The funds appropriated in this subsection are
 39 transferred to the child care and development block
 40 grant appropriation made by the Eighty-fifth General
 41 Assembly, 2013 Session, for the federal fiscal year
 42 beginning October 1, 2014, and ending September 30,
 43 2015. Of this amount, \$100,000 shall be used for
 44 provision of educational opportunities to registered
 45 child care home providers in order to improve services
 46 and programs offered by this category of providers and
 47 to increase the number of providers. The department
 48 may contract with institutions of higher education or
 49 child care resource and referral centers to provide the
 50 educational opportunities. Allowable administrative

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1	costs under the contracts shall not exceed 5 percent.	
2	The application for a grant shall not exceed two pages	
3	in length.	
4	7. For distribution to counties or regions for	
5	services for persons with mental illness or an	
6	intellectual disability:	
7	.....	\$ 2,447,026
8	8. For child and family services:	
9	.....	\$ 16,042,215
10	9. For child abuse prevention grants:	
11	.....	\$ 64,500
12	10. For pregnancy prevention grants on the	
13	condition that family planning services are funded:	
14	.....	\$ 965,034
15	Pregnancy prevention grants shall be awarded to	
16	programs in existence on or before July 1, 2014, if the	
17	programs have demonstrated positive outcomes. Grants	
18	shall be awarded to pregnancy prevention programs	
19	which are developed after July 1, 2014, if the programs	
20	are based on existing models that have demonstrated	
21	positive outcomes. Grants shall comply with the	
22	requirements provided in 1997 Iowa Acts, chapter	
23	208, section 14, subsections 1 and 2, including the	
24	requirement that grant programs must emphasize sexual	
25	abstinence. Priority in the awarding of grants shall	
26	be given to programs that serve areas of the state	
27	which demonstrate the highest percentage of unplanned	
28	pregnancies of females of childbearing age within the	
29	geographic area to be served by the grant.	
30	11. For technology needs and other resources	
31	necessary to meet federal welfare reform reporting,	
32	tracking, and case management requirements:	
33	.....	\$ 518,593
34	12. For the family investment program share of	
35	the costs to develop and maintain a new, integrated	
36	eligibility determination system:	
37	.....	\$ 2,525,226
38	13. a. Notwithstanding any provision to the	
39	contrary, including but not limited to requirements	
40	in section 8.41 or provisions in 2013 or 2014 Iowa	
41	Acts regarding the receipt and appropriation of	
42	federal block grants, federal funds from the temporary	
43	assistance for needy families block grant received by	
44	the state not otherwise appropriated in this section	
45	and remaining available for the fiscal year beginning	
46	July 1, 2013, are appropriated to the department of	
47	human services to the extent as may be necessary to	
48	be used in the following priority order: the family	
49	investment program, for state child care assistance	
50	program payments for individuals enrolled in the	

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1 family investment program who are employed, and
 2 for the family investment program share of costs to
 3 develop and maintain a new, integrated eligibility
 4 determination system. The federal funds appropriated
 5 in this paragraph "a" shall be expended only after
 6 all other funds appropriated in subsection 1 for
 7 the assistance under the family investment program,
 8 in subsection 6 for child care assistance, or in
 9 subsection 13 for the family investment program share
 10 of the costs to develop and maintain a new, integrated
 11 eligibility determination system, as applicable, have
 12 been expended.

13 b. The department shall, on a quarterly basis,
 14 advise the legislative services agency and department
 15 of management of the amount of funds appropriated in
 16 this subsection that was expended in the prior quarter.

17 14. Of the amounts appropriated in this section,
 18 \$6,481,004 for the fiscal year beginning July 1, 2014,
 19 is transferred to the appropriation of the federal
 20 social services block grant made to the department of
 21 human services for that fiscal year.

22 15. For continuation of the program providing
 23 categorical eligibility for the food assistance program
 24 as specified for the program in the section of this
 25 division relating to the family investment program
 26 account:

27 \$ 12,500

28 16. The department may transfer funds allocated
 29 in this section to the appropriations made in this
 30 division of this Act for the same fiscal year for
 31 general administration and field operations for
 32 resources necessary to implement and operate the
 33 services referred to in this section and those funded
 34 in the appropriation made in this division of this Act
 35 for the same fiscal year for the family investment
 36 program from the general fund of the state.

37 **Sec. 90. FAMILY INVESTMENT PROGRAM ACCOUNT.**

38 1. Moneys credited to the family investment program
 39 (FIP) account for the fiscal year beginning July
 40 1, 2014, and ending June 30, 2015, shall be used to
 41 provide assistance in accordance with chapter 239B.

42 2. The department may use a portion of the moneys
 43 credited to the FIP account under this section as
 44 necessary for salaries, support, maintenance, and
 45 miscellaneous purposes.

46 3. The department may transfer funds allocated
 47 in this section to the appropriations made in this
 48 division of this Act for the same fiscal year for
 49 general administration and field operations for
 50 resources necessary to implement and operate the

1 services referred to in this section and those funded
2 in the appropriation made in this division of this Act
3 for the same fiscal year for the family investment
4 program from the general fund of the state.

5 4. Moneys appropriated in this division of this Act
6 and credited to the FIP account for the fiscal year
7 beginning July 1, 2014, and ending June 30, 2015, are
8 allocated as follows:

9 a. To be retained by the department of human
10 services to be used for coordinating with the
11 department of human rights to more effectively serve
12 participants in the FIP program and other shared
13 clients and to meet federal reporting requirements
14 under the federal temporary assistance for needy
15 families block grant:
16 \$ 10,000

17 b. To the department of human rights for staffing,
18 administration, and implementation of the family
19 development and self-sufficiency grant program in
20 accordance with section 216A.107:
21 \$ 2,771,417

22 (1) Of the funds allocated for the family
23 development and self-sufficiency grant program in this
24 lettered paragraph, not more than 5 percent of the
25 funds shall be used for the administration of the grant
26 program.

27 (2) The department of human rights may continue to
28 implement the family development and self-sufficiency
29 grant program statewide during fiscal year 2014–2015.

30 c. For the diversion subaccount of the FIP account:
31 \$ 849,200

32 A portion of the moneys allocated for the subaccount
33 may be used for field operations salaries, data
34 management system development, and implementation
35 costs and support deemed necessary by the director
36 of human services in order to administer the FIP
37 diversion program. To the extent moneys allocated
38 in this lettered paragraph are not deemed by the
39 department to be necessary to support diversion
40 activities, such moneys may be used for other efforts
41 intended to increase engagement by family investment
42 program participants in work, education, or training
43 activities.

44 d. For the food assistance employment and training
45 program:
46 \$ 33,294

47 (1) The department shall amend the federal
48 supplemental nutrition assistance program (SNAP)
49 employment and training state plan in order to maximize
50 to the fullest extent permitted by federal law the

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1 use of the 50-50 match provisions for the claiming
2 of allowable federal matching funds from the United
3 States department of agriculture pursuant to the
4 federal SNAP employment and training program for
5 providing education, employment, and training services
6 for eligible food assistance program participants,
7 including but not limited to related dependent care and
8 transportation expenses.

9 (2) The department shall continue the categorical
10 federal food assistance program eligibility at 160
11 percent of the federal poverty level and continue to
12 eliminate the asset test from eligibility requirements,
13 consistent with federal food assistance program
14 requirements. The department shall include as many
15 food assistance households as is allowed by federal
16 law. The eligibility provisions shall conform to all
17 federal requirements including requirements addressing
18 individuals who are incarcerated or otherwise
19 ineligible.

20 e. For the JOBS program:

21 \$ 9,845,408

22 5. Of the child support collections assigned under
23 FIP, an amount equal to the federal share of support
24 collections shall be credited to the child support
25 recovery appropriation made in this division of this
26 Act. Of the remainder of the assigned child support
27 collections received by the child support recovery
28 unit, a portion shall be credited to the FIP account,
29 a portion may be used to increase recoveries, and a
30 portion may be used to sustain cash flow in the child
31 support payments account. If as a consequence of the
32 appropriations and allocations made in this section
33 the resulting amounts are insufficient to sustain
34 cash assistance payments and meet federal maintenance
35 of effort requirements, the department shall seek
36 supplemental funding. If child support collections
37 assigned under FIP are greater than estimated or are
38 otherwise determined not to be required for maintenance
39 of effort, the state share of either amount may be
40 transferred to or retained in the child support payment
41 account.

42 6. The department may adopt emergency rules for the
43 family investment, JOBS, food assistance, and medical
44 assistance programs if necessary to comply with federal
45 requirements.

46 Sec. 91. FAMILY INVESTMENT PROGRAM GENERAL
47 FUND. There is appropriated from the general fund of
48 the state to the department of human services for the
49 fiscal year beginning July 1, 2014, and ending June 30,
50 2015, the following amount, or so much thereof as is

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1 necessary, to be used for the purpose designated:
2 To be credited to the family investment program
3 (FIP) account and used for family investment program
4 assistance under chapter 239B:
5 \$ 23,948,607
6 1. Of the funds appropriated in this section,
7 \$3,912,189 is allocated for the JOBS program.
8 2. Of the funds appropriated in this section,
9 \$1,331,927 is allocated for the family development and
10 self-sufficiency grant program.
11 3. Notwithstanding section 8.39, for the fiscal
12 year beginning July 1, 2014, if necessary to meet
13 federal maintenance of effort requirements or to
14 transfer federal temporary assistance for needy
15 families block grant funding to be used for purposes
16 of the federal social services block grant or to meet
17 cash flow needs resulting from delays in receiving
18 federal funding or to implement, in accordance with
19 this division of this Act, activities currently funded
20 with juvenile court services, county, or community
21 moneys and state moneys used in combination with such
22 moneys, the department of human services may transfer
23 funds within or between any of the appropriations made
24 in this division of this Act and appropriations in law
25 for the federal social services block grant to the
26 department for the following purposes, provided that
27 the combined amount of state and federal temporary
28 assistance for needy families block grant funding for
29 each appropriation remains the same before and after
30 the transfer:
31 a. For the family investment program.
32 b. For child care assistance.
33 c. For child and family services.
34 d. For field operations.
35 e. For general administration.
36 f. For distribution to counties or regions
37 for services to persons with mental illness or an
38 intellectual disability.
39 This subsection shall not be construed to prohibit
40 the use of existing state transfer authority for other
41 purposes. The department shall report any transfers
42 made pursuant to this subsection to the legislative
43 services agency.
44 4. Of the funds appropriated in this section,
45 \$97,839 shall be used for continuation of a grant to
46 an Iowa-based nonprofit organization with a history
47 of providing tax preparation assistance to low-income
48 Iowans in order to expand the usage of the earned
49 income tax credit. The purpose of the grant is to
50 supply this assistance to underserved areas of the

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1 state.

2 5. The department may transfer funds appropriated
3 in this section to the appropriations made in this
4 division of this Act for general administration and
5 field operations as necessary to administer this
6 section and the overall family investment program.

7 Sec. 92. CHILD SUPPORT RECOVERY. There is
8 appropriated from the general fund of the state to
9 the department of human services for the fiscal year
10 beginning July 1, 2014, and ending June 30, 2015, the
11 following amount, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 For child support recovery, including salaries,
14 support, maintenance, and miscellaneous purposes, and
15 for not more than the following full-time equivalent
16 positions:

17	\$	7,086,885
18	FTEs	464.00

19 1. The department shall expend up to \$12,165,
20 including federal financial participation, for the
21 fiscal year beginning July 1, 2014, for a child support
22 public awareness campaign. The department and the
23 office of the attorney general shall cooperate in
24 continuation of the campaign. The public awareness
25 campaign shall emphasize, through a variety of media
26 activities, the importance of maximum involvement of
27 both parents in the lives of their children as well as
28 the importance of payment of child support obligations.

29 2. Federal access and visitation grant moneys shall
30 be issued directly to private not-for-profit agencies
31 that provide services designed to increase compliance
32 with the child access provisions of court orders,
33 including but not limited to neutral visitation sites
34 and mediation services.

35 3. The appropriation made to the department for
36 child support recovery may be used throughout the
37 fiscal year in the manner necessary for purposes of
38 cash flow management, and for cash flow management
39 purposes the department may temporarily draw more
40 than the amount appropriated, provided the amount
41 appropriated is not exceeded at the close of the fiscal
42 year.

43 4. With the exception of the funding amount
44 specified, the requirements established under 2001
45 Iowa Acts, chapter 191, section 3, subsection 5,
46 paragraph "c", subparagraph (3), shall be applicable
47 to parental obligation pilot projects for the fiscal
48 year beginning July 1, 2014, and ending June 30,
49 2015. Notwithstanding 441 IAC 100.8, providing for
50 termination of rules relating to the pilot projects,

1 the rules shall remain in effect until June 30, 2015.

2 Sec. 93. HEALTH CARE TRUST FUND — MEDICAL

3 ASSISTANCE — FY 2014–2015. Any funds remaining in the

4 health care trust fund created in section 453A.35A for

5 the fiscal year beginning July 1, 2014, and ending June

6 30, 2015, are appropriated to the department of human

7 services to supplement the medical assistance program

8 appropriations made in this division of this Act, for

9 medical assistance reimbursement and associated costs,

10 including program administration and costs associated

11 with program implementation.

12 Sec. 94. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE

13 — FY 2014–2015. Any funds remaining in the Medicaid

14 fraud fund created in section 249A.7 for the fiscal

15 year beginning July 1, 2014, and ending June 30, 2015,

16 are appropriated to the department of human services to

17 supplement the medical assistance appropriations made

18 in this division of this Act, for medical assistance

19 reimbursement and associated costs, including program

20 administration and costs associated with program

21 implementation.

22 Sec. 95. MEDICAL ASSISTANCE. There is appropriated

23 from the general fund of the state to the department of

24 human services for the fiscal year beginning July 1,

25 2014, and ending June 30, 2015, the following amount,

26 or so much thereof as is necessary, to be used for the

27 purpose designated:

28 For medical assistance program reimbursement and

29 associated costs as specifically provided in the

30 reimbursement methodologies in effect on June 30, 2014,

31 except as otherwise expressly authorized by law:

32 \$ 1,126,011,962

33 1. a. Funds appropriated in this section that

34 are distributed to a hospital, as defined in section

35 135B.1, or to a person, as defined in section 4.1, who

36 received funding from the IowaCare account created in

37 section 249J.24, Code 2013, shall not be used for the

38 willful termination of human life.

39 b. With the exception of the distributions in

40 paragraph “a”, funds appropriated under this section

41 shall not be distributed to any person, as defined

42 in section 4.1, who participates in the willful

43 termination of human life.

44 2. The department shall utilize not more than

45 \$60,000 of the funds appropriated in this section

46 to continue the AIDS/HIV health insurance premium

47 payment program as established in 1992 Iowa Acts,

48 Second Extraordinary Session, chapter 1001, section

49 409, subsection 6. Of the funds allocated in this

50 subsection, not more than \$5,000 may be expended for

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1 administrative purposes.

2 3. Of the funds appropriated in this Act to the
3 department of public health for addictive disorders,
4 \$950,000 for the fiscal year beginning July 1, 2014, is
5 transferred to the department of human services for an
6 integrated substance abuse managed care system. The
7 department shall not assume management of the substance
8 abuse system in place of the managed care contractor
9 unless such a change in approach is specifically
10 authorized in law. The departments of human services
11 and public health shall work together to maintain the
12 level of mental health and substance-related disorder
13 treatment services provided by the managed care
14 contractor through the Iowa plan for behavioral health.
15 Each department shall take the steps necessary to
16 continue the federal waivers as necessary to maintain
17 the level of services.

18 4. a. The department shall aggressively pursue
19 options for providing medical assistance or other
20 assistance to individuals with special needs who become
21 ineligible to continue receiving services under the
22 early and periodic screening, diagnostic, and treatment
23 program under the medical assistance program due
24 to becoming 21 years of age who have been approved
25 for additional assistance through the department's
26 exception to policy provisions, but who have health
27 care needs in excess of the funding available through
28 the exception to policy provisions.

29 b. Of the funds appropriated in this section,
30 \$100,000 shall be used for participation in one or more
31 pilot projects operated by a private provider to allow
32 the individual or individuals to receive service in the
33 community in accordance with principles established in
34 *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose
35 of providing medical assistance or other assistance to
36 individuals with special needs who become ineligible
37 to continue receiving services under the early and
38 periodic screening, diagnosis, and treatment program
39 under the medical assistance program due to becoming
40 21 years of age who have been approved for additional
41 assistance through the department's exception to policy
42 provisions, but who have health care needs in excess
43 of the funding available through the exception to the
44 policy provisions.

45 5. Of the funds appropriated in this section, up to
46 \$3,050,082 may be transferred to the field operations
47 or general administration appropriations in this Act
48 for operational costs associated with Part D of the
49 federal Medicare Prescription Drug Improvement and
50 Modernization Act of 2003, Pub. L. No. 108-173.

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1 6. Of the funds appropriated in this section, up
2 to \$442,100 may be transferred to the appropriation
3 in this division of this Act for medical contracts
4 to be used for clinical assessment services and prior
5 authorization of services.

6 7. A portion of the funds appropriated in this
7 section may be transferred to the appropriations in
8 this division of this Act for general administration,
9 medical contracts, the children's health insurance
10 program, or field operations to be used for the
11 state match cost to comply with the payment error
12 rate measurement (PERM) program for both the medical
13 assistance and children's health insurance programs
14 as developed by the centers for Medicare and Medicaid
15 services of the United States department of health and
16 human services to comply with the federal Improper
17 Payments Information Act of 2002, Pub. L. No. 107-300.

18 8. It is the intent of the general assembly
19 that the department continue to implement the
20 recommendations of the assuring better child health
21 and development initiative II (ABCDII) clinical panel
22 to the Iowa early and periodic screening, diagnostic,
23 and treatment services healthy mental development
24 collaborative board regarding changes to billing
25 procedures, codes, and eligible service providers.

26 9. Of the funds appropriated in this section,
27 a sufficient amount is allocated to supplement
28 the incomes of residents of nursing facilities,
29 intermediate care facilities for persons with mental
30 illness, and intermediate care facilities for persons
31 with an intellectual disability, with incomes of less
32 than \$50 in the amount necessary for the residents to
33 receive a personal needs allowance of \$50 per month
34 pursuant to section 249A.30A.

35 10. Of the funds appropriated in this section, the
36 following amounts are transferred to the appropriations
37 made in this division of this Act for the state mental
38 health institutes:

39 a. Cherokee mental health institute.....	\$ 9,098,425
40 b. Clarinda mental health institute.....	\$ 1,977,305
41 c. Independence mental health	
42 institute	\$ 9,045,894
43 d. Mount Pleasant mental health institute	
44	\$ 5,752,587

45 11. a. Of the funds appropriated in this section,
46 \$7,969,074 is allocated for the state match for a
47 disproportionate share hospital payment of \$19,133,430
48 to hospitals that meet both of the conditions specified
49 in subparagraphs (1) and (2). In addition, the
50 hospitals that meet the conditions specified shall

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1 either certify public expenditures or transfer to
2 the medical assistance program an amount equal to
3 provide the nonfederal share for a disproportionate
4 share hospital payment of \$7,500,000. The hospitals
5 that meet the conditions specified shall receive and
6 retain 100 percent of the total disproportionate share
7 hospital payment of \$26,633,430.

8 (1) The hospital qualifies for disproportionate
9 share and graduate medical education payments.

10 (2) The hospital is an Iowa state-owned hospital
11 with more than 500 beds and eight or more distinct
12 residency specialty or subspecialty programs recognized
13 by the American college of graduate medical education.

14 b. Distribution of the disproportionate share
15 payments shall be made on a monthly basis. The total
16 amount of disproportionate share payments including
17 graduate medical education, enhanced disproportionation
18 share, and Iowa state-owned teaching hospital payments
19 shall not exceed the amount of the state's allotment
20 under Pub. L. No. 102-234. In addition, the total
21 amount of all disproportionate share payments shall not
22 exceed the hospital-specific disproportionate share
23 limits under Pub. L. No. 103-66.

24 12. The university of Iowa hospitals and clinics
25 shall either certify public expenditures or transfer to
26 the medical assistance appropriation an amount equal
27 to provide the nonfederal share for increased medical
28 assistance payments for inpatient and outpatient
29 hospital services of \$9,900,000. The university of
30 Iowa hospitals and clinics shall receive and retain 100
31 percent of the total increase in medical assistance
32 payments.

33 13. One hundred percent of the nonfederal share of
34 payments to area education agencies that are medical
35 assistance providers for medical assistance-covered
36 services provided to medical assistance-covered
37 children, shall be made from the appropriation made in
38 this section.

39 14. Any new or renewed contract entered into by the
40 department with a third party to administer behavioral
41 health services under the medical assistance program
42 shall provide that any interest earned on payments
43 from the state during the state fiscal year shall be
44 remitted to the department and treated as recoveries to
45 offset the costs of the medical assistance program.

46 15. The department shall continue to implement the
47 provisions in 2007 Iowa Acts, chapter 218, section
48 124 and section 126, as amended by 2008 Iowa Acts,
49 chapter 1188, section 55, relating to eligibility for
50 certain persons with disabilities under the medical

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1 assistance program in accordance with the federal
2 Family Opportunity Act.

3 16. A portion of the funds appropriated in this
4 section may be transferred to the appropriation in this
5 division of this Act for medical contracts to be used
6 for administrative activities associated with the money
7 follows the person demonstration project.

8 17. Of the funds appropriated in this section,
9 \$349,011 shall be used for the administration of the
10 health insurance premium payment program, including
11 salaries, support, maintenance, and miscellaneous
12 purposes.

13 18. a. The department may continue to implement
14 cost containment strategies in the fiscal year
15 beginning July 1, 2014, that were recommended by the
16 governor for the fiscal year beginning July 1, 2013, as
17 specified in this Act and may adopt emergency rules for
18 such implementation.

19 b. The department may increase the amounts
20 allocated for salaries, support, maintenance, and
21 miscellaneous purposes associated with the medical
22 assistance program, as necessary, to implement the cost
23 containment strategies. The department shall report
24 any such increase to the legislative services agency
25 and the department of management.

26 c. If the savings to the medical assistance program
27 exceed the cost for the fiscal year beginning July 1
28 2014, the department may transfer any savings generated
29 for the fiscal year due to medical assistance program
30 cost containment efforts to the appropriation made in
31 this division of this Act for medical contracts or
32 general administration to defray the increased contract
33 costs associated with implementing such efforts.

34 d. The department shall report the implementation
35 of any cost containment strategies under this
36 subsection to the individuals specified in this
37 division of this Act for submission of reports on a
38 quarterly basis.

39 19. a. Of the funds appropriated in this section,
40 \$900,000 shall be used to continue implementation of
41 the children's mental health home project proposed
42 by the department of human services and reported to
43 the general assembly's mental health and disability
44 services study committee in December 2011. Of this
45 amount, up to \$50,000 may be transferred by the
46 department to the appropriation made in this division
47 of this Act to the department for the same fiscal year
48 for general administration to be used for associated
49 administrative expenses and for not more than one
50 full-time equivalent position, in addition to those

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1 authorized for the same fiscal year, to be assigned to
2 implementing the project.

3 b. Of the funds appropriated in this section, up to
4 \$400,000 may be transferred by the department to the
5 appropriation made to the department in this division
6 of this Act for the same fiscal year for general
7 administration to support the redesign of mental
8 health and disability services and the state balancing
9 incentive payments program planning and implementation
10 activities. The funds may be used for contracts or for
11 personnel in addition to the amounts appropriated for
12 and the positions authorized for general administration
13 for the same fiscal year.

14 c. Of the funds appropriated in this section, up to
15 \$3,000,000 may be transferred by the department to the
16 appropriations made to the department in this division
17 of this Act for the same fiscal year for general
18 administration or medical contracts to be used to
19 support the continued development and implementation of
20 standardized assessment tools for persons with mental
21 illness, an intellectual disability, a developmental
22 disability, or a brain injury.

23 d. For the fiscal year beginning July 1, 2014, and
24 ending June 30, 2015, the replacement generation tax
25 revenues required to be deposited in the property tax
26 relief fund pursuant to section 437A.8, subsection
27 4, paragraph "d", and section 437A.15, subsection
28 3, paragraph "f", shall instead be credited to and
29 supplement the appropriation made in this section and
30 used for the allocations made in this subsection.

31 20. The department shall continue to administer
32 to the state balancing incentive payments program as
33 specified in 2012 Iowa Acts, chapter 1133, section 14.

34 21. Of the funds appropriated in this section,
35 \$1,000,000 shall be used for the autism support program
36 created in chapter 225D, as enacted in this Act.

37 Sec. 96. MEDICAL CONTRACTS. There is appropriated
38 from the general fund of the state to the department of
39 human services for the fiscal year beginning July 1,
40 2014, and ending June 30, 2015, the following amount,
41 or so much thereof as is necessary, to be used for the
42 purpose designated:

43 For medical contracts:

44 \$ 4,260,375

45 1. The department of inspections and appeals
46 shall provide all state matching funds for survey and
47 certification activities performed by the department
48 of inspections and appeals. The department of human
49 services is solely responsible for distributing the
50 federal matching funds for such activities.

1 2. Of the funds appropriated in this section,
2 \$25,000 shall be used for continuation of home and
3 community-based services waiver quality assurance
4 programs, including the review and streamlining of
5 processes and policies related to oversight and quality
6 management to meet state and federal requirements.

7 3. Of the amount appropriated in this section, up
8 to \$100,000 may be transferred to the appropriation for
9 general administration in this division of this Act to
10 be used for additional full-time equivalent positions
11 in the development of key health initiatives such as
12 cost containment, development and oversight of managed
13 care programs, and development of health strategies
14 targeted toward improved quality and reduced costs in
15 the Medicaid program.

16 4. Of the funds appropriated in this section,
17 \$37,500 shall be used for continued implementation of a
18 uniform cost report.

19 5. Of the funds appropriated in this section,
20 \$500,000 shall be used for planning and development, in
21 cooperation with the department of public health, of a
22 phased-in program to provide a dental home for children
23 in accordance with section 249J.14.

24 Sec. 97. STATE SUPPLEMENTARY ASSISTANCE.

25 1. There is appropriated from the general fund of
26 the state to the department of human services for the
27 fiscal year beginning July 1, 2014, and ending June 30,
28 2015, the following amount, or so much thereof as is
29 necessary, to be used for the purpose designated:

30 For the state supplementary assistance program:
31 \$ 8,256,087

32 2. The department shall increase the personal needs
33 allowance for residents of residential care facilities
34 by the same percentage and at the same time as federal
35 supplemental security income and federal social
36 security benefits are increased due to a recognized
37 increase in the cost of living. The department may
38 adopt emergency rules to implement this subsection.

39 3. If during the fiscal year beginning July 1,
40 2013, the department projects that state supplementary
41 assistance expenditures for a calendar year will not
42 meet the federal pass-through requirement specified
43 in Tit. XVI of the federal Social Security Act,
44 section 1618, as codified in 42 U.S.C. § 1382g,
45 the department may take actions including but not
46 limited to increasing the personal needs allowance
47 for residential care facility residents and making
48 programmatic adjustments or upward adjustments of the
49 residential care facility or in-home health-related
50 care reimbursement rates prescribed in this division of

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1 this Act to ensure that federal requirements are met.
 2 In addition, the department may make other programmatic
 3 and rate adjustments necessary to remain within the
 4 amount appropriated in this section while ensuring
 5 compliance with federal requirements. The department
 6 may adopt emergency rules to implement the provisions
 7 of this subsection.

8 Sec. 98. CHILDREN'S HEALTH INSURANCE PROGRAM.

9 1. There is appropriated from the general fund of
 10 the state to the department of human services for the
 11 fiscal year beginning July 1, 2014, and ending June 30,
 12 2015, the following amount, or so much thereof as is
 13 necessary, to be used for the purpose designated:

14 For maintenance of the healthy and well kids in Iowa
 15 (hawk-i) program pursuant to chapter 514I, including
 16 supplemental dental services, for receipt of federal
 17 financial participation under Tit. XXI of the federal
 18 Social Security Act, which creates the children's
 19 health insurance program:

20 \$ 18,403,051

21 2. Of the funds appropriated in this section,
 22 \$70,725 is allocated for continuation of the contract
 23 for outreach with the department of public health.

24 Sec. 99. CHILD CARE ASSISTANCE. There is
 25 appropriated from the general fund of the state to
 26 the department of human services for the fiscal year
 27 beginning July 1, 2014, and ending June 30, 2015, the
 28 following amount, or so much thereof as is necessary,
 29 to be used for the purpose designated:

30 For child care programs:

31 \$ 29,632,171

32 1. Of the funds appropriated in this section,
 33 \$25,704,869 shall be used for state child care
 34 assistance in accordance with section 237A.13.

35 2. Nothing in this section shall be construed or
 36 is intended as or shall imply a grant of entitlement
 37 for services to persons who are eligible for assistance
 38 due to an income level consistent with the waiting
 39 list requirements of section 237A.13. Any state
 40 obligation to provide services pursuant to this section
 41 is limited to the extent of the funds appropriated in
 42 this section.

43 3. Of the funds appropriated in this section,
 44 \$216,227 is allocated for the statewide program for
 45 child care resource and referral services under section
 46 237A.26. A list of the registered and licensed child
 47 care facilities operating in the area served by a
 48 child care resource and referral service shall be made
 49 available to the families receiving state child care
 50 assistance in that area.

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4. Of the funds appropriated in this section, \$468,487 is allocated for child care quality improvement initiatives including but not limited to the voluntary quality rating system in accordance with section 237A.30.

5. Of the funds appropriated in this section, \$67,589 shall be used to conduct fingerprint-based national criminal history record checks of home-based child care providers pursuant to section 237A.5, subsection 2, through the United States department of justice, federal bureau of investigation.

6. Of the funds appropriated in this section, \$3,175,000 shall be credited to the school ready children grants account in the early childhood Iowa fund. The moneys credited to the account pursuant to this subsection shall be distributed by the early childhood Iowa board by applying the formula for distribution of moneys from the account.

7. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's service areas. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

8. A portion of the state match for the federal child care and development block grant shall be provided as necessary to meet federal matching funds requirements through the state general fund appropriation made for child development grants and other programs for at-risk children in section 279.51.

9. If a uniform reduction ordered by the governor under section 8.31 or other operation of law, transfer, or federal funding reduction reduces the appropriation made in this section for the fiscal year, the percentage reduction in the amount paid out to or on behalf of the families participating in the state child care assistance program shall be equal to or less than the percentage reduction made for any other purpose payable from the appropriation made in this section and the federal funding relating to it. The

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1 percentage reduction to the other allocations made in
 2 this section shall be the same as the uniform reduction
 3 ordered by the governor or the percentage change of the
 4 federal funding reduction, as applicable. If there is
 5 an unanticipated increase in federal funding provided
 6 for state child care assistance, the entire amount
 7 of the increase shall be used for state child care
 8 assistance payments. If the appropriations made for
 9 purposes of the state child care assistance program for
 10 the fiscal year are determined to be insufficient, it
 11 is the intent of the general assembly to appropriate
 12 sufficient funding for the fiscal year in order to
 13 avoid establishment of waiting list requirements.
 14 10. Notwithstanding section 8.33, moneys advanced
 15 for purposes of the programs developed by early
 16 childhood Iowa areas, advanced for purposes of
 17 wraparound child care, or received from the federal
 18 appropriations made for the purposes of this section
 19 that remain unencumbered or unobligated at the close
 20 of the fiscal year shall not revert to any fund but
 21 shall remain available for expenditure for the purposes
 22 designated until the close of the succeeding fiscal
 23 year.

24 Sec. 100. JUVENILE INSTITUTIONS. There is
 25 appropriated from the general fund of the state to
 26 the department of human services for the fiscal year
 27 beginning July 1, 2014, and ending June 30, 2015, the
 28 following amounts, or so much thereof as is necessary,
 29 to be used for the purposes designated:

30 1. For operation of the Iowa juvenile home at
 31 Toledo and for salaries, support, maintenance, and
 32 miscellaneous purposes, and for not more than the
 33 following full-time equivalent positions:

34	\$	4,429,678
35	FTEs	114.00

36 2. For operation of the state training school at
 37 Eldora and for salaries, support, maintenance, and
 38 miscellaneous purposes, and for not more than the
 39 following full-time equivalent positions:

40	\$	5,628,485
41	FTEs	164.30

42 Of the funds appropriated in this subsection,
 43 \$45,575 shall be used for distribution to licensed
 44 classroom teachers at this and other institutions under
 45 the control of the department of human services based
 46 upon the average student yearly enrollment at each
 47 institution as determined by the department.

48 3. A portion of the moneys appropriated in this
 49 section shall be used by the state training school and
 50 by the Iowa juvenile home for grants for adolescent

1 pregnancy prevention activities at the institutions in
2 the fiscal year beginning July 1, 2014.

3 Sec. 101. CHILD AND FAMILY SERVICES.

4 1. There is appropriated from the general fund of
5 the state to the department of human services for the
6 fiscal year beginning July 1, 2014, and ending June 30,
7 2015, the following amount, or so much thereof as is
8 necessary, to be used for the purpose designated:
9 For child and family services:
10 \$ 40,637,473

11 2. Up to \$2,600,000 of the amount of federal
12 temporary assistance for needy families block grant
13 funding appropriated in this division of this Act for
14 child and family services shall be made available for
15 purposes of juvenile delinquent graduated sanction
16 services.

17 3. The department may transfer funds appropriated
18 in this section as necessary to pay the nonfederal
19 costs of services reimbursed under the medical
20 assistance program, state child care assistance
21 program, or the family investment program which are
22 provided to children who would otherwise receive
23 services paid under the appropriation in this section.
24 The department may transfer funds appropriated in this
25 section to the appropriations made in this division
26 of this Act for general administration and for field
27 operations for resources necessary to implement and
28 operate the services funded in this section.

29 4. a. Of the funds appropriated in this section,
30 up to \$15,418,549 is allocated as the statewide
31 expenditure target under section 232.143 for group
32 foster care maintenance and services. If the
33 department projects that such expenditures for the
34 fiscal year will be less than the target amount
35 allocated in this lettered paragraph, the department
36 may reallocate the excess to provide additional
37 funding for shelter care or the child welfare emergency
38 services addressed with the allocation for shelter
39 care.

40 b. If at any time after September 30, 2014,
41 annualization of a service area's current expenditures
42 indicates a service area is at risk of exceeding its
43 group foster care expenditure target under section
44 232.143 by more than 5 percent, the department and
45 juvenile court services shall examine all group
46 foster care placements in that service area in order
47 to identify those which might be appropriate for
48 termination. In addition, any aftercare services
49 believed to be needed for the children whose
50 placements may be terminated shall be identified. The

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1 department and juvenile court services shall initiate
2 action to set dispositional review hearings for the
3 placements identified. In such a dispositional review
4 hearing, the juvenile court shall determine whether
5 needed aftercare services are available and whether
6 termination of the placement is in the best interest of
7 the child and the community.

8 5. In accordance with the provisions of section
9 232.188, the department shall continue the child
10 welfare and juvenile justice funding initiative during
11 fiscal year 2014–2015. Of the funds appropriated in
12 this section, \$858,877 is allocated specifically for
13 expenditure for fiscal year 2014–2015 through the
14 decategorization service funding pools and governance
15 boards established pursuant to section 232.188.

16 6. A portion of the funds appropriated in this
17 section may be used for emergency family assistance
18 to provide other resources required for a family
19 participating in a family preservation or reunification
20 project or successor project to stay together or to be
21 reunified.

22 7. Notwithstanding section 234.35 or any other
23 provision of law to the contrary, state funding for
24 shelter care and the child welfare emergency services
25 contracting implemented to provide for or prevent the
26 need for shelter care shall be limited to \$3,215,934.

27 8. Federal funds received by the state during
28 the fiscal year beginning July 1, 2013, as the
29 result of the expenditure of state funds appropriated
30 during a previous state fiscal year for a service or
31 activity funded under this section are appropriated
32 to the department to be used as additional funding
33 for services and purposes provided for under this
34 section. Notwithstanding section 8.33, moneys
35 received in accordance with this subsection that remain
36 unencumbered or unobligated at the close of the fiscal
37 year shall not revert to any fund but shall remain
38 available for the purposes designated until the close
39 of the succeeding fiscal year.

40 9. a. Of the funds appropriated in this section,
41 up to \$1,031,244 is allocated for the payment of
42 the expenses of court-ordered services provided to
43 juveniles who are under the supervision of juvenile
44 court services, which expenses are a charge upon the
45 state pursuant to section 232.141, subsection 4. Of
46 the amount allocated in this lettered paragraph,
47 up to \$778,144 shall be made available to provide
48 school-based supervision of children adjudicated under
49 chapter 232, of which not more than \$7,500 may be used
50 for the purpose of training. A portion of the cost of

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1 each school-based liaison officer shall be paid by the
2 school district or other funding source as approved by
3 the chief juvenile court officer.

4 b. Of the funds appropriated in this section, up to
5 \$374,493 is allocated for the payment of the expenses
6 of court-ordered services provided to children who are
7 under the supervision of the department, which expenses
8 are a charge upon the state pursuant to section
9 232.141, subsection 4.

10 c. Notwithstanding section 232.141 or any other
11 provision of law to the contrary, the amounts allocated
12 in this subsection shall be distributed to the
13 judicial districts as determined by the state court
14 administrator and to the department's service areas as
15 determined by the administrator of the department's
16 division of child and family services. The state court
17 administrator and the division administrator shall make
18 the determination of the distribution amounts on or
19 before June 15, 2014.

20 d. Notwithstanding chapter 232 or any other
21 provision of law to the contrary, a district or
22 juvenile court shall not order any service which is
23 a charge upon the state pursuant to section 232.141
24 if there are insufficient court-ordered services
25 funds available in the district court or departmental
26 service area distribution amounts to pay for the
27 service. The chief juvenile court officer and the
28 departmental service area manager shall encourage use
29 of the funds allocated in this subsection such that
30 there are sufficient funds to pay for all court-related
31 services during the entire year. The chief juvenile
32 court officers and departmental service area managers
33 shall attempt to anticipate potential surpluses and
34 shortfalls in the distribution amounts and shall
35 cooperatively request the state court administrator
36 or division administrator to transfer funds between
37 the judicial districts' or departmental service areas'
38 distribution amounts as prudent.

39 e. Notwithstanding any provision of law to the
40 contrary, a district or juvenile court shall not order
41 a county to pay for any service provided to a juvenile
42 pursuant to an order entered under chapter 232 which
43 is a charge upon the state under section 232.141,
44 subsection 4.

45 f. Of the funds allocated in this subsection, not
46 more than \$41,500 may be used by the judicial branch
47 for administration of the requirements under this
48 subsection.

49 g. Of the funds allocated in this subsection,
50 \$8,500 shall be used by the department of human

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1 services to support the interstate commission for
2 juveniles in accordance with the interstate compact for
3 juveniles as provided in section 232.173.

4 10. Of the funds appropriated in this section,
5 \$3,011,301 is allocated for juvenile delinquent
6 graduated sanctions services. Any state funds saved as
7 a result of efforts by juvenile court services to earn
8 federal Tit. IV-E match for juvenile court services
9 administration may be used for the juvenile delinquent
10 graduated sanctions services.

11 11. Of the funds appropriated in this section,
12 \$644,143 is transferred to the department of public
13 health to be used for the child protection center
14 grant program in accordance with section 135.118. The
15 grant amounts under the program shall be equalized so
16 that each center receives a uniform amount of at least
17 \$122,500.

18 12. If the department receives federal approval
19 to implement a waiver under Tit. IV-E of the federal
20 Social Security Act to enable providers to serve
21 children who remain in the children's families and
22 communities, for purposes of eligibility under the
23 medical assistance program, children who participate in
24 the waiver shall be considered to be placed in foster
25 care.

26 13. Of the funds appropriated in this section,
27 \$1,546,188 is allocated for the preparation for adult
28 living program pursuant to section 234.46.

29 14. Of the funds appropriated in this section,
30 \$260,075 shall be used for juvenile drug courts.
31 The amount allocated in this subsection shall be
32 distributed as follows:

33 To the judicial branch for salaries to assist with
34 the operation of juvenile drug court programs operated
35 in the following jurisdictions:

36 a. Marshall county:	
37	\$ 31,354
38 b. Woodbury county:	
39	\$ 62,841
40 c. Polk county:	
41	\$ 97,946
42 d. The third judicial district:	
43	\$ 33,967
44 e. The eighth judicial district:	
45	\$ 33,967

46 15. Of the funds appropriated in this section,
47 \$113,669 shall be used for the public purpose of
48 continuing a grant to a nonprofit human services
49 organization providing services to individuals and
50 families in multiple locations in southwest Iowa and

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1 Nebraska for support of a project providing immediate,
2 sensitive support and forensic interviews, medical
3 exams, needs assessments, and referrals for victims of
4 child abuse and their nonoffending family members.

5 16. Of the funds appropriated in this section,
6 \$100,295 is allocated for the foster care youth council
7 approach of providing a support network to children
8 placed in foster care.

9 17. Of the funds appropriated in this section,
10 \$101,000 is allocated for use pursuant to section
11 235A.1 for continuation of the initiative to address
12 child sexual abuse implemented pursuant to 2007 Iowa
13 Acts, chapter 218, section 18, subsection 21.

14 18. Of the funds appropriated in this section,
15 \$315,120 is allocated for the community partnership for
16 child protection sites.

17 19. Of the funds appropriated in this section,
18 \$185,625 is allocated for the department's minority
19 youth and family projects under the redesign of the
20 child welfare system.

21 20. Of the funds appropriated in this section,
22 \$718,298 is allocated for funding of the community
23 circle of care collaboration for children and youth in
24 northeast Iowa.

25 21. Of the funds appropriated in this section,
26 at least \$73,579 shall be used for the child welfare
27 training academy.

28 22. Of the funds appropriated in this section,
29 \$12,500 shall be used for the public purpose of
30 continuation of a grant to a child welfare services
31 provider headquartered in a county with a population
32 between 205,000 and 215,000 in the latest certified
33 federal census that provides multiple services
34 including but not limited to a psychiatric medical
35 institution for children, shelter, residential
36 treatment, after school programs, school-based
37 programming, and an Asperger's syndrome program, to
38 be used for support services for children with autism
39 spectrum disorder and their families.

40 23. Of the funds appropriated in this section,
41 \$12,500 shall be used for the public purpose of
42 continuing a grant to a hospital-based provider
43 headquartered in a county with a population between
44 90,000 and 95,000 in the latest certified federal
45 census that provides multiple services including but
46 not limited to diagnostic, therapeutic, and behavioral
47 services to individuals with autism spectrum disorder
48 across the lifespan. The grant recipient shall utilize
49 the funds to continue the pilot project to determine
50 the necessary support services for children with autism

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spectrum disorder and their families to be included in the children's disabilities services system. The grant recipient shall submit findings and recommendations based upon the results of the pilot project to the individuals specified in this division of this Act for submission of reports by December 31, 2013.

24. Of the funds appropriated in this section, \$163,974 shall be used for continuation of the central Iowa system of care program grant through June 30, 2015.

25. Of the funds appropriated in this section, \$80,000 shall be used for the public purpose of the continuation of a system of care grant implemented in Cerro Gordo and Linn counties.

26. Of the funds appropriated in this section, at least \$12,500 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support.

Sec. 102. ADOPTION SUBSIDY.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For adoption subsidy payments and services:	
.....	\$ 19,578,416

2. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for general administration for costs paid from the appropriation relating to adoption subsidy.

3. Federal funds received by the state during the fiscal year beginning July 1, 2014, as the result of the expenditure of state funds during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for the services and activities funded under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 103. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year

1 beginning July 1, 2014, and ending June 30, 2015, are
2 appropriated to the department of human services for
3 the fiscal year beginning July 1, 2014, and ending
4 June 30, 2015, for distribution of an amount equal
5 to a percentage of the costs of the establishment,
6 improvement, operation, and maintenance of county or
7 multicounty juvenile detention homes in the fiscal
8 year beginning July 1, 2013. Moneys appropriated for
9 distribution in accordance with this section shall be
10 allocated among eligible detention homes, prorated on
11 the basis of an eligible detention home's proportion
12 of the costs of all eligible detention homes in the
13 fiscal year beginning July 1, 2013. The percentage
14 figure shall be determined by the department based on
15 the amount available for distribution for the fund.
16 Notwithstanding section 232.142, subsection 3, the
17 financial aid payable by the state under that provision
18 for the fiscal year beginning July 1, 2014, shall be
19 limited to the amount appropriated for the purposes of
20 this section.

21 Sec. 104. FAMILY SUPPORT SUBSIDY PROGRAM.

22 1. There is appropriated from the general fund of
23 the state to the department of human services for the
24 fiscal year beginning July 1, 2014, and ending June 30,
25 2015, the following amount, or so much thereof as is
26 necessary, to be used for the purpose designated:
27 For the family support subsidy program subject
28 to the enrollment restrictions in section 225C.37,
29 subsection 3:

30 \$ 497,478

31 2. The department shall use at least \$192,750 of
32 the moneys appropriated in this section for the family
33 support center component of the comprehensive family
34 support program under section 225C.47. Not more than
35 \$12,500 of the amount allocated in this subsection
36 shall be used for administrative costs.

37 3. If at any time during the fiscal year, the
38 amount of funding available for the family support
39 subsidy program is reduced from the amount initially
40 used to establish the figure for the number of family
41 members for whom a subsidy is to be provided at any one
42 time during the fiscal year, notwithstanding section
43 225C.38, subsection 2, the department shall revise the
44 figure as necessary to conform to the amount of funding
45 available.

46 Sec. 105. CONNER DECREE. There is appropriated
47 from the general fund of the state to the department of
48 human services for the fiscal year beginning July 1,
49 2014, and ending June 30, 2015, the following amount,
50 or so much thereof as is necessary, to be used for the

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1 purpose designated:
 2 For building community capacity through the
 3 coordination and provision of training opportunities
 4 in accordance with the consent decree of Conner v.
 5 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
 6 \$ 16,811
 7 Sec. 106. MENTAL HEALTH INSTITUTES. There is
 8 appropriated from the general fund of the state to
 9 the department of human services for the fiscal year
 10 beginning July 1, 2014, and ending June 30, 2015, the
 11 following amounts, or so much thereof as is necessary,
 12 to be used for the purposes designated:
 13 1. For the state mental health institute at
 14 Cherokee for salaries, support, maintenance, and
 15 miscellaneous purposes, and for not more than the
 16 following full-time equivalent positions:
 17 \$ 2,987,529
 18 FTEs 163.50
 19 2. For the state mental health institute at
 20 Clarinda for salaries, support, maintenance, and
 21 miscellaneous purposes, and for not more than the
 22 following full-time equivalent positions:
 23 \$ 3,386,230
 24 FTEs 86.10
 25 3. For the state mental health institute at
 26 Independence for salaries, support, maintenance, and
 27 miscellaneous purposes, and for not more than the
 28 following full-time equivalent positions:
 29 \$ 5,169,686
 30 FTEs 232.00
 31 4. For the state mental health institute at Mount
 32 Pleasant for salaries, support, maintenance, and
 33 miscellaneous purposes, and for not more than the
 34 following full-time equivalent positions:
 35 \$ 693,639
 36 FTEs 97.92
 37 Sec. 107. STATE RESOURCE CENTERS.
 38 1. There is appropriated from the general fund of
 39 the state to the department of human services for the
 40 fiscal year beginning July 1, 2014, and ending June 30,
 41 2015, the following amounts, or so much thereof as is
 42 necessary, to be used for the purposes designated:
 43 a. For the state resource center at Glenwood for
 44 salaries, support, maintenance, and miscellaneous
 45 purposes:
 46 \$ 10,023,260
 47 b. For the state resource center at Woodward for
 48 salaries, support, maintenance, and miscellaneous
 49 purposes:
 50 \$ 6,904,783

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1 2. The department may continue to bill for state
2 resource center services utilizing a scope of services
3 approach used for private providers of ICFID services,
4 in a manner which does not shift costs between the
5 medical assistance program, counties, or other sources
6 of funding for the state resource centers.

7 3. The state resource centers may expand the
8 time-limited assessment and respite services during the
9 fiscal year.

10 4. If the department's administration and the
11 department of management concur with a finding by a
12 state resource center's superintendent that projected
13 revenues can reasonably be expected to pay the salary
14 and support costs for a new employee position, or
15 that such costs for adding a particular number of new
16 positions for the fiscal year would be less than the
17 overtime costs if new positions would not be added, the
18 superintendent may add the new position or positions.
19 If the vacant positions available to a resource center
20 do not include the position classification desired to
21 be filled, the state resource center's superintendent
22 may reclassify any vacant position as necessary to
23 fill the desired position. The superintendents of the
24 state resource centers may, by mutual agreement, pool
25 vacant positions and position classifications during
26 the course of the fiscal year in order to assist one
27 another in filling necessary positions.

28 5. If existing capacity limitations are reached
29 in operating units, a waiting list is in effect
30 for a service or a special need for which a payment
31 source or other funding is available for the service
32 or to address the special need, and facilities for
33 the service or to address the special need can be
34 provided within the available payment source or other
35 funding, the superintendent of a state resource center
36 may authorize opening not more than two units or
37 other facilities and begin implementing the service
38 or addressing the special need during fiscal year
39 2014-2015.

40 Sec. 108. SEXUALLY VIOLENT PREDATORS.

41 1. There is appropriated from the general fund of
42 the state to the department of human services for the
43 fiscal year beginning July 1, 2014, and ending June 30,
44 2015, the following amount, or so much thereof as is
45 necessary, to be used for the purpose designated:

46 For costs associated with the commitment and
47 treatment of sexually violent predators in the unit
48 located at the state mental health institute at
49 Cherokee, including costs of legal services and
50 other associated costs, including salaries, support,

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1 maintenance, and miscellaneous purposes, and for not
2 more than the following full-time equivalent positions:

3	\$	5,458,485
4	FTEs	124.50

5 2. Unless specifically prohibited by law, if the
6 amount charged provides for recoupment of at least
7 the entire amount of direct and indirect costs, the
8 department of human services may contract with other
9 states to provide care and treatment of persons placed
10 by the other states at the unit for sexually violent
11 predators at Cherokee. The moneys received under such
12 a contract shall be considered to be repayment receipts
13 and used for the purposes of the appropriation made in
14 this section.

15 Sec. 109. FIELD OPERATIONS. There is appropriated
16 from the general fund of the state to the department of
17 human services for the fiscal year beginning July 1,
18 2014, and ending June 30, 2015, the following amount,
19 or so much thereof as is necessary, to be used for the
20 purposes designated:

21 For field operations, including salaries, support,
22 maintenance, and miscellaneous purposes, and for not
23 more than the following full-time equivalent positions:

24	\$	31,365,837
25	FTEs	1,781.00

26 Priority in filling full-time equivalent positions
27 shall be given to those positions related to child
28 protection services and eligibility determination for
29 low-income families.

30 Sec. 110. GENERAL ADMINISTRATION. There is
31 appropriated from the general fund of the state to
32 the department of human services for the fiscal year
33 beginning July 1, 2014, and ending June 30, 2015, the
34 following amount, or so much thereof as is necessary,
35 to be used for the purpose designated:

36 For general administration, including salaries,
37 support, maintenance, and miscellaneous purposes, and
38 for not more than the following full-time equivalent
39 positions:

40	\$	7,725,023
41	FTEs	307.00

42 1. Of the funds appropriated in this section,
43 \$19,272 allocated for the prevention of disabilities
44 policy council established in section 225B.3.

45 2. The department shall report at least monthly
46 to the legislative services agency concerning the
47 department's operational and program expenditures.

48 3. Of the funds appropriated in this section,
49 \$25,000 shall be transferred to the Iowa finance
50 authority to be used for administrative support of the

1 council on homelessness established in section 16.100A
2 and for the council to fulfill its duties in addressing
3 and reducing homelessness in the state.
4 4. Of the funds appropriated in this section,
5 \$75,000 shall be used to continue the contract for the
6 provision of a program to provide technical assistance,
7 support, and consultation to providers of habilitation
8 services and home and community-based services waiver
9 services for adults with disabilities under the medical
10 assistance program.

11 Sec. 111. VOLUNTEERS. There is appropriated from
12 the general fund of the state to the department of
13 human services for the fiscal year beginning July 1,
14 2014, and ending June 30, 2015, the following amount,
15 or so much thereof as is necessary, to be used for the
16 purpose designated:

17 For development and coordination of volunteer	
18 services:	
19	\$ 42,330

20 Sec. 112. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY
21 ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED
22 UNDER THE DEPARTMENT OF HUMAN SERVICES.

23 1. a. (1) For the fiscal year beginning July 1,
24 2014, the total state funding amount for the nursing
25 facility budget shall not exceed \$267,712,511.
26 (2) The department, in cooperation with nursing
27 facility representatives, shall review projections for
28 state funding expenditures for reimbursement of nursing
29 facilities on a quarterly basis and the department
30 shall determine if an adjustment to the medical
31 assistance reimbursement rate is necessary in order to
32 provide reimbursement within the state funding amount
33 for the fiscal year. Notwithstanding 2001 Iowa Acts,
34 chapter 192, section 4, subsection 2, paragraph "c",
35 and subsection 3, paragraph "a", subparagraph (2), if
36 the state funding expenditures for the nursing facility
37 budget for the fiscal year is projected to exceed the
38 amount specified in subparagraph (1), the department
39 shall adjust the reimbursement for nursing facilities
40 reimbursed under the case-mix reimbursement system to
41 maintain expenditures of the nursing facility budget
42 within the specified amount for the fiscal year.
43 (3) For the fiscal year beginning July 1, 2014,
44 special population nursing facilities shall be
45 reimbursed in accordance with the methodology in effect
46 on June 30, 2014.

47 b. (1) For the fiscal year beginning July 1, 2014,
48 the department shall continue the pharmacy dispensing
49 fee reimbursement at \$10.02 per prescription. The
50 actual dispensing fee shall be determined by a cost

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1 of dispensing survey performed by the department and
2 required to be completed by all medical assistance
3 program participating pharmacies every two years
4 beginning in FY 2014–2015.

5 (2) The department shall utilize an average
6 acquisition cost reimbursement methodology for all
7 drugs covered under the medical assistance program in
8 accordance with 2012 Iowa Acts, chapter 1133, section
9 33.

10 c. (1) For the fiscal year beginning July 1, 2014,
11 reimbursement rates for outpatient hospital services
12 shall remain at the rates in effect on June 30, 2014.

13 (2) For the fiscal year beginning July 1, 2014,
14 reimbursement rates for inpatient hospital services
15 shall remain at the rates in effect on June 30, 2014.

16 (3) For the fiscal year beginning July 1, 2014,
17 the graduate medical education and disproportionate
18 share hospital fund shall remain at the amount in
19 effect on June 30, 2014, except that the portion of
20 the fund attributable to graduate medical education
21 shall be reduced in an amount that reflects the
22 elimination of graduate medical education payments made
23 to out-of-state hospitals.

24 (4) In order to ensure the efficient use of limited
25 state funds in procuring health care services for
26 low-income Iowans, funds appropriated in this Act for
27 hospital services shall not be used for activities
28 which would be excluded from a determination of
29 reasonable costs under the federal Medicare program
30 pursuant to 42 U.S.C. § 1395X(v)(1)(N).

31 d. For the fiscal year beginning July 1, 2014,
32 reimbursement rates for rural health clinics, hospices,
33 and acute mental hospitals shall be increased in
34 accordance with increases under the federal Medicare
35 program or as supported by their Medicare audited
36 costs.

37 e. For the fiscal year beginning July 1, 2014,
38 independent laboratories and rehabilitation agencies
39 shall be reimbursed using the same methodology in
40 effect on June 30, 2014.

41 f. For the fiscal year beginning July 1, 2014,
42 reimbursement rates for home health agencies shall
43 remain at the rates in effect on June 30, 2014, not to
44 exceed a home health agency's actual allowable cost.

45 g. For the fiscal year beginning July 1, 2014,
46 federally qualified health centers shall receive
47 cost-based reimbursement for 100 percent of the
48 reasonable costs for the provision of services to
49 recipients of medical assistance.

50 h. For the fiscal year beginning July 1, 2014, the

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1 reimbursement rates for dental services shall remain at
2 the rates in effect on June 30, 2014.

3 i. (1) For the fiscal year beginning July 1,
4 2014, state-owned psychiatric medical institutions
5 for children shall receive cost-based reimbursement
6 for 100 percent of the actual and allowable costs for
7 the provision of services to recipients of medical
8 assistance.

9 (2) For the nonstate-owned psychiatric medical
10 institutions for children, reimbursement rates shall be
11 based on the reimbursement methodology developed by the
12 department as required for federal compliance.

13 (3) As a condition of participation in the medical
14 assistance program, enrolled providers shall accept the
15 medical assistance reimbursement rate for any covered
16 goods or services provided to recipients of medical
17 assistance who are children under the custody of a
18 psychiatric medical institution for children.

19 j. For the fiscal year beginning July 1,
20 2014, unless otherwise specified in this Act,
21 all noninstitutional medical assistance provider
22 reimbursement rates shall remain at the rates in effect
23 on June 30, 2014, except for area education agencies,
24 local education agencies, infant and toddler services
25 providers, and those providers whose rates are required
26 to be determined pursuant to section 249A.20.

27 k. Notwithstanding any provision to the contrary,
28 for the fiscal year beginning July 1, 2014, the
29 reimbursement rate for anesthesiologists shall remain
30 at the rate in effect on June 30, 2014.

31 l. For the fiscal year beginning July 1, 2014, the
32 average reimbursement rate for health care providers
33 eligible for use of the federal Medicare resource-based
34 relative value scale reimbursement methodology under
35 section 249A.20 shall remain at the rate in effect on
36 June 30, 2014; however, this rate shall not exceed the
37 maximum level authorized by the federal government.

38 m. For the fiscal year beginning July 1, 2014, the
39 reimbursement rate for residential care facilities
40 shall not be less than the minimum payment level as
41 established by the federal government to meet the
42 federally mandated maintenance of effort requirement.
43 The flat reimbursement rate for facilities electing not
44 to file annual cost reports shall not be less than the
45 minimum payment level as established by the federal
46 government to meet the federally mandated maintenance
47 of effort requirement.

48 n. For the fiscal year beginning July 1, 2014,
49 inpatient mental health services provided at hospitals
50 shall remain at the rates in effect on June 30, 2014,

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1 subject to Medicaid program upper payment limit rules;
2 community mental health centers and providers of mental
3 health services to county residents pursuant to a
4 waiver approved under section 225C.7, subsection 3,
5 shall be reimbursed at 100 percent of the reasonable
6 costs for the provision of services to recipients
7 of medical assistance; and psychiatrists shall be
8 reimbursed at the medical assistance program fee for
9 service rate.

10 o. For the fiscal year beginning July 1, 2014, the
11 reimbursement rate for consumer-directed attendant care
12 shall remain at the rates in effect on June 30, 2014.

13 p. For the fiscal year beginning July 1, 2014, the
14 reimbursement rate for providers of family planning
15 services that are eligible to receive a 90 percent
16 federal match shall remain at the rates in effect on
17 June 30, 2014.

18 q. For the fiscal year beginning July 1, 2014,
19 the reimbursement rates for providers of home and
20 community-based services waiver services shall remain
21 at the rates in effect on June 30, 2014.

22 2. For the fiscal year beginning July 1, 2014, the
23 reimbursement rate for providers reimbursed under the
24 in-home-related care program shall not be less than the
25 minimum payment level as established by the federal
26 government to meet the federally mandated maintenance
27 of effort requirement.

28 3. Unless otherwise directed in this section, when
29 the department's reimbursement methodology for any
30 provider reimbursed in accordance with this section
31 includes an inflation factor, this factor shall not
32 exceed the amount by which the consumer price index for
33 all urban consumers increased during the calendar year
34 ending December 31, 2002.

35 4. For the fiscal year beginning July 1, 2014,
36 the foster family basic daily maintenance rate and
37 the maximum adoption subsidy rate for children ages 0
38 through 5 years shall be \$15.98, the rate for children
39 ages 6 through 11 years shall be \$16.62, the rate for
40 children ages 12 through 15 years shall be \$18.19,
41 and the rate for children and young adults ages 16
42 and older shall be \$18.43. The maximum supervised
43 apartment living foster care reimbursement rate shall
44 be \$25.00 per day. For youth ages 18 to 21 who have
45 exited foster care, the preparation for adult living
46 program maintenance rate shall be \$574.00 per month.
47 The payment for adoption subsidy nonrecurring expenses
48 shall be limited to \$500 and the disallowance of
49 additional amounts for court costs and other related
50 legal expenses implemented pursuant to 2010 Iowa Acts,

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chapter 1031, section 408 shall be continued.

5. For the fiscal year beginning July 1, 2014, the maximum reimbursement rates under the supervised apartment living program and for social services providers under contract shall remain at the rates in effect on June 30, 2014, or the provider's actual and allowable cost plus inflation for each service, whichever is less. However, if a new service or service provider is added after June 30, 2014, the initial reimbursement rate for the service or provider shall be based upon a weighted average of provider rates for similar services.

6. For the fiscal year beginning July 1, 2014, the reimbursement rates for family-centered service providers, family foster care service providers, group foster care service providers, and the resource family recruitment and retention contractor shall remain at the rates in effect on June 30, 2014.

7. The group foster care reimbursement rates paid for placement of children out of state shall be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of human services or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

8. a. For the fiscal year beginning July 1, 2014, the reimbursement rate paid for shelter care and the child welfare emergency services implemented to provide or prevent the need for shelter care shall be established by contract.

b. For the fiscal year beginning July 1, 2014, the combined service and maintenance components of the reimbursement rate paid for shelter care services shall be based on the financial and statistical report submitted to the department. The maximum reimbursement rate shall be \$92.36 per day. The department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

c. For the fiscal year beginning July 1, 2014, the amount of the statewide average of the actual and allowable rates for reimbursement of juvenile shelter care homes that is utilized for the limitation on recovery of unpaid costs shall remain at the amount in effect for this purpose in the fiscal year beginning July 1, 2013.

9. For the fiscal year beginning July 1, 2014, the department shall calculate reimbursement rates

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1 for intermediate care facilities for persons with
2 intellectual disabilities at the 80th percentile.
3 Beginning July 1, 2014, the rate calculation
4 methodology shall utilize the consumer price index
5 inflation factor applicable to the fiscal year
6 beginning July 1, 2014.

7 10. For the fiscal year beginning July 1, 2014,
8 for child care providers reimbursed under the state
9 child care assistance program, the department shall
10 set provider reimbursement rates based on the rate
11 reimbursement survey completed in December 2004.
12 Effective July 1, 2014, the child care provider
13 reimbursement rates shall remain at the rates in effect
14 on June 30, 2014. The department shall set rates in a
15 manner so as to provide incentives for a nonregistered
16 provider to become registered by applying any increase
17 only to registered and licensed providers.

18 11. The department may adopt emergency rules to
19 implement this section.

20 Sec. 113. EMERGENCY RULES.

21 1. If specifically authorized by a provision
22 of this division of this Act for the fiscal year
23 beginning July 1, 2014, the department of human
24 services or the mental health, and disability services
25 commission may adopt administrative rules under section
26 17A.4, subsection 3, and section 17A.5, subsection
27 2, paragraph "b", to implement the provisions and
28 the rules shall become effective immediately upon
29 filing or on a later effective date specified in the
30 rules, unless the effective date is delayed by the
31 administrative rules review committee. Any rules
32 adopted in accordance with this section shall not
33 take effect before the rules are reviewed by the
34 administrative rules review committee. The delay
35 authority provided to the administrative rules review
36 committee under section 17A.4, subsection 7, and
37 section 17A.8, subsection 9, shall be applicable to a
38 delay imposed under this section, notwithstanding a
39 provision in those sections making them inapplicable
40 to section 17A.5, subsection 2, paragraph "b". Any
41 rules adopted in accordance with the provisions of this
42 section shall also be published as notice of intended
43 action as provided in section 17A.4.

44 2. If during the fiscal year beginning July 1,
45 2014, the department of human services is adopting
46 rules in accordance with this section or as otherwise
47 directed or authorized by state law, and the rules will
48 result in an expenditure increase beyond the amount
49 anticipated in the budget process or if the expenditure
50 was not addressed in the budget process for the

1 fiscal year, the department shall notify the persons
2 designated by this division of this Act for submission
3 of reports, the chairpersons and ranking members of
4 the committees on appropriations, and the department
5 of management concerning the rules and the expenditure
6 increase. The notification shall be provided at least
7 30 calendar days prior to the date notice of the rules
8 is submitted to the administrative rules coordinator
9 and the administrative code editor.

10 Sec. 114. REPORTS. Any reports or other
11 information required to be compiled and submitted under
12 this Act during the fiscal year beginning July 1, 2014,
13 shall be submitted to the chairpersons and ranking
14 members of the joint appropriations subcommittee on
15 health and human services, the legislative services
16 agency, and the legislative caucus staffs on or before
17 the dates specified for submission of the reports or
18 information.

19 DIVISION XXI

20 HEALTH CARE ACCOUNTS AND FUNDS — FY 2014–2015

21 Sec. 115. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
22 is appropriated from the pharmaceutical settlement
23 account created in section 249A.33 to the department of
24 human services for the fiscal year beginning July 1,
25 2014, and ending June 30, 2015, the following amount,
26 or so much thereof as is necessary, to be used for the
27 purpose designated:

28 Notwithstanding any provision of law to the
29 contrary, to supplement the appropriations made in this
30 Act for medical contracts under the medical assistance
31 program for the fiscal year beginning July 1, 2014, and
32 ending June 30, 2015:

33 \$ 3,325,000

34 QUALITY ASSURANCE TRUST FUND

35 Sec. 116. QUALITY ASSURANCE TRUST FUND —
36 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
37 any provision to the contrary and subject to the
38 availability of funds, there is appropriated from the
39 quality assurance trust fund created in section 249L.4
40 to the department of human services for the fiscal year
41 beginning July 1, 2014, and ending June 30, 2015, the
42 following amounts, or so much thereof as is necessary
43 for the purposes designated:

44 To supplement the appropriation made in this Act
45 from the general fund of the state to the department
46 of human services for medical assistance for the same
47 fiscal year:

48 \$ 14,394,459

49 Sec. 117. HOSPITAL HEALTH CARE ACCESS TRUST FUND
50 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding

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1 any provision to the contrary and subject to the
 2 availability of funds, there is appropriated from
 3 the hospital health care access trust fund created in
 4 section 249M.4 to the department of human services for
 5 the fiscal year beginning July 1, 2014, and ending June
 6 30, 2015, the following amounts, or so much thereof as
 7 is necessary, for the purposes designated:
 8 To supplement the appropriation made in this Act
 9 from the general fund of the state to the department
 10 of human services for medical assistance for the same
 11 fiscal year:
 12 \$ 17,350,000
 13 Sec. 118. MEDICAL ASSISTANCE PROGRAM —
 14 NONREVERSION FOR FY 2014–2015. Notwithstanding
 15 section 8.33, if moneys appropriated for purposes of
 16 the medical assistance program for the fiscal year
 17 beginning July 1, 2014, and ending June 30, 2015, from
 18 the general fund of the state, the quality assurance
 19 trust fund, and the hospital health care access trust
 20 fund, are in excess of actual expenditures for the
 21 medical assistance program and remain unencumbered or
 22 unobligated at the close of the fiscal year, the excess
 23 moneys shall not revert but shall remain available for
 24 expenditure for the purposes of the medical assistance
 25 program until the close of the succeeding fiscal year.>

S-3218

HOUSE AMENDMENT TO
 SENATE FILE 452

1 Amend Senate File 452, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:
 5 <DIVISION I
 6 STANDING APPROPRIATIONS AND RELATED MATTERS
 7 Section 1. BUDGET PROCESS FOR FISCAL YEAR
 8 2014–2015.
 9 1. For the budget process applicable to the fiscal
 10 year beginning July 1, 2014, on or before October 1,
 11 2013, in lieu of the information specified in section
 12 8.23, subsection 1, unnumbered paragraph 1, and
 13 paragraph “a”, all departments and establishments of
 14 the government shall transmit to the director of the
 15 department of management, on blanks to be furnished
 16 by the director, estimates of their expenditure
 17 requirements, including every proposed expenditure, for
 18 the ensuing fiscal year, together with supporting data
 19 and explanations as called for by the director of the

20 department of management after consultation with the
21 legislative services agency.

22 2. The estimates of expenditure requirements
23 shall be in a form specified by the director of
24 the department of management, and the expenditure
25 requirements shall include all proposed expenditures
26 and shall be prioritized by program or the results to
27 be achieved. The estimates shall be accompanied by
28 performance measures for evaluating the effectiveness
29 of the programs or results.

30 Sec. 2. GENERAL ASSEMBLY.

31 1. The appropriations made pursuant to section
32 2.12 for the expenses of the general assembly and
33 legislative agencies for the fiscal year beginning July
34 1, 2013, and ending June 30, 2014, are reduced by the
35 following amount:

36 \$ 3,000,000

37 2. The budgeted amounts for the general assembly
38 for the fiscal year beginning July 1, 2013, may be
39 adjusted to reflect unexpended budgeted amounts from
40 the previous fiscal year.

41 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS

42 — FY 2013–2014. Notwithstanding the standing
43 appropriations in the following designated sections for
44 the fiscal year beginning July 1, 2013, and ending June
45 30, 2014, the amounts appropriated from the general
46 fund of the state pursuant to these sections for the
47 following designated purposes shall not exceed the
48 following amounts:

49 1. For paying claims against the state under
50 section 25.2:

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1 \$ 3,000,000

2 2. For operational support grants and community
3 cultural grants under section 99F.11, subsection 3,
4 paragraph “d”, subparagraph (1):

5 \$ 416,702

6 3. For regional tourism marketing under section
7 99F.11, subsection 3, paragraph “d”, subparagraph (2):

8 \$ 810,306

9 4. For programs for at-risk children under section
10 279.51:

11 \$ 10,728,891

12 The amount of any reduction in this subsection shall
13 be prorated among the programs specified in section
14 279.51, subsection 1, paragraphs “a”, “b”, and “c”.

15 5. For payment for nonpublic school transportation
16 under section 285.2:

17 \$ 8,560,931

18 If total approved claims for reimbursement for

19 nonpublic school pupil transportation exceed the amount
 20 appropriated in accordance with this subsection, the
 21 department of education shall prorate the amount of
 22 each approved claim.

23 6. For the enforcement of chapter 453D relating to
 24 tobacco product manufacturers under section 453D.8:

25 \$ 18,416

26 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS

27 — FY 2014–2015. Notwithstanding the standing
 28 appropriations in the following designated sections for
 29 the fiscal year beginning July 1, 2014, and ending June
 30 30, 2015, the amounts appropriated from the general
 31 fund of the state pursuant to these sections for the
 32 following designated purposes shall not exceed the
 33 following amounts:

34 1. For operational support grants and community
 35 cultural grants under section 99F.11, subsection 3,
 36 paragraph “d”, subparagraph (1):

37 \$ 208,351

38 2. For regional tourism marketing under section
 39 99F.11, subsection 3, paragraph “d”, subparagraph (2):

40 \$ 405,153

41 3. For programs for at-risk children under section
 42 279.51:

43 \$ 5,364,445

44 The amount of any reduction in this subsection shall
 45 be prorated among the programs specified in section
 46 279.51, subsection 1, paragraphs “a”, “b”, and “c”.

47 4. For payment for nonpublic school transportation
 48 under section 285.2:

49 \$ 8,560,931

50 If total approved claims for reimbursement for

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1 nonpublic school pupil transportation exceed the amount
 2 appropriated in accordance with this subsection, the
 3 department of education shall prorate the amount of
 4 each approved claim.

5 5. For the enforcement of chapter 453D relating to
 6 tobacco product manufacturers under section 453D.8:

7 \$ 9,208

8 Sec. 5. INSTRUCTIONAL SUPPORT STATE AID —

9 FY 2013–2014 — FY 2014–2015. In lieu of the
 10 appropriation provided in section 257.20, subsection 2,
 11 the appropriation for the fiscal years beginning July
 12 1, 2013, and July 1, 2014, for paying instructional
 13 support state aid under section 257.20 for fiscal years
 14 2013–2014 and 2014–2015 is zero.

15 Sec. 6. Section 97A.11A, subsection 1, Code 2013,
 16 is amended to read as follows:

17 1. Beginning with the fiscal year commencing July

18 1, ~~2013~~ 2015, and ending June 30 of the fiscal year
19 during which the board determines that the system's
20 funded ratio of assets to liabilities is at least
21 eighty-five percent, there is appropriated from the
22 general fund of the state for each fiscal year to the
23 retirement fund described in section 97A.8, an amount
24 equal to five million dollars.

25 Sec. 7. Section 257.35, Code 2013, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 7A. Notwithstanding subsection 1,
28 and in addition to the reduction applicable pursuant
29 to subsection 2, the state aid for area education
30 agencies and the portion of the combined district cost
31 calculated for these agencies for the fiscal year
32 beginning July 1, 2013, and ending June 30, 2014, shall
33 be reduced by the department of management by twenty
34 million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that
36 the agency received in the fiscal year beginning July
37 1, 2003.

38 DIVISION II

39 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

40 Sec. 8. INDIVIDUAL DEVELOPMENT ACCOUNT
41 PROGRAM. There is appropriated from the general fund
42 of the state to the department of human rights for the
43 fiscal year beginning July 1, 2013, and ending June 30,
44 2014, the following amounts, or so much thereof as is
45 necessary, for the purposes designated:

46 For deposit in the individual development account
47 state match fund created in section 541A.7 to support
48 the operating organization providing individual
49 development accounts in Iowa:

50 \$ 50,000

1 Sec. 9. HOUSE FILE 603 — FTE AUTHORIZATION.

2 1. For purposes of the offices of the governor and
3 lieutenant governor, there is authorized an additional
4 3.00 full-time equivalent positions above those
5 otherwise authorized pursuant to 2013 Iowa Acts, House
6 File 603, if enacted.

7 2. For purposes of the department of management,
8 there is authorized an additional 1.00 full-time
9 equivalent position above those otherwise authorized
10 pursuant to 2013 Iowa Acts, House File 603, if enacted.

11 Sec. 10. HOME AND COMMUNITY-BASED SERVICES
12 PROVIDERS — REASONABLE COSTS OF STAFF TRAINING —
13 REIMBURSEMENT AS DIRECT COSTS. The department of
14 human services shall adopt rules pursuant to chapter
15 17A to provide that reasonable costs of staff training
16 incurred by providers of home and community-based

services under the medical assistance program are reimbursable as direct costs. Such reimbursement shall include reimbursement of the reasonable costs associated with the learning management system utilized under the college of direct support training program.

Sec. 11. Section 49.77, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. At the discretion of the commissioner, an electronic election register may be used to produce the declaration required in this subsection. The person desiring to vote shall sign the declaration produced by the electronic election register prior to receiving a ballot.

Sec. 12. Section 135C.7, Code 2013, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the license fees listed in this section, there shall be an annual assessment assessed to each licensee in an amount to cover the cost of independent reviewers provided pursuant to section 135C.42. The department shall, in consultation with licensees, establish the assessment amount by rule based on the award of a request for proposals. The assessment shall be retained by the department as a repayment receipt as defined in section 8.2 and used for the purpose of paying the cost of the independent reviewers.

Sec. 13. Section 144.26, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Upon the activation of an electronic death record system, each person with a duty related to death certificates shall participate in the electronic death record system. A person with a duty related to a death certificate includes but is not limited to a physician as defined in section

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135.1, a physician assistant, an advanced registered nurse practitioner, a funeral director, and a county recorder.

Sec. 14. Section 256C.4, subsection 1, paragraph d, Code 2013, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Preschool foundation aid funding distributed to an approved local program that remains unencumbered or unobligated at the close of a fiscal year shall be used in the succeeding fiscal year to expand the local program's preschool student capacity.

Sec. 15. Section 256C.4, subsection 1, paragraphs g and h, Code 2013, are amended to read as follows:

g. ~~For the fiscal year beginning July 1, 2011,~~

16 ~~and each succeeding fiscal year, of~~ Of the amount
17 of preschool foundation aid received by a school
18 district for a fiscal year in accordance with section
19 257.16, not more than five percent may be used by the
20 school district for ~~the school district's costs of~~
21 administering the district's approved local program.
22 h. ~~For the fiscal year beginning July 1, 2012, and~~
23 ~~each succeeding fiscal year, of the amount of preschool~~
24 ~~foundation aid received by a school district for a~~
25 ~~fiscal year in accordance with section 257.16, not~~
26 ~~less than ninety-five percent of the per pupil amount~~
27 ~~shall be passed through to~~ If the students enrolled
28 in a school district's approved local program receive
29 the program's preschool instruction through or in
30 conjunction with services provided to the students by
31 a community-based provider for each pupil enrolled in
32 the district's approved local program, the department's
33 administrative rules and other requirements applicable
34 to the provider and the school district's agreement
35 with the provider shall allow payment for the
36 provider's direct and indirect costs relating to the
37 students. ~~For the fiscal year beginning July 1, 2011,~~
38 ~~and each succeeding fiscal year, not more than five~~
39 ~~percent of the amount of preschool foundation aid~~
40 ~~passed through to a community-based provider may be~~
41 ~~used by the community-based provider for administrative~~
42 ~~costs.~~ If the community-based provider is not subject
43 to an annual audit in accordance with generally
44 accepted accounting principles, the provider shall
45 utilize processes which shall be recommended by the
46 auditor of state to identify the provider's direct and
47 indirect costs attributable to the students enrolled
48 in the program.
49 Sec. 16. Section 261.12, subsection 1, Code 2013,
50 is amended to read as follows:

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1 1. The amount of a tuition grant to a qualified
2 full-time student for the fall and spring semesters, or
3 the trimester equivalent, shall be the amount of the
4 student's financial need for that period. However, a
5 tuition grant shall not exceed the ~~lesser of:~~
6 ~~a. The total tuition and mandatory fees for that~~
7 ~~student for two semesters or the trimester or quarter~~
8 ~~equivalent, less the base amount determined annually~~
9 ~~by the college student aid commission, which base~~
10 ~~amount shall be within ten dollars of the average~~
11 ~~tuition for two semesters or the trimester equivalent~~
12 ~~of undergraduate study at the state universities under~~
13 ~~the board of regents, but in any event the base amount~~
14 ~~shall not be less than four hundred dollars; or~~

15 ~~b. For the fiscal year beginning July 1, 2000, and~~
16 ~~for each following fiscal year, four thousand dollars.~~

17 Sec. 17. Section 261.93, subsection 2, paragraph
18 b, subparagraph (4), Code 2013, is amended to read as
19 follows:

20 (4) Is the child of a fire fighter or police
21 officer included under section 97B.49B, who was killed
22 in the line of duty as determined by the Iowa public
23 employees' retirement system in accordance with section
24 97B.52, subsection 2.

25 Sec. 18. Section 523A.303, subsection 1, paragraph
26 b, unnumbered paragraph 1, Code 2013, is amended to
27 read as follows:

28 At least sixty days after mailing notice to the
29 director, the seller shall disburse any ~~remaining~~
30 ~~funds~~ amount in excess of five hundred dollars from the
31 burial trust fund as follows:

32 Sec. 19. EFFECTIVE UPON ENACTMENT. The following
33 provision or provisions of this division of this Act,
34 being deemed of immediate importance, take effect upon
35 enactment:

36 1. The sections amending section 256C.4, subsection
37 1, paragraphs "d", "g", and "h".

38 DIVISION III

39 CORRECTIVE PROVISIONS

40 Sec. 20. Section 2.12, unnumbered paragraph 4, Code
41 2013, as amended by 2013 Iowa Acts, House File 185,
42 section 1, is amended to read as follows:

43 There is appropriated out of any funds in the state
44 treasury not otherwise appropriated such sums as
45 may be necessary for the fiscal year budgets of the
46 legislative services agency and the ~~ombudsman~~
47 of ombudsman for salaries, support, maintenance, and
48 miscellaneous purposes to carry out their statutory
49 responsibilities. The legislative services agency
50 and the ~~ombudsman~~ office of ombudsman shall submit

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1 their proposed budgets to the legislative council not
2 later than September 1 of each year. The legislative
3 council shall review and approve the proposed budgets
4 not later than December 1 of each year. The budget
5 approved by the legislative council for each of its
6 statutory legislative agencies shall be transmitted by
7 the legislative council to the department of management
8 on or before December 1 of each year for the fiscal
9 year beginning July 1 of the following year. The
10 department of management shall submit the approved
11 budgets received from the legislative council to the
12 governor for inclusion in the governor's proposed
13 budget for the succeeding fiscal year. The approved

14 budgets shall also be submitted to the chairpersons of
15 the committees on appropriations. The committees on
16 appropriations may allocate from the funds appropriated
17 by this section the funds contained in the approved
18 budgets, or such other amounts as specified, pursuant
19 to a concurrent resolution to be approved by both
20 houses of the general assembly. The director of
21 the department of administrative services shall
22 issue warrants for salaries, support, maintenance,
23 and miscellaneous purposes upon requisition by the
24 administrative head of each statutory legislative
25 agency. If the legislative council elects to change
26 the approved budget for a legislative agency prior to
27 July 1, the legislative council shall transmit the
28 amount of the budget revision to the department of
29 management prior to July 1 of the fiscal year, however,
30 if the general assembly approved the budget it cannot
31 be changed except pursuant to a concurrent resolution
32 approved by the general assembly.

33 Sec. 21. Section 2.42, subsection 14, Code 2013, as
34 amended by 2013 Iowa Acts, House File 185, section 2,
35 is amended to read as follows:

36 14. To hear and act upon appeals of aggrieved
37 employees of the legislative services agency and the
38 office of ~~the~~ ombudsman pursuant to rules of procedure
39 established by the council.

40 Sec. 22. Section 2C.3, subsection 2, Code 2013, as
41 enacted by 2013 Iowa Acts, House File 185, section 4,
42 is amended to read as follows:

43 2. The ombudsman shall employ and supervise all
44 employees under the ombudsman's direction in such
45 positions and at such salaries as shall be authorized
46 by the legislative council. The legislative council
47 shall hear and act upon appeals of aggrieved employees
48 of the office of ~~the~~ ombudsman.

49 Sec. 23. Section 2C.9, subsection 6, Code 2013, as
50 amended by 2013 Iowa Acts, House File 185, section 10,

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1 is amended to read as follows:

2 6. Establish rules relating to the operation,
3 organization, and procedure of the office of ~~the~~
4 ombudsman. The rules are exempt from chapter 17A and
5 shall be published in the Iowa administrative code.

6 Sec. 24. Section 2C.11, subsection 1, unnumbered
7 paragraph 1, Code 2013, as amended by 2013 Iowa Acts,
8 House File 185, section 12, is amended to read as
9 follows:

10 An appropriate subject for investigation by the
11 office of ~~the~~ ombudsman is an administrative action
12 that might be:

13 Sec. 25. Section 2C.18, Code 2013, as amended by
14 2013 Iowa Acts, House File 185, section 20, is amended
15 to read as follows:

16 2C.18 Report to general assembly.

17 The ombudsman shall by April 1 of each year submit
18 an economically designed and reproduced report to
19 the general assembly and to the governor concerning
20 the exercise of the ~~ombudsman~~ ombudsman's functions
21 during the preceding calendar year. In discussing
22 matters with which the ombudsman has been concerned,
23 the ombudsman shall not identify specific persons if
24 to do so would cause needless hardship. If the annual
25 report criticizes a named agency or official, it shall
26 also include unedited replies made by the agency or
27 official to the criticism, unless excused by the agency
28 or official affected.

29 Sec. 26. Section 8B.21, subsection 5, paragraph e,
30 if enacted by 2013 Iowa Acts, Senate File 396, section
31 3, is amended to read as follows:

32 e. The department of public defense shall not be
33 required to obtain any information technology services
34 pursuant to this chapter for the department of public
35 defense that ~~is~~ are provided by the office pursuant
36 to this chapter without the consent of the adjutant
37 general.

38 Sec. 27. Section 23A.4, subsection 3, Code 2013, as
39 enacted by 2013 Iowa Acts, House File 185, section 27,
40 is amended to read as follows:

41 3. Chapter 17A and this section are the exclusive
42 remedy for violations of this chapter. However, the
43 office of ~~the~~ ombudsman may review violations of this
44 chapter and make recommendations as provided in chapter
45 2C.

46 Sec. 28. Section 29.1, Code 2013, as amended by
47 2013 Iowa Acts, House File 307, section 9, is amended
48 to read as follows:

49 29.1 Department of public defense.

50 The department of public defense is composed of the

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1 office of the adjutant general and the military forces
2 of the state of Iowa. The adjutant general is the
3 director of the department of public defense and shall
4 perform all functions, responsibilities, powers, and
5 duties ~~over~~ concerning the military forces of the state
6 of Iowa as provided in the laws of the state.

7 Sec. 29. Section 35A.13, subsection 6A, paragraph
8 b, subparagraph (1), if enacted by 2013 Iowa Acts,
9 House File 613, section 2, is amended to read as
10 follows:

11 (1) The commission may provide educational

12 assistance funds to any child who has lived in the
13 state of Iowa for two years preceding application for
14 state educational assistance, and who is the child
15 of a person who died prior to September 11, 2001,
16 during active federal military service while serving
17 in the armed forces or during active federal military
18 service in the Iowa national guard or other military
19 component of the United States, to defray the expenses
20 of tuition, matriculation, laboratory and similar
21 fees, books and supplies, board, lodging, and any
22 other reasonably necessary expense for the child or
23 children incident to attendance in this state at an
24 educational or training institution of college grade,
25 or in a business or vocational training school with
26 standards approved by the department. The commission
27 shall not expend more than six hundred dollars per year
28 for educational assistance for any one child under this
29 paragraph "b".

30 Sec. 30. Section 70A.28, subsection 6, Code 2013,
31 as amended by 2013 Iowa Acts, House File 185, section
32 28, is amended to read as follows:

33 6. Subsection 2 may also be enforced by an employee
34 through an administrative action pursuant to the
35 requirements of this subsection if the employee is not
36 a merit system employee or an employee covered by a
37 collective bargaining agreement. An employee eligible
38 to pursue an administrative action pursuant to this
39 subsection who is discharged, suspended, demoted, or
40 otherwise receives a reduction in pay and who believes
41 the adverse employment action was taken as a result
42 of the employee's disclosure of information that
43 was authorized pursuant to subsection 2, may file an
44 appeal of the adverse employment action with the public
45 employment relations board within thirty calendar days
46 following the later of the effective date of the action
47 or the date a finding is issued to the employee by the
48 office of ~~the~~ the ombudsman pursuant to section 2C.11A.
49 The findings issued by the ombudsman may be introduced
50 as evidence before the public employment relations

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1 board. The employee has the right to a hearing closed
2 to the public, but may request a public hearing. The
3 hearing shall otherwise be conducted in accordance with
4 the rules of the public employment relations board and
5 the Iowa administrative procedure Act, chapter 17A. If
6 the public employment relations board finds that the
7 action taken in regard to the employee was in violation
8 of subsection 2, the employee may be reinstated without
9 loss of pay or benefits for the elapsed period, or
10 the public employment relations board may provide

11 other appropriate remedies. Decisions by the public
12 employment relations board constitute final agency
13 action.

14 Sec. 31. Section 105.10, subsection 3, Code 2013,
15 as amended by 2013 Iowa Acts, Senate File 427, section
16 10, is amended to read as follows:

17 3. An individual holding a master mechanical
18 license shall not be required to get an
19 HVAC-refrigeration, sheet metal, or hydronic license in
20 order to design, install, or repair the work defined
21 in this chapter as mechanical, HVAC-refrigeration,
22 sheet metal, or hydronic work. An individual holding
23 a ~~journey~~ ~~journeyperson~~ mechanical license shall
24 not be required to get an HVAC-refrigeration, sheet
25 metal, or hydronic license in order to install and
26 repair the work defined in this chapter as mechanical,
27 HVAC-refrigeration, sheet metal, or hydronic work. An
28 individual holding a master or ~~journey~~ ~~journeyperson~~
29 mechanical license shall also not be required to obtain
30 a special, restricted license that is designated as a
31 sublicense of the mechanical, HVAC-refrigeration, sheet
32 metal, or hydronic licenses.

33 Sec. 32. Section 105.32, as enacted by 2013 Iowa
34 Acts, Senate File 427, section 32, Code 2013, is
35 amended to read as follows:

36 105.32 Transition provisions.

37 A licensee whose license expires between June 30,
38 2014, and July 1, 2017, may voluntarily renew ~~their~~
39 ~~the~~ license early so ~~they may have the license has an~~
40 expiration date of June 30, 2017. This voluntary early
41 renewal may happen at any time on or after July 1,
42 2014. The department shall promulgate rules that allow
43 for this one-time early renewal process, including fees
44 and continuing education requirements.

45 Sec. 33. Section 126.11, subsection 3, paragraph
46 b, Code 2013, as amended by 2013 Iowa Acts, House File
47 417, section 26, is amended to read as follows:

48 b. A drug dispensed by filling or refilling a
49 written, electronic, facsimile, or oral prescription
50 of a practitioner licensed by law to administer the

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1 drug is exempt from section 126.10, except section
2 126.10, subsection 1, paragraph "a", section 126.10,
3 subsection 1, paragraph "i", subparagraphs (2) and (3),
4 and section 126.10, subsection 1, paragraphs "k" and
5 "l", and the packaging requirements of section 126.10,
6 subsection 1, paragraphs "g", "h", and "p", if the
7 drug bears a label containing the name and address of
8 the dispenser, the date of the prescription or of its
9 filling, the name of the prescriber, and, if stated

10 in the prescription, the name of the patient, and the
11 directions for use and cautionary statements, if any,
12 contained in the prescription. This exemption does
13 not apply to a drug dispensed in the course of the
14 conduct of the business of dispensing drugs pursuant to
15 diagnosis by mail, or to a drug dispensed in violation
16 of paragraph "a" of this subsection.

17 Sec. 34. Section 249A.43, subsection 3, as enacted
18 by 2013 Iowa Acts, Senate File 357, section 7, is
19 amended to read as follows:

20 3. An affidavit of service of a notice of entry
21 of judgment shall be made by first class mail at the
22 address where the debtor was served with the notice
23 of overpayment. Service is completed upon mailing as
24 specified in this ~~paragraph~~ subsection.

25 Sec. 35. Section 252D.17, subsection 1, paragraph
26 m, as enacted by 2013 Iowa Acts, House File 417,
27 section 55, Code 2013, is amended to read as follows:

28 ~~m. 2.~~ 2. The department shall establish criteria and
29 a phased-in schedule to require, no later than June
30 30, 2015, payors of income to electronically transmit
31 the amounts withheld under an income withholding
32 order. The department shall assist payors of income in
33 complying with the required electronic transmission,
34 and shall adopt rules setting forth procedures
35 for use in electronic transmission of funds, and
36 exemption from use of electronic transmission taking
37 into consideration any undue hardship electronic
38 transmission creates for payors of income.

39 Sec. 36. Section 263B.3, Code 2013, as amended by
40 2013 Iowa Acts, House File 417, section 63, is amended
41 to read as follows:

42 263B.3 Agreements with federal departments.
43 The state archaeologist is authorized to enter into
44 agreements and cooperative efforts with the federal
45 highway administrator, the United States departments
46 of commerce, interior, agriculture, and defense,
47 and any other federal or state agencies concerned
48 with archaeological salvage or the preservation of
49 antiquities.

50 Sec. 37. Section 321.463, subsection 12A,

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1 paragraphs a and c, as enacted by 2013 Iowa Acts, House
2 File 14, section 1, are amended to read as follows:

3 a. A person operating a vehicle or combination of
4 vehicles equipped with a retractable axle may raise the
5 axle when necessary to negotiate a turn, provided that
6 the retractable axle is lowered within one thousand
7 feet following completion of the turn. This paragraph
8 does not apply to a vehicle or combination of vehicles

9 operated on an interstate highway, including a ramp to
10 or from an interstate highway, or on a bridge.

11 c. This subsection does not prohibit the operation
12 of a vehicle or combination of vehicles equipped with
13 a retractable axle ~~from operating~~ with the retractable
14 axle raised when the vehicle or combination of vehicles
15 is in compliance with the weight limitations of this
16 section with the retractable axle raised.

17 Sec. 38. Section 321E.9A, subsection 1, Code 2013,
18 as amended by 2013 Iowa Acts, Senate File 355, section
19 7, is amended to read as follows:

20 1. Vehicles with indivisible loads having an
21 overall length not to exceed one hundred twenty feet,
22 an overall width not to exceed sixteen feet, and a
23 height not to exceed fifteen feet five inches may
24 be moved on highways specified by the ~~permitting~~
25 ~~permit-issuing~~ authority, provided the gross weight on
26 any one axle shall not exceed the maximum prescribed
27 in section 321.463 and the total gross weight is not
28 greater than one hundred fifty-six thousand pounds.

29 Sec. 39. Section 327F.39, subsection 6, paragraph
30 b, if enacted by 2013 Iowa Acts, Senate File 340,
31 section 4, is amended to read as follows:

32 b. A violation of subsection 4A or rules adopted
33 pursuant to subsection 4A by a railroad worker
34 transportation company or a railroad ~~corporation~~
35 ~~company~~ is punishable as a schedule "one" penalty under
36 section 327C.5.

37 Sec. 40. Section 418.5, subsection 1, Code 2013, as
38 amended by 2013 Iowa Acts, House File 307, section 51,
39 is amended to read as follows:

40 1. The flood mitigation board is established
41 consisting of nine voting members and four ex officio,
42 nonvoting members, and is located for administrative
43 purposes within the ~~division~~ ~~department~~. The director
44 of the department shall provide office space, staff
45 assistance, and necessary supplies and equipment for
46 the board. The director shall budget funds to pay the
47 necessary expenses of the board. In performing its
48 functions, the board is performing a public function
49 on behalf of the state and is a public instrumentality
50 of the state.

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1 Sec. 41. Section 426A.11, subsection 1, Code 2013,
2 as amended by 2013 Iowa Acts, House File 417, section
3 97, is amended to read as follows:

4 1. The property, not to exceed two thousand seven
5 hundred seventy-eight dollars in taxable value of any
6 veteran, as defined in section 35.1, of ~~the~~ World War
7 I.

8 Sec. 42. Section 455B.275, subsection 3A,
9 paragraphs a and b, if enacted by 2013 Iowa Acts, House
10 File 541, section 1, are amended to read as follows:

11 a. The person reconstructing the dam is only
12 required to possess the flooding easements or ownership
13 which ~~were was~~ held prior to the reconstruction as long
14 as the former normal pool elevation is not exceeded and
15 the spillway capacity is increased by at least fifty
16 percent.

17 b. Flooding easements or ownership ~~are is~~ only
18 required to the top of the reconstructed spillway
19 elevation.

20 Sec. 43. Section 490.863, subsection 3, paragraph
21 a, as enacted by 2013 Iowa Acts, House File 469,
22 section 43, is amended to read as follows:

23 a. "Holder" means and "held by" refers to shares
24 held by both a record shareholder, as defined in
25 section 490.1301, subsection 7, and a beneficial
26 shareholder, as defined in section 490.1301, subsection
27 2.

28 Sec. 44. Section 490.1302, subsection 2, paragraph
29 d, Code 2013, as amended by 2013 Iowa Acts, House File
30 469, section 53, is amended to read as follows:

31 d. Paragraph "a"; shall not be applicable and
32 appraisal rights shall be available pursuant to
33 subsection 1 for the holders of any class or series
34 of shares where the corporate action is an interested
35 transaction.

36 Sec. 45. Section 522.6, subsection 2, if enacted by
37 2013 Iowa Acts, Senate File 189, section 6, is amended
38 to read as follows:

39 2. If an insurer qualifies for exemption from the
40 requirements of this chapter pursuant to paragraph "a"
41 of subsection 1, but the insurance group of which the
42 insurer is a member does not qualify for exemption
43 pursuant to paragraph "b" of subsection 1, then the
44 own risk and solvency assessment summary report that
45 is required pursuant to section ~~521H.5~~ 522.5 shall
46 include information concerning every insurer in the
47 insurance group. This requirement may be satisfied by
48 the submission of more than one summary report for any
49 combination of insurers in the insurance group provided
50 that the combination of reports submitted includes

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1 every insurer in the insurance group.

2 Sec. 46. Section 533.405, subsection 4A, paragraph
3 b, subparagraphs (1) and (2), as enacted by 2013 Iowa
4 Acts, Senate File 183, section 8, are amended to read
5 as follows:

6 (1) State credit unions with assets in excess of ~~\$5~~

7 five million dollars as of the month ending immediately
8 prior to the date of the conclusion of the vote by the
9 membership approving the dissolution shall publish
10 the notice once a week for two successive weeks in a
11 newspaper of general circulation in each county in
12 which the state credit union maintains an office or
13 branch for the transaction of business.

14 (2) State credit unions with assets of \$5 five
15 million dollars or less as of the month ending
16 immediately prior to the date of the conclusion of
17 the vote by the membership approving the dissolution
18 shall publish the notice once in a newspaper of general
19 circulation in each county in which the state credit
20 union maintains an office or branch.

21 Sec. 47. Section 543C.2, subsection 1, paragraph j,
22 if enacted by 2013 Iowa Acts, House File 556, section
23 167, is amended to read as follows:

24 j. The subdivider, if a corporation, must register
25 to do business in the state of Iowa as a foreign
26 corporation with the secretary of state and furnish a
27 copy of the certificate of authority to do business
28 in the state of Iowa. If not a corporation, the
29 subdivider must comply with the provisions of chapter
30 547, by filing a proper trade name with the Polk
31 county recorder. The provisions of this ~~subsection~~
32 paragraph shall also apply to any person, partnership,
33 firm, company, corporation, or association, other than
34 the subdivider, which is engaged by or through the
35 subdivider for the purpose of advertising or selling
36 the land involved in the filing.

37 Sec. 48. Section 556.2, subsection 5, paragraph a,
38 unnumbered paragraph 1, as enacted by 2013 Iowa Acts,
39 House File 417, section 174, is amended to read as
40 follows:

41 A banking organization or financial organization
42 shall send to the owner of each account, to which none
43 of the actions specified in subsection ~~2~~ 1, paragraphs
44 “a” through “e” or subsection 2, paragraphs “a” through
45 “e” have occurred during the preceding three calendar
46 years, a notice by certified mail stating in substance
47 the following:

48 Sec. 49. Section 716.7, subsection 1, as amended
49 by 2013 Iowa Acts, House File 556, section 234, if
50 enacted, is amended to read as follows:

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1 1. For purposes of this section:

2 a. “Property” shall include any land, dwelling,
3 building, conveyance, vehicle, or other temporary or
4 permanent structure whether publicly or privately
5 owned.

b. "Public utility" is a public utility as defined in section 476.1 or an electric transmission line as provided in chapter 478.

~~b. c.~~ "Public utility property" means any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure owned, leased, or operated by a public utility and that is completely enclosed by a physical barrier of any kind. ~~For the purposes of this section, a "public utility" is a public utility as defined in section 476.1 or an electric transmission line as provided in chapter 478.~~

~~c. d.~~ "Railway corporation" means a corporation, company, or person owning, leasing, or operating any railroad in whole or in part within this state.

~~d. e.~~ "Railway property" means all tangible real and personal property owned, leased, or operated by a railway corporation with the exception of any administrative building or offices of the railway corporation.

Sec. 50. Section 724.2, subsection 1, paragraph i, if enacted by 2013 Iowa Acts, House File 556, section 206, is amended to read as follows:

i. A nonresident who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. ch. 44, solely for use in official functions in this state of a historical reenactment organization of which the person is a member, if the offensive weapon is legally possessed by the person in the person's state of residence and the offensive weapon is at all times while in this state rendered incapable of firing live ammunition. A nonresident who possesses an offensive weapon under this subsection paragraph while in this state shall not have in the person's possession live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.

Sec. 51. 2013 Iowa Acts, House File 556, section 257, subsection 3, if enacted, is amended by adding the following new subsection:

NEW SUBSECTION. 12. The Code editor is directed to change any terminology that references a web site, websites, the internet, and internet site, or internet sites in any Act enacted during the 2013 regular session of the Eighty-fifth General Assembly in the same manner as that terminology is changed in this

1 section of this Act.

2 Sec. 52. 2013 Iowa Acts, House File 607, section
3 29, subsection 3, if enacted, is amended to read as
4 follows:

3. The department of agriculture and land stewardship or the office of attorney general acting on behalf of the agricultural development authority in an administrative or judicial proceeding shall not be affected as a result of this Act. Any ~~statue~~ statute of limitation shall apply to the parties as if this Act had not been enacted.

Sec. 53. 2013 Iowa Acts, House File 607, section

34, if enacted, is amended to read as follows:

SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The

Iowa finance authority shall complete the administration of ongoing programs of the agricultural development authority as provided in chapter 175, to the extent that the administration of those programs ~~are is~~ in progress on the effective date of this division of this Act. The Iowa finance authority shall assume all rights and obligations of the agricultural development authority to the extent that moneys have been committed, obligations incurred, or rights accrued prior to the effective date of this division of this Act. Moneys owing due to the rights and obligations of the agricultural development authority and assumed by the Iowa finance authority shall be paid as directed by the Iowa finance authority.

Sec. 54. 2013 Iowa Acts, House File 607, section

35, subsection 1, if enacted, is amended to read as follows:

1. The assets and liabilities of the former Iowa rural rehabilitation corporation assumed by the agricultural development authority pursuant to section 175.28 shall be transferred to the Iowa finance authority on the effective date of this division of this Act. On such effective date, the Iowa finance authority shall be the successor in interest to the agreements in effect between the United States government and the agricultural development authority on behalf of this state.

Sec. 55. 2013 Iowa Acts, Senate File 427, section

35, is amended to read as follows:

SEC. 35. ADMINISTRATIVE RULES. The department

of public health shall adopt all initial rules, and amendments to existing rules, necessary for the implementation of this Act.

Sec. 56. REPEAL. 2013 Iowa Acts, House File 417, section 34, and 2013 Iowa Acts, House File 556, section 27, if enacted, are repealed.

Sec. 57. REPEAL. 2013 Iowa Acts, House File 469, sections 83 and 84, are repealed.

Sec. 58. CONTINGENT REPEAL. If 2013 Iowa Acts,

House File 575, section 12, is enacted, 2013 Iowa Acts,
House File 417, section 93, is repealed.

DIVISION IV
EMINENT DOMAIN

Sec. 59. NEW SECTION. 6A.15 Property on state
historic registry.

1. Property listed on the state register of
historic places maintained by the historical division
of the department of cultural affairs shall not be
removed from the register solely for the purpose of
allowing acquisition of the property by condemnation,
unless such condemnation is undertaken by the
department of transportation.

2. Property listed on the state register of
historic places maintained by the historical division
of the department of cultural affairs shall not be
condemned by the state or a political subdivision
unless a joint resolution authorizing commencement of
the condemnation proceedings is approved by a vote of
at least two-thirds of the members of both chambers
of the general assembly and signed by the governor.
The approval requirements of this subsection shall not
apply to condemnation undertaken by the department of
transportation.

Sec. 60. Section 6A.19, Code 2013, is amended to
read as follows:

6A.19 Interpretative clause.

A grant in this chapter of right to take private
property for a public use shall not be construed as
limiting a like grant elsewhere in the Code for another
and different use. Unless specifically provided by
law, this chapter shall not be construed to limit or
otherwise affect the application of chapters 478 and
479 to the eminent domain authority of the utilities
division of the department of commerce.

Sec. 61. Section 6A.22, subsection 2, paragraph
c, subparagraph (1), Code 2013, is amended to read as
follows:

(1) (a) If private property is to be condemned for
development or creation of a lake, only that number
of acres justified as reasonable and necessary for
a surface drinking water source, and not otherwise
acquired, may be condemned. In addition, the acquiring
agency shall conduct a review of prudent and feasible
alternatives to provision of a drinking water source
prior to making a determination that such lake
development or creation is reasonable and necessary.

- 1 Development or creation of a lake as a surface drinking
- 2 water source includes all of the following:

(i) Construction of the dam, including sites for suitable borrow material and the auxiliary spillway.

(ii) The water supply pool.

(iii) The sediment pool.

(iv) The flood control pool.

(v) The floodwater retarding pool.

(vi) The surrounding area upstream of the dam no higher in elevation than the top of the dam's elevation.

(vii) The appropriate setback distance required by state or federal laws and regulations to protect drinking water supply.

(b) For purposes of this subparagraph (1), "number of acres justified as reasonable and necessary for a surface drinking water source" means according to guidelines of the United States natural resource conservation service and according to analyses of ~~surface~~ drinking water capacity needs conducted by one or more registered professional engineers. The registered professional engineers may, if appropriate, employ standards or guidelines other than the guidelines of the United States natural resource conservation service when determining the number of acres justified as reasonable and necessary for a surface drinking water source. The data and information used by the registered professional engineers shall include data and information relating to population and commercial enterprise activity for the area from the two most recent federal decennial censuses unless the district court of the county in which the property is situated has determined by a preponderance of the evidence that such data would not accurately predict the population and commercial enterprise activity of the area in the future.

(c) A second review or analysis of the drinking water capacity needs shall be performed upon receipt by the acquiring agency of a petition signed by not less than twenty-five percent of the affected property owners. The registered professional engineer to perform the second review or analysis shall be selected by a committee appointed by the affected property owners and whose membership is comprised of at least fifty percent property owners affected by the proposed condemnation action. The acquiring agency shall be responsible for paying the fees and expenses of such an engineer.

(d) If private property is to be condemned for development or creation of a lake, the plans, analyses,

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1 applications, including any application for funding,
2 and other planning activities of the acquiring agency
3 shall not include or provide for the use of the lake
4 for recreational purposes.

5 Sec. 62. Section 6B.54, subsection 10, paragraph
6 a, Code 2013, is amended by adding the following new
7 subparagraph:

8 NEW SUBPARAGRAPH. (3) Reasonable attorney fees and
9 reasonable costs not to exceed one hundred thousand
10 dollars, attributable to a determination that the
11 creation of a lake through condemnation includes a
12 future recreational use or that a violation of section
13 6A.22, subsection 2, paragraph “c”, subparagraph (1),
14 subparagraph division (d), has occurred, if such fees
15 and costs are not otherwise provided under section
16 6B.33.

17 Sec. 63. NEW SECTION. 6B.56B Disposition of
18 condemned property — two-year time period.

19 1. When two years have elapsed since property
20 was condemned for the creation of a lake according
21 to the requirements of section 6A.22, subsection 2,
22 paragraph “c”, subparagraph (1), and the property has
23 not been used for or construction has not progressed
24 substantially from the date the property was condemned
25 for the purpose stated in the application filed
26 pursuant to section 6B.3, and the acquiring agency has
27 not taken action to dispose of the property pursuant
28 to section 6B.56, the acquiring agency shall, within
29 sixty days, adopt a resolution offering the property
30 for sale to the prior owner at a price as provided in
31 section 6B.56. If the resolution adopted approves an
32 offer of sale to the prior owner, the offer shall be
33 made in writing and mailed by certified mail to the
34 prior owner. The prior owner has one hundred eighty
35 days after the offer is mailed to purchase the property
36 from the acquiring agency.

37 2. If the acquiring agency has not adopted a
38 resolution described in subsection 1 within the
39 sixty-day time period, the prior owner may, in writing,
40 petition the acquiring agency to offer the property
41 for sale to the prior owner at a price as provided in
42 section 6B.56. Within sixty days after receipt of
43 such a petition, the acquiring agency shall adopt a
44 resolution described in subsection 1. If the acquiring
45 agency does not adopt such a resolution within sixty
46 days after receipt of the petition, the acquiring
47 agency is deemed to have offered the property for sale
48 to the prior owner.

49 3. The acquiring agency shall give written notice
50 to the owner of the right to purchase the property

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1 under this section at the time damages are paid to the
2 owner.

3 Sec. 64. Section 403.7, subsection 1, unnumbered
4 paragraph 1, Code 2013, is amended to read as follows:

5 A municipality shall have the right to acquire by
6 condemnation any interest in real property, including a
7 fee simple title thereto, which it may deem necessary
8 for or in connection with an urban renewal project
9 under this chapter, subject to the limitations on
10 eminent domain authority in ~~chapter~~ chapters 6A and 6B.

11 However, a municipality shall not condemn agricultural
12 land included within an economic development area
13 for any use unless the owner of the agricultural land
14 consents to condemnation or unless the municipality
15 determines that the land is necessary or useful for any
16 of the following:

17 Sec. 65. NEW SECTION. 423B.11 Use of revenues —
18 limitation.

19 The revenue raised by a local sales and services
20 tax imposed under this chapter by a county shall not
21 be expended for any purpose related to a project that
22 includes the condemnation of private property for
23 the creation of a lake according to the requirements
24 of section 6A.22, subsection 2, paragraph “c”,
25 subparagraph (1), if the local sales and services tax
26 has not been approved at election in the area where the
27 property to be condemned is located.

28 Sec. 66. Section 455A.5, Code 2013, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 7. The authority granted to the
31 commission to acquire real property for purposes
32 of carrying out a duty related to development or
33 maintenance of the recreation resources of the state,
34 including planning, acquisition, and development of
35 recreational projects, and areas and facilities related
36 to such projects, shall not include the authority to
37 acquire real property by eminent domain.

38 Sec. 67. Section 456A.24, subsection 2, unnumbered
39 paragraph 1, Code 2013, is amended to read as follows:

40 Acquire by purchase, ~~condemnation~~, lease, agreement,
41 gift, and devise lands or waters suitable for the
42 purposes hereinafter enumerated, and rights-of-way
43 thereto, and to maintain the same for the following
44 purposes, ~~to wit~~:

45 Sec. 68. Section 456A.24, Code 2013, is amended by
46 adding the following new subsection:

47 NEW SUBSECTION. 15. The authority granted the
48 department to acquire real property for any statutory
49 purpose relating to the development or maintenance
50 of the recreation resources of the state, including

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1 planning, acquisition, and development of recreational
2 projects, and areas and facilities related to such
3 projects, shall not include the authority to acquire
4 real property by eminent domain.

5 Sec. 69. Section 461A.7, Code 2013, is amended to
6 read as follows:

7 461A.7. ~~Eminent domain~~ Purchase of lands — public
8 parks.

9 The commission may purchase ~~or condemn~~ lands from
10 willing sellers for public parks. ~~No~~ A contract for
11 the purchase of such public parks shall ~~not~~ be made to
12 an amount in excess of funds appropriated therefor by
13 the general assembly.

14 Sec. 70. Section 461A.10, Code 2013, is amended to
15 read as follows:

16 461A.10 Title to lands.

17 The title to all lands purchased, ~~condemned~~, or
18 donated, hereunder, for park ~~or highway~~ purposes and
19 the title to all lands purchased, condemned, or donated
20 hereunder for highway purposes, shall be taken in the
21 name of the state and if thereafter it shall be deemed
22 advisable to sell any portion of the land so purchased
23 or condemned, the proceeds of such sale shall be placed
24 to the credit of the ~~said~~ public state parks fund to be
25 used for such park purposes.

26 Sec. 71. Section 463C.8, subsection 1, paragraph k,
27 Code 2013, is amended to read as follows:

28 k. The power to acquire, own, hold, administer,
29 and dispose of property, except that such power is not
30 a grant of authority to acquire property by eminent
31 domain.

32 Sec. 72. REPEAL. Sections 461A.9 and 461A.75, Code
33 2013, are repealed.

34 Sec. 73. SEVERABILITY. If any provision of this
35 Act is held invalid, the invalidity shall not affect
36 other provisions or applications of this Act which can
37 be given effect without the invalid provision, and to
38 this end the provisions of this Act are severable as
39 provided in section 4.12.

40 Sec. 74. EFFECTIVE UPON ENACTMENT. This division
41 of this Act, being deemed of immediate importance,
42 takes effect upon enactment.

43 Sec. 75. APPLICABILITY. Except as otherwise
44 provided in this division of this Act, this division
45 of this Act applies to projects or condemnation
46 proceedings pending or commenced on or after the
47 effective date of this Act.

48 Sec. 76. RETROACTIVE APPLICABILITY.
49 Notwithstanding any provision of law to the contrary,
50 the following provision or provisions of this division

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1 of this Act apply retroactively to projects or
2 condemnation proceedings pending or commenced on or
3 after February 15, 2013:

4 1. The section amending section 6A.22.

5 2. The section enacting section 6B.56B.

6 DIVISION V

7 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

8 Sec. 77. Section 312.3, subsection 2, Code 2013, is

9 amended by adding the following new paragraph:

10 NEW PARAGRAPH. d. For purposes of apportioning

11 among the cities of the state the percentage of

12 the road use tax fund to be credited to the street

13 construction fund of the cities for each month

14 beginning March 2011 and ending March 2021 pursuant to

15 this subsection, the population of each city shall be

16 determined by the greater of the population of the city

17 as of the last preceding certified federal census or

18 as of the April 1, 2010, population estimates base as

19 determined by the United States census bureau.

20 Sec. 78. STREET CONSTRUCTION FUND — APPROPRIATION.

21 1. In a written application to the treasurer of

22 state submitted by October 1, 2013, a city may request

23 an additional distribution of moneys to be credited

24 to the street construction fund of the city equal to

25 that additional amount, calculated by the treasurer,

26 that the city would have received if the funds were

27 apportioned based upon the population of the city as

28 determined by section 312.3, subsection 2, paragraph

29 “d”, as enacted in this division of this Act, for the

30 months prior to the effective date of this division of

31 this Act.

32 2. Upon determination by the treasurer of state

33 that an additional amount should be credited to a city

34 as provided by this section, there is appropriated from

35 the general fund of the state to the department of

36 transportation, for the fiscal year beginning July 1,

37 2013, and ending June 30, 2014, an amount sufficient to

38 pay the additional amount which shall be distributed to

39 the city for deposit in the street construction fund

40 of the city.

41 Sec. 79. EFFECTIVE UPON ENACTMENT. This division

42 of this Act, being deemed of immediate importance,

43 takes effect upon enactment.

44 Sec. 80. RETROACTIVE APPLICABILITY. This division

45 of this Act applies retroactively to April 2011.

46 DIVISION VI

47 INSURANCE PRODUCERS

48 Sec. 81. Section 522B.1, Code 2013, is amended by

49 adding the following new subsections:

50 NEW SUBSECTION. 7A. “Intended beneficiary” means

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1 a person who is not listed as a beneficiary of an
2 insurance policy or contract in the records of the
3 insurer.

4 NEW SUBSECTION. 12A. "Policy owner" means the
5 person who is identified as the legal owner of an
6 insurance policy or contract under the terms of the
7 insurance policy or contract, or who is otherwise
8 vested with legal title to the insurance policy or
9 contract through a valid assignment completed in
10 accordance with the terms of the insurance policy or
11 contract and is properly recorded as the legal owner of
12 the policy or contract in the records of the insurer.

13 "Policy owner" does not include a person who has a mere
14 beneficial interest in an insurance policy or contract.

15 Sec. 82. Section 522B.11, subsection 7, Code 2013,
16 is amended by striking the subsection and inserting in
17 lieu thereof the following:

18 7. a. Unless otherwise specified in this chapter,
19 the duties and responsibilities of an insurance
20 producer are limited to using reasonable care,
21 diligence, and judgment in procuring the insurance
22 requested of the insurance producer by the policy
23 owner.

24 b. An insurance producer has no duty to change the
25 beneficiary of an insurance policy or contract unless
26 clear written evidence of the policy owner's intent
27 to name an intended beneficiary as a beneficiary of
28 the policy or contract is presented to the insurance
29 producer or insurer in the manner required by the
30 policy or contract, prior to the payment of any
31 insurance benefits under the policy or contract. Such
32 evidence shall be provided in the same manner as a
33 claim for benefits under the policy or contract.

34 c. An insurance producer is not in the business
35 of supplying information to others and has no duty
36 to provide advice or information unless the insurance
37 producer holds oneself out as an insurance specialist,
38 consultant, or counselor and receives compensation for
39 consultation and advice apart from commissions paid by
40 an insurer.

41 d. An insurance producer may agree to accept
42 additional duties and responsibilities not specified in
43 this chapter. Any agreement by an insurance producer
44 to accept such additional duties and responsibilities
45 shall be in writing and signed by the insurance
46 producer and the policy owner.

47 e. The general assembly declares that the holdings
48 of *Langwith v. Am. Nat'l Gen. Ins. Co.*, 793 N.W.2d
49 215 (Iowa 2010) and *Pitts v. Farm Bureau Life Ins.*
50 *Co.*, 818 N.W.2d 91 (Iowa 2012) are abrogated to the

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1 extent that they impose higher or greater duties and
2 responsibilities on insurance producers than those set
3 forth in this subsection.

4 DIVISION VII

5 PROTEST AND APPEAL OF PROPERTY ASSESSMENTS

6 Sec. 83. Section 421.1A, subsection 6, Code 2013,
7 is amended to read as follows:

8 6. The members of the property assessment appeal
9 board shall receive compensation from the state
10 commensurate with the salary of a district judge
11 ~~through December 31, 2013.~~ The members of the board
12 shall be considered state employees for purposes of
13 salary and benefits. The members of the board and
14 any employees of the board, when required to travel
15 in the discharge of official duties, shall be paid
16 their actual and necessary expenses incurred in the
17 performance of duties.

18 Sec. 84. Section 421.1A, subsection 7, Code 2013,
19 is amended by striking the subsection.

20 Sec. 85. Section 441.21, subsection 3, Code 2013,
21 is amended to read as follows:

22 3. a. “Actual value”, “taxable value”, or “assessed
23 value” as used in other sections of the Code in
24 relation to assessment of property for taxation shall
25 mean the valuations as determined by this section;
26 however, other provisions of the Code providing special
27 methods or formulas for assessing or valuing specified
28 property shall remain in effect, but this section
29 shall be applicable to the extent consistent with such
30 provisions. The assessor and department of revenue
31 shall disclose at the written request of the taxpayer
32 all information in any formula or method used to
33 determine the actual value of the taxpayer’s property.

34 b. The burden of proof shall be upon any
35 complainant attacking such valuation as excessive,
36 inadequate, inequitable, or capricious; however, in
37 protest or appeal proceedings when the complainant
38 offers competent evidence by at least two disinterested
39 witnesses that the market value of the property is less
40 than the market value determined by the assessor, the
41 burden of proof thereafter shall be upon the officials
42 or persons seeking to uphold such valuation to be
43 assessed.

44 Sec. 86. Section 441.35, subsection 2, Code 2013,
45 is amended to read as follows:

46 2. In any year after the year in which an
47 assessment has been made of all of the real estate
48 in any taxing district, the board of review shall
49 meet as provided in section 441.33, and where the
50 board finds the same has changed in value, the board

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1 shall revalue and reassess any part or all of the
2 real estate contained in such taxing district, and
3 in such case, the board shall determine the actual
4 value as of January 1 of the year of the revaluation
5 and reassessment and compute the taxable value
6 thereof. ~~Any aggrieved taxpayer may petition for
7 a revaluation of the taxpayer's property, but no
8 reduction or increase shall be made for prior years.~~

9 If the assessment of any such property is raised, or
10 any property is added to the tax list by the board,
11 the clerk shall give notice in the manner provided in
12 section 441.36. However, if the assessment of all
13 property in any taxing district is raised, the board
14 may instruct the clerk to give immediate notice by one
15 publication in one of the official newspapers located
16 in the taxing district, and such published notice
17 shall take the place of the mailed notice provided for
18 in section 441.36, but all other provisions of that
19 section shall apply. The decision of the board as to
20 the foregoing matters shall be subject to appeal to the
21 property assessment appeal board within the same time
22 and in the same manner as provided in section 441.37A
23 and to the district court within the same time and in
24 the same manner as provided in section 441.38.

25 Sec. 87. Section 441.37, subsection 1, paragraphs a
26 and b, Code 2013, are amended to read as follows:

27 a. Any property owner or aggrieved taxpayer who is
28 dissatisfied with the owner's or taxpayer's assessment
29 may file a protest against such assessment with the
30 board of review on or after April 16, to and including
31 May 5, of the year of the assessment. In any county
32 which has been declared to be a disaster area by proper
33 federal authorities after March 1 and prior to May 20
34 of said year of assessment, the board of review shall
35 be authorized to remain in session until June 15 and
36 the time for filing a protest shall be extended to and
37 include the period from May 25 to June 5 of such year.
38 ~~Said~~ The protest shall be in writing and signed by the
39 one protesting or by the protester's duly authorized
40 agent. The taxpayer may have an oral hearing ~~thereon~~
41 on the protest if request therefor for the oral hearing
42 is made in writing is made at the time of filing the
43 protest. ~~Said~~ The protest must be confined to one or
44 more of the following grounds:

45 (1) For odd-numbered assessment years and for
46 even-numbered assessment years for property that was
47 reassessed in such even-numbered assessment year:

48 (a) That said assessment is not equitable as
49 compared with assessments of other like property in
50 the ~~taxing district~~ assessing jurisdiction. When this

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1 ground is relied upon as the basis of a protest the
2 legal description and assessments of a representative
3 number of comparable properties, as described by the
4 aggrieved taxpayer shall be listed on the protest,
5 otherwise said protest shall not be considered on this
6 ground consideration shall be given to whether the
7 other like property in the assessing jurisdiction was
8 appraised using a different appraisal methodology than
9 the methodology used to appraise the property that is
10 the subject of the protest.

11 ~~(2) (b)~~ That the property is assessed for more
12 than the value authorized by law, stating. When
13 this ground is relied upon, the specific amount which
14 the protesting party believes the property to be
15 overassessed, and the amount which the party considers
16 to be its actual value and ~~the amount the party~~
17 ~~considers a fair assessment shall be stated.~~

18 ~~(3) (c)~~ That the property is not assessable, is
19 exempt from taxes, or is misclassified and stating the
20 reasons for the protest.

21 ~~(4) (d)~~ That there is an error in the assessment
22 and state the specific alleged error. When this ground
23 is relied upon, it may include but is not limited to
24 listing errors, clerical or mathematical errors, or
25 other errors that result in an error in the assessment.

26 ~~(5) (e)~~ That there is fraud in the assessment
27 which shall be specifically stated.

28 (2) For even-numbered assessment years, when the
29 property has not been reassessed in such even-numbered
30 assessment year, that there has been a decrease in the
31 value of the property from the previous reassessment
32 year. When this ground is relied upon, the decrease in
33 value shall be shown by comparing the market value of
34 the property as of January 1 of the current assessment
35 year and the actual value of the property for the
36 previous reassessment year. Such protest shall be
37 in the same manner as described in this section and
38 shall be reviewed by the local board of review pursuant
39 to section 441.35, subsection 2, but no reduction or
40 increase shall be made for prior years.

41 ~~b. In addition to the above, the property owner~~
42 ~~may protest annually to the board of review under~~
43 ~~the provisions of section 441.35, but such protest~~
44 ~~shall be in the same manner and upon the same terms as~~
45 ~~heretofore prescribed in this section. The burden of~~
46 ~~proof for all protests filed under this section shall~~
47 ~~be as stated in section 441.21, subsection 3, paragraph~~
48 ~~"b".~~

49 Sec. 88. Section 441.37A, subsection 1, paragraph
50 b, Code 2013, is amended to read as follows:

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1 b. For an appeal to the property assessment appeal
2 board to be valid, written notice must be filed by
3 the party appealing the decision with the secretary
4 of the property assessment appeal board within twenty
5 days after ~~the date the board of review's letter of~~
6 ~~disposition of the appeal is postmarked to the party~~
7 ~~making the protest~~ adjournment of the local board of
8 review or May 31, whichever is later. The written
9 notice of appeal shall include a petition setting forth
10 the basis of the appeal and the relief sought. No new
11 grounds in addition to those set out in the protest
12 to the local board of review as provided in section
13 441.37 can be pleaded, but additional evidence to
14 sustain those grounds may be introduced. The assessor
15 shall have the same right to appeal to the assessment
16 appeal board as an individual taxpayer, public body, or
17 other public officer as provided in section 441.42. An
18 appeal to the board is a contested case under chapter
19 17A.

20 Sec. 89. Section 441.37A, subsection 2, paragraph
21 a, Code 2013, is amended to read as follows:

22 a. A party to the appeal may request a hearing or
23 the appeal may proceed without a hearing. If a hearing
24 is requested, the appellant and the local board of
25 review from which the appeal is taken shall be given
26 at least thirty days' written notice by the property
27 assessment appeal board of the date the appeal shall be
28 heard and the local board of review may be present and
29 participate at such hearing. Notice to all affected
30 taxing districts shall be deemed to have been given
31 when written notice is provided to the local board of
32 review. The requirement of thirty days' written notice
33 may be waived by mutual agreement of all parties to
34 the appeal. Failure by the appellant to appear at
35 the property assessment appeal board hearing shall ~~be~~
36 ~~grounds for result in~~ dismissal of the appeal unless a
37 continuance is granted to the appellant by the board
38 following a showing of good cause for the appellant's
39 failure to appear. If an appeal is dismissed for
40 failure to appear, the property assessment appeal board
41 shall have no jurisdiction to consider any subsequent
42 appeal on the appellant's protest.

43 Sec. 90. Section 441.37A, subsection 3, paragraph
44 a, Code 2013, is amended to read as follows:

45 a. The board member considering the appeal shall
46 determine anew all questions arising before the local
47 board of review which relate to the liability of
48 the property to assessment or the amount thereof.
49 All of the evidence shall be considered and there
50 shall be no presumption as to the correctness of the

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1 valuation of assessment appealed from. The burden
2 of proof for all appeals before the board shall be
3 as stated in section 441.21, subsection 3, paragraph
4 “b”. The property assessment appeal board shall make a
5 decision in each appeal filed with the board. If the
6 appeal is considered by less than a majority of the
7 board, the determination made by that member shall be
8 forwarded to the full board for approval, rejection, or
9 modification. If the initial determination is rejected
10 by the board, it shall be returned for reconsideration
11 to the board member making the initial determination.
12 Any deliberation of the board regarding an initial
13 determination shall be confidential.

14 Sec. 91. REPEAL. 2005 Iowa Acts, chapter 150,
15 section 134, is repealed.

16 Sec. 92. EFFECTIVE UPON ENACTMENT. This division
17 of this Act, being deemed of immediate importance,
18 takes effect upon enactment.

19 Sec. 93. APPLICABILITY. The following provisions
20 of this division of this Act apply to assessment years
21 beginning on or after January 1, 2014:

- 22 1. The section amending section 441.37.
- 23 2. The section amending section 441.35.

24 DIVISION VIII

25 GENERAL AND SPECIAL EDUCATION

26 Sec. 94. GENERAL AND SPECIAL EDUCATION
27 INSTRUCTIONAL PROGRAMS — PRIVATE AGENCY RESIDENTIAL
28 SERVICES.

29 1. For purposes of this section, “private agency”
30 means a residential facility licensed under chapter
31 135H or 237. “Private agency” does not include an
32 institution listed in section 218.1.

33 2. If a private agency contracted with a school
34 district on or before July 1, 2010, to provide general
35 education or special education instructional programs,
36 for the school years beginning July 1, 2012, and
37 July 1, 2013, the private agency may bill the school
38 district for the subsequent costs of such programs, in
39 accordance with billing practices in place on July 1,
40 2010. Such school district may in turn bill a child’s
41 school district of residence for such costs. Such
42 costs include, if necessary to meet the special needs
43 of children requiring general education or special
44 education, the costs of general administration, health
45 service, attendance officers, plant operation, and
46 plant maintenance, instructional costs, and the costs
47 of purchase of equipment, transportation, and property,
48 casualty, and liability insurance. Such costs do not
49 include the costs of services otherwise funded pursuant
50 to chapter 135H or 237.

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3. An auditor conducting an annual audit of a school district pursuant to section 11.6 shall review and verify the information contained in any cost reports submitted to the school district by a private agency contracting with the school district as described in this section.

Sec. 95. GENERAL AND SPECIAL EDUCATION COSTS —
LEGISLATIVE STUDY.

1. For purposes of this section, “private agency” means a residential facility licensed under chapter 135H or 237. “Private agency” does not include an institution listed in section 218.1.

2. The legislative council is requested to establish an interim study committee during the 2013 interim to examine the payment of general education and special education costs associated with student services provided by private agencies and whether the planning for and costs of such services would be more appropriately administered by the department of education or the department of human services. The study committee shall consist of legislator members of both political parties from both houses of the general assembly and representatives of the office of the governor, the department of education, the department of human services, and private agencies.

Sec. 96. EFFECTIVE UPON ENACTMENT. The section of this division of this Act relating to general and special education instructional programs and private agency residential services, being deemed of immediate importance, takes effect upon enactment.

DIVISION IX

ALL-TERRAIN VEHICLES

Sec. 97. Section 321.1, subsection 32, Code 2013, is amended to read as follows:

32. “Implement of husbandry” means a vehicle or special mobile equipment manufactured, designed, or reconstructed for agricultural purposes and, except for incidental uses, exclusively used in the conduct of agricultural operations. “Implements of husbandry” includes all-terrain vehicles operated in compliance with section 321.234A, subsection 1, paragraph “a”, but not registered for operation upon a highway pursuant to section 321.118, fence-line feeders, and vehicles used exclusively for the application of organic or inorganic plant food materials, organic agricultural limestone, or agricultural chemicals. To be considered an implement of husbandry, a self-propelled implement of husbandry must be operated at speeds of thirty-five miles per hour or less.

a. “Reconstructed” as used in this subsection means

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1 materially altered from the original construction by
2 the removal, addition, or substitution of essential
3 parts, new or used.

4 b. A vehicle covered under this subsection, if
5 it otherwise qualifies, may be operated as special
6 mobile equipment and under such circumstances this
7 subsection shall not be applicable to such vehicle,
8 and such vehicle shall not be required to comply with
9 sections 321.384 through 321.423, when such vehicle is
10 moved during daylight hours; however, the provisions
11 of section 321.383 shall remain applicable to such
12 vehicle.

13 Sec. 98. Section 321.1, subsection 47A, Code 2013,
14 is amended to read as follows:

15 47A. "Off-road utility vehicle" means a motorized
16 flotation-tire vehicle with not less than four and not
17 more than eight low-pressure tires that is limited in
18 engine displacement to less than one thousand five
19 hundred cubic centimeters and in total dry weight
20 to not more than ~~one two~~ thousand ~~eight hundred~~
21 pounds and that has a seat that is of bucket or bench
22 design, not intended to be straddled by the operator,
23 and a steering wheel or control levers for control.
24 "Off-road utility vehicle" does not include dune
25 buggies, golf carts, go-carts, or minitrucks.

26 Sec. 99. Section 321.105A, subsection 2, paragraph
27 c, Code 2013, is amended by adding the following new
28 subparagraph:

29 NEW SUBPARAGRAPH. (31) An all-terrain vehicle
30 which is exempt from the sales tax pursuant to section
31 423.3, subsection 8, or for which the applicant has
32 paid the sales tax in this state or has paid to another
33 state a state sales, use, or occupational tax.

34 Sec. 100. Section 321.109, subsection 1, paragraph
35 a, Code 2013, is amended to read as follows:

36 a. The annual fee for all motor vehicles including
37 vehicles designated by manufacturers as station wagons,
38 1993 and subsequent model year multipurpose vehicles,
39 and 2010 and subsequent model year motor trucks with
40 an unladen weight of ten thousand pounds or less,
41 except motor trucks registered under section 321.122,
42 business-trade trucks, special trucks, motor homes,
43 ambulances, hearses, all-terrain vehicles, motorcycles,
44 motorized bicycles, and 1992 and older model year
45 multipurpose vehicles, shall be equal to one percent
46 of the value as fixed by the department plus forty
47 cents for each one hundred pounds or fraction thereof
48 of weight of vehicle, as fixed by the department. The
49 weight of a motor vehicle, fixed by the department
50 for registration purposes, shall include the weight

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1 of a battery, heater, bumpers, spare tire, and wheel.
2 Provided, however, that for any new vehicle purchased
3 in this state by a nonresident for removal to the
4 nonresident's state of residence the purchaser may make
5 application to the county treasurer in the county of
6 purchase for a transit plate for which a fee of ten
7 dollars shall be paid. And provided, however, that for
8 any used vehicle held by a registered dealer and not
9 currently registered in this state, or for any vehicle
10 held by an individual and currently registered in this
11 state, when purchased in this state by a nonresident
12 for removal to the nonresident's state of residence,
13 the purchaser may make application to the county
14 treasurer in the county of purchase for a transit
15 plate for which a fee of three dollars shall be paid.
16 The county treasurer shall issue a nontransferable
17 certificate of registration for which no refund shall
18 be allowed; and the transit plates shall be void thirty
19 days after issuance. Such purchaser may apply for a
20 certificate of title by surrendering the manufacturer's
21 or importer's certificate or certificate of title,
22 duly assigned as provided in this chapter. In this
23 event, the treasurer in the county of purchase shall,
24 when satisfied with the genuineness and regularity of
25 the application, and upon payment of a fee of twenty
26 dollars, issue a certificate of title in the name and
27 address of the nonresident purchaser delivering the
28 title to the owner. If there is a security interest
29 noted on the title, the county treasurer shall mail to
30 the secured party an acknowledgment of the notation
31 of the security interest. The county treasurer shall
32 not release a security interest that has been noted on
33 a title issued to a nonresident purchaser as provided
34 in this paragraph. The application requirements of
35 section 321.20 apply to a title issued as provided
36 in this subsection, except that a natural person
37 who applies for a certificate of title shall provide
38 either the person's social security number, passport
39 number, or driver's license number, whether the license
40 was issued by this state, another state, or another
41 country. The provisions of this subsection relating to
42 multipurpose vehicles are effective for all 1993 and
43 subsequent model years. The annual registration fee
44 for multipurpose vehicles that are 1992 model years and
45 older shall be in accordance with section 321.124.
46 Sec. 101. NEW SECTION. 321.118 All-terrain
47 vehicles.
48 1. An all-terrain vehicle designed to travel
49 on four or more wheels may be registered under this
50 chapter for operation on secondary roads and on

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1 city streets where authorized, as provided in this
2 chapter, for an annual fee of fifty dollars. However,
3 all-terrain vehicles registered under this section
4 are not subject to the titling provisions of this
5 chapter or to the manufacturer's label requirement
6 under section 321.30, subsection 2, paragraph "a".
7 Registration under this section is in addition to
8 the titling and registration requirements of chapter
9 321I. An applicant for registration of an all-terrain
10 vehicle under this section shall submit, along with the
11 application, a copy of the registration certificate
12 issued for the vehicle pursuant to section 321I.4
13 containing a description of the vehicle and identifying
14 the applicant as the owner of the vehicle.

15 2. This section shall not be construed to include
16 all-terrain vehicles within the meaning of the term
17 "motor vehicle subject to registration" or "vehicle
18 subject to registration" as that term applies to the
19 regulation of motor vehicle dealers, manufacturers, or
20 distributors or to the sale, rental, lease, transfer,
21 or disposition of motor vehicles.

22 Sec. 102. Section 321.166, subsection 1, paragraph
23 a, Code 2013, is amended to read as follows:

24 a. Registration plates shall be of metal and of a
25 size not to exceed six inches by twelve inches, except
26 that the size of plates issued for use on all-terrain
27 vehicles, motorized bicycles, motorcycles, motorcycle
28 trailers, and trailers with an empty weight of two
29 thousand pounds or less shall be established by the
30 department.

31 Sec. 103. Section 321.166, subsection 4, Code 2013,
32 is amended to read as follows:

33 4. The registration plate number, except on
34 all-terrain vehicles, motorized bicycles, motorcycles,
35 motorcycle trailers, and trailers with an empty weight
36 of two thousand pounds or less, shall be of sufficient
37 size to be readable from a distance of one hundred feet
38 during daylight.

39 Sec. 104. Section 321.234A, subsection 1, paragraph
40 f, Code 2013, is amended by striking the paragraph.

41 Sec. 105. Section 321.234A, Code 2013, is amended
42 by adding the following new subsection:

43 NEW SUBSECTION. 5. The provisions of this section
44 do not apply to an all-terrain vehicle registered under
45 section 321.118 and operated on a highway in accordance
46 with section 321.234B.

47 Sec. 106. NEW SECTION. 321.234B Registered
48 all-terrain vehicles — operation on highways.

49 An all-terrain vehicle which is registered pursuant
50 to section 321.118 may be operated on a highway subject

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1 to all of the following:

2 1. Persons who may operate. A person shall not
3 operate an all-terrain vehicle on a highway unless the
4 person is sixteen years of age or older and has a valid
5 driver's license other than a license valid only for
6 operation of a motorized bicycle.

7 2. Operation on certain highways only. All-terrain
8 vehicles registered under section 321.118 may be
9 operated on secondary roads, but shall not be operated
10 on primary highways or on highways within the corporate
11 limits of a city except as follows:

12 a. A person shall not operate an all-terrain
13 vehicle registered under section 321.118 on a primary
14 highway except to cross a primary highway; however, the
15 provisions of section 321.10 govern the crossing of a
16 primary highway when the all-terrain vehicle is being
17 operated on an all-terrain vehicle trail.

18 b. A person shall not operate an all-terrain
19 vehicle registered under section 321.118 on a highway
20 within the corporate limits of a city except on a
21 nonprimary highway where such operation is authorized
22 by ordinance pursuant to section 321.236, subsection
23 14A.

24 3. Motor vehicle laws applicable. The motor vehicle
25 laws, including but not limited to the provisions
26 of sections 321.20B, 321.285, 321.317, 321.385, and
27 321.387, apply to the operation of all-terrain vehicles
28 registered for operation on highways, except for those
29 provisions relating to required equipment which by
30 their nature can have no practical application.

31 4. Penalties. A person convicted of a violation
32 of subsection 1 or 2 is guilty of a simple misdemeanor
33 punishable as a scheduled violation under section
34 805.8A, subsection 6.

35 Sec. 107. Section 321.236, Code 2013, is amended by
36 adding the following new subsection:

37 NEW SUBSECTION. 14A. Authorizing the operation of
38 all-terrain vehicles registered under section 321.118
39 on highways under the jurisdiction of a city, other
40 than municipal extensions of primary highways.

41 Sec. 108. Section 321.285, Code 2013, is amended by
42 adding the following new subsection:

43 NEW SUBSECTION. 6A. Notwithstanding any other
44 speed restrictions allowing for speed in excess of
45 forty-five miles per hour, a person shall not operate
46 an all-terrain vehicle on a highway at a speed in
47 excess of forty-five miles per hour.

48 Sec. 109. Section 321F.1, subsection 7, Code 2013,
49 is amended to read as follows:

50 7. "Motor vehicle" means every vehicle which is

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1 self-propelled and subject to registration under the
2 laws of this state, other than an all-terrain vehicle
3 as defined in section 321.1.

4 Sec. 110. Section 321H.2, subsection 10, Code 2013,
5 is amended to read as follows:

6 10. "Vehicle subject to registration" means any
7 vehicle that is of a type required to be registered
8 under chapter 321 when operated on a public highway,
9 including but not limited to a vehicle that is
10 inoperable, salvage, or rebuilt, but not including an
11 all-terrain vehicle as defined in section 321.1.

12 Sec. 111. Section 321I.9, unnumbered paragraph 1,
13 Code 2013, is amended to read as follows:

14 Registration under this chapter shall not be
15 required for the following described all-terrain
16 vehicles:

17 Sec. 112. Section 321I.10, subsection 1, Code 2013,
18 is amended to read as follows:

19 1. A person shall not operate an all-terrain
20 vehicle or off-road utility vehicle upon roadways
21 or highways except as provided in section sections
22 321.234A and 321.234B and this section.

23 Sec. 113. Section 321I.10, subsections 2 and 3,
24 Code 2013, are amended by striking the subsections.

25 Sec. 114. Section 321I.31, subsection 1, Code 2013,
26 is amended to read as follows:

27 1. The owner of an all-terrain vehicle acquired on
28 or after January 1, 2000, other than an all-terrain
29 vehicle used exclusively as a farm implement or a
30 motorcycle previously issued a title pursuant to
31 chapter 321, shall apply to the county recorder of the
32 county in which the owner resides for a certificate
33 of title for the all-terrain vehicle. The owner of
34 an all-terrain vehicle used exclusively as a farm
35 implement may obtain a certificate of title. A person
36 who owns an all-terrain vehicle that is not required to
37 have a certificate of title may apply for and receive
38 a certificate of title for the all-terrain vehicle
39 and, subsequently, the all-terrain vehicle shall be
40 subject to the requirements of this chapter as if
41 the all-terrain vehicle were required to be titled.
42 All all-terrain vehicles that are titled shall be
43 registered under this chapter.

44 Sec. 115. Section 322.2, subsections 13 and 23,
45 Code 2013, are amended to read as follows:

46 13. "Motor vehicle" means any self-propelled
47 vehicle subject to registration under chapter 321,
48 other than an all-terrain vehicle as defined in section
49 321.1.

50 23. "Used motor vehicle" or "second-hand motor

1 vehicle” means any motor vehicle of a type subject to
2 registration under the laws of this state, except an
3 all-terrain vehicle as defined in section 321.1, which
4 has been sold “at retail” as defined in this chapter
5 and previously registered in this or any other state.

6 Sec. 116. Section 322A.1, subsection 8, Code 2013,
7 is amended to read as follows:

8 8. “Motor vehicle” means ~~a “motor vehicles” vehicle~~
9 as defined in chapter 321 which ~~are is~~ subject to
10 registration pursuant to the provisions thereof, other
11 than an all-terrain vehicle as defined in section
12 321.1.

13 Sec. 117. Section 331.362, subsection 9, Code 2013,
14 is amended to read as follows:

15 9. A county may regulate traffic on and use of the
16 secondary roads, in accordance with sections 321.236
17 to 321.250, 321.254, 321.255, 321.285, subsection
18 4, sections 321.352, 321.471 to 321.473, and other
19 applicable provisions of chapter 321, and sections
20 321G.9, ~~321.10~~, and 327G.15.

21 Sec. 118. Section 423.1, subsection 66, Code 2013,
22 is amended to read as follows:

23 66. “Vehicles subject to registration” means any
24 vehicle subject to registration pursuant to section
25 321.18, other than an all-terrain vehicle or off-road
26 utility vehicle registered pursuant to section 321.118.

27 Sec. 119. Section 516E.1, subsection 6, Code 2013,
28 is amended to read as follows:

29 6. “Motor vehicle” means any self-propelled vehicle
30 subject to registration under chapter 321, other than
31 an all-terrain vehicle as defined in section 321.1.

32 Sec. 120. Section 537B.2, subsection 2, Code 2013,
33 is amended to read as follows:

34 2. “Motor vehicle” means a motor vehicle as defined
35 in section 321.1 which is subject to registration.
36 However, “motor vehicle” does not include a motor
37 vehicle, as defined in section 321.1, with a gross
38 vehicle weight rating of more than twelve thousand
39 pounds, or an all-terrain vehicle as defined in section
40 321.1.

41 Sec. 121. Section 805.8A, subsection 6, Code 2013,
42 is amended by adding the following new paragraph:
43 NEW PARAGRAPH. 0a. Section 321.234B, subsection 1

44 or 2 \$

50.

DIVISION X

RULEMAKING PROCESS

47 Sec. 122. Section 17A.4, subsection 3, Code 2013,
48 is amended to read as follows:

49 3. a. When an agency for good cause finds that
50 ~~notice and public participation would be unnecessary,~~

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~~1 impracticable, or contrary to the public interest. When
2 the statute so provides, or with the approval of the
3 administrative rules review committee, if the committee
4 finds good cause that notice and public participation
5 would be unnecessary, impracticable, or contrary to the
6 public interest, the provisions of subsection 1 shall
7 be inapplicable. The agency shall incorporate in each
8 rule issued in reliance upon this provision either the
9 finding and a brief statement of the reasons for the
10 finding, or a statement that the rule is within a very
11 narrowly tailored category of rules whose issuance
12 has previously been exempted from subsection 1 by a
13 special rule relying on this provision and including
14 such a finding and statement of reasons for the entire
15 category.~~

16 b. (1) If the administrative rules review
17 committee by a two-thirds vote, the governor, or the
18 attorney general files with the administrative code
19 editor an objection to the adoption of any a rule or
20 portion of a rule pursuant to this subsection, that the
21 rule or portion of the rule shall cease to be effective
22 one hundred eighty days after the date the objection
23 was filed. A

24 (2) If the administrative rules review committee
25 files with the administrative code editor an objection
26 to the adoption of a rule or portion of a rule
27 pursuant to this subsection, the administrative rules
28 review committee, by a separate two-thirds vote, may
29 suspend the applicability of the rule or portion of
30 the rule until the rule ceases to be effective under
31 this paragraph "b". The determination to suspend
32 the applicability of the rule or portion of the rule
33 shall be included in the copy of the objection to be
34 forwarded to the agency.

35 c. If an objection to a rule is filed under this
36 subsection, a copy of the objection, properly dated,
37 shall be forwarded to the agency at the time of filing
38 the objection. In any action contesting a rule or
39 portion of a rule adopted pursuant to this subsection,
40 the burden of proof shall be on the agency to show that
41 the procedures of subsection 1 were impracticable,
42 unnecessary, or contrary to the public interest and
43 that, if a category of rules was involved, the category
44 was very narrowly tailored.

45 Sec. 123. Section 17A.4, subsection 7, Code 2013,
46 is amended to read as follows:

47 7. a. Upon the vote of two-thirds of its members
48 the administrative rules review committee may delay the
49 effective date of a rule or portion of a rule seventy
50 days beyond that permitted in section 17A.5, unless the

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1 rule was promulgated under section 17A.5, subsection 2,
2 paragraph "b". ~~This provision shall be utilized by the~~
3 ~~committee only if further time is necessary to study~~
4 ~~and examine the rule. If the rule was promulgated~~
5 ~~under section 17A.5, subsection 2, paragraph "b",~~
6 ~~the administrative rules review committee, within~~
7 ~~thirty-five days of the effective date of the rule and~~
8 ~~upon the vote of two-thirds of its members, may suspend~~
9 ~~the applicability of the rule or portion of the rule~~
10 ~~for seventy days.~~

11 b. Notice of an effective date that was delayed
12 under this provision shall be published in the Iowa
13 administrative code and bulletin.

14 Sec. 124. Section 17A.4, Code 2013, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 9. Upon the vote of two-thirds of
17 its members, the administrative rules review committee,
18 following notice of intended action as provided in
19 subsection 1 and prior to adoption of a rule pursuant
20 to that notice, may suspend further action relating to
21 that notice for seventy days. Notice of a notice of
22 intended action that was suspended under this provision
23 shall be published in the Iowa administrative code and
24 bulletin.

25 Sec. 125. Section 17A.8, subsection 9, Code 2013,
26 is amended to read as follows:

27 9. a. Upon a vote of two-thirds of its members,
28 the administrative rules review committee may delay the
29 effective date of a rule or portion of a rule until
30 the adjournment of the next regular session of the
31 general assembly, unless the rule was promulgated under
32 section 17A.5, subsection 2, paragraph "b". If the
33 rule was promulgated under section 17A.5, subsection
34 2, paragraph "b", the administrative rules review
35 committee, within thirty-five days of the effective
36 date of the rule and upon the vote of two-thirds of its
37 members, may suspend the applicability of the rule or
38 portion of the rule until the adjournment of the next
39 regular session of the general assembly.

40 b. The committee shall refer a rule or portion
41 of a rule whose effective date has been delayed or
42 applicability has been suspended to the speaker of
43 the house of representatives and the president of the
44 senate who shall refer the delayed or suspended rule
45 or portion of the rule to the appropriate standing
46 committees of the general assembly. A standing
47 committee shall review a the rule within twenty-one
48 days after the rule is referred to the committee by
49 the speaker of the house of representatives or the
50 president of the senate and shall take formal committee

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1 action by sponsoring a joint resolution to disapprove
2 the rule, by proposing legislation relating to the
3 rule, or by refusing to propose a joint resolution
4 or legislation concerning the rule. The standing
5 committee shall inform the administrative rules review
6 committee of the committee action taken concerning the
7 rule. If the general assembly has not disapproved of
8 the rule by a joint resolution, the rule shall become
9 effective. The speaker of the house of representatives
10 and the president of the senate shall notify the
11 administrative code editor of the final disposition
12 of each rule or portion of a rule whose effective
13 date has been delayed or whose applicability has been
14 suspended pursuant to this subsection. If ~~a~~ the
15 rule is disapproved, ~~it~~ the rule shall not ~~become~~ be
16 effective and the agency shall rescind the rule. ~~This~~
17 ~~section shall not apply to rules made effective under~~
18 ~~section 17A.5, subsection 2, paragraph "b".~~

19 Sec. 126. Section 17A.23, Code 2013, is amended to
20 read as follows:

21 17A.23 Construction — delegation of authority.

22 1. Except as expressly provided otherwise by this
23 chapter or by another statute referring to this chapter
24 by name, the rights created and the requirements
25 imposed by this chapter shall be in addition to those
26 created or imposed by every other statute in existence
27 on July 1, 1975, or enacted after that date. If any
28 other statute in existence on July 1, 1975, or enacted
29 after that date diminishes a right conferred upon a
30 person by this chapter or diminishes a requirement
31 imposed upon an agency by this chapter, this chapter
32 shall take precedence unless the other statute
33 expressly provides that it shall take precedence over
34 all or some specified portion of this ~~named~~ cited
35 chapter.

36 2. This chapter shall be construed broadly to
37 effectuate its purposes. This chapter shall also
38 be construed to apply to all agencies not expressly
39 exempted by this chapter or by another statute
40 specifically referring to this chapter by ~~name~~
41 citation; and except as to proceedings in process on
42 July 1, 1975, this chapter shall be construed to apply
43 to all covered agency proceedings and all agency action
44 not expressly exempted by this chapter or by another
45 statute specifically referring to this chapter by ~~name~~
46 citation.

47 3. An agency shall have only that authority or
48 discretion delegated to or conferred upon the agency by
49 law and shall not expand or enlarge its authority or
50 discretion beyond the powers delegated to or conferred

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1 upon the agency. Unless otherwise specifically
2 provided in statute, a grant of rulemaking authority
3 shall be construed narrowly.

4 DIVISION XI

5 STATE EMPLOYEE AND ELECTED OFFICIAL PAYMENT OF HEALTH
6 INSURANCE PREMIUMS

7 Sec. 127. Section 2.40, subsection 1, paragraph
8 a, subparagraph (2), Code 2013, is amended to read as
9 follows:

10 (2) The member shall pay the premium for the
11 plan selected on the same basis as a full-time state
12 employee excluded from collective bargaining as
13 provided in chapter 20. However, the member shall pay
14 a portion of the total premium for the plan selected
15 in an amount as determined by the legislative council.
16 The payment amount as determined by the legislative
17 council shall be at least twenty percent of the total
18 premium for the single or family coverage provided
19 in connection with the member and shall include a
20 wellness credit to be applied to the member portion
21 of the premium. The payment amount determined by the
22 legislative council shall apply to employees of the
23 general assembly.

24 Sec. 128. NEW SECTION. 8A.440 Group health
25 insurance premium costs.

26 1. Collective bargaining agreements entered into
27 pursuant to chapter 20 for state employees shall
28 provide that a state employee covered by that agreement
29 who is a member of a state group health insurance plan
30 for employees of the state established under chapter
31 509A shall pay at least twenty percent of the total
32 premium for the single or family coverage provided in
33 connection with each employee. The agreements shall
34 include a wellness credit to be applied to the member
35 portion of the premium.

36 2. A state employee not covered by a collective
37 bargaining agreement as provided in chapter 20 who is
38 a member of a state group health insurance plan for
39 employees of the state established under chapter 509A
40 shall pay the same percentage of the total premium
41 for such insurance as is paid under the collective
42 bargaining agreement that covers the greatest number
43 of state employees in the state government entity
44 employing the state employee and shall be provided a
45 wellness credit option.

46 Sec. 129. STATEWIDE ELECTED OFFICIALS — GROUP
47 HEALTH INSURANCE PREMIUM COSTS. A statewide elected
48 official who is a member of a state group insurance
49 plan for employees of the state established under
50 chapter 509A shall pay a portion of the total premium

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1 for the plan selected in an amount as determined by the
2 executive council. The payment amount as determined
3 by the executive council shall be at least 20 percent
4 of the total premium for the single or family coverage
5 provided in connection with the elected official and
6 shall include a wellness credit to be applied to the
7 member portion of the premium.

8 Sec. 130. GROUP HEALTH INSURANCE PREMIUMS FOR STATE
9 EMPLOYEES.

10 1. a. This subsection does not apply to members
11 of the general assembly or elected officials who are
12 subject to the provisions of this division of this
13 Act amending section 2.40 or requiring statewide
14 elected officials to pay a portion of health insurance
15 premiums.

16 b. For the fiscal year beginning July 1, 2013, each
17 state employee who is a member of a state group health
18 insurance plan for state employees established under
19 chapter 509A shall pay at least 20 percent of the total
20 premium for the single or family coverage provided
21 in connection with the employee's membership in the
22 insurance plan.

23 c. For the fiscal year beginning July 1, 2013,
24 each person who is a member of a state group health
25 insurance plan for employees of the state board of
26 regents and the institutions under the control of the
27 state board shall pay at least 20 percent of the total
28 premium for the single or family coverage provided
29 in connection with the person's membership in the
30 insurance plan.

31 d. For the fiscal year beginning July 1, 2013, each
32 judicial officer or employee of the judicial branch who
33 is a member of a state group health insurance plan for
34 state employees established under chapter 509A shall
35 pay at least 20 percent of the total premium for the
36 single or family coverage provided in connection with
37 the judicial officer or employee's membership in the
38 insurance plan.

39 e. The requirements in this subsection shall be
40 enforceable against all applicable employees for the
41 fiscal year beginning July 1, 2013, notwithstanding
42 any provision of chapter 20 to the contrary, and
43 shall remain applicable to each such state employee
44 and person in fiscal years succeeding the fiscal year
45 specified in this subsection until the requirement
46 implemented pursuant to section 8A.440 is applicable
47 to the employee or person.

48 f. The requirements in this subsection shall
49 include a wellness credit to be applied to the member
50 portion of the premium.

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2. a. For the fiscal year beginning July 1, 2013, the portion of the payments made pursuant to subsection 1 attributed to increases in payments as a result of the percentage requirement implemented pursuant to subsection 1 shall be transferred to the judicial branch or the state agency charged for the state group health insurance plan premiums of the judicial officer, employee, or person who made the payment and shall apply in lieu of a like amount from the appropriations made to the judicial branch or the state agency for the fiscal year.

b. The moneys paid by members or employees of the general assembly pursuant to section 2.40, as amended by this division of this Act, for the fiscal year beginning July 1, 2013, are appropriated to the general assembly in lieu of a like amount from the appropriations made to the general assembly pursuant to section 2.12, for the fiscal year.

c. The moneys paid by statewide elected officials pursuant to the section of this division of this Act requiring the officials to pay a portion of the health insurance premium costs for the coverage provided to the officials, for the fiscal year beginning July 1, 2012, are appropriated to the state agency charged for the state group health insurance plan premiums of the official who made the payment in lieu of a like amount from the appropriations made to the state agency for the fiscal year.

3. The department of management, with the assistance of the department of administrative services, state board of regents, the state fair board, the state department of transportation, and each judicial district department of correctional services, shall submit a quarterly report to the general assembly and the legislative services agency during the fiscal year beginning July 1, 2013, regarding the reductions to appropriations made pursuant to subsection 2 during the quarter.

Sec. 131. APPLICABILITY. The section of this division of this Act enacting section 8A.440, applies to collective bargaining agreements entered into on or after the effective date of that section of this division of this Act.

Sec. 132. EFFECTIVE UPON ENACTMENT. The following sections of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this Act enacting section 8A.440.

2. The section of this Act relating to group health insurance premiums for state employees.

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SPEED DETECTION JAMMING DEVICES

Sec. 133. Section 321.232, Code 2013, is amended to read as follows:

321.232 ~~Radar~~ Speed detection jamming devices — penalty.

1. A person shall not sell, operate, or possess a ~~radar~~ speed detection jamming device, except as otherwise provided in this section, when the device is in a vehicle operated on the highways of this state or the device is held for sale in this state.

2. This section does not apply to ~~radar~~ speed measuring devices purchased by, held for purchase for, or operated by peace officers using the devices in performance of their official duties.

3. A ~~radar~~ speed detection jamming device sold, operated, or possessed in violation of subsection 1 may be seized by a peace officer and is subject to forfeiture as provided by chapter 809 or 809A.

4. For the purposes of this section—~~“radar jamming device”;~~

a. “Speed detection jamming device” means any mechanism designed or used to transmit radio waves in the electromagnetic wave spectrum to interfere with the reception of those emitted from a device used by peace officers of this state to measure the speed of motor vehicles on the highways of this state and which is not designed for two way transmission and cannot transmit in plain language active or passive device, instrument, mechanism, or equipment that is designed or intended to interfere with, disrupt, or scramble the radar or laser that is used by a peace officer to measure the speed of motor vehicles. “Speed detection jamming device” does not include equipment that is legal under federal communications commission regulations, such as a citizens’ band radio, a ham radio, or other similar electronic equipment.

b. “Speed measuring device” includes but is not limited to devices commonly known as radar speed meters or laser speed meters.

Sec. 134. Section 805.8A, subsection 14, paragraph g, Code 2013, is amended to read as follows:

g. ~~Radar jamming~~ Speed detection jamming devices. For a violation under section 321.232, the scheduled fine is one hundred dollars.

DIVISION XIII

FIREARMS

Sec. 135. Section 724.23, Code 2013, is amended to read as follows:

724.23 Records kept by commissioner and issuing officers.

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1 1. The commissioner of public safety shall maintain
2 a permanent record of all valid permits to carry
3 weapons and of current permit revocations.

4 2. a. Notwithstanding any other law or rule to
5 the contrary, the commissioner of public safety and
6 any issuing officer shall keep confidential personally
7 identifiable information of holders of nonprofessional
8 permits to carry weapons and permits to acquire pistols
9 or revolvers, including but not limited to the name,
10 social security number, date of birth, residential
11 or business address, and driver's license or other
12 identification number of the applicant or permit
13 holder.

14 b. This subsection shall not prohibit the
15 release of statistical information relating to the
16 issuance, denial, revocation, or administration of
17 nonprofessional permits to carry weapons and permits to
18 acquire pistols or revolvers, provided that the release
19 of such information does not reveal the identity of any
20 individual permit holder.

21 c. This subsection shall not prohibit the release
22 of information to any law enforcement agency or any
23 employee or agent thereof when necessary for the
24 purpose of investigating a possible violation of law
25 or for conducting a lawfully authorized background
26 investigation.

27 d. Except as provided in paragraphs "b" and "c",
28 the release of any confidential information under this
29 section shall require a court order or the consent of
30 the person whose personally identifiable information is
31 the subject of the information request.

32 Sec. 136. NEW SECTION. 724.29A Fraudulent purchase
33 of firearms or ammunition.

34 1. For purposes of this section:

35 a. "Ammunition" means any cartridge, shell, or
36 projectile designed for use in a firearm.

37 b. "Licensed firearms dealer" means a person who is
38 licensed pursuant to 18 U.S.C. § 923 to engage in the
39 business of dealing in firearms.

40 c. "Materially false information" means information
41 that portrays an illegal transaction as legal or a
42 legal transaction as illegal.

43 d. "Private seller" means a person who sells or
44 offers for sale any firearm or ammunition.

45 2. A person who knowingly solicits, persuades,
46 encourages, or entices a licensed firearms dealer or
47 private seller of firearms or ammunition to transfer
48 a firearm or ammunition under circumstances that the
49 person knows would violate the laws of this state or of
50 the United States commits a class "D" felony.

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1 3. A person who knowingly provides materially
2 false information to a licensed firearms dealer or
3 private seller of firearms or ammunition with the
4 intent to deceive the firearms dealer or seller about
5 the legality of a transfer of a firearm or ammunition
6 commits a class "D" felony.

7 4. Any person who willfully procures another to
8 engage in conduct prohibited by this section shall be
9 held accountable as a principal.

10 5. This section shall not apply to a law
11 enforcement officer acting in the officer's official
12 capacity or to a person acting at the direction of such
13 law enforcement officer.

14 Sec. 137. EFFECTIVE UPON ENACTMENT. This division
15 of this Act, being deemed of immediate importance,
16 takes effect upon enactment.

17 Sec. 138. APPLICABILITY. The section of this
18 division of this Act amending section 724.23 applies
19 to holders of nonprofessional permits to carry weapons
20 and permits to acquire pistols or revolvers and to
21 applicants for nonprofessional permits to carry weapons
22 and permits to acquire pistols or revolvers on or after
23 the effective date of this division of this Act.

24 DIVISION XIV
25 NOTARY PUBLIC

26 Sec. 139. Section 9B.15, subsection 3, unnumbered
27 paragraph 1, Code 2013, is amended to read as follows:
28 A certificate of a notarial act is sufficient if it
29 meets the requirements of subsections 1 and 2 and ~~all~~
30 any of the following apply:

31 Sec. 140. Section 9B.17, subsection 1, paragraph a,
32 Code 2013, is amended to read as follows:

33 a. Include the notary public's name, the words
34 "Notarial Seal" and "Iowa", the words "Commission
35 Number" followed by a number assigned to the notary
36 public by the secretary of state, the words "My
37 Commission Expires" followed either by the date that
38 the notary public's term would ordinarily expire as
39 provided in section 9B.21 or a blank line on which the
40 notary public shall indicate the date of expiration,
41 if any, of the notary public's commission, as required
42 by and in satisfaction of section 9B.15, subsection 1,
43 paragraph "e", and other information required by the
44 secretary of state.

45 Sec. 141. Section 321I.31, subsection 3, Code 2013,
46 is amended to read as follows:

47 3. An owner of an all-terrain vehicle shall apply
48 to the county recorder for issuance of a certificate
49 of title within thirty days after acquisition.

50 The application shall be on forms the department

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1 prescribes and accompanied by the required fee. The
2 application shall be signed and sworn to before a
3 ~~notary public~~ notarial officer as provided in chapter
4 9B or other person who administers oaths, or shall
5 include a certification signed in writing containing
6 substantially the representation that statements made
7 are true and correct to the best of the applicant's
8 knowledge, information, and belief, under penalty of
9 perjury. The application shall contain the date of
10 sale and gross price of the all-terrain vehicle or
11 the fair market value if no sale immediately preceded
12 the transfer and any additional information the
13 department requires. If the application is made for
14 an all-terrain vehicle last previously registered
15 or titled in another state or foreign country, the
16 application shall contain this information and any
17 other information the department requires.

18 Sec. 142. Section 462A.77, subsection 4, Code 2013,
19 is amended to read as follows:

20 4. Every owner of a vessel subject to titling
21 under this chapter shall apply to the county recorder
22 for issuance of a certificate of title for the vessel
23 within thirty days after acquisition. The application
24 shall be on forms the department prescribes, and
25 accompanied by the required fee. The application shall
26 be signed and sworn to before a ~~notary public~~ notarial
27 officer as provided in chapter 9B or other person who
28 administers oaths, or shall include a certification
29 signed in writing containing substantially the
30 representation that statements made are true and
31 correct to the best of the applicant's knowledge,
32 information, and belief, under penalty of perjury.
33 The application shall contain the date of sale and
34 gross price of the vessel or the fair market value
35 if no sale immediately preceded the transfer, and any
36 additional information the department requires. If
37 the application is made for a vessel last previously
38 registered or titled in another state or foreign
39 country, it shall contain this information and any
40 other information the department requires.

41 Sec. 143. Section 554.3505, subsection 2, Code
42 2013, is amended to read as follows:

43 2. A protest is a certificate of dishonor made by a
44 United States consul or vice consul, or a ~~notary public~~
45 notarial officer as provided in chapter 9B or other
46 person authorized to administer oaths by the law of
47 the place where dishonor occurs. It may be made upon
48 information satisfactory to that person. The protest
49 must identify the instrument and certify either that
50 presentment has been made or, if not made, the reason

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1 why it was not made, and that the instrument has been
2 dishonored by nonacceptance or nonpayment. The protest
3 may also certify that notice of dishonor has been given
4 to some or all parties.

5 Sec. 144. Section 589.4, Code 2013, is amended to
6 read as follows:

7 589.4 Acknowledgments by corporation officers.
8 The acknowledgments of all deeds, mortgages, or
9 other instruments in writing taken or certified more
10 than ten years earlier, which instruments have been
11 recorded in the recorder's office of any county of this
12 state, including acknowledgments of instruments made by
13 a corporation, or to which the corporation was a party,
14 or under which the corporation was a beneficiary,
15 and which have been acknowledged before or certified
16 by a ~~notary-public~~ notarial officer as provided in
17 chapter 9B who was at the time of the acknowledgment or
18 certifying a stockholder or officer in the corporation,
19 are legal and valid official acts of the notaries
20 public, and entitle the instruments to be recorded,
21 anything in the laws of the state of Iowa in regard to
22 acknowledgments to the contrary notwithstanding. This
23 section does not affect pending litigation.

24 Sec. 145. Section 589.5, Code 2013, is amended to
25 read as follows:

26 589.5 Acknowledgments by stockholders.
27 All deeds and conveyances of lands within this
28 state executed more than ten years earlier, but
29 which have been acknowledged or proved according
30 to and in compliance with the laws of this state
31 before a ~~notary-public~~ notarial officer as provided
32 in chapter 9B or other official authorized by law
33 to take acknowledgments who was, at the time of
34 the acknowledgment, an officer or stockholder of a
35 corporation interested in the deed or conveyance, or
36 otherwise interested in the deeds or conveyances, are,
37 if otherwise valid, valid in law as though acknowledged
38 or proved before an officer not interested in the
39 deeds or conveyances; and if recorded more than ten
40 years earlier, in the respective counties in which
41 the lands are, the records are valid in law as though
42 the deeds and conveyances, so acknowledged or proved
43 and recorded, had, prior to being recorded, been
44 acknowledged or proved before an officer having no
45 interest in the deeds or conveyances.

46 Sec. 146. Section 622.86, Code 2013, is amended to
47 read as follows:

48 622.86 Foreign affidavits.

49 Those taken out of the state before any judge or
50 clerk of a court of record, or before a ~~notary-public~~

1 notarial officer as provided in chapter 9B, or a
2 commissioner appointed by the governor of this state to
3 take acknowledgment of deeds in the state where such
4 affidavit is taken, are of the same credibility as if
5 taken within the state.

6 DIVISION XV

7 FINANCIAL LITERACY

8 Sec. 147. FINANCIAL LITERACY PROGRAM. There is
9 transferred from the general fund of the state to the
10 banking division within the department of commerce for
11 the fiscal year beginning July 1, 2013, and ending June
12 30, 2014, the following amount, or so much thereof as
13 is necessary, for the purposes designated:

14 For deposit in the banking division financial
15 literacy fund created in section 524.107A to support
16 financial literacy education as determined by the
17 banking division through a bank, bank holding company,
18 savings bank, or savings and loan association organized
19 under the law of this state, another state, or the
20 United States:

21 \$ 50,000

22 Sec. 148. NEW SECTION. 524.107A Financial literacy
23 fund.

24 A financial literacy fund is created in the state
25 treasury under the authority of the superintendent.
26 Moneys credited to the fund for a fiscal year are
27 appropriated to the banking division to be used for
28 financial literacy program activities. Moneys in the
29 fund shall not be used for administrative purposes.
30 Notwithstanding section 8.33, moneys credited to the
31 fund that remain unencumbered or unobligated at the
32 close of the fiscal year shall not revert but shall
33 remain available for expenditure for the purposes
34 designated until the close of the succeeding fiscal
35 year. Notwithstanding section 12C.7, subsection 2,
36 interest or earnings on moneys deposited in the fund
37 shall be credited to the fund.

38 DIVISION XVI

39 PRACTICE BY BUSINESS ENTITIES

40 Sec. 149. REPEAL. 2013 Iowa Acts, Senate File 181,
41 section 29, is repealed.

42 Sec. 150. RETROACTIVE APPLICABILITY. This division
43 of this Act applies retroactively to March 28, 2013.

44 Sec. 151. EFFECTIVE UPON ENACTMENT. This division
45 of this Act, being deemed of immediate importance,
46 takes effect upon enactment.

47 DIVISION XVII

48 MANUFACTURED AND MOBILE HOMES

49 Sec. 152. Section 435.1, subsection 6, Code 2013,
50 is amended to read as follows:

Page 48

1 6. "Mobile home park" means a site, lot, field,
2 or tract of land upon which three or more mobile
3 homes, ~~or~~ manufactured homes, modular homes, motor
4 homes, recreational park trailers, travel trailers,
5 or a combination of any of these homes or trailers,
6 are placed on developed spaces pursuant to a rental
7 agreement as defined in section 562B.7 and operated
8 as a for-profit enterprise with water, sewer or
9 septic, and electrical services available. The term
10 "mobile home park" shall not be construed to include
11 manufactured or mobile homes, buildings, tents,
12 or other structures temporarily maintained by any
13 individual, educational institution, or company on
14 their own premises and used exclusively to house their
15 own labor or students. The term "mobile home park"
16 shall not be construed to include a campground as
17 defined in section 557B.1.

18 Sec. 153. Section 435.1, Code 2013, is amended by
19 adding the following new subsections:

20 NEW SUBSECTION. 8. "Motor home" means the same as
21 defined in section 321.1, subsection 36C.

22 NEW SUBSECTION. 9. "Recreational park trailer"
23 means a recreational vehicle built on a single chassis,
24 mounted on wheels, which may be connected to utilities
25 necessary for operation of installed fixtures and
26 appliances, with a gross trailer area not exceeding
27 four hundred square feet when in the set-up mode, and
28 certified by the manufacturer as complying with the
29 American national standards institute construction
30 standard commonly referred to as "ANSI A 119.5".

31 Sec. 154. Section 562B.7, subsection 7, Code 2013,
32 is amended to read as follows:

33 7. "Mobile home park" ~~shall mean any~~ means a site,
34 lot, field, or tract of land upon which three or
35 more mobile homes, manufactured homes, ~~or~~ modular
36 homes, motor homes, recreational park trailers, travel
37 trailers, or a combination of any of these homes
38 or trailers are placed on developed spaces pursuant
39 to a rental agreement and operated as a for-profit
40 enterprise with water, sewer or septic, and electrical
41 services available. The term "mobile home park"
42 shall not be construed to include manufactured or
43 mobile homes, buildings, tents, or other structures
44 temporarily maintained by any individual, educational
45 institution, or company on their own premises and used
46 exclusively to house their own labor or students.
47 The term "mobile home park" shall not be construed to
48 include a campground as defined in section 557B.1.

49 Sec. 155. Section 562B.7, Code 2013, is amended by
50 adding the following new subsections:

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1 NEW SUBSECTION. 8A. “Motor home” means the same as
2 defined in section 321.1, subsection 36C.

3 NEW SUBSECTION. 9A. “Recreational park trailer”
4 means a recreational vehicle built on a single chassis,
5 mounted on wheels, which may be connected to utilities
6 necessary for operation of installed fixtures and
7 appliances, with a gross trailer area not exceeding
8 four hundred square feet when in the set-up mode, and
9 certified by the manufacturer as complying with the
10 American national standards institute construction
11 standard commonly referred to as “ANSI A 119.5”.

12 DIVISION XVIII

13 MH/DS SYSTEM REDESIGN — IMPLEMENTATION

14 REGIONAL FORMATION REQUIREMENTS

15 Sec. 156. Section 331.389, subsection 3, paragraph
16 a, Code 2013, is amended to read as follows:

17 a. The counties comprising the region are
18 contiguous except that a region may include a county
19 that is not contiguous with any of the other counties
20 in the region, if the county that is not contiguous has
21 had a formal relationship for two years or longer with
22 one or more of the other counties in the region for the
23 provision of mental health and disability services.

24 ELIGIBILITY MAINTENANCE

25 Sec. 157. Section 331.396, subsection 1, Code 2013,
26 is amended by adding the following new paragraph:

27 NEW PARAGRAPH. 0d. Notwithstanding paragraphs
28 “a” through “c”, the person is an adult or child who
29 received mental health services from a county in
30 accordance with the county’s service management plan
31 approved under section 331.439, Code 2013.

32 Sec. 158. Section 331.396, subsection 2, Code 2013,
33 is amended by adding the following new paragraph:

34 NEW PARAGRAPH. 0d. Notwithstanding paragraphs
35 “a” through “c”, the person is an adult or child who
36 received intellectual disability services from a county
37 in accordance with the county’s service management plan
38 approved in accordance with section 331.439, Code 2013.

39 Sec. 159. Section 331.397, subsection 2, paragraph
40 b, Code 2013, is amended to read as follows:

41 b. Until funding is designated for other service
42 populations, eligibility for the service domains
43 listed in this section shall be limited to such persons
44 who are in need of mental health or intellectual
45 disability services. However, if a county in a region
46 was providing services to an individual child or to an
47 individual adult person with a developmental disability
48 other than intellectual disability or a brain injury
49 prior to formation of the region, the individual child
50 or adult person shall remain eligible for the services

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1 provided when the region is formed, provided that funds
2 are available to continue such services.

3 STATE PAYMENTS TO REGION

4 Sec. 160. Section 426B.3, subsection 4, as enacted
5 by 2012 Iowa Acts, chapter 1120, section 137, is
6 amended to read as follows:

7 4. a. For the fiscal years beginning July 1, 2013,
8 and July 1, 2014, a county with a county population
9 expenditure target amount that exceeds the amount of
10 the county's base year expenditures for mental health
11 and disabilities services shall receive an equalization
12 payment for the difference.

13 b. The equalization payments determined in
14 accordance with this subsection shall be made by the
15 department of human services for each fiscal year as
16 provided in appropriations made from the property tax
17 relief fund for this purpose. If the county is part of
18 a region that has been approved by the department in
19 accordance with section 331.389, to commence partial
20 or full operations, the county's equalization payment
21 shall be remitted to the region for expenditure as
22 approved by the region's governing board. The payment
23 for a county that has been approved by the department
24 to operate as an individual county region shall be
25 remitted to the county for expenditure as approved by
26 the county board of supervisors. For the fiscal year
27 beginning July 1, 2013, and succeeding fiscal years,
28 the payment shall be remitted on or before December
29 31 only for those counties approved to operate as an
30 individual county region or to be part of a region.
31 Remittance of the payment for a county without such
32 approval shall be deferred until such approval is
33 granted.

34 STRATEGIC PLAN REQUIREMENT FOR FY 2013–2014

35 Sec. 161. 2012 Iowa Acts, chapter 1128, section 8,
36 is amended to read as follows:

37 SEC. 8. COUNTY MENTAL HEALTH, MENTAL RETARDATION
38 INTELLECTUAL DISABILITY, AND DEVELOPMENTAL
39 DISABILITIES SERVICES MANAGEMENT PLAN — STRATEGIC
40 PLAN. Notwithstanding section 331.439, subsection
41 1, paragraph "b", subparagraph (3), counties are not
42 required to submit a three-year strategic plan by
43 April 1, 2012, to the department of human services. A
44 county's strategic plan in effect as of the effective
45 date of this section shall remain in effect until the
46 regional service system management plan for the region
47 to which the county belongs is approved in accordance
48 with section 331.393, subject to modification before
49 that date as necessary to conform with statutory
50 changes affecting the plan and any amendments to the

1 plan that are adopted in accordance with law.
2 TRANSITION FUNDS — FY 2012–2013
3 Sec. 162. 2013 Iowa Acts, House File 160, section
4 1, is amended by adding the following new subsection:
5 NEW SUBSECTION. 4. A county receiving an
6 allocation under this section may use the allocation
7 to pay for non-Medicaid mental health and disability
8 services provided during the state fiscal year
9 beginning July 1, 2012, and for the county’s unpaid
10 obligation for non-Medicaid bills for services provided
11 in prior state fiscal years. Moneys allocated in this
12 section shall not be used for services provided in
13 the state fiscal year beginning July 1, 2013. Moneys
14 allocated to a county under this section that remain
15 unencumbered or unobligated at the close of the state
16 fiscal year beginning July 1, 2012, shall be remitted
17 to the department on or before December 15, 2013.
18 TRANSITION FUND — SERVICES MAINTENANCE
19 Sec. 163. TRANSITION FUND — SERVICES
20 MAINTENANCE. A county receiving an allocation of
21 funding from the mental health and disability services
22 redesign transition fund created in 2012 Iowa Acts,
23 chapter 1120, section 23, shall utilize the allocation
24 so that the services available to an individual child
25 or other individual person in accordance with the
26 county’s approved service management plan in effect as
27 of June 30, 2012, remain in place provided the child or
28 other person continues to comply with the eligibility
29 requirements applicable under the plan as of that date.
30 REDESIGN EQUALIZATION PAYMENT APPROPRIATION
31 Sec. 164. MENTAL HEALTH AND DISABILITY SERVICES —
32 EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.
33 1. There is transferred from the general fund of
34 the state to the department of human services for the
35 fiscal year beginning July 1, 2013, and ending June 30,
36 2014, the following amount, or so much thereof as is
37 necessary, to be used for the purposes designated:
38 For deposit in the property tax relief fund created
39 in section 426B.1, for distribution as provided in this
40 section:
41 \$ 29,820,478
42 2. The moneys credited to the property tax relief
43 fund in accordance with this section are appropriated
44 to the department of human services for distribution
45 of equalization payments for counties in the amounts
46 specified in section 426B.3, subsection 4, as enacted
47 by 2012 Iowa Acts, chapter 1120, section 137, for the
48 fiscal year beginning July 1, 2013. If the county
49 is part of a region that has been approved by the
50 department in accordance with section 331.389, to

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1 commence partial or full operations, the county's
2 equalization payment shall be remitted to the region
3 for expenditure as approved by the region's governing
4 board.

5 3. a. For the purposes of this subsection,
6 "payment obligation" means an outstanding obligation
7 for payment to the department of human services for the
8 undisputed cost of services provided under the medical
9 assistance program prior to July 1, 2012, or for the
10 undisputed cost of non-Medicaid services provided prior
11 to July 1, 2013.

12 b. (1) If a county with a payment obligation
13 has not either satisfied the payment obligation on
14 or before June 28, 2013, or received approval by the
15 director of human services for a repayment plan for
16 the obligation in accordance with subparagraph (2),
17 the department shall offset up to the amount of the
18 obligation any amount otherwise payable to or for the
19 county under this section or under the mental health
20 and disability regional services fund created in 2012
21 Iowa Acts, chapter 1120, section 9. Any offset amount
22 shall be transferred to the appropriation made for
23 the medical assistance program for the fiscal year
24 beginning July 1, 2012, in 2011 Iowa Acts, chapter
25 1133, section 122. The department shall credit a
26 county's payment obligation with any amount owed by
27 the department to the county for mental health or
28 disability services provided through June 30, 2013.

29 (2) A county with a payment obligation may submit
30 a request to the department to enter into a repayment
31 plan to satisfy the payment obligation during the
32 fiscal year beginning July 1, 2013. The request must
33 be submitted to the department on or before June 15,
34 2013. The terms of a repayment plan shall require
35 the payment obligation to be paid in full by the
36 close of the fiscal year beginning July 1, 2013, and
37 provide, after county payments for the fiscal year are
38 made in accordance with the plan, that the projected
39 ending balance of the county's services fund under
40 section 331.424A be equal to at least 15 percent of
41 the projected gross revenue for the services fund
42 for the fiscal year. The terms may also allow for
43 the department to authorize remittance of all or a
44 portion of the amount otherwise payable to or for the
45 county under this section or under the mental health
46 and disability regional services fund created in 2012
47 Iowa Acts, chapter 1120, section 9, during or upon
48 completion of the repayment plan. A payment plan
49 entered into under this subparagraph and its terms and
50 conditions are subject to approval of the director of

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1 human services. The director's approval process shall
2 be completed on or before July 30, 2013.

3 c. The equalization payment under this section for
4 a county that is not subject to paragraph "b" shall be
5 remitted on or before July 15, 2013.

6 MEDICAID OBLIGATION COST SETTLEMENT

7 Sec. 165. COUNTY MEDICAL ASSISTANCE NONFEDERAL
8 SHARE — COST SETTLEMENT. Any county obligation for
9 payment to the department of human services of the
10 nonfederal share of the cost of services provided under
11 the medical assistance program prior to July 1, 2012,
12 pursuant to sections 249A.12 and 249A.26, shall remain
13 at the amount billed through the period ending June 30,
14 2013. The final monthly billings for the obligations
15 shall be remitted to counties on or before August 1,
16 2013. Any adjustments to the final amounts billed for
17 such services that occur on or after July 1, 2013,
18 shall be applied to the appropriation made to the
19 department of human services from the general fund of
20 the state for the medical assistance program for the
21 fiscal year beginning July 1, 2013.

22 TRANSITION FROM LEGAL SETTLEMENT TO RESIDENCY

23 Sec. 166. MENTAL HEALTH AND DISABILITY REGIONAL
24 SERVICES FUND — FY 2013–2014. Moneys credited to
25 the mental health and disability regional services
26 fund created in 2012 Iowa Acts, chapter 1120, section
27 9, for the fiscal year beginning July 1, 2013, are
28 appropriated to the department for distribution to
29 be used to pay the costs of county or regionally
30 administered non-Medicaid mental health and disability
31 services. The department of human services shall
32 determine the financial need of counties as necessary
33 to minimize the effects of the change in determining
34 the financial responsibility for such services based
35 on legal settlement to residency. If the county of
36 residence is part of a region that has been approved
37 by the department in accordance with section 331.389,
38 to commence partial or full operations, the moneys
39 appropriated by this section shall be remitted to the
40 region for expenditure as approved by the region's
41 governing board.

42 COUNTY MENTAL HEALTH AND DISABILITY
43 SERVICES FUND — FY 2013–2014

44 Sec. 167. SERVICES FUND — MANAGEMENT PLAN. For
45 the fiscal year beginning July 1, 2013, and ending
46 June 30, 2014, the appropriations made by the county
47 board of supervisors for payment for mental health
48 and disability services pursuant to section 331.424A,
49 subsection 3, as enacted by 2012 Iowa Acts, chapter
50 1120, section 132, shall be made in accordance with the

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1 county's service management plan approved under section
2 331.439, Code 2013, until the county management plan is
3 replaced by a regional service system management plan
4 approved under section 331.393.

5 Sec. 168. EFFECTIVE UPON ENACTMENT. This division
6 of this Act, being deemed of immediate importance,
7 takes effect upon enactment.

8 DIVISION XIX

9 DATA AND STATISTICAL INFORMATION AND OUTCOME AND 10 PERFORMANCE MEASURES

11 Sec. 169. Section 225C.4, subsection 1, paragraph
12 j, Code 2013, is amended to read as follows:

13 j. Establish and maintain a data collection and
14 management information system oriented to the needs of
15 patients, providers, the department, and other programs
16 or facilities in accordance with section 225C.6A. The
17 system shall be used to identify, collect, and analyze
18 service outcome and performance measures data in order
19 to assess the effects of the services on the persons
20 utilizing the services. The administrator shall
21 annually submit to the commission information collected
22 by the department indicating the changes and trends
23 in the disability services system. The administrator
24 shall make the outcome data available to the public.

25 Sec. 170. Section 225C.6A, Code 2013, is amended to
26 read as follows:

27 225C.6A Disability services system ~~redesign~~ central
28 data repository.

29 1. The commission department shall do the following
30 relating to redesign of data concerning the disability
31 services system in the state:

32 1. Identify sources of revenue to support statewide
33 delivery of core disability services to eligible
34 disability populations.

35 2. Ensure there is a continuous improvement process
36 for development and maintenance of the disability
37 services system for adults and children. The process
38 shall include but is not limited to data collection and
39 reporting provisions.

40 3. a. Plan, collect, and analyze data as necessary
41 to issue cost estimates for serving additional
42 populations and providing core disability services
43 statewide. The department shall maintain compliance
44 with applicable federal and state privacy laws
45 to ensure the confidentiality and integrity of
46 individually identifiable disability services data.
47 The department shall regularly may periodically assess
48 the status of the compliance in order to assure that
49 data security is protected.

50 b. In implementing Implement a system central data

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1 repository under this ~~subsection~~ section for collecting
2 and analyzing state, county and region, and private
3 contractor data, ~~the~~. The department shall establish
4 a client identifier for the individuals receiving
5 services. The client identifier shall be used in lieu
6 of the individual's name or social security number.
7 The client identifier shall consist of the last four
8 digits of an individual's social security number, the
9 first three letters of the individual's last name, the
10 individual's date of birth, and the individual's gender
11 in an order determined by the department.

12 c. Consult on an ongoing basis with regional
13 administrators, service providers, and other
14 stakeholders in implementing the central data
15 repository and operations of the repository. The
16 consultation shall focus on minimizing the state and
17 local costs associated with operating the repository.

18 d. Engage with other state and local government
19 and nongovernmental entities operating the Iowa
20 health information network under chapter 135 and
21 other data systems that maintain information relating
22 to individuals with information in the central data
23 repository in order to integrate data concerning
24 individuals.

25 e. 2. A county or region shall not be required to
26 utilize a uniform data operational or transactional
27 system. However, the system utilized shall have the
28 capacity to exchange information with the department,
29 counties and regions, contractors, and others involved
30 with services to persons with a disability who have
31 authorized access to the central data repository. The
32 information exchanged shall be labeled consistently
33 and share the same definitions. Each ~~county~~
34 regional administrator shall regularly report to the
35 department ~~annually on or before December 1, for the~~
36 preceding fiscal year the following information for
37 each individual served: demographic information,
38 expenditure data, and data concerning the services and
39 other support provided to each individual, as specified
40 in administrative rule adopted by the commission by the
41 department.

42 4. Work with county representatives and other
43 qualified persons to develop an implementation plan
44 for replacing the county of legal settlement approach
45 to determining service system funding responsibilities
46 with an approach based upon residency. The plan shall
47 address a statewide standard for proof of residency,
48 outline a plan for establishing a data system for
49 identifying residency of eligible individuals, address
50 residency issues for individuals who began residing

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~~1 in a county due to a court order or criminal sentence
2 or to obtain services in that county, recommend an
3 approach for contesting a residency determination, and
4 address other implementation issues.~~

5 3. The outcome and performance measures applied
6 to the regional disability services system shall
7 utilize measurement domains. The department may
8 identify other measurement domains in consultation with
9 system stakeholders to be utilized in addition to the
10 following initial set of measurement domains:

11 a. Access to services.

12 b. Life in the community.

13 c. Person-centeredness.

14 d. Health and wellness.

15 e. Quality of life and safety.

16 f. Family and natural supports.

17 4. a. The processes used for collecting outcome
18 and performance measures data shall include but are
19 not limited to direct surveys of the individuals and
20 families receiving services and the providers of the
21 services. The department shall involve a workgroup of
22 persons who are knowledgeable about both the regional
23 service system and survey techniques to implement and
24 maintain the processes. The workgroup shall conduct
25 an ongoing evaluation for the purpose of eliminating
26 the collection of information that is not utilized.
27 The surveys shall be conducted with a conflict-free
28 approach in which someone other than a provider of
29 services surveys an individual receiving the services.
30 b. The outcome and performance measures data
31 shall encompass and provide a means to evaluate both
32 the regional services and the services funded by the
33 medical assistance program provided to the same service
34 populations.
35 c. The department shall develop and implement an
36 internet-based approach with graphical display of
37 information to provide outcome and performance measures
38 data to the public and those engaged with the regional
39 service system.
40 d. The department shall include any significant
41 costs for collecting and interpreting outcome and
42 performance measures and other data in the department's
43 operating budget.

44 Sec. 171. REPEAL. The amendment to section 225C.4,
45 subsection 1, paragraph j, in 2012 Iowa Acts, chapter
46 1120, section 2, is repealed.

47 Sec. 172. REPEAL. The amendments to section
48 225C.6A, in 2012 Iowa Acts, chapter 1120, sections 6,
49 7, and 95, are repealed.

50 DIVISION XX

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CHILDREN'S CABINET

Sec. 173. NEW SECTION. 242.1 Findings.

The general assembly finds there is a need for a state-level children's cabinet to provide guidance, oversight, problem solving, long-term strategy development, and collaboration among the state and local efforts to build a comprehensive, coordinated system to promote the well-being of the children in this state and to address the needs of children for mental health treatment and other specialized services.

Sec. 174. NEW SECTION. 242.2 Children's cabinet established.

There is established within the department of human services a children's cabinet.

1. The voting members of the children's cabinet shall consist of the following:

a. The director of the department of education or the director's designee.

b. The director of the department of human services or the director's designee. This member shall be chairperson of the cabinet.

c. The director of the department of public health or the director's designee.

d. A parent of a child with a severe emotional disturbance or a disability who is the primary caregiver for that child, appointed by the governor.

e. A juvenile court judge or juvenile court officer appointed by the chief justice of the supreme court.

f. A community-based provider of child welfare, health, or juvenile justice services to children, appointed by the director of human services.

g. A member of the early childhood Iowa state board, appointed by the state board.

h. A community stakeholder who is not affiliated with a provider of services, appointed by the governor.

i. Not more than three other members, including a pediatrician, designated by the cabinet chairperson to ensure adequate representation of the persons and interests who may be affected by the recommendations made by the cabinet.

2. In addition to the voting members, there shall be four ex officio, nonvoting members of the children's cabinet. These members shall be two state representatives, one appointed by the speaker of the house of representatives and one by the minority leader of the house of representatives, and two state senators, one appointed by the majority leader of the senate and one by the minority leader of the senate.

3. a. The voting members, other than department directors and their designees, shall be appointed for

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1 four-year terms. The terms of such members begin on
2 May 1 in the year of appointment and expire on April 30
3 in the year of expiration.

4 b. Vacancies shall be filled in the same manner as
5 original appointments. A vacancy shall be filled for
6 the unexpired term.

7 c. The voting members shall receive actual and
8 necessary expenses incurred in the performance of their
9 duties and legislative members shall be compensated as
10 provided in section 2.32A.

11 4. Staffing services for the children's cabinet
12 shall be provided by the department of human services.
13 Sec. 175. NEW SECTION. 242.3 Duties.

14 The children's cabinet shall perform the following
15 duties to address the needs of children and families in
16 this state:

17 1. Recommend operating provisions for health homes
18 for children implemented by the department of human
19 services. The provisions shall include but are not
20 limited to all of the following:

21 a. Identification of quality expectations.

22 b. Identification of performance criteria.

23 c. Provisions for monitoring the implementation of
24 specialized health homes.

25 2. Gather information and improve the understanding
26 of policymakers and the public of how the various
27 service systems intended to meet the needs of children
28 and families operate at the local level.

29 3. Address areas of overlap, gaps, and conflict
30 between service systems.

31 4. Support the evolution of service systems in
32 implementing new services and enhancing existing
33 services to address the needs of children and families
34 through process improvement methodologies.

35 5. Assist policymakers and service system users in
36 understanding and effectively managing system costs.

37 6. Ensure services offered are evidence-based.

38 7. Issue guidelines to enable the services and
39 other support which is provided by or under the control
40 of state entities and delivered at the local level to
41 have sufficient flexibility to engage local resources
42 and meet unique needs of children and families.

43 8. Integrate efforts of policymakers and service
44 providers to improve the well-being of community
45 members in addition to children and families.

46 9. Implement strategies so that the children and
47 families engaged with the service systems avoid the
48 need for higher level services and other support.

49 10. Submit a report annually by December 15 to the
50 governor, general assembly, and supreme court providing

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1 findings and recommendations and issue other reports as
2 deemed necessary by the cabinet. The reports submitted
3 or issued by the children's cabinet shall be posted on
4 the department's internet site.

5 Sec. 176. INITIAL TERMS. Notwithstanding section
6 242.2, subsection 3, paragraph "a", as enacted by
7 this division of this Act, the appointing authorities
8 for the members of the children's cabinet created by
9 this division of this Act who are subject to terms of
10 service shall be coordinated so that the initial terms
11 of approximately half of such members are two years and
12 the remainder are for four years and remain staggered
13 thereafter.

14 DIVISION XXI

15 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

16 Sec. 177. NEW SECTION. 136A.5A Newborn critical
17 congenital heart disease screening.

18 1. Each newborn born in this state shall receive
19 a critical congenital heart disease screening by
20 pulse oximetry or other means as determined by rule,
21 in conjunction with the metabolic screening required
22 pursuant to section 136A.5.

23 2. An attending health care provider shall ensure
24 that every newborn under the provider's care receives
25 the critical congenital heart disease screening.

26 3. This section does not apply if a parent objects
27 to the screening. If a parent objects to the screening
28 of a newborn, the attending health care provider shall
29 document the refusal in the newborn's medical record
30 and shall obtain a written refusal from the parent and
31 report the refusal to the department.

32 4. Notwithstanding any provision to the contrary,
33 the results of each newborn's critical congenital
34 heart disease screening shall only be reported in a
35 manner consistent with the reporting of the results
36 of metabolic screenings pursuant to section 136A.5
37 if funding is available for implementation of the
38 reporting requirement.

39 5. This section shall be administered in accordance
40 with rules adopted pursuant to section 136A.8.

41 Sec. 178. NEWBORN CRITICAL CONGENITAL HEART
42 DISEASE SCREENING. Notwithstanding any provision
43 to the contrary relating to the newborn screening
44 policy pursuant to 641 IAC 4.3(1), critical congenital
45 heart disease screening shall be included in the
46 state's newborn screening panel as included in the
47 recommended uniform screening panel as approved by the
48 United States secretary of health and human services.
49 The center for congenital and inherited disorders
50 advisory committee shall make recommendations regarding

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1 implementation of the screening and the center for
2 congenital and inherited disorders shall adopt rules
3 as necessary to implement the screening. However,
4 reporting of the results of each newborn's critical
5 congenital heart disease screening shall not be
6 required unless funding is available for implementation
7 of the reporting requirement.

8 DIVISION XXII

9 INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM

10 Sec. 179. Section 541A.2, subsection 1, paragraph

11 a, Code 2013, is amended to read as follows:

12 a. To be eligible to open an account, a prospective
13 account holder must have a household income that is
14 equal to or less than ~~two~~ one hundred percent of the
15 federal poverty level.

16 Sec. 180. Section 541A.7, subsection 2, Code 2013,
17 is amended to read as follows:

18 2. Moneys available in the fund for a fiscal
19 year are appropriated to the administrator to be
20 used to provide the state match for account holder
21 deposits in accordance with section 541A.3. ~~At least~~
22 ~~eighty five percent of the amount appropriated shall~~
23 ~~be used for state match payments and the remainder may~~
24 Moneys credited to the fund shall not be used for the
25 administrative costs of the operating organization.
26 Administrative costs include but are not limited to
27 accounting services, curriculum costs for financial
28 education or asset-specific training, and costs for
29 technical assistance contractors.>

30 2. Title page, line 2, after <fees> by inserting
31 <and penalties, providing for matters relating to
32 taxation>

33 3. By renumbering as necessary.

S-3219

HOUSE AMENDMENT TO
SENATE FILE 442

1 Amend Senate File 442, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 FY 2013-2014

7 Section 1. JUDICIAL BRANCH.

8 1. There is appropriated from the general fund of
9 the state to the judicial branch for the fiscal year
10 beginning July 1, 2013, and ending June 30, 2014, the
11 following amount, or so much thereof as is necessary,

12 to be used for the purposes designated:

13 a. For salaries of supreme court justices,
14 appellate court judges, district court judges,
15 district associate judges, associate juvenile judges,
16 associate probate judges, judicial magistrates and
17 staff, state court administrator, clerk of the supreme
18 court, district court administrators, clerks of the
19 district court, juvenile court officers, board of law
20 examiners and board of examiners of shorthand reporters
21 and judicial qualifications commission; receipt and
22 disbursement of child support payments; reimbursement
23 of the auditor of state for expenses incurred in
24 completing audits of the offices of the clerks of the
25 district court during the fiscal year beginning July
26 1, 2013; and maintenance, equipment, and miscellaneous
27 purposes:

28	\$	164,599,367
29 b. For deposit in the revolving fund created		
30 pursuant to section 602.1302, subsection 3, for jury		
31 and witness fees, mileage, costs related to summoning		
32 jurors, fees for interpreters, and reimbursement of		
33 attorney fees paid by the state public defender:		
34	\$	3,100,000

35 2. The judicial branch, except for purposes of
36 internal processing, shall use the current state budget
37 system, the state payroll system, and the Iowa finance
38 and accounting system in administration of programs
39 and payments for services, and shall not duplicate the
40 state payroll, accounting, and budgeting systems.

41 3. The judicial branch shall submit monthly
42 financial statements to the legislative services
43 agency and the department of management containing
44 all appropriated accounts in the same manner as
45 provided in the monthly financial status reports and
46 personal services usage reports of the department
47 of administrative services. The monthly financial
48 statements shall include a comparison of the dollars
49 and percentage spent of budgeted versus actual revenues
50 and expenditures on a cumulative basis for full-time

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1 equivalent positions and dollars.

2 4. The judicial branch shall focus efforts upon the
3 collection of delinquent fines, penalties, court costs,
4 fees, surcharges, or similar amounts.

5 5. It is the intent of the general assembly that
6 the offices of the clerks of the district court operate
7 in all 99 counties and be accessible to the public as
8 much as is reasonably possible in order to address the
9 relative needs of the citizens of each county.

10 6. In addition to the requirements for transfers

under section 8.39, the judicial branch shall not change the appropriations from the amounts appropriated to the judicial branch in this division of this Act, unless notice of the revisions is given prior to their effective date to the legislative services agency. The notice shall include information on the branch's rationale for making the changes and details concerning the workload and performance measures upon which the changes are based.

7. The judicial branch shall submit a semiannual update to the legislative services agency specifying the amounts of fines, surcharges, and court costs collected using the Iowa court information system since the last report. The judicial branch shall continue to facilitate the sharing of vital sentencing and other information with other state departments and governmental agencies involved in the criminal justice system through the Iowa court information system.

8. The judicial branch shall provide a report to the general assembly by January 1, 2014, concerning the amounts received and expended from the enhanced court collections fund created in section 602.1304 and the court technology and modernization fund created in section 602.8108, subsection 7, during the fiscal year beginning July 1, 2012, and ending June 30, 2013, and the plans for expenditures from each fund during the fiscal year beginning July 1, 2013, and ending June 30, 2014. A copy of the report shall be provided to the legislative services agency.

Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, if all parties in a case agree, a civil trial including a jury trial may take place in a county contiguous to the county with proper jurisdiction, even if the contiguous county is located in an adjacent judicial district or judicial election district. If the trial is moved pursuant to this section, court personnel shall treat the case as if a change of venue occurred. However, if a trial is moved to an adjacent judicial district

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1 or judicial election district, the judicial officers
2 serving in the judicial district or judicial election
3 district receiving the case shall preside over the
4 case.

Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding
6 section 602.1509, for the fiscal year beginning July 1,
7 2013, a judicial officer may waive travel reimbursement
8 for any travel outside the judicial officer's county of
9 residence to conduct official judicial business.

10 Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —
11 LEGISLATIVE SERVICES AGENCY. All reports or copies of
12 reports required to be provided by the judicial branch
13 for fiscal year 2013-2014 to the legislative services
14 agency shall be provided in an electronic format. The
15 legislative services agency shall post the reports on
16 its internet website and shall notify by electronic
17 means all the members of the joint appropriations
18 subcommittee on the justice system when a report
19 is posted. Upon request, copies of the reports may
20 be mailed to members of the joint appropriations
21 subcommittee on the justice system.

22 Sec. 5. JUDICIAL OFFICER — UNPAID
23 LEAVE. Notwithstanding the annual salary rates
24 for judicial officers established by 2008 Iowa Acts,
25 chapter 1191, section 11, for the fiscal year beginning
26 July 1, 2013, and ending June 30, 2014, the supreme
27 court may by order place all judicial officers on
28 unpaid leave status on any day employees of the
29 judicial branch are placed on temporary layoff status.
30 The biweekly pay of the judicial officers shall be
31 reduced accordingly for the pay period in which the
32 unpaid leave date occurred in the same manner as for
33 noncontract employees of the judicial branch. Through
34 the course of the fiscal year, the judicial branch may
35 use an amount equal to the aggregate amount of salary
36 reductions due to the judicial officer unpaid leave
37 days for any purpose other than for judicial salaries.

38 Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the
39 intent of the general assembly that the judicial branch
40 utilize the Iowa communications network or other secure
41 electronic communications in lieu of traveling for the
42 fiscal year beginning July 1, 2013.

43 DIVISION II
44 FY 2014-2015

45 Sec. 7. JUDICIAL BRANCH.

46 1. There is appropriated from the general fund of
47 the state to the judicial branch for the fiscal year
48 beginning July 1, 2014, and ending June 30, 2015, the
49 following amount, or so much thereof as is necessary,
50 to be used for the purposes designated:

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- 1 a. For salaries of supreme court justices,
- 2 appellate court judges, district court judges,
- 3 district associate judges, associate juvenile judges,
- 4 associate probate judges, judicial magistrates and
- 5 staff, state court administrator, clerk of the supreme
- 6 court, district court administrators, clerks of the
- 7 district court, juvenile court officers, board of law
- 8 examiners and board of examiners of shorthand reporters

9 and judicial qualifications commission; receipt and
10 disbursement of child support payments; reimbursement
11 of the auditor of state for expenses incurred in
12 completing audits of the offices of the clerks of the
13 district court during the fiscal year beginning July
14 1, 2014; and maintenance, equipment, and miscellaneous
15 purposes:
16 \$ 82,299,684
17 b. For deposit in the revolving fund created
18 pursuant to section 602.1302, subsection 3, for jury
19 and witness fees, mileage, costs related to summoning
20 jurors, fees for interpreters, and reimbursement of
21 attorney fees paid by the state public defender:
22 \$ 1,550,000
23 2. The judicial branch, except for purposes of
24 internal processing, shall use the current state budget
25 system, the state payroll system, and the Iowa finance
26 and accounting system in administration of programs
27 and payments for services, and shall not duplicate the
28 state payroll, accounting, and budgeting systems.
29 3. The judicial branch shall submit monthly
30 financial statements to the legislative services
31 agency and the department of management containing
32 all appropriated accounts in the same manner as
33 provided in the monthly financial status reports and
34 personal services usage reports of the department
35 of administrative services. The monthly financial
36 statements shall include a comparison of the dollars
37 and percentage spent of budgeted versus actual revenues
38 and expenditures on a cumulative basis for full-time
39 equivalent positions and dollars.
40 4. The judicial branch shall focus efforts upon the
41 collection of delinquent fines, penalties, court costs,
42 fees, surcharges, or similar amounts.
43 5. It is the intent of the general assembly that
44 the offices of the clerks of the district court operate
45 in all 99 counties and be accessible to the public as
46 much as is reasonably possible in order to address the
47 relative needs of the citizens of each county.
48 6. In addition to the requirements for transfers
49 under section 8.39, the judicial branch shall not
50 change the appropriations from the amounts appropriated

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1 to the judicial branch in this division of this Act,
2 unless notice of the revisions is given prior to their
3 effective date to the legislative services agency.
4 The notice shall include information on the branch's
5 rationale for making the changes and details concerning
6 the workload and performance measures upon which the
7 changes are based.

8 7. The judicial branch shall submit a semiannual
9 update to the legislative services agency specifying
10 the amounts of fines, surcharges, and court costs
11 collected using the Iowa court information system since
12 the last report. The judicial branch shall continue
13 to facilitate the sharing of vital sentencing and
14 other information with other state departments and
15 governmental agencies involved in the criminal justice
16 system through the Iowa court information system.

17 8. The judicial branch shall provide a report to
18 the general assembly by January 1, 2015, concerning
19 the amounts received and expended from the enhanced
20 court collections fund created in section 602.1304 and
21 the court technology and modernization fund created in
22 section 602.8108, subsection 7, during the fiscal year
23 beginning July 1, 2013, and ending June 30, 2014, and
24 the plans for expenditures from each fund during the
25 fiscal year beginning July 1, 2014, and ending June 30,
26 2015. A copy of the report shall be provided to the
27 legislative services agency.

28 Sec. 8. CIVIL TRIALS — LOCATION. Notwithstanding
29 any provision to the contrary, for the fiscal year
30 beginning July 1, 2014, and ending June 30, 2015, if
31 all parties in a case agree, a civil trial including a
32 jury trial may take place in a county contiguous to the
33 county with proper jurisdiction, even if the contiguous
34 county is located in an adjacent judicial district or
35 judicial election district. If the trial is moved
36 pursuant to this section, court personnel shall treat
37 the case as if a change of venue occurred. However,
38 if a trial is moved to an adjacent judicial district
39 or judicial election district, the judicial officers
40 serving in the judicial district or judicial election
41 district receiving the case shall preside over the
42 case.

43 Sec. 9. TRAVEL REIMBURSEMENT. Notwithstanding
44 section 602.1509, for the fiscal year beginning July 1,
45 2014, a judicial officer may waive travel reimbursement
46 for any travel outside the judicial officer's county of
47 residence to conduct official judicial business.

48 Sec. 10. POSTING OF REPORTS IN ELECTRONIC FORMAT —
49 LEGISLATIVE SERVICES AGENCY. All reports or copies of
50 reports required to be provided by the judicial branch

1 for fiscal year 2014–2015 to the legislative services
2 agency shall be provided in an electronic format. The
3 legislative services agency shall post the reports on
4 its internet website and shall notify by electronic
5 means all the members of the joint appropriations
6 subcommittee on the justice system when a report

7 is posted. Upon request, copies of the reports may
8 be mailed to members of the joint appropriations
9 subcommittee on the justice system.

10 Sec. 11. JUDICIAL OFFICER — UNPAID

11 LEAVE. Notwithstanding the annual salary rates
12 for judicial officers established by 2008 Iowa Acts,
13 chapter 1191, section 11, for the fiscal year beginning
14 July 1, 2014, and ending June 30, 2015, the supreme
15 court may by order place all judicial officers on
16 unpaid leave status on any day employees of the
17 judicial branch are placed on temporary layoff status.
18 The biweekly pay of the judicial officers shall be
19 reduced accordingly for the pay period in which the
20 unpaid leave date occurred in the same manner as for
21 noncontract employees of the judicial branch. Through
22 the course of the fiscal year, the judicial branch may
23 use an amount equal to the aggregate amount of salary
24 reductions due to the judicial officer unpaid leave
25 days for any purpose other than for judicial salaries.

26 Sec. 12. IOWA COMMUNICATIONS NETWORK. It is the
27 intent of the general assembly that the judicial branch
28 utilize the Iowa communications network or other secure
29 electronic communications in lieu of traveling for the
30 fiscal year beginning July 1, 2014.>

S-3220

1 Amend House File 632, as passed by the House, as
2 follows:

- 3 1. Page 1, line 22, by striking <division of this>
- 4 2. Page 1, line 25, by striking <division of this>
- 5 3. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

S-3221

1 Amend House File 119, as passed by the House, as
2 follows:

- 3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 232.71C, subsection 1, Code
6 2013, is amended to read as follows:

7 1. If, upon completion of an assessment performed
8 under section 232.71B, the department determines
9 that the best interests of the child require juvenile
10 court action, the department shall act appropriately
11 to initiate the action. If at any time during the
12 assessment process the department believes court action
13 is necessary to safeguard a child, the department shall
14 act appropriately to initiate the action. The county
15 attorney shall assist the department ~~as provided under~~

16 ~~section 232.90, subsection 2.~~

17 Sec. 2. Section 232.90, Code 2013, is amended to
18 read as follows:

19 232.90 Duties of county attorney.

20 1. As used in this section, "state" means the
21 general interest held by the people in the health,
22 safety, welfare, and protection of all children living
23 in this state.

24 ~~4. 2.~~ The county attorney shall represent the
25 state in proceedings arising from a petition filed
26 under this division and shall present evidence in
27 support of the petition. The county attorney shall
28 be present at proceedings initiated by petition under
29 this division filed by an intake officer or the county
30 attorney, or if a party to the proceedings contests
31 the proceedings, or if the court determines there
32 is a conflict of interest between the child and the
33 child's parent, guardian, or custodian or if there are
34 contested issues before the court.

35 ~~2. 3. The county attorney shall represent the~~
36 ~~department in proceedings arising under this division.~~
37 ~~However, if~~ If there is disagreement between the
38 department and the county attorney regarding the
39 appropriate action to be taken, the department may
40 request to that the state be represented by the
41 attorney general in place of the county attorney. If
42 the state is represented by the attorney general,
43 the county attorney may continue to appear in the
44 proceeding and may present the position of the county
45 attorney regarding the appropriate action to be taken
46 in the case.

47 4. The county attorney shall comply with the
48 requirements of chapter 232B and the federal Indian
49 Child Welfare Act, Pub. L. No. 95-608, when either
50 chapter 232B or the federal Indian Child Welfare Act

Page 2

1 is determined to be applicable in any proceeding under
2 this division.

3 Sec. 3. Section 232.114, Code 2013, is amended to
4 read as follows:

5 232.114 Duties of county attorney.

6 1. As used in this section, "state" means the
7 general interest held by the people in the health,
8 safety, welfare, and protection of all children living
9 in this state.

10 ~~4. 2.~~ Upon the filing of a petition the county
11 attorney shall represent the state in all adversary
12 proceedings arising under this division and shall
13 present evidence in support of the petition.

14 ~~2. 3. The county attorney shall represent the~~

15 ~~department in proceedings arising under this division.~~
16 ~~However, if~~ If there is disagreement between the
17 department and the county attorney regarding the
18 appropriate action to be taken, the department may
19 request to that the state be represented by the
20 attorney general in place of the county attorney. If
21 the state is represented by the attorney general,
22 the county attorney may continue to appear in the
23 proceeding and may present the position of the county
24 attorney regarding the appropriate action to be taken
25 in the case.
26 4. The county attorney shall comply with the
27 requirements of chapter 232B and the federal Indian
28 Child Welfare Act, Pub. L. No. 95-608, when either
29 chapter 232B or the federal Indian Child Welfare Act
30 is determined to be applicable in any proceeding under
31 this division.>

ROBERT M. HOGG

S-3222

1 Amend House File 590, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 6, by striking lines 28 through 35 and
4 inserting:
5 <13. Court-ordered and voluntary services. The
6 department shall provide or arrange for and monitor
7 services for abused children and their families on a
8 voluntary basis or under a final or intermediate order
9 of the juvenile court. The department may provide
10 or arrange for and monitor services for children and
11 their families on a voluntary basis for cases in which
12 a family assessment is completed.>
13 2. Page 7, after line 17 by inserting:
14 <NEW SUBSECTION. 13A. Safety issue. If the
15 department determines that a safety issue continues
16 to require a child to reside outside of the child's
17 home at the conclusion of a family assessment, the
18 department shall transfer the assessment to the child
19 abuse assessment pathway for a disposition.
20 NEW SUBSECTION. 13B. Conclusion of family
21 assessment. At the conclusion of a family assessment,
22 the department shall transfer the case, if appropriate,
23 to a contracted provider to review the service plan for
24 the child and family. The contracted provider shall
25 make a referral to the department abuse hotline if a
26 family's noncompliance with a service plan places a
27 child at risk. If any of the criteria for child abuse
28 as defined in section 232.68, subsection 2, paragraph
29 "a", are met, the department shall commence a child
30 abuse assessment. If any of the criteria for a child

31 in need of assistance, as defined in section 232.2,
32 subsection 6, are met, the department shall determine
33 whether to request a child in need of assistance
34 petition.>

35 3. Page 7, after line 23 by inserting:
36 <NEW SUBSECTION. 17. Quality assurance. The
37 department shall engage external stakeholders,
38 including but not limited to representatives of
39 the county attorneys' offices, service providers,
40 and parent partners to develop a quality assurance
41 component to the differential response system.>

42 4. Page 11, line 28, by striking < (6), or (7)> and
43 inserting <or (6)>

44 5. Page 11, line 35, by striking < (6), or (7)> and
45 inserting <or (6)>

46 6. By renumbering, redesignating, and correcting
47 internal references as necessary.

WILLIAM A. DOTZLER, JR.

S-3223

1 Amend the House amendment, S-3218, to Senate File
2 452, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 5, through page 60,
5 line 29, and inserting:

<DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

8 Section 1. BUDGET PROCESS FOR FISCAL YEAR
9 2014-2015.

10 1. For the budget process applicable to the fiscal
11 year beginning July 1, 2014, on or before October 1,
12 2013, in lieu of the information specified in section
13 8.23, subsection 1, unnumbered paragraph 1, and
14 paragraph "a", all departments and establishments of
15 the government shall transmit to the director of the
16 department of management, on blanks to be furnished
17 by the director, estimates of their expenditure
18 requirements, including every proposed expenditure, for
19 the ensuing fiscal year, together with supporting data
20 and explanations as called for by the director of the
21 department of management after consultation with the
22 legislative services agency.

23 2. The estimates of expenditure requirements
24 shall be in a form specified by the director of
25 the department of management, and the expenditure
26 requirements shall include all proposed expenditures
27 and shall be prioritized by program or the results to
28 be achieved. The estimates shall be accompanied by
29 performance measures for evaluating the effectiveness
30 of the programs or results.

31 Sec. 2. LIMITATIONS OF STANDING APPROPRIATIONS

32 — FY 2013–2014. Notwithstanding the standing
 33 appropriations in the following designated sections for
 34 the fiscal year beginning July 1, 2013, and ending June
 35 30, 2014, the amounts appropriated from the general
 36 fund of the state pursuant to these sections for the
 37 following designated purposes shall not exceed the
 38 following amounts:

39 1. For the work-study program under section 261.85:	
40	\$ 500,000
41 The limitation of the appropriation in this	
42 subsection 1 shall prevail over any provision in 2013	
43 Iowa Acts, House File 604, or any other Act enacted	
44 by the general assembly during the 2013 session, that	
45 limits the standing appropriation for the fiscal year	
46 beginning July 1, 2013, for the work-study program	
47 under section 261.85 to zero.	
48 2. For payment for nonpublic school transportation	
49 under section 285.2:	
50	\$ 8,560,931

Page 2

1 If the total approved claims for reimbursement for
 2 nonpublic school pupil transportation exceed the amount
 3 appropriated in accordance with this subsection, the
 4 department of education shall prorate the amount of
 5 each approved claim.

6 3. For the enforcement of chapter 453D relating to	
7 tobacco product manufacturers under section 453D.8:	
8	\$ 18,416

9 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS

10 — FY 2014–2015. Notwithstanding the standing
 11 appropriations in the following designated sections for
 12 the fiscal year beginning July 1, 2014, and ending June
 13 30, 2015, the amounts appropriated from the general
 14 fund of the state pursuant to these sections for the
 15 following designated purposes shall not exceed the
 16 following amounts:

17 1. For payment for nonpublic school transportation	
18 under section 285.2:	
19	\$ 8,560,931

20 If the total approved claims for reimbursement for
 21 nonpublic school pupil transportation exceed the amount
 22 appropriated in accordance with this subsection, the
 23 department of education shall prorate the amount of
 24 each approved claim.

25 2. For the enforcement of chapter 453D relating to	
26 tobacco product manufacturers under section 453D.8:	
27	\$ 9,208

28 Sec. 4. INSTRUCTIONAL SUPPORT STATE AID —

29 FY 2013–2014 — FY 2014–2015. In lieu of the

30 appropriation provided in section 257.20, subsection 2,
31 the appropriation for the fiscal years beginning July
32 1, 2013, and July 1, 2014, for paying instructional
33 support state aid under section 257.20 for fiscal years
34 2013–2014 and 2014–2015 is zero.

35 Sec. 5. Section 8.8, Code 2013, is amended to read
36 as follows:

37 8.8 Special olympics fund — appropriation.
38 A special olympics fund is created in the office
39 of the treasurer of state under the control of the
40 department of management. There is appropriated
41 annually from the general fund of the state to the
42 special olympics fund ~~fifty one hundred~~ thousand
43 dollars for distribution to one or more organizations
44 which administer special olympics programs benefiting
45 the citizens of Iowa with disabilities.

46 DIVISION II
47 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

48 Sec. 6. INDIVIDUAL DEVELOPMENT ACCOUNT
49 PROGRAM. There is appropriated from the general fund
50 of the state to the department of human rights for the

Page 3

1 fiscal year beginning July 1, 2013, and ending June 30,
2 2014, the following amounts, or so much thereof as is
3 necessary, for the purposes designated:
4 For deposit in the individual development account
5 state match fund created in section 541A.7 to support
6 the operating organization providing individual
7 development accounts in Iowa:
8 \$ 250,000

9 Sec. 7. RENEWABLE ENERGY TRAINING AND
10 EDUCATION. There is appropriated from the general fund
11 of the state to the department of workforce development
12 for the following fiscal years, the following amounts,
13 or so much thereof as is necessary, to distribute for a
14 public purpose to an entity with a mission of educating
15 workers and the public in the various aspects of
16 renewable energy, its usage, and related occupational
17 opportunities:
18 1. FY 2013–2014
19 \$ 150,000
20 2. FY 2014–2015
21 \$ 150,000

22 Sec. 8. PUBLIC TRANSIT. There is appropriated from
23 the general fund of the state to the department of
24 transportation, for the fiscal year beginning July 1,
25 2012, and ending June 30, 2013, the following amount,
26 or so much thereof as is necessary, for the purposes
27 designated:
28 For distribution to the public transit systems in

29 the state for vehicle purchasing priorities:
 30 \$ 5,000,000
 31 For purposes of section 8.33, unencumbered or
 32 unobligated moneys from the moneys appropriated in this
 33 section shall not revert at the close of the fiscal
 34 year but shall remain available for expenditure for the
 35 purposes designated until the close of the fiscal year
 36 that ends two years after the end of the fiscal year
 37 for which the appropriation was made.
 38 Sec. 9. AIR TRAFFIC CONTROL TOWER. There is
 39 appropriated from the general fund of the state to
 40 the department of transportation, for the fiscal year
 41 beginning July 1, 2013, and ending June 30, 2014, the
 42 following amount, or so much thereof as is necessary,
 43 for the purposes designated:
 44 For the public purpose of defraying costs associated
 45 with the operation of a contract air traffic control
 46 tower which holds an air agency certificate:
 47 \$ 150,000
 48 Moneys appropriated by this section shall be
 49 distributed on a local match basis to the largest city
 50 in a county with a population of more than 92,000 and

Page 4

1 less than 95,000 as of the last preceding certified
 2 federal census.
 3 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR — FTE
 4 AUTHORIZATION. For purposes of the offices of the
 5 governor and lieutenant governor, there is authorized
 6 an additional 3.00 full-time equivalent positions above
 7 those otherwise authorized pursuant to 2013 Iowa Acts,
 8 House File 603, if enacted.
 9 Sec. 11. Section 91C.7, subsection 1, Code 2013, is
 10 amended to read as follows:
 11 1. A contractor who is not registered with the
 12 labor commissioner as required by this chapter shall
 13 not be awarded a contract to perform work for the state
 14 ~~or an agency of the state, or a political subdivision~~
 15 of the state.
 16 Sec. 12. Section 99F.11, subsection 3, paragraph
 17 d, subparagraph (3), Code 2013, is amended by striking
 18 the subparagraph and inserting in lieu thereof the
 19 following:
 20 (3) One-half of the moneys remaining after the
 21 appropriation in subparagraph (1) is appropriated to
 22 the economic development authority for distribution
 23 equally to the three state tourism regions to
 24 develop public-private partnerships to market local
 25 attractions.
 26 Sec. 13. Section 135C.7, Code 2013, is amended by
 27 adding the following new unnumbered paragraph:

28 NEW UNNUMBERED PARAGRAPH. In addition to the
29 license fees listed in this section, there shall be
30 an annual assessment assessed to each licensee in an
31 amount to cover the cost of independent reviewers
32 provided pursuant to section 135C.42. The department
33 shall, in consultation with licensees, establish
34 the assessment amount by rule based on the award of
35 a request for proposals. The assessment shall be
36 retained by the department as a repayment receipt as
37 defined in section 8.2 and used for the purpose of
38 paying the cost of the independent reviewers.

39 Sec. 14. Section 144.26, Code 2013, is amended by
40 adding the following new subsection:

41 NEW SUBSECTION. 5. Upon the activation of an
42 electronic death record system, each person with a
43 duty related to death certificates shall participate
44 in the electronic death record system. A person with
45 a duty related to a death certificate includes but
46 is not limited to a physician as defined in section
47 135.1, a physician assistant, an advanced registered
48 nurse practitioner, a funeral director, and a county
49 recorder.

50 Sec. 15. Section 216A.3, subsection 3, Code 2013,

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1 is amended to read as follows:

2 3. A majority of the voting members of the board
3 shall constitute a quorum, and the affirmative vote of
4 two-thirds of the voting members present is necessary
5 for any substantive action taken by the board. The
6 board shall select a chairperson from the voting
7 members of the board. The board shall meet not less
8 than four times a year.

9 Sec. 16. Section 231.64, subsection 1, unnumbered
10 paragraph 1, Code 2013, is amended to read as follows:

11 The aging and disability resource center program
12 shall be administered by the department consistent
13 with the federal Act. The department shall designate
14 ~~participating entities~~ area agencies on aging to
15 establish a coordinated system for providing all of the
16 following:

17 Sec. 17. Section 257.11, subsection 6A, paragraph
18 a, subparagraph (1), as enacted by 2013 Iowa Acts,
19 House File 472, section 1, is amended to read as
20 follows:(1) In order to provide additional funding
21 to increase student opportunities and redirect more
22 resources to student programming for school districts
23 that share operational functions, a supplementary
24 weighting of two hundredths per pupil shall be assigned
25 to pupils enrolled in a district that shares with a
26 political subdivision one or more operational functions

27 of a curriculum director, school administration
28 manager, ~~mental health therapist, social worker,~~
29 school nurse, school counselor, or school librarian,
30 or one or more operational functions in the areas
31 of superintendent management, business management,
32 human resources, transportation, or operation and
33 maintenance for at least twenty percent of the school
34 year. The additional weighting shall be assigned
35 for each discrete operational function shared. The
36 operational function sharing arrangement does not
37 need to be a newly implemented sharing arrangement to
38 receive supplementary weighting under this subsection.
39 However, to receive supplementary weighting under
40 this subsection for an ongoing operational function
41 sharing arrangement that began before July 1, 2014, the
42 district shall submit information to the department
43 documenting the cost savings directly attributable
44 to the shared operational functions and describe
45 the district's consideration of additional shared
46 operational functions.

47 Sec. 18. Section 261.93, subsection 2, paragraph
48 b, subparagraph (4), Code 2013, is amended to read as
49 follows:
50 (4) Is the child of a fire fighter or police

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1 officer included under section 97B.49B, who was killed
2 in the line of duty as determined by the Iowa public
3 employees' retirement system in accordance with section
4 97B.52, subsection 2.

5 Sec. 19. Section 306D.4, Code 2013, is amended to
6 read as follows:
7 306D.4 Scenic highway advertising.

8 1. The state department of transportation shall
9 have the authority to adopt rules to control the
10 erection of new advertising devices on a highway
11 designated as a scenic highway or scenic byway in order
12 to comply with federal requirements concerning the
13 implementation of a scenic byways program.

14 2. Notwithstanding subsection 1, if an advertising
15 device was lawfully erected along an interstate
16 highway within the corporate limits of a city prior to
17 designation of the highway as a scenic byway, and the
18 advertising device is subsequently displaced due to
19 the reconstruction, improvement, or relocation of the
20 highway, the advertising device may be erected at the
21 same location or at a location as close to the original
22 location as is practicable that is visible from the
23 main-traveled way, and shall not be considered a new
24 advertising device, if all of the following apply:
25 a. The location is in compliance with the

26 requirements of chapter 306C applicable to interstate
27 highways that are not part of a designated scenic
28 byway.

29 b. The location is approved by the governing body
30 of the city.

31 Sec. 20. Section 692A.113, subsection 3, Code 2013,
32 is amended by adding the following new paragraph:

33 NEW PARAGRAPH. e. Operate, manage, be employed by,
34 or act as a contractor or volunteer at a business that
35 operates a motor vehicle primarily marketing, from or
36 near the motor vehicle, the sale and dispensing of ice
37 cream or other food products to minors.

38 Sec. 21. 2013 Iowa Acts, Senate File 446, if
39 enacted, is amended by adding the following section:

40 SEC. 11A. NEW SECTION. CHRONIC CARE
41 CONSORTIUM. Of the funds appropriated in this Act from
42 the general fund of the state to the department of
43 human services for the medical assistance program for
44 the fiscal year beginning July 1, 2013, and ending June
45 30, 2014, \$200,000 shall be used for the Iowa chronic
46 care consortium pursuant to 2003 Iowa Acts, chapter
47 112, section 12, as amended by 2003 Iowa Acts, chapter
48 179, section 166 and 167.

49 Sec. 22. CONDITIONAL EFFECTIVE DATE. The section
50 of this division of this Act amending section 99F.11,

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1 takes effect only if 2013 Iowa Acts, House File 620,
2 striking section 99F.11, subsection 3, paragraph d,
3 subparagraph (3), is enacted.

4 Sec. 23. EFFECTIVE UPON ENACTMENT. The following
5 provision or provisions of this division of this Act,
6 being deemed of immediate importance, take effect upon
7 enactment:

8 1. The section of this Act appropriating moneys to
9 the department of transportation for public transit
10 purposes.

11 DIVISION III

12 CORRECTIVE PROVISIONS

13 Sec. 24. Section 2.12, unnumbered paragraph 4, Code
14 2013, as amended by 2013 Iowa Acts, House File 185,
15 section 1, is amended to read as follows:

16 There is appropriated out of any funds in the state
17 treasury not otherwise appropriated such sums as
18 may be necessary for the fiscal year budgets of the
19 legislative services agency and the ~~ombudsman~~ office
20 of ombudsman for salaries, support, maintenance, and
21 miscellaneous purposes to carry out their statutory
22 responsibilities. The legislative services agency
23 and the ~~ombudsman~~ office of ombudsman shall submit
24 their proposed budgets to the legislative council not

25 later than September 1 of each year. The legislative
26 council shall review and approve the proposed budgets
27 not later than December 1 of each year. The budget
28 approved by the legislative council for each of its
29 statutory legislative agencies shall be transmitted by
30 the legislative council to the department of management
31 on or before December 1 of each year for the fiscal
32 year beginning July 1 of the following year. The
33 department of management shall submit the approved
34 budgets received from the legislative council to the
35 governor for inclusion in the governor's proposed
36 budget for the succeeding fiscal year. The approved
37 budgets shall also be submitted to the chairpersons of
38 the committees on appropriations. The committees on
39 appropriations may allocate from the funds appropriated
40 by this section the funds contained in the approved
41 budgets, or such other amounts as specified, pursuant
42 to a concurrent resolution to be approved by both
43 houses of the general assembly. The director of
44 the department of administrative services shall
45 issue warrants for salaries, support, maintenance,
46 and miscellaneous purposes upon requisition by the
47 administrative head of each statutory legislative
48 agency. If the legislative council elects to change
49 the approved budget for a legislative agency prior to
50 July 1, the legislative council shall transmit the

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1 amount of the budget revision to the department of
2 management prior to July 1 of the fiscal year, however,
3 if the general assembly approved the budget it cannot
4 be changed except pursuant to a concurrent resolution
5 approved by the general assembly.
6 Sec. 25. Section 2.42, subsection 14, Code 2013, as
7 amended by 2013 Iowa Acts, House File 185, section 2,
8 is amended to read as follows:
9 14. To hear and act upon appeals of aggrieved
10 employees of the legislative services agency and the
11 office of ~~the~~ the ombudsman pursuant to rules of procedure
12 established by the council.
13 Sec. 26. Section 2C.3, subsection 2, Code 2013, as
14 enacted by 2013 Iowa Acts, House File 185, section 4,
15 is amended to read as follows:
16 2. The ombudsman shall employ and supervise all
17 employees under the ombudsman's direction in such
18 positions and at such salaries as shall be authorized
19 by the legislative council. The legislative council
20 shall hear and act upon appeals of aggrieved employees
21 of the office of ~~the~~ the ombudsman.
22 Sec. 27. Section 2C.9, subsection 6, Code 2013, as
23 amended by 2013 Iowa Acts, House File 185, section 10,

24 is amended to read as follows:

25 6. Establish rules relating to the operation,
26 organization, and procedure of the office of ~~the~~
27 ombudsman. The rules are exempt from chapter 17A and
28 shall be published in the Iowa administrative code.

29 Sec. 28. Section 2C.11, subsection 1, unnumbered
30 paragraph 1, Code 2013, as amended by 2013 Iowa Acts,
31 House File 185, section 12, is amended to read as
32 follows:

33 An appropriate subject for investigation by the
34 office of ~~the~~ ombudsman is an administrative action
35 that might be:

36 Sec. 29. Section 2C.18, Code 2013, as amended by
37 2013 Iowa Acts, House File 185, section 20, is amended
38 to read as follows:

39 2C.18 Report to general assembly.

40 The ombudsman shall by April 1 of each year submit
41 an economically designed and reproduced report to
42 the general assembly and to the governor concerning
43 the exercise of the ~~ombudsman~~ ombudsman's functions
44 during the preceding calendar year. In discussing
45 matters with which the ombudsman has been concerned,
46 the ombudsman shall not identify specific persons if
47 to do so would cause needless hardship. If the annual
48 report criticizes a named agency or official, it shall
49 also include unedited replies made by the agency or
50 official to the criticism, unless excused by the agency

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1 or official affected.

2 Sec. 30. Section 8B.21, subsection 5, paragraph e,
3 if enacted by 2013 Iowa Acts, Senate File 396, section
4 3, is amended to read as follows:

5 e. The department of public defense shall not be
6 required to obtain any information technology services
7 pursuant to this chapter for the department of public
8 defense that ~~is~~ are provided by the office pursuant
9 to this chapter without the consent of the adjutant
10 general.

11 Sec. 31. Section 23A.4, subsection 3, Code 2013, as
12 enacted by 2013 Iowa Acts, House File 185, section 27,
13 is amended to read as follows:

14 3. Chapter 17A and this section are the exclusive
15 remedy for violations of this chapter. However, the
16 office of ~~the~~ ombudsman may review violations of this
17 chapter and make recommendations as provided in chapter
18 2C.

19 Sec. 32. Section 29.1, Code 2013, as amended by
20 2013 Iowa Acts, House File 307, section 9, is amended
21 to read as follows:

22 29.1 Department of public defense.

The department of public defense is composed of the office of the adjutant general and the military forces of the state of Iowa. The adjutant general is the director of the department of public defense and shall perform all functions, responsibilities, powers, and duties ~~over~~ concerning the military forces of the state of Iowa as provided in the laws of the state.

Sec. 33. Section 35A.13, subsection 6A, paragraph b, subparagraph (1), if enacted by 2013 Iowa Acts, House File 613, section 2, is amended to read as follows:

(1) The commission may provide educational assistance funds to any child who has lived in the state of Iowa for two years preceding application for state educational assistance, and who is the child of a person who died prior to September 11, 2001, during active federal military service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for the child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the department. The commission shall not expend more than six hundred dollars per year

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for educational assistance for any one child under this paragraph "b".

Sec. 34. Section 70A.28, subsection 6, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 28, is amended to read as follows:

6. Subsection 2 may also be enforced by an employee through an administrative action pursuant to the requirements of this subsection if the employee is not a merit system employee or an employee covered by a collective bargaining agreement. An employee eligible to pursue an administrative action pursuant to this subsection who is discharged, suspended, demoted, or otherwise receives a reduction in pay and who believes the adverse employment action was taken as a result of the employee's disclosure of information that was authorized pursuant to subsection 2, may file an appeal of the adverse employment action with the public employment relations board within thirty calendar days following the later of the effective date of the action or the date a finding is issued to the employee by the office of ~~the~~ ombudsman pursuant to section 2C.11A.

22 The findings issued by the ombudsman may be introduced
23 as evidence before the public employment relations
24 board. The employee has the right to a hearing closed
25 to the public, but may request a public hearing. The
26 hearing shall otherwise be conducted in accordance with
27 the rules of the public employment relations board and
28 the Iowa administrative procedure Act, chapter 17A. If
29 the public employment relations board finds that the
30 action taken in regard to the employee was in violation
31 of subsection 2, the employee may be reinstated without
32 loss of pay or benefits for the elapsed period, or
33 the public employment relations board may provide
34 other appropriate remedies. Decisions by the public
35 employment relations board constitute final agency
36 action.

37 Sec. 35. Section 105.10, subsection 3, Code 2013,
38 as amended by 2013 Iowa Acts, Senate File 427, section
39 10, is amended to read as follows:

40 3. An individual holding a master mechanical
41 license shall not be required to get an
42 HVAC-refrigeration, sheet metal, or hydronic license in
43 order to design, install, or repair the work defined
44 in this chapter as mechanical, HVAC-refrigeration,
45 sheet metal, or hydronic work. An individual holding
46 a ~~journey~~ journeyperson mechanical license shall
47 not be required to get an HVAC-refrigeration, sheet
48 metal, or hydronic license in order to install and
49 repair the work defined in this chapter as mechanical,
50 HVAC-refrigeration, sheet metal, or hydronic work. An

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1 individual holding a master or ~~journey~~ journeyperson
2 mechanical license shall also not be required to obtain
3 a special, restricted license that is designated as a
4 sublicense of the mechanical, HVAC-refrigeration, sheet
5 metal, or hydronic licenses.

6 Sec. 36. Section 105.32, as enacted by 2013 Iowa
7 Acts, Senate File 427, section 32, Code 2013, is
8 amended to read as follows:

9 105.32 Transition provisions.

10 A licensee whose license expires between June 30,
11 2014, and July 1, 2017, may voluntarily renew ~~their~~
12 the license early so ~~they may have the license has~~ an
13 expiration date of June 30, 2017. This voluntary early
14 renewal may happen at any time on or after July 1,
15 2014. The department shall promulgate rules that allow
16 for this one-time early renewal process, including fees
17 and continuing education requirements.

18 Sec. 37. Section 126.11, subsection 3, paragraph
19 b, Code 2013, as amended by 2013 Iowa Acts, House File
20 417, section 26, is amended to read as follows:

21 b. A drug dispensed by filling or refilling a
22 written, electronic, facsimile, or oral prescription
23 of a practitioner licensed by law to administer the
24 drug is exempt from section 126.10, except section
25 126.10, subsection 1, paragraph “a”, section 126.10,
26 subsection 1, paragraph “i”, subparagraphs (2) and (3),
27 and section 126.10, subsection 1, paragraphs “k” and
28 “l”, and the packaging requirements of section 126.10,
29 subsection 1, paragraphs “g”, “h”, and “p”, if the
30 drug bears a label containing the name and address of
31 the dispenser, the date of the prescription or of its
32 filling, the name of the prescriber, and, if stated
33 in the prescription, the name of the patient, and the
34 directions for use and cautionary statements, if any,
35 contained in the prescription. This exemption does
36 not apply to a drug dispensed in the course of the
37 conduct of the business of dispensing drugs pursuant to
38 diagnosis by mail, or to a drug dispensed in violation
39 of paragraph “a” of this subsection.

40 Sec. 38. Section 249A.43, subsection 3, as enacted
41 by 2013 Iowa Acts, Senate File 357, section 7, is
42 amended to read as follows:

43 3. An affidavit of service of a notice of entry
44 of judgment shall be made by first class mail at the
45 address where the debtor was served with the notice
46 of overpayment. Service is completed upon mailing as
47 specified in this ~~paragraph~~ subsection.

48 Sec. 39. Section 252D.17, subsection 1, paragraph
49 m, as enacted by 2013 Iowa Acts, House File 417,
50 section 55, Code 2013, is amended to read as follows:

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1 ~~m.~~ 2. The department shall establish criteria and
2 a phased-in schedule to require, no later than June
3 30, 2015, payors of income to electronically transmit
4 the amounts withheld under an income withholding
5 order. The department shall assist payors of income in
6 complying with the required electronic transmission,
7 and shall adopt rules setting forth procedures
8 for use in electronic transmission of funds, and
9 exemption from use of electronic transmission taking
10 into consideration any undue hardship electronic
11 transmission creates for payors of income.

12 Sec. 40. Section 263B.3, Code 2013, as amended by
13 2013 Iowa Acts, House File 417, section 63, is amended
14 to read as follows:

15 263B.3 Agreements with federal departments.

16 The state archaeologist is authorized to enter into
17 agreements and cooperative efforts with the federal
18 highway administrator, the United States departments
19 of commerce, interior, agriculture, and defense,

20 and any other federal or state agencies concerned
21 with archaeological salvage or the preservation of
22 antiquities.
23 Sec. 41. Section 321.463, subsection 12A,
24 paragraphs a and c, as enacted by 2013 Iowa Acts, House
25 File 14, section 1, are amended to read as follows:
26 a. A person operating a vehicle or combination of
27 vehicles equipped with a retractable axle may raise the
28 axle when necessary to negotiate a turn, provided that
29 the retractable axle is lowered within one thousand
30 feet following completion of the turn. This paragraph
31 does not apply to a vehicle or combination of vehicles
32 operated on an interstate highway, including a ramp to
33 or from an interstate highway, or on a bridge.
34 c. This subsection does not prohibit the operation
35 of a vehicle or combination of vehicles equipped with
36 a retractable axle ~~from operating~~ with the retractable
37 axle raised when the vehicle or combination of vehicles
38 is in compliance with the weight limitations of this
39 section with the retractable axle raised.
40 Sec. 42. Section 321E.9A, subsection 1, Code 2013,
41 as amended by 2013 Iowa Acts, Senate File 355, section
42 7, is amended to read as follows:
43 1. Vehicles with indivisible loads having an
44 overall length not to exceed one hundred twenty feet,
45 an overall width not to exceed sixteen feet, and a
46 height not to exceed fifteen feet five inches may
47 be moved on highways specified by the ~~permitting~~
48 permit-issuing authority, provided the gross weight on
49 any one axle shall not exceed the maximum prescribed
50 in section 321.463 and the total gross weight is not

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1 greater than one hundred fifty-six thousand pounds.
2 Sec. 43. Section 327F.39, subsection 6, paragraph
3 b, if enacted by 2013 Iowa Acts, Senate File 340,
4 section 4, is amended to read as follows:
5 b. A violation of subsection 4A or rules adopted
6 pursuant to subsection 4A by a railroad worker
7 transportation company or a railroad ~~corporation~~
8 company is punishable as a schedule "one" penalty under
9 section 327C.5.
10 Sec. 44. Section 418.5, subsection 1, Code 2013, as
11 amended by 2013 Iowa Acts, House File 307, section 51,
12 is amended to read as follows:
13 1. The flood mitigation board is established
14 consisting of nine voting members and four ex officio,
15 nonvoting members, and is located for administrative
16 purposes within the ~~division~~ department. The director
17 of the department shall provide office space, staff
18 assistance, and necessary supplies and equipment for

19 the board. The director shall budget funds to pay the
20 necessary expenses of the board. In performing its
21 functions, the board is performing a public function
22 on behalf of the state and is a public instrumentality
23 of the state.

24 Sec. 45. Section 426A.11, subsection 1, Code 2013,
25 as amended by 2013 Iowa Acts, House File 417, section
26 97, is amended to read as follows:

27 1. The property, not to exceed two thousand seven
28 hundred seventy-eight dollars in taxable value of any
29 veteran, as defined in section 35.1, of ~~the~~ World War
30 I.

31 Sec. 46. Section 437B.2, subsection 8, paragraph a,
32 subparagraph (2), if enacted by 2013 Iowa Acts, Senate
33 File 451, section 11, is amended to read as follows:

34 (2) A water treatment plant where the acquisition
35 cost of all interests acquired exceeds ten million
36 dollars. For purposes of this ~~paragraph~~ subparagraph,
37 “water treatment plant” means buildings and equipment
38 used in that portion of the potable water supply system
39 which in some way alters the physical, chemical, or
40 bacteriological quality of the water.

41 Sec. 47. Section 437B.2, subsection 10, if enacted
42 by 2013 Iowa Acts, Senate File 451, section 11, is
43 amended to read as follows:

44 10. “Operating property” means all property owned
45 by or leased to a water utility, not otherwise taxed
46 separately, which is necessary to and without which the
47 ~~company~~ water utility could not perform the activities
48 of a water utility.

49 Sec. 48. Section 437B.10, subsection 2, paragraph
50 b, if enacted by 2013 Iowa Acts, Senate File 451,

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1 section 19, is amended to read as follows:

2 b. Local taxing authority employees are deemed to
3 be officers and employees of the state for purposes
4 ~~this of of this~~ subsection.

5 Sec. 49. Section 455B.275, subsection 3A,
6 paragraphs a and b, if enacted by 2013 Iowa Acts, House
7 File 541, section 1, are amended to read as follows:

8 a. The person reconstructing the dam is only
9 required to possess the flooding easements or ownership
10 which ~~were was~~ held prior to the reconstruction as long
11 as the former normal pool elevation is not exceeded and
12 the spillway capacity is increased by at least fifty
13 percent.

14 b. Flooding easements or ownership ~~are is~~ only
15 required to the top of the reconstructed spillway
16 elevation.

17 Sec. 50. Section 490.863, subsection 3, paragraph

18 a, as enacted by 2013 Iowa Acts, House File 469,
19 section 43, is amended to read as follows:
20 a. "Holder" means and "held by" refers to shares
21 held by both a record shareholder, as defined in
22 section 490.1301, subsection 7, and a beneficial
23 shareholder, as defined in section 490.1301, subsection
24 2.
25 Sec. 51. Section 490.1302, subsection 2, paragraph
26 d, Code 2013, as amended by 2013 Iowa Acts, House File
27 469, section 53, is amended to read as follows:
28 d. Paragraph "a", shall not be applicable and
29 appraisal rights shall be available pursuant to
30 subsection 1 for the holders of any class or series
31 of shares where the corporate action is an interested
32 transaction.
33 Sec. 52. Section 522.6, subsection 2, if enacted by
34 2013 Iowa Acts, Senate File 189, section 6, is amended
35 to read as follows:
36 2. If an insurer qualifies for exemption from the
37 requirements of this chapter pursuant to paragraph "a"
38 of subsection 1, but the insurance group of which the
39 insurer is a member does not qualify for exemption
40 pursuant to paragraph "b" of subsection 1, then the
41 own risk and solvency assessment summary report that
42 is required pursuant to section ~~521H.5~~ 522.5 shall
43 include information concerning every insurer in the
44 insurance group. This requirement may be satisfied by
45 the submission of more than one summary report for any
46 combination of insurers in the insurance group provided
47 that the combination of reports submitted includes
48 every insurer in the insurance group.
49 Sec. 53. Section 533.405, subsection 4A, paragraph
50 b, subparagraphs (1) and (2), as enacted by 2013 Iowa

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1 Acts, Senate File 183, section 8, are amended to read
2 as follows:
3 (1) State credit unions with assets in excess of ~~\$5~~
4 five million dollars as of the month ending immediately
5 prior to the date of the conclusion of the vote by the
6 membership approving the dissolution shall publish
7 the notice once a week for two successive weeks in a
8 newspaper of general circulation in each county in
9 which the state credit union maintains an office or
10 branch for the transaction of business.
11 (2) State credit unions with assets of ~~\$5~~ five
12 million dollars or less as of the month ending
13 immediately prior to the date of the conclusion of
14 the vote by the membership approving the dissolution
15 shall publish the notice once in a newspaper of general
16 circulation in each county in which the state credit

17 union maintains an office or branch.

18 Sec. 54. Section 543C.2, subsection 1, paragraph j,
19 if enacted by 2013 Iowa Acts, House File 556, section
20 167, is amended to read as follows:

21 j. The subdivider, if a corporation, must register
22 to do business in the state of Iowa as a foreign
23 corporation with the secretary of state and furnish a
24 copy of the certificate of authority to do business
25 in the state of Iowa. If not a corporation, the
26 subdivider must comply with the provisions of chapter
27 547, by filing a proper trade name with the Polk
28 county recorder. The provisions of this ~~subsection~~
29 ~~paragraph~~ shall also apply to any person, partnership,
30 firm, company, corporation, or association, other than
31 the subdivider, which is engaged by or through the
32 subdivider for the purpose of advertising or selling
33 the land involved in the filing.

34 Sec. 55. Section 556.2, subsection 5, paragraph a,
35 unnumbered paragraph 1, as enacted by 2013 Iowa Acts,
36 House File 417, section 174, is amended to read as
37 follows:

38 A banking organization or financial organization
39 shall send to the owner of each account, to which none
40 of the actions specified in subsection ~~2~~ 1, paragraphs
41 “a” through “e” or subsection 2, paragraphs “a” through
42 “e” have occurred during the preceding three calendar
43 years, a notice by certified mail stating in substance
44 the following:

45 Sec. 56. Section 716.7, subsection 1, as amended
46 by 2013 Iowa Acts, House File 556, section 234, if
47 enacted, is amended to read as follows:

48 1. For purposes of this section:

49 a. “Property” shall include any land, dwelling,
50 building, conveyance, vehicle, or other temporary or

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1 permanent structure whether publicly or privately
2 owned.

3 b. “Public utility” is a public utility as defined
4 in section 476.1 or an electric transmission line as
5 provided in chapter 478.

6 ~~b. c.~~ “Public utility property” means any land,
7 dwelling, building, conveyance, vehicle, or other
8 temporary or permanent structure owned, leased, or
9 operated by a public utility and that is completely
10 enclosed by a physical barrier of any kind. ~~For~~
11 ~~the purposes of this section, a “public utility” is~~
12 ~~a public utility as defined in section 476.1 or an~~
13 ~~electric transmission line as provided in chapter 478.~~

14 e. d. “Railway corporation” means a corporation,
15 company, or person owning, leasing, or operating any

16 railroad in whole or in part within this state.

17 ~~d. e.~~ "Railway property" means all tangible real
18 and personal property owned, leased, or operated
19 by a railway corporation with the exception of any
20 administrative building or offices of the railway
21 corporation.

22 Sec. 57. Section 724.2, subsection 1, paragraph i,
23 if enacted by 2013 Iowa Acts, House File 556, section
24 206, is amended to read as follows:

25 i. A nonresident who possesses an offensive weapon
26 which is a curio or relic firearm under the federal
27 Firearms Act, 18 U.S.C. ch. 44, solely for use in
28 official functions in this state of a historical
29 reenactment organization of which the person is a
30 member, if the offensive weapon is legally possessed
31 by the person in the person's state of residence and
32 the offensive weapon is at all times while in this
33 state rendered incapable of firing live ammunition. A
34 nonresident who possesses an offensive weapon under
35 this ~~subsection~~ paragraph while in this state shall
36 not have in the person's possession live ammunition.
37 The offensive weapon may, however, be adapted for the
38 firing of blank ammunition.

39 Sec. 58. 2013 Iowa Acts, House File 556, section
40 257, subsection 3, if enacted, is amended by adding the
41 following new subsection:

42 NEW SUBSECTION. 12. The Code editor is directed
43 to change any terminology that references a web site,
44 websites, the internet, and internet site, or internet
45 sites in any Act enacted during the 2013 regular
46 session of the Eighty-fifth General Assembly in the
47 same manner as that terminology is changed in this
48 section of this Act.

49 Sec. 59. 2013 Iowa Acts, House File 607, section
50 29, subsection 3, if enacted, is amended to read as

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1 follows:

2 3. The department of agriculture and land
3 stewardship or the office of attorney general acting
4 on behalf of the agricultural development authority in
5 an administrative or judicial proceeding shall not be
6 affected as a result of this Act. Any ~~statue~~ statute
7 of limitation shall apply to the parties as if this Act
8 had not been enacted.

9 Sec. 60. 2013 Iowa Acts, House File 607, section
10 34, if enacted, is amended to read as follows:

11 SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The
12 Iowa finance authority shall complete the
13 administration of ongoing programs of the agricultural
14 development authority as provided in chapter 175, to

15 the extent that the administration of those programs
 16 ~~are~~ is in progress on the effective date of this
 17 division of this Act. The Iowa finance authority shall
 18 assume all rights and obligations of the agricultural
 19 development authority to the extent that moneys have
 20 been committed, obligations incurred, or rights accrued
 21 prior to the effective date of this division of this
 22 Act. Moneys owing due to the rights and obligations of
 23 the agricultural development authority and assumed by
 24 the Iowa finance authority shall be paid as directed by
 25 the Iowa finance authority.

26 Sec. 61. 2013 Iowa Acts, House File 607, section
 27 35, subsection 1, if enacted, is amended to read as
 28 follows:

29 1. The assets and liabilities of the former
 30 Iowa rural rehabilitation corporation assumed by
 31 the agricultural development authority pursuant to
 32 section 175.28 shall be transferred to the Iowa finance
 33 authority on the effective date of this division of
 34 this Act. On such effective date, the Iowa finance
 35 authority shall be the successor in interest to
 36 the agreements in effect between the United States
 37 government and the agricultural development authority
 38 on behalf of this state.

39 Sec. 62. 2013 Iowa Acts, Senate File 427, section
 40 35, is amended to read as follows:

41 SEC. 35 ADMINISTRATIVE RULES. The department
 42 of public health shall adopt all initial rules,
 43 and amendments to existing rules, necessary for the
 44 implementation of this Act.

45 Sec. 63. REPEAL. 2013 Iowa Acts, House File 417,
 46 section 34, and 2013 Iowa Acts, House File 556, section
 47 27, if enacted, are repealed.

48 Sec. 64. REPEAL. 2013 Iowa Acts, House File 469,
 49 sections 83 and 84, are repealed.

50 Sec. 65. CONTINGENT REPEAL. If 2013 Iowa Acts,

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1 House File 575, section 12, is enacted, 2013 Iowa Acts,
 2 House File 417, section 93, is repealed.

3 DIVISION IV

4 PUBLIC RETIREMENT SYSTEMS

5 Sec. 66. JUDICIAL RETIREMENT FUND. There is
 6 appropriated from the general fund of the state to the
 7 judicial retirement fund described in section 602.9104
 8 for the following fiscal years, the following amounts:

9 1. FY 2013–2014		
10	\$	5,000,000
11 2. FY 2014–2015		
12	\$	5,000,000
13 Sec. 67. FIRE AND POLICE RETIREMENT FUND. There		

14 is appropriated from the general fund of the state to
15 the fire and police retirement fund created in section
16 411.8 for the following fiscal years, the following
17 amounts:

18 1. FY 2012–2013		
19	\$	9,600,000
20 2. FY 2013–2014		
21	\$	5,000,000
22 3. FY 2014–2015		
23	\$	5,000,000

24 Sec. 68. Section 97A.11A, subsection 1, Code 2013,
25 is amended to read as follows:

26 1. Beginning with the fiscal year commencing July
27 1, ~~2013~~ 2012, and ending June 30 of the fiscal year
28 during which the board determines that the system's
29 funded ratio of assets to liabilities is at least
30 eighty-five percent, there is appropriated from the
31 general fund of the state for each fiscal year to the
32 retirement fund described in section 97A.8, an amount
33 equal to five million dollars.

34 Sec. 69. EFFECTIVE UPON ENACTMENT. The section of
35 this division of this Act amending section 97A.11A,
36 being deemed of immediate importance, takes effect upon
37 enactment.

38 Sec. 70. EFFECTIVE UPON ENACTMENT. The section
39 of this division of this Act appropriating moneys to
40 the fire and police retirement fund, being deemed of
41 immediate importance, takes effect upon enactment.

42 DIVISION V

43 COUNTY PROJECTS

44 Sec. 71. Section 331.441, subsection 2, paragraph
45 b, subparagraph (5), unnumbered paragraph 1, Code 2013,
46 is amended to read as follows:

47 Public buildings, including the site or grounds
48 of, and the erection, equipment, remodeling, or
49 reconstruction of, and additions or extensions to the
50 buildings, and including the provision and maintenance

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1 of juvenile detention or shelter care facilities, when
2 the ~~cost~~ principal amount of the bonds does not exceed
3 the following limits:

4 Sec. 72. Section 331.441, subsection 2, paragraph
5 c, subparagraph (9), Code 2013, is amended to read as
6 follows:

7 (9) Public buildings, including the site or
8 grounds of, the erection, equipment, remodeling, or
9 reconstruction of, and additions or extensions to the
10 buildings, and including the provision and maintenance
11 of juvenile detention or shelter care facilities,
12 when the ~~cost~~ principal amount of the bonds exceeds

the limits stated in subsection 2, paragraph “b”,
subparagraph (5).

DIVISION VI
SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH
PROFICIENT STUDENTS

Sec. 73. Section 257.31, subsection 5, paragraph j,
Code 2013, is amended to read as follows:

j. Unusual need to continue providing a program or
other special assistance to non-English speaking pupils
after the expiration of the ~~four-year~~ seven-year period
specified in section 280.4.

Sec. 74. Section 280.4, subsection 3, Code 2013, is
amended to read as follows:

3. a. In order to provide funds for the excess
costs of instruction of limited English proficient
students specified in paragraph “b” above the costs
of instruction of pupils in a regular curriculum,
students identified as limited English proficient shall
be assigned an additional weighting of twenty-two
hundredths, and that weighting shall be included
in the weighted enrollment of the school district
of residence for a period not exceeding ~~four~~ seven
years. However, the school budget review committee may
grant supplemental aid or modified allowable growth
to a school district to continue funding a program
for students after the expiration of the ~~four-year~~
seven-year period.

b. For students first determined to be limited
English proficient for a budget year beginning on or
after July 1, 2009, the additional weighting provided
under paragraph “a” shall be included in the weighted
enrollment of the school district of residence for a
period not exceeding seven years.

Sec. 75. LIMITED ENGLISH PROFICIENT WEIGHTING
ADJUSTMENT. For the fiscal year beginning July
1, 2013, and ending June 30, 2014, there shall be
allocated to the department of education from the
amount appropriated pursuant to section 257.16,

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subsection 1, based upon the increase from four to
seven years in the availability of supplementary
weighting for instruction of limited English proficient
students pursuant to section 280.4, an amount to
be determined by the department of management in
consultation with the legislative services agency. The
funds shall be used to adjust the weighted enrollment
of a school district with students identified as
limited English proficient on a prorated basis.

Sec. 76. EFFECTIVE UPON ENACTMENT. This division
of this Act, being deemed of immediate importance,

12 takes effect upon enactment.

13 DIVISION VII

14 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

15 Sec. 77. NEW SECTION. 136A.5A Newborn critical
16 congenital heart disease screening.

17 1. Each newborn born in this state shall receive
18 a critical congenital heart disease screening by
19 pulse oximetry or other means as determined by rule,
20 in conjunction with the metabolic screening required
21 pursuant to section 136A.5.

22 2. An attending health care provider shall ensure
23 that every newborn under the provider's care receives
24 the critical congenital heart disease screening.

25 3. This section does not apply if a parent objects
26 to the screening. If a parent objects to the screening
27 of a newborn, the attending health care provider shall
28 document the refusal in the newborn's medical record
29 and shall obtain a written refusal from the parent and
30 report the refusal to the department.

31 4. Notwithstanding any provision to the contrary,
32 the results of each newborn's critical congenital
33 heart disease screening shall only be reported in a
34 manner consistent with the reporting of the results
35 of metabolic screenings pursuant to section 136A.5
36 if funding is available for implementation of the
37 reporting requirement.

38 5. This section shall be administered in accordance
39 with rules adopted pursuant to section 136A.8.

40 Sec. 78. NEWBORN CRITICAL CONGENITAL HEART DISEASE

41 SCREENING. Notwithstanding any provision to the
42 contrary relating to the newborn screening policy
43 pursuant to 641 IAC 4.3(1), critical congenital heart
44 disease screening shall be included in the state's
45 newborn screening panel as included in the recommended
46 uniform screening panel as approved by the United
47 States secretary of health and human services. The
48 center for congenital and inherited disorders advisory
49 committee shall make recommendations regarding
50 implementation of the screening and the center for

Page 21

1 congenital and inherited disorders shall adopt rules
2 as necessary to implement the screening. However,
3 reporting of the results of each newborn's critical
4 congenital heart disease screening shall not be
5 required unless funding is available for implementation
6 of the reporting requirement.

7 DIVISION VIII

8 RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS

9 Sec. 79. Section 537.5110, subsection 4, paragraph
10 c, Code 2013, is amended to read as follows:

c. Until the expiration of the minimum applicable period after the notice is given, the consumer may cure the default by tendering either the amount of all unpaid installments due at the time of the tender, without acceleration, plus any unpaid delinquency or deferral charges, or the amount stated in the notice of right to cure, whichever is less, or by tendering any performance necessary to cure any default other than nonpayment of amounts due, which is described in the notice of right to cure. The act of curing a default restores to the consumer the consumer's rights under the agreement as though no default had occurred, except as provided in subsection 3. However, where the obligation in default is a credit card account that has been closed, the act of curing a default does not restore to the consumer the consumer's rights under the agreement as though no default had occurred.

Sec. 80. Section 537.5111, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. If the consumer credit transaction is a credit card account that has been closed, the notice shall conform to the requirements of subsection 2, and a notice in substantially the form specified in that subsection complies with this subsection except that the statement relating to continuation of the contract upon correction of the default as though the consumer did not default shall not be contained in the notice.

DIVISION IX

PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE

Sec. 81. PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.

1. A public safety training and facilities task force is established. The department of public safety shall provide administrative support for the task force.

2. The task force shall consist of the following members:

a. One member appointed by the Iowa state sheriffs' and deputies' association.

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b. One member appointed by the Iowa police chiefs association.

c. One member who is a fire fighter appointed by the Iowa professional fire fighters association.

d. One member who is the administrator of the Iowa fire service training bureau or the administrator's designee.

e. One member who is a representative of the fire service who is not a fire chief appointed by the Iowa

10 firefighters association.
11 f. The director of the Iowa law enforcement academy
12 or the director's designee.
13 g. The commissioner of public safety or the
14 training coordinator of the department of public
15 safety, as designated by the commissioner.
16 h. The state fire marshal or the state fire
17 marshal's designee.
18 i. One member appointed by the Iowa state police
19 association.
20 j. One member who is a fire chief appointed by the
21 Iowa fire chiefs association.
22 k. One member appointed by the Iowa emergency
23 medical services association.
24 l. One member appointed by the Iowa emergency
25 management association.
26 m. One member who is a fire chief appointed by the
27 Iowa association of professional fire chiefs.
28 n. One member who is a member of the office
29 of motor vehicle enforcement of the department of
30 transportation appointed by the director of the
31 department of transportation.
32 o. Four members of the general assembly serving
33 as ex officio, nonvoting members, one representative
34 to be appointed by the speaker of the house of
35 representatives, one representative to be appointed by
36 the minority leader of the house of representatives,
37 one senator to be appointed by the majority leader of
38 the senate, and one senator to be appointed by the
39 minority leader of the senate.
40 3. The voting members of the task force shall
41 select one chairperson and one vice chairperson. The
42 vice chairperson shall preside in the absence of
43 the chairperson. Section 69.16A shall apply to the
44 appointed members of the task force.
45 4. It is the intent of the general assembly in
46 establishing this task force that the task force
47 develop a coordinated plan amongst all public safety
48 disciplines that would oversee the construction of a
49 consolidated fire and police public safety training
50 facility, provide for the establishment of a governance

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1 board for the public safety disciplines and the
2 consolidated facility, and to establish a consistent
3 and steady funding mechanism to defray public safety
4 training costs on an ongoing basis.
5 5. The task force shall seek and consider input
6 from all interested stakeholders and members of the
7 public and shall include an emphasis on receiving input
8 from fire service, law enforcement, and emergency

9 medical services personnel. The task force shall
10 consider and develop strategies relating to public
11 safety training facility governance with the goal of
12 all public safety disciplines being represented. Each
13 public safety discipline shall advise the task force by
14 developing individual training policies as determined
15 by the discipline's governing bodies. The task force
16 shall also develop a proposal for a joint public safety
17 training facility, a budget for construction and future
18 operation of the facility, financing options, including
19 possible public-private partnerships, for construction
20 and operation of the facility, and potential locations
21 for the facility that are centrally located in this
22 state.

23 6. a. The task force shall provide interim reports
24 to the general assembly by December 31 of each year
25 concerning the activities of the task force and shall
26 submit its final report, including its findings and
27 recommendations, to the general assembly by December
28 31, 2016.

29 b. The final report shall include but not be
30 limited to recommendations concerning the following:

31 (1) Consolidation of public safety governance
32 within a single board and the membership of the board.
33 Board duties would include overseeing the construction
34 and maintenance of a consolidated fire and police
35 public safety training facility.

36 (2) Development of a consolidated fire and police
37 public safety training facility, including possible
38 locations, building recommendations, and financing
39 options.

40 (3) Any other recommendations relating to public
41 safety training and facilities requirements.

42 Sec. 82. PUBLIC SAFETY TRAINING AND FACILITIES TASK
43 FORCE — ADMINISTRATIVE SUPPORT. There is appropriated
44 from the general fund of the state to the department
45 of public safety for the fiscal year beginning July 1,
46 2012, and ending June 30, 2013, the following amount,
47 or so much thereof as is necessary, to be used for the
48 purposes designated:

49 For providing administrative support for the public
50 safety training and facilities task force as enacted

Page 24

1 in this Act:

2 \$

50,000

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

begins July 1, 2016.

Sec. 83. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION X

CIGARETTE FIRE SAFETY STANDARD FUND

Sec. 84. Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for credit to the general fund of the state.

Sec. 85. Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. 86. Section 101B.9, Code 2013, is amended to read as follows:

101B.9 Cigarette fire safety standard fund.

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in addition to any moneys made available for such purpose, be available, subject to appropriation, moneys in the fund~~ are appropriated to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. 87. REPEAL. Section 101B.9, Code 2013, is repealed.

Sec. 88. CIGARETTE FIRE SAFETY STANDARD FUND. Notwithstanding section 8.33, or any other provision of law to the contrary, the unencumbered or unobligated balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012, shall not revert but shall remain available for expenditure for purposes of the regional emergency

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response training centers, on an equal basis, until the close of the succeeding fiscal year.

Sec. 89. EFFECTIVE UPON ENACTMENT. Except for the section of this division of this Act repealing section 101B.9 which shall take effect July 1, 2013, this division of this Act, being deemed of immediate

importance, takes effect upon enactment.

Sec. 90. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 1, 2007:

1. The section amending section 101B.9.

DIVISION XI

IGNITION INTERLOCK

Sec. 91. Section 321J.20, subsections 1 and 2, Code 2013, are amended to read as follows:

a. The department may, on application, issue a temporary restricted license to a person whose noncommercial driver's license is revoked under this chapter allowing the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by ~~the~~ any of the following:

(1) The person's full-time or part-time employment;

(2) The person's continuing health care or the continuing health care of another who is dependent upon the person;

(3) The person's continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion;

(4) The person's substance abuse treatment; and to attend groups whose purpose is to eliminate or reduce alcohol or other drug use.

(5) The person's court-ordered community service responsibilities; and appointments.

(6) Appointments with the person's parole or probation officer.

(7) Transport of the person's dependent minor child to and from school when public school transportation is not available for the child.

(8) Transport of the person's dependent minor child to and from child care when necessary for the person's full-time or part-time employment.

b. The department may also issue a temporary restricted license under this subsection that allows the person to drive for work purposes within the scope of the person's full-time or part-time employment. Any vehicle operated within the scope of the person's

full-time or part-time employment must be equipped at all times with an ignition interlock device of a type approved by the commissioner of public safety, notwithstanding any provision of section 321J.4, 321J.9, or 321J.12 to the contrary.

6 c. The department may issue a temporary restricted
7 license under this subsection only if the person's
8 driver's license has not been revoked previously under
9 section 321J.4, 321J.9, or 321J.12 and if any of the
10 following apply:

11 (1) The person's noncommercial driver's license is
12 revoked under section 321J.4 and the minimum period of
13 ineligibility for issuance of a temporary restricted
14 license has expired. This subsection shall not apply
15 to a revocation ordered under section 321J.4 resulting
16 from a plea or verdict of guilty of a violation of
17 section 321J.2 that involved a death.

18 (2) The person's noncommercial driver's license is
19 revoked under section 321J.9 and the person has entered
20 a plea of guilty on a charge of a violation of section
21 321J.2 which arose from the same set of circumstances
22 which resulted in the person's driver's license
23 revocation under section 321J.9 and the guilty plea
24 is not withdrawn at the time of or after application
25 for the temporary restricted license, and the minimum
26 period of ineligibility for issuance of a temporary
27 restricted license has expired.

28 (3) The person's noncommercial driver's license is
29 revoked under section 321J.12, and the minimum period
30 of ineligibility for issuance of a temporary restricted
31 license has expired.

32 ~~b. d.~~ A temporary restricted license may
33 be issued under this subsection if the person's
34 noncommercial driver's license is revoked for two years
35 under section 321J.4, subsection 2, or section 321J.9,
36 subsection 1, paragraph "b", and the first three
37 hundred sixty-five days of the revocation have expired.

38 ~~e. e.~~ This subsection does not apply to a person
39 whose license was revoked under section 321J.2A or
40 section 321J.4, subsection 4 or 6, or to a person whose
41 license is suspended or revoked for another reason.

42 ~~d. f.~~ Following the applicable minimum period
43 of ineligibility, a temporary restricted license
44 under this subsection shall not be issued until the
45 applicant installs an ignition interlock device of a
46 type approved by the commissioner of public safety on
47 all motor vehicles owned or operated by the applicant
48 in accordance with section 321J.2, 321J.4, 321J.9,
49 or 321J.12, or this subsection. Installation of an
50 ignition interlock device under this subsection shall

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1 be required for the period of time for which the
2 temporary restricted license is issued and for such
3 additional period of time following reinstatement as is
4 required under section 321J.17, subsection 3.

2. a. Notwithstanding section 321.560, the department may, on application, and upon the expiration of the minimum period of ineligibility for a temporary restricted license provided for under section 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary restricted license to a person whose noncommercial driver's license has either been revoked under this chapter, or revoked or suspended under chapter 321 solely for violations of this chapter, or who has been determined to be a habitual offender under chapter 321 based solely on violations of this chapter or on violations listed in section 321.560, subsection 1, paragraph "b", and who is not eligible for a temporary restricted license under subsection 1. However, the department may not issue a temporary restricted license under this subsection for a violation of section 321J.2A or to a person under the age of twenty-one whose license is revoked under section 321J.4, 321J.9, or 321J.12. A

(1) If the person has no more than one previous revocation under this chapter, a temporary restricted license issued under this subsection may allow the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by any of the following:

(a) The person's full-time or part-time employment.

(b) The person's continuing health care or the continuing health care of another who is dependent upon the person.

(c) The person's continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion.

(d) The person's substance abuse treatment and to attend groups whose purpose is to eliminate or reduce alcohol or other drug use.

(e) The person's court-ordered community service responsibilities.

(f) Appointments with the person's parole or probation officer.

(g) Transport of the person's dependent minor child to and from child care when necessary for the person's full-time or part-time employment.

(2) If the person has more than one previous

revocation under this chapter, a temporary restricted license issued under this subsection may allow the person to drive to and from the person's home and

specified places at specified times which can be
verified by the department and which are required by
~~the any of the following:~~

(a) The person's full-time or part-time
employment;

(b) The person's continuing education while
enrolled in an educational institution on a part-time
or full-time basis and while pursuing a course of study
leading to a diploma, degree, or other certification of
successful educational completion;~~or,~~

(c) The person's substance abuse treatment and to
attend groups whose purpose is to eliminate or reduce
alcohol or other drug use.

DIVISION XII NOTARY PUBLIC

Sec. 92. Section 9B.15, subsection 3, unnumbered
paragraph 1, Code 2013, is amended to read as follows:

A certificate of a notarial act is sufficient if it
meets the requirements of subsections 1 and 2 and ~~all~~
any of the following apply:

Sec. 93. Section 9B.17, subsection 1, paragraph a,
Code 2013, is amended to read as follows:

a. Include the notary public's name, the words
"Notarial Seal" and "Iowa", the words "Commission
Number" followed by a number assigned to the notary
public by the secretary of state, the words "My
Commission Expires" followed either by the date that
the notary public's term would ordinarily expire as
provided in section 9B.21 or a blank line on which the
notary public shall indicate the date of expiration,
if any, of the notary public's commission, as required
by and in satisfaction of section 9B.15, subsection 1,
paragraph "e", and other information required by the
secretary of state.

Sec. 94. Section 321I.31, subsection 3, Code 2013,
is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply
to the county recorder for issuance of a certificate
of title within thirty days after acquisition.
The application shall be on forms the department
prescribes and accompanied by the required fee. The
application shall be signed and sworn to before a
~~notary public~~ notarial officer as provided in chapter
9B or other person who administers oaths, or shall
include a certification signed in writing containing
substantially the representation that statements made
are true and correct to the best of the applicant's

3 sale and gross price of the all-terrain vehicle or
4 the fair market value if no sale immediately preceded
5 the transfer and any additional information the
6 department requires. If the application is made for
7 an all-terrain vehicle last previously registered
8 or titled in another state or foreign country, the
9 application shall contain this information and any
10 other information the department requires.

11 Sec. 95. Section 462A.77, subsection 4, Code 2013,
12 is amended to read as follows:

13 4. Every owner of a vessel subject to titling
14 under this chapter shall apply to the county recorder
15 for issuance of a certificate of title for the vessel
16 within thirty days after acquisition. The application
17 shall be on forms the department prescribes, and
18 accompanied by the required fee. The application shall
19 be signed and sworn to before a ~~notary public~~ notarial
20 officer as provided in chapter 9B or other person who
21 administers oaths, or shall include a certification
22 signed in writing containing substantially the
23 representation that statements made are true and
24 correct to the best of the applicant's knowledge,
25 information, and belief, under penalty of perjury.
26 The application shall contain the date of sale and
27 gross price of the vessel or the fair market value
28 if no sale immediately preceded the transfer, and any
29 additional information the department requires. If
30 the application is made for a vessel last previously
31 registered or titled in another state or foreign
32 country, it shall contain this information and any
33 other information the department requires.

34 Sec. 96. Section 554.3505, subsection 2, Code 2013,
35 is amended to read as follows:

36 2. A protest is a certificate of dishonor made by a
37 United States consul or vice consul, or a ~~notary public~~
38 notarial officer as provided in chapter 9B or other
39 person authorized to administer oaths by the law of
40 the place where dishonor occurs. It may be made upon
41 information satisfactory to that person. The protest
42 must identify the instrument and certify either that
43 presentment has been made or, if not made, the reason
44 why it was not made, and that the instrument has been
45 dishonored by nonacceptance or nonpayment. The protest
46 may also certify that notice of dishonor has been given
47 to some or all parties.

48 Sec. 97. Section 589.4, Code 2013, is amended to
49 read as follows:

50 589.4 Acknowledgments by corporation officers.

Page 30

1 The acknowledgments of all deeds, mortgages, or
2 other instruments in writing taken or certified more
3 than ten years earlier, which instruments have been
4 recorded in the recorder's office of any county of this
5 state, including acknowledgments of instruments made by
6 a corporation, or to which the corporation was a party,
7 or under which the corporation was a beneficiary,
8 and which have been acknowledged before or certified
9 by a ~~notary public~~ notarial officer as provided in
10 chapter 9B who was at the time of the acknowledgment or
11 certifying a stockholder or officer in the corporation,
12 are legal and valid official acts of the notaries
13 public, and entitle the instruments to be recorded,
14 anything in the laws of the state of Iowa in regard to
15 acknowledgments to the contrary notwithstanding. This
16 section does not affect pending litigation.

17 Sec. 98. Section 589.5, Code 2013, is amended to
18 read as follows:

19 589.5 Acknowledgments by stockholders.

20 All deeds and conveyances of lands within this
21 state executed more than ten years earlier, but
22 which have been acknowledged or proved according
23 to and in compliance with the laws of this state
24 before a ~~notary public~~ notarial officer as provided
25 in chapter 9B or other official authorized by law
26 to take acknowledgments who was, at the time of
27 the acknowledgment, an officer or stockholder of a
28 corporation interested in the deed or conveyance, or
29 otherwise interested in the deeds or conveyances, are,
30 if otherwise valid, valid in law as though acknowledged
31 or proved before an officer not interested in the
32 deeds or conveyances; and if recorded more than ten
33 years earlier, in the respective counties in which
34 the lands are, the records are valid in law as though
35 the deeds and conveyances, so acknowledged or proved
36 and recorded, had, prior to being recorded, been
37 acknowledged or proved before an officer having no
38 interest in the deeds or conveyances.

39 Sec. 99. Section 622.86, Code 2013, is amended to
40 read as follows:

41 622.86 Foreign affidavits.

42 Those taken out of the state before any judge or
43 clerk of a court of record, or before a ~~notary public~~
44 notarial officer as provided in chapter 9B, or a
45 commissioner appointed by the governor of this state to
46 take acknowledgment of deeds in the state where such
47 affidavit is taken, are of the same credibility as if
48 taken within the state.

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1 Sec. 100. Section 185C.1, Code 2013, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 4A. "Director" means a district
4 elected director or a board elected director as
5 provided in section 185C.6.

6 Sec. 101. Section 185C.1, subsection 5, Code 2013,
7 is amended to read as follows:

8 5. "District" means an official crop reporting
9 district formed by the United States department of
10 agriculture ~~for use on January 1, 2013,~~ and set out in
11 the annual farm census published ~~in that year~~ by the
12 ~~Iowa~~ department of agriculture and land stewardship.

13 Sec. 102. Section 185C.3, Code 2013, is amended to
14 read as follows:

15 185C.3 Establishment of corn promotion board.

16 If a majority of the producers voting in the
17 referendum election approve the passage of the
18 promotional order, an Iowa corn promotion board shall
19 be established. ~~The board shall consist of one~~
20 ~~director elected from each district in the state,~~
21 ~~except that a district producing more than an average~~
22 ~~of one hundred million bushels of corn in the three~~
23 ~~previous marketing years is entitled to two directors.~~

24 Sec. 103. Section 185C.6, Code 2013, is amended by
25 striking the section and inserting in lieu thereof the
26 following:

27 185C.6 Number and election of directors.

28 The Iowa corn promotion board established pursuant
29 to section 185C.3 shall be composed of directors
30 elected as provided in this chapter. The directors
31 shall include all of the following:

32 1. Nine district elected directors. Each such
33 director shall be elected from a district as provided
34 in section 185C.5, this section, and sections 185C.7
35 and 185C.8. A candidate receiving the highest number
36 of votes in each district shall be elected to represent
37 that district.

38 2. Three board elected directors. Each such
39 director shall be elected by the board. The candidate
40 receiving the highest number of votes by the board
41 shall be elected to represent the state on at-large
42 basis.

43 Sec. 104. Section 185C.7, Code 2013, is amended to
44 read as follows:

45 185C.7 Terms of directors.

46 ~~1. Director terms~~ A director's term of office shall
47 ~~be for three years and no. A district elected director~~
48 ~~of the board shall not serve for more than three~~
49 ~~complete consecutive terms.~~ A board elected director
50 shall not serve for more than one complete term of

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1 office. A district elected director who is elected
2 as board elected director shall not serve more than a
3 total of four terms of office, regardless of whether
4 any of the terms of office are complete or consecutive.

5 2. If the board is reconstituted pursuant to
6 section 185C.8, the terms of the directors shall be
7 controlled by this section. However, the initial terms
8 of the reconstituted board shall be staggered. To the
9 extent practicable, one-third of the elected directors
10 shall serve an initial term of one year, one-third of
11 the elected directors shall serve an initial term of
12 two years, and one-third of the elected directors shall
13 serve an initial term of three years. The initial
14 terms of board elected directors shall be determined
15 by board members directors drawing lots. The board
16 elected under this paragraph shall not contain two
17 directors from the same district serving the same term.

18 Sec. 105. Section 185C.8, Code 2013, is amended to
19 read as follows:

20 185C.8 ~~Elections~~ Administration of elections for
21 directors.

22 1. The Iowa corn promotion board shall administer
23 elections for district elected directors of the board
24 with the assistance of the secretary. Prior to the
25 expiration of a director's term of office, the board
26 shall appoint a nominating committee for the district
27 represented by that director. The nominating committee
28 shall consist of five producers who are residents of
29 the district from which a director must be elected.
30 The nominating committee shall nominate two resident
31 producers as candidates for each director position for
32 which an election is to be held. Additional candidates
33 may be nominated by a written petition of twenty-five
34 producers. Procedures governing the time and place of
35 filing shall be adopted and publicized by the board.

36 Following recommencement of the promotional order,
37 or termination of the promotional order's suspension
38 as provided in section 185C.24, the secretary shall
39 order the reconstitution of the board. An election of
40 district elected directors shall be held within thirty
41 days from the date of the order. The secretary shall
42 call for, provide for notice of, conduct, and certify
43 the results of the election in a manner consistent
44 with section 185C.5 through 185C.7. Directors shall
45 serve terms as provided in section 185C.7. Rules
46 or procedures adopted by the board and in effect at
47 the date of suspension shall continue in effect upon
48 reconstitution of the board. The Iowa corn growers
49 association may nominate two resident producers as
50 candidates for each director position. Additional

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1 candidates may be nominated by a written petition of at
2 least twenty-five producers.

3 2. The Iowa corn promotion board shall administer
4 elections for board elected directors. Prior to
5 the expiration of a board elected director's term of
6 office, the board may appoint a nominating committee.
7 In order to be eligible for nomination and election,
8 a candidate must have previously served on the board
9 as an elected director. An officer of the board shall
10 certify the results of the election.

11 Sec. 106. Section 185C.10, subsection 3, Code 2013,
12 is amended by striking the subsection.

13 Sec. 107. Section 185C.14, subsection 3, Code 2013,
14 is amended to read as follows:

15 3. The board shall meet at least ~~once every~~ three
16 ~~months~~ times each year, and at such other times as
17 deemed necessary by the board.

18 Sec. 108. Section 185C.21, subsection 2, Code 2013,
19 is amended to read as follows:

20 2. Upon request of the board, the secretary shall
21 call a special referendum for producers to vote
22 on whether to authorize an increase in the state
23 assessment above one-quarter of one cent per bushel,
24 notwithstanding subsection 1. The special referendum
25 shall be conducted as provided in this chapter for
26 referendum elections. However, the special referendum
27 shall not affect the existence or length of the
28 promotional order in effect. If a majority of the
29 producers voting in the special referendum approve
30 the increase, the board may increase the assessment
31 to the amount approved in the special referendum.
32 However, a state assessment shall not exceed ~~one cent~~
33 ~~per a scheduled amount assessed on each~~ bushel of corn
34 marketed in this state determined as follows:

35 a. Until September 1, 2013, one cent.

36 b. For each marketing year of the period beginning
37 September 1, 2013, and ending August 31, 2018, two
38 cents.

39 c. For each marketing year of the period beginning
40 September 1, 2018, and ending August 31, 2023, three
41 cents.

42 d. For each marketing year of the period beginning
43 September 1, 2023, and ending August 31, 2028, four
44 cents.

45 e. For each marketing year beginning on and after
46 September 1, 2028, five cents.

47 Sec. 109. Section 185C.27, Code 2013, is amended to
48 read as follows:

49 185C.27 Refund of assessment.

50 A producer who has sold corn and had a state

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1 assessment deducted from the sale price, by application
2 in writing to the board, may secure a refund in the
3 amount deducted. The refund shall be payable only
4 when the application shall have been made to the board
5 within sixty days after the deduction. Application
6 forms shall be given by the board to each first
7 purchaser when requested and the first purchaser
8 shall make the applications available to any producer.
9 Each application for refund by a producer shall have
10 attached to the application proof of the assessment
11 deducted. The proof of assessment may be in the
12 form of a duplicate or certified copy of the purchase
13 invoice by the first purchaser. The board shall have
14 thirty business days from the date the application
15 for refund is received to remit the refund to the
16 producer. The board may provide for refunds of a
17 federal assessment as provided by federal law. Unless
18 inconsistent with federal law, refunds shall be made
19 under section 185C.26.

20 Sec. 110. IMPLEMENTATION. The Iowa corn promotion
21 board established pursuant to section 185C.3 shall
22 implement this division of this Act.

23 1. During the implementation period all of the
24 following shall apply:

25 a. The board shall provide for staggered terms
26 of directors in the same manner as required for the
27 initial terms of office of a reconstituted board
28 pursuant to section 185C.7. However, the board is not
29 required to draw lots as otherwise provided in that
30 section.

31 b. The board is not required to fill a vacancy for
32 an unexpired term as required in section 185C.9.

33 c. The board may reduce the number of years of a
34 director's term in order to comply with this section.

35 2. The board shall complete implementation of this
36 Act not later than July 1, 2014.

37 Sec. 111. EFFECTIVE UPON ENACTMENT. This division
38 of this Act, being deemed of immediate importance,
39 takes effect upon enactment.

40 DIVISION XIV

41 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

42 Sec. 112. Section 312.3, subsection 2, Code 2013,
43 is amended by adding the following new paragraph:

44 NEW PARAGRAPH. d. For purposes of apportioning
45 among the cities of the state the percentage of
46 the road use tax fund to be credited to the street
47 construction fund of the cities for each month
48 beginning March 2011 and ending March 2021 pursuant to
49 this subsection, the population of each city shall be
50 determined by the greater of the population of the city

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1 as of the last preceding certified federal census or
2 as of the April 1, 2010, population estimates base as
3 determined by the United States census bureau.

4 Sec. 113. STREET CONSTRUCTION FUND —
5 APPROPRIATION.

6 1. In a written application to the treasurer of
7 state submitted by October 1, 2013, a city may request
8 an additional distribution of moneys to be credited
9 to the street construction fund of the city equal to
10 that additional amount, calculated by the treasurer,
11 that the city would have received if the funds were
12 apportioned based upon the population of the city as
13 determined by section 312.3, subsection 2, paragraph
14 “d”, as enacted in this division of this Act, for the
15 months prior to the effective date of this division of
16 this Act.

17 2. Upon determination by the treasurer of state
18 that an additional amount should be credited to a city
19 as provided by this section, there is appropriated from
20 the general fund of the state to the department of
21 transportation, for the fiscal year beginning July 1,
22 2013, and ending June 30, 2014, an amount sufficient to
23 pay the additional amount which shall be distributed to
24 the city for deposit in the street construction fund
25 of the city.

26 Sec. 114. EFFECTIVE UPON ENACTMENT. This division
27 of this Act, being deemed of immediate importance,
28 takes effect upon enactment.

29 Sec. 115. RETROACTIVE APPLICABILITY. This division
30 of this Act applies retroactively to March 2011.

31 DIVISION XV

32 IOWACARE

33 MEDICAL ASSISTANCE — IOWACARE TRANSFER ALLOCATION

34 Sec. 116. 2011 Iowa Acts, chapter 129, section 122,
35 subsection 13, as amended by 2012 Iowa Acts, chapter
36 1133, section 10, is amended to read as follows:

37 13. Of the funds appropriated in this section, up
38 to ~~\$8,684,320~~ \$16,004,422 may be transferred to the
39 IowaCare account created in section 249J.24.

40 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA

41 HOSPITALS AND CLINICS

42 Sec. 117. 2011 Iowa Acts, chapter 129, section 146,
43 subsection 1, paragraph c, as amended by 2012 Iowa
44 Acts, chapter 1133, section 40, is amended to read as
45 follows:

46 c. The university of Iowa hospitals and clinics
47 shall certify public expenditures in an amount equal to
48 provide the nonfederal share on total expenditures not
49 to exceed ~~\$32,000,000~~ \$26,000,000.

50 Sec. 118. 2011 Iowa Acts, chapter 129, section 146,

1 subsection 2, unnumbered paragraph 2, as amended by
2 2012 Iowa Acts, chapter 1133, section 41, is amended
3 to read as follows:
4 For salaries, support, maintenance, equipment, and
5 miscellaneous purposes, for the provision of medical
6 and surgical treatment of indigent patients, for
7 provision of services to members of the expansion
8 population pursuant to chapter 249J, and for medical
9 education:
10 \$ 45,654,133
11 52,569,199
12 Sec. 119. 2011 Iowa Acts, chapter 129, section 146,
13 subsection 3, is amended to read as follows:
14 3. There is appropriated from the IowaCare account
15 created in section 249J.24, to the state board
16 of regents for distribution to university of Iowa
17 physicians for the fiscal year beginning July 1, 2012,
18 and ending June 30, 2013, the following amount, or
19 so much thereof as is necessary to be used for the
20 purposes designated:
21 For salaries, support, maintenance, equipment, and
22 miscellaneous purposes for the provision of medical and
23 surgical treatment of indigent patients, for provision
24 of services to members of the expansion population
25 pursuant to chapter 249J, and for medical education:
26 \$ 16,277,753
27 19,806,365
28 Notwithstanding any provision of law to the
29 contrary, the amount appropriated in this subsection
30 shall be distributed based on claims submitted,
31 adjudicated, and paid by the Iowa Medicaid enterprise.
32 Once the entire amount appropriated in this subsection
33 has been distributed, claims shall continue to
34 be submitted and adjudicated by the Iowa Medicaid
35 enterprise; however, no payment shall be made based
36 upon such claims.
37 Sec. 120. 2011 Iowa Acts, chapter 129, section
38 146, subsection 6, unnumbered paragraphs 1 and 2, are
39 amended to read as follows:
40 There is appropriated from the IowaCare account
41 created in section 249J.24 to the department of human
42 services for the fiscal year beginning July 1, 2012,
43 and ending June 30, 2013, the following amount, or
44 so much thereof as is necessary to be used for the
45 purposes designated:
46 For a care coordination pool to pay the expansion
47 population providers consisting of the university of
48 Iowa hospitals and clinics, the publicly owned acute
49 care teaching hospital as specified in section 249J.7,
50 and current medical assistance program providers that

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1 are not expansion population network providers pursuant
 2 to section 249J.7, for services covered by the full
 3 benefit medical assistance program but not under the
 4 IowaCare program pursuant to section 249J.6, that are
 5 provided to expansion population members:

6	\$	<u>1,500,000</u>
7		<u>2,500,000</u>

8 Sec. 121. 2011 Iowa Acts, chapter 129, section 146,
 9 is amended by adding the following new subsection:

10 NEW SUBSECTION. 8. For the fiscal year beginning
 11 July 1, 2012, and ending June 30, 2013, the state board
 12 of regents shall transfer \$1,275,577 to the IowaCare
 13 account created in section 249J.24, to provide the
 14 nonfederal share for distribution to university of Iowa
 15 physicians under the IowaCare program.

16 Sec. 122. EFFECTIVE UPON ENACTMENT. This division
 17 of this Act, being deemed of immediate importance,
 18 takes effect upon enactment.

19 DIVISION XVI

20 HISTORIC PRESERVATION AND CULTURAL AND ENTERTAINMENT

21 DISTRICT TAX CREDITS

22 Sec. 123. Section 404A.1, subsection 2, paragraph
 23 e, Code 2013, is amended to read as follows:

24 e. "Substantial rehabilitation" means qualified
 25 rehabilitation costs that meet or exceed the following:

26 (1) In the case of commercial property, costs
 27 totaling at least fifty thousand dollars or fifty
 28 percent of the assessed value of the property,
 29 excluding the land, prior to the rehabilitation,
 30 whichever is less.

31 (2) In the case of ~~residential property or barns~~
 32 other than commercial property, costs totaling at least
 33 twenty-five thousand dollars or twenty-five percent
 34 of the assessed value, excluding the land, prior to
 35 rehabilitation, whichever is less.

36 Sec. 124. Section 404A.3, subsection 3, paragraph
 37 b, Code 2013, is amended to read as follows:

38 b. The eligible property shall be placed in service
 39 within either sixty months of the date on which the
 40 project application was approved under this section,
 41 or seventy-two months of the date on which the project
 42 application was approved under this section if more
 43 than fifty percent of the qualified rehabilitation
 44 costs are incurred within sixty months of the date on
 45 which the project application was approved under this
 46 section.

47 Sec. 125. Section 404A.4, subsection 2, paragraph
 48 d, Code 2013, is amended to read as follows:

49 d. For the fiscal year beginning July 1, 2012,
 50 ~~and for each fiscal year thereafter~~, the office shall

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1 reserve not more than forty-five million dollars worth
2 of tax credits for any one taxable year.

3 Sec. 126. Section 404A.4, subsection 2, Code 2013,
4 is amended by adding the following new paragraphs:

5 NEW PARAGRAPH. e. For a fiscal year beginning
6 on or after July 1, 2013, but before July 1, 2016,

7 the office shall reserve not more than sixty million
8 dollars worth of tax credits for any one taxable year.

9 NEW PARAGRAPH. f. For the fiscal year beginning
10 July 1, 2016, and for each fiscal year thereafter,

11 the office shall reserve not more than fifty million
12 dollars worth of tax credits for any one taxable year.

13 Sec. 127. Section 404A.4, subsection 4, paragraph
14 a, Code 2013, is amended to read as follows:

15 a. The total amount of tax credits that may be
16 approved for a fiscal year prior to the fiscal year
17 beginning July 1, 2012, under this chapter shall not
18 exceed fifty million dollars. The total amount of
19 tax credits that may be approved for ~~a~~ the fiscal
20 year beginning on ~~or after~~ July 1, 2012, shall not
21 exceed forty-five million dollars. The total amount
22 of tax credits that may be approved for a fiscal year
23 beginning on or after July 1, 2013, but before July
24 1, 2016, shall not exceed sixty million dollars. The
25 total amount of tax credits that may be approved for a
26 fiscal year beginning on or after July 1, 2016, shall
27 not exceed fifty million dollars.

28 Sec. 128. Section 404A.4, subsection 4, paragraph
29 b, subparagraph (1), Code 2013, is amended to read as
30 follows:

31 (1) Ten percent of the dollar amount of tax credits
32 shall be allocated for purposes of new projects with
33 final qualified rehabilitation costs of ~~five~~ seven
34 hundred fifty thousand dollars or less.

35 Sec. 129. EFFECTIVE UPON ENACTMENT. The following
36 provision or provisions of this division of this Act,
37 being deemed of immediate importance, take effect upon
38 enactment:

39 1. The section amending section 404A.3.

40 Sec. 130. APPLICABILITY. The following provision
41 or provisions of this division of this Act apply to
42 eligible property to be placed in service on or after
43 the effective date of this division of this Act:

44 1. The section amending section 404A.3.

45 DIVISION XVII

46 INCOME TAXES

47 Sec. 131. Section 422.5, subsection 1, paragraph j,
48 subparagraph (2), subparagraph division (a), Code 2013,
49 is amended to read as follows:

50 (a) The tax imposed upon the taxable income of

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1 a resident shareholder in an S corporation or of
2 an estate or trust with a situs in Iowa that is a
3 shareholder in an S corporation, which S corporation
4 has in effect for the tax year an election under
5 subchapter S of the Internal Revenue Code and carries
6 on business within and without the state, may be
7 computed by reducing the amount determined pursuant
8 to paragraphs "a" through "i" by the amounts of
9 nonrefundable credits under this division and by
10 multiplying this resulting amount by a fraction of
11 which the resident's or estate's or trust's net income
12 allocated to Iowa, as determined in section 422.8,
13 subsection 2, paragraph "b", is the numerator and the
14 resident's or estate's or trust's total net income
15 computed under section 422.7 is the denominator. If
16 a resident shareholder, or an estate or trust with
17 a situs in Iowa that is a shareholder, has elected
18 to take advantage of this subparagraph (2), and for
19 the next tax year elects not to take advantage of
20 this subparagraph, the resident or estate or trust
21 shareholder shall not reelect to take advantage of
22 this subparagraph for the three tax years immediately
23 following the first tax year for which the shareholder
24 elected not to take advantage of this subparagraph,
25 unless the director consents to the reelection. This
26 subparagraph also applies to individuals who are
27 residents of Iowa for less than the entire tax year.

28 Sec. 132. Section 422.8, subsection 2, paragraph b,
29 unnumbered paragraph 1, Code 2013, is amended to read
30 as follows:

31 A resident's income, or the income of an estate
32 or trust with a situs in Iowa, allocable to Iowa is
33 the income determined under section 422.7 reduced by
34 items of income and expenses from an S corporation that
35 carries on business within and without the state when
36 those items of income and expenses pass directly to the
37 shareholders under provisions of the Internal Revenue
38 Code. These items of income and expenses are increased
39 by the greater of the following:

40 Sec. 133. Section 422.15, subsection 2, Code 2013,
41 is amended to read as follows:

42 2. Every partnership, including limited
43 partnerships organized under chapter 488, having a
44 place of business in the state, doing business in this
45 state, or deriving income from sources within this
46 state as defined in section 422.33, subsection 1, shall
47 make a return, stating specifically the net income
48 and capital gains (or losses) reported on the federal
49 partnership return, the names and addresses of the
50 partners, and their respective shares in said amounts.

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1 Sec. 134. EFFECTIVE UPON ENACTMENT. This division
2 of this Act, being deemed of immediate importance,
3 takes effect upon enactment.

4 Sec. 135. RETROACTIVE APPLICABILITY. The following
5 provision or provisions of this division of this Act
6 apply retroactively to January 1, 2013, for tax years
7 beginning on or after that date:

8 1. The section amending section 422.5.

9 2. The section amending section 422.8.

10 3. The section amending section 422.15.

11 DIVISION XVIII

12 SALES AND USE TAXES

13 Sec. 136. Section 423.1, subsection 5, Code 2013,
14 is amended to read as follows:

15 5. "Agricultural production" includes the production
16 of flowering, ornamental, or vegetable plants in
17 commercial greenhouses or otherwise, and production
18 from aquaculture, and production from silvicultural
19 activities. "Agricultural products" includes
20 flowering, ornamental, or vegetable plants and those
21 products of aquaculture and silviculture.

22 Sec. 137. Section 423.2, subsection 6, paragraph a,
23 Code 2013, is amended to read as follows:

24 a. The sales price of any of the following
25 enumerated services is subject to the tax imposed
26 by subsection 5: alteration and garment repair;
27 armored car; vehicle repair; battery, tire, and
28 allied; investment counseling; service charges of
29 all financial institutions; barber and beauty; boat
30 repair; vehicle wash and wax; campgrounds; carpentry;
31 roof, shingle, and glass repair; dance schools
32 and dance studios; dating services; dry cleaning,
33 pressing, dyeing, and laundering; electrical and
34 electronic repair and installation; excavating and
35 grading; farm implement repair of all kinds; flying
36 service; furniture, rug, carpet, and upholstery
37 repair and cleaning; fur storage and repair; golf and
38 country clubs and all commercial recreation; gun and
39 camera repair; house and building moving; household
40 appliance, television, and radio repair; janitorial and
41 building maintenance or cleaning; jewelry and watch
42 repair; lawn care, landscaping, and tree trimming
43 and removal; limousine service, including driver;
44 machine operator; machine repair of all kinds; motor
45 repair; motorcycle, scooter, and bicycle repair;
46 oilers and lubricators; office and business machine
47 repair; painting, papering, and interior decorating;
48 parking facilities; pay television; pet grooming; pipe
49 fitting and plumbing; wood preparation; executive
50 search agencies; private employment agencies, excluding

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1 services for placing a person in employment where the
2 principal place of employment of that person is to be
3 located outside of the state; reflexology; security
4 and detective services, excluding private security
5 and detective services furnished by a peace officer
6 with the knowledge and consent of the chief executive
7 officer of the peace officer's law enforcement
8 agency; sewage services for nonresidential commercial
9 operations; sewing and stitching; shoe repair and
10 shoeshine; sign construction and installation;
11 storage of household goods, mini-storage, and
12 warehousing of raw agricultural products; swimming
13 pool cleaning and maintenance; tanning beds or salons;
14 taxidermy services; telephone answering service; test
15 laboratories, including mobile testing laboratories and
16 field testing by testing laboratories, and excluding
17 tests on humans or animals; termite, bug, roach,
18 and pest eradicators; tin and sheet metal repair;
19 transportation service consisting of the rental of
20 recreational vehicles or recreational boats, or the
21 rental of motor vehicles subject to registration which
22 are registered for a gross weight of thirteen tons
23 or less for a period of sixty days or less, or the
24 rental of aircraft for a period of sixty days or less;
25 Turkish baths, massage, and reducing salons, excluding
26 services provided by massage therapists licensed
27 under chapter 152C; water conditioning and softening;
28 weighing; welding; well drilling; wrapping, packing,
29 and packaging of merchandise other than processed meat,
30 fish, fowl, and vegetables; wrecking service; wrecker
31 and towing.

32 Sec. 138. Section 423.3, subsection 47, paragraph
33 d, subparagraph (4), Code 2013, is amended to read as
34 follows:

35 (4) "Manufacturer" means ~~as defined in section~~
36 ~~428.20 a person who purchases, receives, or holds~~
37 personal property of any description for the purpose
38 of adding to its value by a process of manufacturing,
39 refining, purifying, combining of different materials,
40 or by the packing of meats, with a view to selling
41 the property for gain or profit, but also includes
42 contract manufacturers. A contract manufacturer is a
43 manufacturer that otherwise falls within the definition
44 of manufacturer ~~under section 428.20~~, except that
45 a contract manufacturer does not sell the tangible
46 personal property the contract manufacturer processes
47 on behalf of other manufacturers. A business engaged
48 in activities subsequent to the extractive process of
49 quarrying or mining, such as crushing, washing, sizing,
50 or blending of aggregate materials, is a manufacturer

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1 with respect to these activities. This subparagraph
2 (4) shall not be construed to require that a person
3 be primarily engaged in an activity listed in this
4 subparagraph in order to qualify as a manufacturer for
5 purposes of this subsection.

6 Sec. 139. Section 423.3, Code 2013, is amended by
7 adding the following new subsection:

8 NEW SUBSECTION. 99. The sales price from services
9 furnished by forestry consultants and forestry vendors
10 engaged in forestry practices on private or public
11 land.

12 DIVISION XIX

13 IOWA FUND OF FUNDS

14 Sec. 140. Section 15E.62, Code 2013, is amended by
15 adding the following new subsections:

16 NEW SUBSECTION. 03. "Creditor" means a person,
17 including an assignee of or successor to such person,
18 who extends credit or makes a loan to the Iowa fund of
19 funds or to a designated investor, and includes any
20 person who refinances such credit or loan.

21 NEW SUBSECTION. 04. "Fund documents" means all
22 agreements relating to matters under the purview of
23 this division VII entered into prior to the effective
24 date of this division of this Act between or among
25 the state, the Iowa fund of funds, a fund allocation
26 manager or similar manager, the Iowa capital investment
27 corporation, the board, a creditor, a designated
28 investor, and a private seed or venture capital
29 partnership, and includes other documents having the
30 same force and effect between or among such parties,
31 as any of the foregoing may be amended, modified,
32 restated, or replaced from time to time.

33 Sec. 141. Section 15E.65, subsection 2, paragraph
34 h, Code 2013, is amended to read as follows:

35 h. ~~Fifty years after the organization of the~~
36 ~~Iowa fund of funds~~ As soon as practicable after the
37 effective date of this division of this Act, the
38 Iowa capital investment corporation, in conjunction
39 with the department of revenue, the board, and the
40 attorney general, shall wind up the Iowa fund of
41 funds pursuant to section 15E.72 and shall cause the
42 Iowa fund of funds to be liquidated with all of its
43 assets distributed to its owners in accordance with
44 the provisions of its organizational documents and in
45 accordance with the fund documents. In liquidating
46 such assets, the capital investment corporation, the
47 department of revenue, the board, and the attorney
48 general shall act with prudence and caution in order
49 to minimize costs and fees and to preserve investment
50 assets to the extent reasonably possible.

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1 Sec. 142. NEW SECTION. 15E.72 Program wind-up and
2 future repeal.

3 1. Organization of additional funds prohibited.
4 Notwithstanding section 15E.65, an Iowa fund of funds
5 shall not be organized on or after the effective date
6 of this division of this Act.

7 2. New investments by the fund of funds
8 prohibited. Notwithstanding section 15E.65, the Iowa
9 fund of funds shall not make new investments in private
10 seed and venture capital partnerships or entities on or
11 after the effective date of this division of this Act
12 except as required by the fund documents.

13 3. New investments by designated investors
14 prohibited.

15 a. Except as provided in paragraph “b”, and
16 notwithstanding any other provision in this division
17 VII, a designated investor shall not invest in the Iowa
18 fund of funds on or after the effective date of this
19 division of this Act.

20 b. Notwithstanding the prohibition in paragraph
21 “a”, a designated investor may invest in the Iowa
22 fund of funds on or after the effective date of this
23 division of this Act to the extent such investment
24 is required by the fund documents. In addition, the
25 director of revenue, with the approval of the attorney
26 general, may authorize additional investment in the
27 Iowa fund of funds but only if such an investment is
28 necessary to preserve fund assets, repay creditors, pay
29 taxes, or otherwise effectuate an orderly wind-up of
30 the program pursuant to this section.

31 4. Issuance, verification, and redemption of new
32 certificates prohibited.

33 a. Except as provided in paragraph “b”, and
34 notwithstanding any other provision in this division
35 VII, the board shall not issue, verify, or redeem a
36 certificate or a related tax credit on or after the
37 effective date of this division of this Act.

38 b. Notwithstanding the prohibition in paragraph
39 “a”, the board may issue, redeem, or verify a
40 certificate or a related tax credit under any of the
41 following conditions:

42 (1) The board is required to do so under the terms
43 of the fund documents.

44 (2) The issuance, redemption, or verification is
45 deemed necessary by the director of revenue and the
46 attorney general in order to arrange new financing
47 terms with a creditor.

48 (3) The issuance, redemption, or verification
49 is deemed necessary by the director of revenue and
50 the attorney general to preserve fund assets, repay

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1 creditors, or otherwise effectuate an orderly wind-up
2 of the program pursuant to this section.

3 5. New fund allocation managers prohibited.

4 a. Notwithstanding any other provision in this
5 division VII, the Iowa capital investment corporation
6 shall not have authority to solicit, select, terminate,
7 or change a fund allocation manager or similar manager
8 on or after the effective date of this division of this
9 Act.

10 b. On or after the effective date of this division
11 of this Act, all decisions pertaining to relationships
12 with a fund allocation manager or similar manager
13 selected prior to the effective date of this division
14 of this Act shall be made by the director of revenue
15 with the approval of the attorney general. This
16 subsection shall not be construed to impair the terms
17 of the fund documents.

18 6. Pledging of certificates prohibited.

19 a. Except as provided in paragraph "b", and
20 notwithstanding any other provision of law to the
21 contrary, a certificate and a related tax credit or
22 verified tax credit issued by the board shall not be
23 pledged by a designated investor as security for a loan
24 or an extension of credit on or after the effective
25 date of this division of this Act.

26 b. Notwithstanding the prohibition in paragraph
27 "a", a certificate and related tax credit or verified
28 tax credit issued by the board may be pledged by
29 a designated investor as security for a loan or an
30 extension of credit to the extent such pledge is
31 required by the fund documents. In addition, the
32 board, with the approval of the director of revenue
33 and the attorney general, may authorize a certificate
34 and related tax credit to be pledged as security for
35 a loan or an extension of credit, but only if such a
36 pledge is necessary to arrange new financing terms with
37 a creditor or to repay creditors for moneys loaned or
38 credit extended to a designated investor.

39 7. Rural and small business loan guarantees
40 prohibited. Notwithstanding any other provision in
41 this division VII to the contrary, the Iowa capital
42 investment corporation shall not make rural and small
43 business loan guarantees or otherwise administer a
44 program to provide loan guarantees and other related
45 credit enhancements on loans to rural and small
46 business borrowers within the state of Iowa on or after
47 the effective date of this division of this Act.

48 8. Iowa capital investment corporation purposes
49 amended. Notwithstanding section 15E.64, on or after
50 the effective date of this division of this Act, the

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1 purposes of the Iowa capital investment corporation
2 shall be to comply with its obligations under the
3 fund documents and to assist the board, the director
4 of revenue, and the attorney general in effectuating
5 the orderly wind-up of the Iowa fund of funds.
6 In effectuating such a wind-up, the Iowa capital
7 investment corporation shall comply with all reasonable
8 requests by the board, the director of revenue, the
9 attorney general, or the auditor of state.

10 9. Use of revolving fund prohibited.

11 a. Notwithstanding section 15E.65, subsection 2,
12 paragraph “a”, on or after the effective date of this
13 division of this Act, all investment returns received
14 by the Iowa capital investment corporation that are in
15 excess of those payable to designated investors shall
16 be deposited in the general fund of the state.

17 b. This subsection shall not be construed to
18 impair the terms of the fund documents. It is the
19 intent of the general assembly that this subsection
20 only applies in the event that there are investment
21 returns in excess of those necessary to repay creditors
22 and designated investors under the terms of the fund
23 documents.

24 10. Preservation of existing rights. This section
25 is not intended to and shall not limit, modify,
26 or otherwise adversely affect the fund documents,
27 including any certificate or related tax credit issued
28 before the effective date of this division of this Act.

29 11. Future repeal. This division VII is repealed
30 upon the occurrence of one of the following, whichever
31 is earlier:

32 a. The expiration or termination of all fund
33 documents. The director of revenue shall notify the
34 Iowa Code editor upon the occurrence of this condition.

35 b. December 31, 2027.

36 Sec. 143. EFFECTIVE UPON ENACTMENT. This division
37 of this Act, being deemed of immediate importance,
38 takes effect upon enactment.

39 DIVISION XX
40 STUDY REPORT

41 Sec. 144. ADMINISTRATIVE APPEALS PROCESS FOR
42 TAX MATTERS AND NEW TAX APPEAL BOARD — REPORT. The
43 department of revenue, in consultation with the
44 department of management and other interested
45 stakeholders, shall study the independence,
46 effectiveness, and fairness of the state’s current
47 administrative appeals processes for tax matters and
48 shall make recommendations for changes, if necessary,
49 and shall additionally study the desirability,
50 practicality, and feasibility of replacing components

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1 of these processes with a new consolidated and
2 independent administrative appeals board for tax
3 matters within the executive branch to resolve disputes
4 between the department of revenue and taxpayers.
5 The department of revenue shall prepare and file a
6 report detailing its findings and recommendations
7 with the chairpersons and ranking members of the ways
8 and means committees of the senate and the house of
9 representatives and with the legislative services
10 agency by January 8, 2014. This section of this Act
11 shall not be construed to provide the department of
12 revenue with the power or authority to eliminate or in
13 any way modify the property assessment appeals board
14 created pursuant to section 421.1A.

DIVISION XXI

SECURE AN ADVANCED VISION FOR EDUCATION FUND

16 Sec. 145. Section 423F.2, subsection 1, paragraph
17 b, Code 2013, is amended to read as follows:

18 b. The increase in the state sales, services, and
19 use taxes under chapter 423, subchapters II and III,
20 from five percent to six percent shall replace the
21 repeal of the county's local sales and services tax for
22 school infrastructure purposes. The distribution of
23 moneys in the secure an advanced vision for education
24 fund and the use of the moneys for infrastructure
25 purposes or property tax relief shall be as provided
26 in this chapter. ~~However, the formula for the~~
27 ~~distribution of the moneys in the fund shall be based~~
28 ~~upon amounts that would have been received if the local~~
29 ~~sales and services taxes under former chapter 423E,~~
30 ~~Code and Code Supplement 2007, continued in existence.~~

31 Sec. 146. Section 423F.2, subsection 3, Code 2013,
32 is amended to read as follows:

33 3. The moneys available in a fiscal year in the
34 secure an advanced vision for education fund shall be
35 distributed by the department of revenue to each school
36 district ~~in an amount equal to the amount the school~~
37 ~~district would have received pursuant to the formula~~
38 ~~in section 423E.4 as if the local sales and services~~
39 ~~tax for school infrastructure purposes was imposed on a~~
40 ~~per pupil basis calculated using each school district's~~
41 ~~budget enrollment, as defined in section 257.6, for~~
42 ~~that fiscal year. Moneys in a fiscal year that are in~~
43 ~~excess of that needed to provide each school district~~
44 ~~with its formula amount Prior to distribution of moneys~~
45 ~~in the secure an advanced vision for education fund to~~
46 ~~school districts, two and one-tenths percent of the~~
47 ~~moneys available in a fiscal year shall be distributed~~
48 and credited to the property tax equity and relief fund
49 created in section 257.16A.
50

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1 Sec. 147. APPLICABILITY. This division of this
2 Act applies to fiscal years beginning on or after July
3 1, 2014.

4 DIVISION XXII

5 SCHOOL EMPLOYEES — BACKGROUND INVESTIGATIONS

6 Sec. 148. NEW SECTION. 279.69 School employees —
7 background investigations.

8 1. Prior to hiring an applicant for a school
9 employee position, a school district shall have access
10 to and shall review the information in the Iowa court
11 information system available to the general public,
12 the sex offender registry information under section
13 692A.121 available to the general public, the central
14 registry for child abuse information established under
15 section 235A.14, and the central registry for dependent
16 adult abuse information established under section
17 235B.5 for information regarding the applicant. A
18 school district shall follow the same procedure by June
19 30, 2014, for each school employee employed by the
20 school district as of July 1, 2013. A school district
21 shall also follow the same procedure every five years
22 upon the anniversary of each school employee's year of
23 hire. A school district shall not charge an employee
24 for the cost of the registry checks conducted pursuant
25 to this subsection. A school district shall maintain
26 documentation demonstrating compliance with this
27 subsection.

28 2. Being listed in the sex offender registry
29 established under chapter 692A, the central registry
30 for child abuse information established under section
31 235A.14, or the central registry for dependent adult
32 abuse information established under section 235B.5
33 shall constitute grounds for the immediate suspension
34 from duties of a school employee, pending a termination
35 hearing by the board of directors of a school district.
36 A termination hearing conducted pursuant to this
37 subsection shall be limited to the question of whether
38 the school employee was incorrectly listed in the
39 registry.

40 3. For purposes of this section, "school employee"
41 means an individual employed by a school district,
42 including a part-time, substitute, or contract
43 employee. "School employee" does not include an
44 individual subject to a background investigation
45 pursuant to section 272.2, subsection 17, section
46 279.13, subsection 1, paragraph "b", or section
47 321.375, subsection 2.

48 Sec. 149. STATE MANDATE FUNDING SPECIFIED. In
49 accordance with section 25B.2, subsection 3, the state
50 cost of requiring compliance with any state mandate

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1 included in this division of this Act shall be paid
2 by a school district from state school foundation
3 aid received by the school district under section
4 257.16. This specification of the payment of the
5 state cost shall be deemed to meet all of the state
6 funding-related requirements of section 25B.2,
7 subsection 3, and no additional state funding shall be
8 necessary for the full implementation of this division
9 of this Act by and enforcement of this division of this
10 Act against all affected school districts.

11 DIVISION XXIII

12 FOOD BANKS

13 SUBCHAPTER I

14 GENERAL

15 Sec. 150. NEW SECTION. 190B.101 Purpose.

16 The purpose of this chapter is to effectively
17 and efficiently utilize Iowa's abundant supplies of
18 nutritional food to relieve situations of emergency
19 or distress experienced by individuals or families in
20 need who reside in this state, including low-income
21 individuals or families and unemployed individuals or
22 families.

23 Sec. 151. NEW SECTION. 190B.102 Definitions.

24 As used in this chapter, unless the context
25 otherwise requires:

26 1. "Federal emergency food assistance program" means
27 the federal emergency food assistance program, as
28 provided in 7 C.F.R. pts. 250 and 251.

29 2. "Food" means a substance which is used in whole
30 or in part for human consumption in compliance with
31 federal and state standards or requirements including a
32 donated food that meets the requirements of the federal
33 emergency food assistance program.

34 3. "Food commodity" means any commodity that is
35 derived from an agricultural animal or crop, both
36 as defined in section 717A.1, that is produced on
37 agricultural land as defined in section 425A.2, and
38 that is intended to be used as food in its raw or
39 processed state.

40 4. "Iowa emergency feeding organization" means a
41 public or private nonprofit organization whose mission
42 is compatible with the purpose of this chapter as
43 provided in section 190B.101 and which includes an
44 Iowa food bank or other organization that operates
45 at a congregate nutritional site or that provides
46 home-delivered meals in this state. An Iowa emergency
47 feeding organization includes but is not limited to a
48 food pantry, hunger relief center, or soup kitchen.

49 5. "Iowa food bank" means a private nonprofit
50 organization which meets all of the following

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1 requirements:

2 a. It receives, holds, and directly or indirectly
3 distributes food principally to Iowa emergency feeding
4 organizations in a manner compatible with the purpose
5 of this chapter as provided in section 190B.101.

6 b. It is an organization described in section
7 501(c)(3) of the Internal Revenue Code and exempt from
8 taxation under section 501(a) of the Internal Revenue
9 Code.

10 c. It receives contributions that are deductible
11 under section 170 of the Internal Revenue Code.

12 6. "Iowa food bank association" or "association"
13 means an organization that meets all of the following
14 requirements:

15 a. It is organized as a nonprofit corporation under
16 chapter 504.

17 b. Its principal office is or has been located in
18 this state.

19 c. It is an organization described in section
20 501(c)(3) of the Internal Revenue Code and exempt from
21 taxation under section 501(a) of the Internal Revenue
22 Code.

23 d. It receives contributions that are deductible
24 under section 170 of the Internal Revenue Code.

25 e. Its members include Iowa food banks, or
26 affiliations of Iowa food banks, that together serve
27 all counties in this state.

28 SUBCHAPTER II

29 IOWA FOOD-LINK TO FOOD-BANK INITIATIVE

30 Sec. 152. NEW SECTION. 190B.201 Definition.

31 As used in this subchapter, "department" means the
32 department of human services.

33 Sec. 153. NEW SECTION. 190B.202 Department of
34 human services — cooperation with other agencies.

35 1. This subchapter shall be administered by the
36 department of human services.

37 2. The department shall adopt all rules necessary
38 to administer this subchapter.

39 3. Each fiscal year, the department shall award
40 the amount appropriated in section 190B.203, to an
41 Iowa food bank association selected by the department
42 to manage programs associated with an Iowa food-link
43 to food-bank initiative. The moneys appropriated in
44 section 190B.203 shall be allocated on a matching basis
45 as provided in that section. The department shall
46 execute a contract with the association to provide for
47 the terms and conditions of the program's management.
48 A contract shall not obligate the state to pay moneys
49 for multiple fiscal years.

50 4. The department of agriculture and land

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1 stewardship, the department of public health, and the
2 department of inspections and appeals shall cooperate
3 with the department of human services to administer the
4 Iowa food-link to food-bank initiative.

5 Sec. 154. NEW SECTION. 190B.203 Iowa food-link to
6 food-bank initiative — appropriation.

7 1. For the fiscal year beginning July 1, 2013,
8 and ending June 30, 2014, and for each subsequent
9 fiscal year, there is appropriated from the general
10 fund of the state to the department of human services
11 the amount of two million dollars to support an Iowa
12 food-link to food-bank initiative to further the
13 purpose provided in section 190B.101.

14 2. The department of human services shall allocate
15 the amount appropriated in subsection 1 to an Iowa food
16 bank association selected by the department as provided
17 in section 190B.202 for purposes of supporting the
18 following programs:

19 a. An Iowa emergency food purchase program. The
20 department shall allocate up to one million seven
21 hundred thousand dollars to the association for the
22 purchase of food on behalf of an Iowa emergency feeding
23 organization or for the distribution of moneys to Iowa
24 emergency feeding organizations for the purchase of
25 food.

26 (1) A preference shall be provided to the purchase
27 of food produced, processed, or packaged within this
28 state whenever reasonably practicable.

29 (2) The food shall be purchased in a manner that
30 best furthers a significant economic benefit to
31 communities of this state.

32 b. An Iowa emergency food nutritional education
33 program. The department shall allocate up to one
34 hundred thousand dollars to the association to
35 distribute the moneys to one or more Iowa emergency
36 feeding organizations in order to provide instruction
37 regarding nutrition and promote a lifelong healthy
38 diet.

39 c. A transportation and storage program. The
40 department shall allocate up to two hundred thousand
41 dollars to the association for the limited purposes of
42 paying costs directly associated with transporting or
43 storing donated food associated with the Iowa food-link
44 to food-bank initiative as provided in this subchapter.

45 3. The moneys appropriated in subsection 1 shall
46 be allocated as provided in subsection 2 only to the
47 extent that the allocated moneys are matched on a
48 dollar-for-dollar basis with moneys contributed by one
49 or more sources, including but not limited to an Iowa
50 food bank, but not including the state. The department

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1 shall establish procedures or other requirements for
2 making and tracking matching contributions.

3 SUBCHAPTER III

4 FROM FARM TO FOOD DONATION TAX CREDIT

5 Sec. 155. NEW SECTION. 190B.301 Definitions.

6 As used in this subchapter, unless the context
7 otherwise requires:

8 1. "Department" means the department of revenue.

9 2. "Tax credit" means the from farm to food
10 donation tax credit as established in this subchapter.

11 Sec. 156. NEW SECTION. 190B.302 Department of
12 revenue — cooperation with other departments.

13 1. This subchapter shall be administered by the
14 department of revenue.

15 2. The department shall adopt all rules necessary
16 to administer this subchapter.

17 3. The department of agriculture and land
18 stewardship, the department of public health, the
19 department of human services, and the department
20 of inspections and appeals shall cooperate with the
21 department of revenue to administer this subchapter.

22 Sec. 157. NEW SECTION. 190B.303 From farm to food
23 donation tax credit.

24 A from farm to food donation tax credit is allowed
25 against the taxes imposed in chapter 422, divisions II
26 and III, as provided in this subchapter.

27 Sec. 158. NEW SECTION. 190B.304 From farm to food
28 donation tax credit — eligibility.

29 In order to qualify for a from farm to food donation
30 tax credit, all of the following must apply:

31 1. The taxpayer must produce the donated food
32 commodity.

33 2. The taxpayer must transfer title to the
34 donated food commodity to an Iowa food bank, or an
35 Iowa emergency feeding organization, recognized
36 by the department. The taxpayer shall not receive
37 remuneration for the transfer.

38 3. The donated food commodity cannot be damaged
39 or out-of-condition and declared to be unfit for
40 human consumption by a federal, state, or local health
41 official. A food commodity that meets the requirements
42 for donated foods pursuant to the federal emergency
43 food assistance program satisfies this requirement.

44 4. A taxpayer claiming the tax credit shall provide
45 documentation supporting the tax credit claim in a form
46 and manner prescribed by the department by rule.

47 Sec. 159. NEW SECTION. 190B.305 From farm to food
48 donation tax credit — claims filed by individuals who
49 belong to business entities.

50 An individual may claim a from farm to food donation

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1 tax credit of a partnership, limited liability company,
2 S corporation, estate, or trust electing to have
3 income taxed directly to the individual. The amount
4 claimed by the individual shall be based upon the
5 pro rata share of the individual's earnings from the
6 partnership, limited liability company, S corporation,
7 estate, or trust.

8 Sec. 160. NEW SECTION. 190B.306 From farm to food
9 donation tax credit — limits on claims.

10 A from farm to food donation tax credit is subject
11 to all of the following limitations:

12 1. The tax credit shall not exceed a qualifying
13 amount for the tax year that the tax credit is claimed.

14 The qualifying amount is the lesser of the following:

15 a. Fifteen percent of the value of the commodities
16 donated during the tax year for which the credit
17 is claimed. The value of the commodities shall
18 be determined in the same manner as a charitable
19 contribution of food for federal tax purposes under
20 section 170(e)(3)(C) of the Internal Revenue Code.

21 b. Five thousand dollars.

22 2. A tax credit in excess of the taxpayer's
23 liability for the tax year is not refundable but may be
24 credited to the tax liability for the following five
25 years or until depleted, whichever is earlier.

26 3. If a tax credit is allowed, the amount of the
27 contribution for which the tax credit is claimed shall
28 not be deductible in determining taxable income for
29 state tax purposes.

30 4. A tax credit shall not be carried back to a tax
31 year prior to the tax year in which the taxpayer claims
32 the tax credit.

33 Sec. 161. NEW SECTION. 422.11E From farm to food
34 donation tax credit.

35 The taxes imposed under this division, less the
36 credits allowed under section 422.12, shall be reduced
37 by a from farm to food donation tax credit as allowed
38 under chapter 190B, subchapter III.

39 Sec. 162. Section 422.33, Code 2013, is amended by
40 adding the following new subsection:

41 NEW SUBSECTION. 30. The taxes imposed under this
42 division shall be reduced by a from farm to food
43 donation tax credit as allowed under chapter 190B,
44 subchapter III.

45 Sec. 163. APPLICABILITY. The provisions of this
46 division of this Act providing for a from farm to food
47 donation tax credit applies to tax years beginning on
48 or after January 1, 2014.

49 DIVISION XXIV

50 NATIONAL SPORTING EVENT

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1 Sec. 164. NATIONAL SPORTING EVENT — MARKETING —
2 INFRASTRUCTURE — APPROPRIATION.

3 1. There is appropriated from the general fund of
4 the state to the economic development authority for the
5 fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the following amount, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 For distribution to an automobile racetrack facility
9 as defined in section 423.4, subsection 5, Code
10 2013, for the development and promotion of a national
11 sporting event at the facility:

12 \$ 8,000,000

13 2. The moneys appropriated in subsection 1 shall
14 be used for marketing and infrastructure purposes.
15 Moneys used for marketing purposes shall not be used
16 for salaries.

17 3. The authority shall distribute the moneys in the
18 following manner:

19 a. Two million dollars in the fiscal year beginning
20 July 1, 2013.

21 b. Two million dollars in the fiscal year beginning
22 July 1, 2014.

23 c. Two million dollars in the fiscal year beginning
24 July 1, 2015.

25 d. Two million dollars in the fiscal year beginning
26 July 1, 2016.

27 4. By September 1 of each year beginning September
28 1, 2014, and ending September 1, 2017, a recipient of
29 moneys distributed pursuant to this section shall file
30 a report with the authority providing specific detail
31 regarding the expenditure of such moneys during the
32 previous fiscal year.

33 5. Notwithstanding section 8.33, moneys
34 appropriated in this section that remain unencumbered
35 or unobligated shall not revert but shall remain
36 available for expenditure for the designated purposes
37 until July 1, 2017.

38 Sec. 165. EFFECTIVE UPON ENACTMENT. This division
39 of this Act, being deemed of immediate importance,
40 takes effect upon enactment.

41 DIVISION XXV

42 CITY FRANCHISE FEES

43 Sec. 166. Section 364.2, subsection 4, paragraph
44 f, subparagraph (1), Code 2013, is amended to read as
45 follows:

46 (1) (a) A franchise fee assessed by a city may be
47 based upon a percentage of gross revenues generated
48 from sales of the franchisee within the city not to
49 exceed five percent, except as provided in subparagraph
50 division (b), without regard to the city's cost of

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1 inspecting, supervising, and otherwise regulating the
2 franchise.

3 (b) For franchise fees assessed and collected
4 during fiscal years beginning on or after July 1,
5 2013, but before July 1, 2030, by a city that is the
6 subject of a judgment, court-approved settlement, or
7 court-approved compromise providing for payment of
8 restitution, a refund, or a return described in section
9 384.3A, subsection 3, paragraph "j", the rate of
10 the franchise fee shall not exceed seven and one-half
11 percent of gross revenues generated from sales of the
12 franchisee in the city, and franchise fee amounts
13 assessed and collected during such fiscal years in
14 excess of five percent of gross revenues generated from
15 sales shall be used solely for the purpose specified
16 in section 384.3A, subsection 3, paragraph "j". A city
17 may by an ordinance amending its franchise ordinance
18 assess and collect a franchise fee in excess of five
19 percent of gross revenues generated from the sales of
20 the franchisee pursuant to this subparagraph division
21 (b) for a single period not to exceed seven consecutive
22 fiscal years once the franchise fee is first imposed
23 at a rate in excess of five percent. Before adopting
24 an ordinance increasing the franchise fee rate to
25 greater than five percent pursuant to this subparagraph
26 division (b), the city council shall cause a notice of
27 the proposal to adopt such ordinance to be published
28 at least once in a newspaper of general circulation
29 within the city at least ten days prior to the meeting
30 at which the city council is proposed to take action
31 to adopt the ordinance to increase the franchise fee
32 rate to greater than five percent. If at any time
33 before the date fixed for taking action to adopt the
34 ordinance a petition is filed with the city clerk
35 signed by eligible electors of the city equal in number
36 to five percent of those who voted for the office of
37 governor at the preceding general election, asking that
38 the question of approving such ordinance be submitted
39 to the voters of the city, the city council shall
40 either by resolution declare the proposal to adopt
41 the ordinance to have been abandoned or shall call a
42 special election to vote upon the question of approving
43 the ordinance. If a majority of those voting on the
44 proposal approves the proposal, the city may proceed as
45 proposed. In the event of such an election, the full
46 text of the ordinance shall be printed on the ballot
47 and the full text of the ordinance shall be posted for
48 the voters pursuant to section 52.25. All absentee
49 voters shall receive the full text of the ordinance
50 along with the absentee ballot. This subparagraph

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division (b) is repealed July 1, 2030.

(02) Franchise fees collected pursuant to an ordinance in effect on May 26, 2009, shall be deposited in the city's general fund and such fees collected in excess of the amounts necessary to inspect, supervise, and otherwise regulate the franchise may be used by the city for any other purpose authorized by law.

Franchise fees collected pursuant to an ordinance that is adopted or amended on or after May 26, 2009, to increase the percentage rate at which franchise fees are assessed shall be credited to the franchise fee account within the city's general fund and used pursuant to section 384.3A. If a city franchise fee is assessed to customers of a franchise, the fee shall not be assessed to the city as a customer. Before a city adopts or amends a franchise fee rate ordinance or franchise ordinance to increase the percentage rate at which franchise fees are assessed, a revenue purpose statement shall be prepared specifying the purpose or purposes for which the revenue collected from the increased rate will be expended. If property tax relief is listed as a purpose, the revenue purpose statement shall also include information regarding the amount of the property tax relief to be provided with revenue collected from the increased rate. The revenue purpose statement shall be published as provided in section 362.3.

Sec. 167. Section 384.3A, subsection 3, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. For franchise fees assessed and collected by a city in excess of five percent of gross revenues generated from sales of the franchisee within the city pursuant to section 364.2, subsection 4, paragraph "f", subparagraph (1), subparagraph division (b), during fiscal years beginning on or after July 1, 2013, but before July 1, 2030, the payment adjustment, renewal, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, court-approved settlements, court-approved compromises, or judgments, or the funding or refunding of the same, if such legal indebtedness relates to restitution, a refund, or a return ordered by a court of competent jurisdiction for franchise fees assessed and collected by the city before the effective date of this division of this Act. This paragraph "j" is repealed July 1, 2030.

Sec. 168. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

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1 SALARIES, COMPENSATION, AND RELATED MATTERS

2 Sec. 169. APPOINTED STATE OFFICERS.

3 1. The governor shall establish a salary for
4 appointed nonelected persons in the executive branch
5 of state government holding a position enumerated in
6 and within the salary ranges provided in 2008 Iowa
7 Acts, chapter 1191, section 14, by considering, among
8 other items, the experience of the individual in
9 the position, changes in the duties of the position,
10 the incumbent's performance of assigned duties, and
11 subordinates' salaries. However, the attorney general
12 shall establish the salary for the consumer advocate,
13 the chief justice of the supreme court shall establish
14 the salary for the state court administrator, the
15 ethics and campaign disclosure board shall establish
16 the salary of the executive director, and the Iowa
17 public broadcasting board shall establish the salary of
18 the administrator of the public broadcasting division
19 of the department of education, each within the salary
20 range provided in 2008 Iowa Acts, chapter 1191, section
21 14.

22 2. The governor, in establishing salaries as
23 provided in this section, shall take into consideration
24 other employee benefits which may be provided for an
25 individual including but not limited to housing.

26 3. A person whose salary is established pursuant
27 to this section and who is a full-time, year-round
28 employee of the state shall not receive any other
29 remuneration from the state or from any other source
30 for the performance of that person's duties unless
31 the additional remuneration is first approved by the
32 governor or authorized by law. However, this provision
33 does not exclude the reimbursement for necessary travel
34 and expenses incurred in the performance of duties or
35 fringe benefits normally provided to employees of the
36 state.

37 Sec. 170. COLLECTIVE BARGAINING AGREEMENTS FUNDED
38 — GENERAL FUND.

39 1. There is appropriated from the general fund
40 of the state to the salary adjustment fund for
41 distribution by the department of management to the
42 various state departments, boards, commissions,
43 councils, and agencies, including the state board of
44 regents, for the fiscal year beginning July 1, 2013,
45 and ending June 30, 2014, the amount of \$41,400,000,
46 or so much thereof as may be necessary, to fully fund
47 annual pay adjustments, expense reimbursements, and
48 related benefits implemented pursuant to the collective
49 bargaining agreements and noncontract state employee
50 provisions listed in subsection 2. As a condition of

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1 the appropriation in this subsection, all benefits for
2 noncontract state employees shall be consistent with
3 the benefits provided under the collective bargaining
4 agreement that covers the greatest number of state
5 employees.
6 2. a. The collective bargaining agreement
7 negotiated pursuant to chapter 20 for employees in the
8 blue collar bargaining unit.
9 b. The collective bargaining agreement negotiated
10 pursuant to chapter 20 for employees in the public
11 safety bargaining unit.
12 c. The collective bargaining agreement negotiated
13 pursuant to chapter 20 for employees in the security
14 bargaining unit.
15 d. The collective bargaining agreement negotiated
16 pursuant to chapter 20 for employees in the technical
17 bargaining unit.
18 e. The collective bargaining agreement negotiated
19 pursuant to chapter 20 for employees in the
20 professional fiscal and staff bargaining unit.
21 f. The collective bargaining agreement negotiated
22 pursuant to chapter 20 for employees in the clerical
23 bargaining unit.
24 g. The collective bargaining agreement negotiated
25 pursuant to chapter 20 for employees in the
26 professional social services bargaining unit.
27 h. The collective bargaining agreement negotiated
28 pursuant to chapter 20 for employees in the
29 community-based corrections bargaining unit.
30 i. The collective bargaining agreements negotiated
31 pursuant to chapter 20 for employees in the judicial
32 branch of government bargaining units.
33 j. The collective bargaining agreement negotiated
34 pursuant to chapter 20 for employees in the patient
35 care bargaining unit.
36 k. The collective bargaining agreement negotiated
37 pursuant to chapter 20 for employees in the science
38 bargaining unit.
39 l. The collective bargaining agreement negotiated
40 pursuant to chapter 20 for employees in the university
41 of northern Iowa faculty bargaining unit.
42 m. The collective bargaining agreement negotiated
43 pursuant to chapter 20 for employees in the state
44 university of Iowa graduate student bargaining unit.
45 n. The collective bargaining agreement negotiated
46 pursuant to chapter 20 for employees in the state
47 university of Iowa hospital and clinics tertiary health
48 care bargaining unit.
49 o. The annual pay adjustments, related benefits,
50 and expense reimbursements referred to in the sections

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1 of this division of this Act addressing noncontract
2 state and state board of regents employees who are not
3 covered by a collective bargaining agreement.

4 Sec. 171. NONCONTRACT STATE EMPLOYEES — GENERAL.

5 1. a. For the fiscal year beginning July 1, 2013,
6 the maximum and minimum salary levels of all pay plans
7 provided for in section 8A.413, subsection 3, as they
8 exist for the fiscal year ending June 30, 2013, shall
9 not increase.

10 b. For the fiscal year beginning July 1, 2013,
11 employees may receive a step increase or the equivalent
12 of a step increase.

13 c. The salary levels for noncontract judicial
14 branch employees shall not increase.

15 2. The pay plans for state employees who are
16 exempt from chapter 8A, subchapter IV, and who are
17 included in the department of administrative services'
18 centralized payroll system shall not be increased and
19 any additional changes in any executive branch pay
20 plans shall be approved by the governor.

21 3. This section does not apply to members of the
22 general assembly, board members, commission members,
23 salaries of persons set by the general assembly
24 pursuant to this division of this Act or set by the
25 governor, or other persons designated in the section of
26 this division of this Act addressing appointed state
27 officers, employees designated under section 8A.412,
28 subsection 5, and employees covered by 11 IAC 53.6(3).

29 4. The pay plans for the bargaining eligible
30 employees of the state shall not be increased and
31 any additional changes in such executive branch pay
32 plans shall be approved by the governor. As used in
33 this section, "bargaining eligible employee" means an
34 employee who is eligible to organize under chapter 20,
35 but has not done so.

36 5. The policies for implementation of this section
37 shall be approved by the governor.

38 Sec. 172. STATE EMPLOYEES — STATE BOARD OF
39 REGENTS. For the fiscal year beginning July 1, 2013,
40 and ending June 30, 2014, funds from the appropriation
41 made from the general fund of the state in the section
42 of this division of this Act providing for funding of
43 collective bargaining agreements shall be allocated
44 to the state board of regents for the purposes
45 of providing increases for state board of regents
46 employees covered by such section of this division
47 of this Act and for state board of regents employees
48 not covered by a collective bargaining agreement as
49 follows:

50 1. For regents merit system employees and merit

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1 supervisory employees to fund for the fiscal year
2 increases comparable to those provided for similar
3 contract-covered employees in this division of this
4 Act.

5 2. For faculty members and professional and
6 scientific employees to fund for the fiscal year
7 percentage increases comparable to those provided
8 for contract-covered employees in the university of
9 northern Iowa faculty bargaining unit.

10 Sec. 173. BONUS PAY. For the fiscal year beginning
11 July 1, 2013, and ending June 30, 2014, employees of
12 the executive branch, judicial branch, and legislative
13 branch shall not receive bonus pay unless otherwise
14 authorized by law, required pursuant to a contract
15 of employment entered into before July 1, 2013,
16 or required pursuant to a collective bargaining
17 agreement. This section does not apply to employees
18 of the state board of regents. For purposes of this
19 section, "bonus pay" means any additional remuneration
20 provided an employee in the form of a bonus, including
21 but not limited to a retention bonus, recruitment
22 bonus, exceptional job performance pay, extraordinary
23 job performance pay, exceptional performance pay,
24 extraordinary duty pay, or extraordinary or special
25 duty pay, and any extra benefit not otherwise provided
26 to other similarly situated employees.

27 Sec. 174. APPROPRIATIONS FROM ROAD FUNDS.

28 1. There is appropriated from the road use tax
29 fund to the salary adjustment fund for the fiscal year
30 beginning July 1, 2013, and ending June 30, 2014,
31 the following amount, or so much thereof as may be
32 necessary, to be used for the purpose designated:

33 To supplement other funds appropriated by the
34 general assembly:

35 \$ 565,089

36 2. There is appropriated from the primary road
37 fund to the salary adjustment fund, for the fiscal
38 year beginning July 1, 2013, and ending June 30, 2014,
39 the following amount, or so much thereof as may be
40 necessary, to be used for the purpose designated:

41 To supplement other funds appropriated by the
42 general assembly:

43 \$ 2,818,968

44 3. Except as otherwise provided in this division
45 of this Act, the amounts appropriated in subsections 1
46 and 2 shall be used to fund the annual pay adjustments,
47 expense reimbursements, and related benefits for public
48 employees as provided in this division of this Act.

49 Sec. 175. SPECIAL FUNDS — AUTHORIZATION. To
50 departmental revolving, trust, or special funds, except

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1 for the primary road fund or the road use tax fund, for
2 which the general assembly has established an operating
3 budget, a supplemental expenditure authorization is
4 provided, unless otherwise provided, in an amount
5 necessary to fund salary adjustments as otherwise
6 provided in this division of this Act.

7 Sec. 176. GENERAL FUND SALARY MONEYS. Funds
8 appropriated from the general fund of the state for
9 distribution from the salary adjustment fund in the
10 section of this division of this Act providing for
11 funding of collective bargaining agreements and certain
12 noncontract state employee provisions relate only to
13 salaries supported from general fund appropriations of
14 the state. Funds appropriated from the general fund of
15 the state for employees of the state board of regents
16 relate only to salaries supported by tuition or from
17 general fund appropriations of the state and shall
18 exclude general university indirect costs and general
19 university federal funds.

20 Sec. 177. FEDERAL FUNDS APPROPRIATED. For the
21 fiscal year beginning July 1, 2013, all federal grants
22 to and the federal receipts of the agencies affected by
23 this division of this Act which are received and may be
24 expended for purposes of this division of this Act are
25 appropriated for those purposes and as set forth in the
26 federal grants or receipts.

27 Sec. 178. STATE TROOPER MEAL ALLOWANCE. For the
28 fiscal year beginning July 1, 2013, the sworn peace
29 officers in the department of public safety who are not
30 covered by a collective bargaining agreement negotiated
31 pursuant to chapter 20 shall receive the same per
32 diem meal allowance as the sworn peace officers in
33 the department of public safety who are covered by a
34 collective bargaining agreement negotiated pursuant to
35 chapter 20.

36 Sec. 179. SALARY MODEL ADMINISTRATOR. The salary
37 model administrator shall work in conjunction with
38 the legislative services agency to maintain the
39 state's salary model used for analyzing, comparing,
40 and projecting state employee salary and benefit
41 information, including information relating to
42 employees of the state board of regents. The
43 department of revenue, the department of administrative
44 services, the five institutions under the jurisdiction
45 of the state board of regents, the judicial district
46 departments of correctional services, and the state
47 department of transportation shall provide salary data
48 to the department of management and the legislative
49 services agency to operate the state's salary
50 model. The format and frequency of provision of the

Page 61

1 salary data shall be determined by the department of
2 management and the legislative services agency. The
3 information shall be used in collective bargaining
4 processes under chapter 20 and in calculating the
5 funding needs contained within the annual salary
6 adjustment legislation. A state employee organization
7 as defined in section 20.3, subsection 4, may request
8 information produced by the model, but the information
9 provided shall not contain information attributable to
10 individual employees.

11 Sec. 180. 2008 Iowa Acts, chapter 1191, section 14,
12 subsection 4, is amended to read as follows:

13 4. The following are range 4 positions: director
14 of the department of human rights, director of the
15 Iowa state civil rights commission, executive director
16 of the college student aid commission, director of
17 the department for the blind, executive director of
18 the ethics and campaign disclosure board, executive
19 director of the Iowa public information board,
20 members of the public employment relations board, and
21 chairperson, vice chairperson, and members of the board
22 of parole.>

23 2. By renumbering as necessary.

ROBERT E. DVORSKY

S-3224

HOUSE AMENDMENT TO SENATE FILE 338

1 Amend Senate File 338, as passed by the Senate, as
2 follows:

3 1. Page 1, before line 1 by inserting:
4 <Section 1. NEW SECTION. 137G.1 Food vendor —
5 motor vehicle — background check.

6 1. A business that operates a motor vehicle
7 primarily marketing the sale and dispensing of ice
8 cream or other food products from or near the motor
9 vehicle to children may require an applicant for
10 employment or employee of the business to be subject to
11 a criminal history and abuse registry record background
12 check. The business shall perform the background check
13 by accessing the single contact repository established
14 under section 135C.33, subsection 6.

15 2. The business shall inform the applicant or
16 employee of the requirement of the background check
17 required under subsection 1 and obtain a signed waiver
18 from the applicant or employee prior to requesting such
19 a check.

20 Sec. ____ Section 235A.15, subsection 2, paragraph
 21 e, Code 2013, is amended by adding the following new
 22 subparagraph:

23 NEW SUBPARAGRAPH. (24) To a business which is
 24 authorized to perform a background check pursuant to
 25 section 137G.1.

26 Sec. ____ Section 235B.6, subsection 2, paragraph
 27 e, Code 2013, is amended by adding the following new
 28 subparagraph:

29 NEW SUBPARAGRAPH. (19) To a business which is
 30 authorized to perform a background check pursuant to
 31 section 137G.1.>

32 2. Page 1, by striking lines 5 and 6 and inserting
 33 <review the sex offender registry>

34 3. Page 1, by striking lines 12 through 16 and
 35 inserting <district shall implement a consistent policy
 36 to follow the same procedure for each school employee
 37 employed by the school district on or after July
 38 1, 2013, at least every five years after the school
 39 employee's date of hire. A school district shall not
 40 charge>

41 4. Page 2, after line 1 by inserting:
 42 <Sec. ____ Section 298.4, subsection 1, Code 2013,
 43 is amended by adding the following new paragraph:
 44 NEW PARAGRAPH. f. To pay the cost of background
 45 investigations under section 279.69.>

46 5. Page 2, line 6, by striking <257.16> and
 47 inserting <257.16, or from the district management levy
 48 under section 298.4>

49 6. Title page, line 1, after <employees> by
 50 inserting <and certain food vendors>

Page 2

1 7. By renumbering as necessary.

S-3225

HOUSE AMENDMENT TO SENATE FILE 432

1 Amend Senate File 432, as passed by the Senate, as
 2 follows:

3 1. Page 4, after line 16 by inserting:
 4 <DIVISION ____
 5 EDUCATIONAL INSTITUTION PROPERTY TAX EXEMPTION
 6 Sec. ____ EDUCATIONAL INSTITUTION PROPERTY TAX
 7 EXEMPTION — FILING. Notwithstanding the requirement
 8 for the filing of a statement claiming the property
 9 tax exemption by February 1 as provided in section
 10 427.1, subsection 9, for the assessment year beginning
 11 January 1, 2013, the statement claiming the exemption

12 under section 427.1, subsection 9, for property owned
 13 by an educational institution as part of its endowment
 14 fund that was acquired by the educational institution
 15 from a governmental entity after January 1, 2012, and
 16 that is located in a county having a population of
 17 at least two hundred thousand but not more than two
 18 hundred fifty thousand according to the 2010 federal
 19 decennial census, shall be filed not later than thirty
 20 days following the effective date of this division of
 21 this Act.

22 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 23 of this Act, being deemed of immediate importance,
 24 takes effect upon enactment.

25 Sec. ____ RETROACTIVE APPLICABILITY. This division
 26 of this Act applies retroactively to January 1, 2013,
 27 for assessment years beginning on or after that date.>

28 2. Title page, line 4, by striking <taxes> and
 29 inserting <taxes, and including effective date and
 30 retroactive applicability provisions>

31 3. By renumbering as necessary.

S-3226

HOUSE AMENDMENT TO SENATE FILE 436

1 Amend Senate File 436, as passed by the Senate, as
 2 follows:

3 1. By striking page 1, line 23, through page 2,
 4 line 16.

5 2. Title page, by striking lines 2 through 4
 6 and inserting <entertainment district tax credit by
 7 modifying the definition of substantial rehabilitation,
 8 the qualifications>

9 3. By renumbering as necessary.

S-3227

1 Amend the amendment, S-3223, to the House amendment,
 2 S-3218, to Senate File 452, as amended, passed, and
 3 reprinted by the Senate, as follows:

4 1. Page 60, line 16, by striking <by tuition or>

ROBERT E. DVORSKY

S-3228

1 Amend the amendment, S-3223, to the House amendment,
 2 S-3218, to Senate File 452, as amended, passed, and
 3 reprinted by the Senate, as follows:

4 1. Page 4, before line 9 by inserting:

5 <Sec. ____ INTRASTATE TRANSPORT OF DEER INFECTED

6 BY CHRONIC WASTING DISEASE. Notwithstanding section
7 484B.12 or any other provision of law to the contrary,
8 during the fiscal year beginning July 1, 2013, the
9 department of natural resources or the department of
10 agriculture and land stewardship or both departments
11 shall allow one intrastate shipment of deer infected
12 with chronic wasting disease to be made from a location
13 in a county with a population between 44,000 and
14 44,200, as determined by the 2010 federal decennial
15 census, to a location in a second county with a
16 population between 8,700 and 8,900, as determined by
17 the 2010 federal decennial census for the sole purpose
18 of eradicating the chronic wasting disease positive
19 herd in a county with a population between 44,000 and
20 44,200, as determined by the 2010 federal decennial
21 census. Both the originating location of the shipment
22 and the destination location shall be chronic wasting
23 disease infected locations.>
24 2. By renumbering as necessary.

DR. JOE M. SENG

S-3229

1 Amend the Senate amendment, S-3223, to the House
2 amendment, S-3218, to Senate File 452, as amended,
3 passed, and reprinted by the Senate, as follows:

4 1. Page 61, after line 22 by inserting:

5 <DIVISION ____

6 MOTOR VEHICLE REGISTRATION FEE EQUITY

7 Sec. ____ Section 321.55, Code 2013, is amended to
8 read as follows:

9 321.55 Registration and financial liability coverage
10 required for certain vehicles owned or operated by
11 nonresidents.

12 1. A nonresident owner or operator engaged in
13 remunerative employment within ~~the~~ this state or
14 carrying on business within ~~the~~ this state and owning
15 or operating a motor vehicle, trailer, or semitrailer
16 within ~~the~~ this state shall register and maintain
17 financial liability coverage as required under section
18 321.20B for each vehicle and pay the same fees for
19 registration as are paid for like vehicles owned by
20 residents of this state. However, this ~~paragraph~~
21 subsection does not apply to a person commuting from
22 the person's residence in another state or whose
23 employment is seasonal or temporary, not exceeding
24 ninety days.

25 2. a. A nonresident owner of a motor vehicle
26 operated within ~~the~~ this state by a resident of
27 ~~the~~ this state shall register the vehicle and shall
28 maintain financial liability coverage as required

29 under section 321.20B for the vehicle. The nonresident
30 owner shall pay the same fees for registration as are
31 paid for like vehicles owned by residents of this
32 state. However, registration under this paragraph is
33 not required for vehicles being operated by residents
34 temporarily, ~~not exceeding for not more than~~ ninety
35 days. For purposes of this paragraph, a vehicle
36 is not operated in the state temporarily, and is
37 therefore subject to registration and the owner is
38 required to pay the applicable fees, if the vehicle
39 is located in Iowa for more than ninety consecutive
40 or nonconsecutive days and is operated on an Iowa
41 highway by an Iowa resident during that time. It is
42 unlawful for a resident to operate within the state an
43 unregistered motor vehicle required to be registered
44 under this paragraph. The ninety-day temporary period
45 of operation provided for under this paragraph does
46 not apply to a vehicle owned by a shell business as
47 provided in paragraph "b".
48 b. On or after July 1, 2013, if the department,
49 in consultation with the department of revenue,
50 determines that the nonresident owner of a vehicle is a

Page 2

1 partnership, limited liability company, or corporation
2 that is a shell business, it shall be rebuttably
3 presumed that the Iowa resident in control of the
4 vehicle is the actual owner of the vehicle, that the
5 vehicle is subject to registration in this state, and
6 that payment of the fee for new registration for the
7 vehicle is owed by the Iowa resident.
8 (1) Factors which indicate that a partnership,
9 limited liability company, or corporation is a shell
10 business include but are not limited to the following:
11 (a) The partnership, limited liability company,
12 or corporation lacks a specific business activity or
13 purpose.
14 (b) The partnership, limited liability company, or
15 corporation fails to maintain a physical location in
16 the foreign state.
17 (c) The partnership, limited liability company,
18 or corporation fails to employ individual persons and
19 provide those persons with internal revenue service
20 form W-2 wage and tax statements.
21 (d) The partnership, limited liability company, or
22 corporation fails to file federal tax returns, or fails
23 to file a required state tax return in the foreign
24 state.
25 (2) Factors which indicate that a person is in
26 control of a vehicle include but are not limited to the
27 following:

28 (a) The person was the initial purchaser of the
29 vehicle.
30 (b) The person operated or stored the vehicle in
31 Iowa for any period of time.
32 (c) The person is a partner, member, or shareholder
33 of the nonresident partnership, limited liability
34 company, or corporation that purports to be the owner
35 of the vehicle.
36 (d) The person is insured to drive the vehicle.
37 (3) If the department determines that the
38 nonresident owner of a vehicle is a shell business, the
39 department shall notify the Iowa resident in control
40 of the vehicle in writing that the Iowa resident is
41 required to obtain an Iowa certificate of title and
42 registration for the vehicle and pay the fee for new
43 registration owed for the vehicle not later than thirty
44 days from the date of the notice.
45 Sec. ____ Section 321.105A, subsection 7, Code
46 2013, is amended to read as follows:
47 7. Penalty for false statement or evasion of fee.
48 a. A person who willfully makes a false statement
49 in regard to the purchase price of a vehicle subject
50 to a fee for new registration or willfully attempts

Page 3

1 in any manner to evade payment of the fee required by
2 this section is guilty of a fraudulent practice. A
3 person who willfully makes a false statement in regard
4 to the purchase price of such a vehicle with the intent
5 to evade payment of the fee for new registration or
6 willfully attempts in any manner to evade payment of
7 the fee required by this section shall be assessed
8 a penalty of seventy-five percent of the amount of
9 the fee unpaid and required to be paid on the actual
10 purchase price less trade-in allowance.
11 b. An Iowa resident found to be in control of
12 a vehicle which is owned by a shell business and
13 for which the fee for new registration has not been
14 paid, as provided in section 321.55, subsection 2, is
15 guilty of a fraudulent practice. An Iowa resident
16 found to be in control of a vehicle which is owned
17 by a shell business and for which the fee for new
18 registration has not been paid, as provided in section
19 321.55, subsection 2, shall be assessed a penalty of
20 seventy-five percent of the amount of the fee unpaid
21 and required to be paid on the actual purchase price
22 less trade-in allowance.
23 Sec. ____ REPEAL. Section 321.116, Code 2013, is
24 repealed.
25 Sec. ____ APPLICABILITY — PRIOR ELECTRIC VEHICLE
26 REGISTRATIONS.

27 1. Except as provided in subsection 2, the section
28 of this division of this Act that repeals section
29 321.116 applies to the registration of electric motor
30 vehicles for registration years beginning on or after
31 January 1, 2014.
32 2. For an annual renewal of registration for an
33 electric motor vehicle which was registered to the
34 same owner for a registration year beginning prior to
35 January 1, 2014, the annual registration fee shall be
36 according to the terms of section 321.116, Code 2013.>
37 2. By renumbering as necessary.

TOD R. BOWMAN

S-3230

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 4, before line 9 by inserting:
5 <Sec. ____ CHRONIC WASTING DISEASE. The department
6 of agriculture and land stewardship shall devise a plan
7 for the eradication of chronic wasting disease in the
8 state.>
9 2. By renumbering as necessary.

DR. JOE M. SENG

S-3231

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 61, after line 22 by inserting:
5 <DIVISION ____
6 INCOME TAX EXEMPTIONS
7 Sec. ____ Section 422.7, Code 2013, is amended by
8 adding the following new subsection:
9 NEW SUBSECTION. 31A. a. Subtract, to the extent
10 included, retirement pay received by the taxpayer from
11 the federal government for military service performed
12 in the armed forces, the armed forces military reserve,
13 or national guard.
14 b. The exclusion of retirement pay under this
15 subsection is in addition to any exclusion provided
16 under subsection 31.
17 Sec. ____ Section 422.7, subsection 42A, Code 2013,
18 is amended to read as follows:
19 42A. Subtract, to the extent included, all pay
20 received by the taxpayer from the federal government
21 for military service ~~performed while on active duty~~
22 ~~status~~ in the armed forces, the armed forces military

23 reserve, or the national guard.
 24 Sec. ____ RETROACTIVE APPLICABILITY. This division
 25 of this Act applies retroactively to January 1, 2013,
 26 for tax years beginning on or after that date.>
 27 2. By renumbering as necessary.

MARK CHELGREN
 JACK WHITVER
 DAN ZUMBACH
 KEN ROZENBOOM
 AMY SINCLAIR
 DENNIS GUTH
 KENT SORENSON
 TIM L. KAPUCIAN
 HUBERT HOUSER
 NANCY J. BOETTGER
 BRAD ZAUN
 BILL ANDERSON

S-3232

1 Amend the amendment, S-3223, to the House amendment,
 2 S-3218, to Senate File 452, as amended, passed, and
 3 reprinted by the Senate, as follows:
 4 1. Page 61, after line 22 by inserting:
 5 <DIVISION ____
 6 VERIFICATION OF SOCIAL SECURITY NUMBERS — DEPARTMENT
 7 OF HUMAN SERVICES PUBLIC PROGRAMS
 8 Sec. ____ VERIFICATION OF SOCIAL SECURITY NUMBERS
 9 — DEPARTMENT OF HUMAN SERVICES PUBLIC PROGRAMS. The
 10 department of human services shall adopt rules to
 11 require that any program supported by public funds
 12 under the department of human services shall require
 13 verification by state or local staff, as applicable,
 14 of the social security number of any applicant for
 15 program services. The department shall incorporate the
 16 verification requirement into all application processes
 17 in the most cost-effective manner.>
 18 2. By renumbering as necessary.

MARK CHELGREN

S-3233

HOUSE AMENDMENT TO SENATE FILE 371

1 Amend Senate File 371, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, lines 4 and 5, by striking <corporation
 4 which is exempt from taxation under section 501(c)(3)>

5 and inserting <entity which is exempt from federal
6 income taxation pursuant to section 501(c)>

S-3234

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 61, after line 22 by inserting:

5 <DIVISION ____

6 PUBLIC ASSISTANCE — SUBSTANCE ABUSE SCREENING

7 Sec. ____ NEW SECTION. 217.14 Public assistance

8 programs — substance abuse screening.

9 1. For the purposes of this section, unless the
10 context otherwise requires:

11 a. “Department” means the department of human
12 services.

13 b. “Public assistance program” means the food
14 assistance program or other food programs under chapter
15 234, the family investment program under chapter 239B,
16 or the medical assistance program under chapter 249A.

17 c. “Substance abuse screening program” or “screening
18 program” means the substance abuse screening program
19 administered pursuant to this section.

20 2. As a condition of eligibility for an adult
21 applicant or adult participant to receive public
22 assistance program benefits, the applicant or
23 participant shall, if not otherwise prohibited by state
24 or federal law, agree to participate in the substance
25 abuse screening program.

26 3. The department shall design and implement a
27 substance abuse screening program for adult applicants
28 for and adult participants in public assistance
29 programs. To the extent authorized under applicable
30 federal requirements, the program shall include but is
31 not limited to all of the following elements:

32 a. Periodic screening of the applicant’s or
33 participant’s blood or urine for the presence of a
34 controlled substance.

35 b. A blood or urine screening is performed prior to
36 the applicant’s initial receipt of public assistance.

37 c. A subsequent blood or urine screening of a
38 participant is performed at least annually with random
39 assignment of a month in which the participant is
40 required to submit to the screening upon receipt of
41 notice from the department.

42 d. The results of the blood or urine screening
43 shall not be admissible in any criminal proceeding
44 without the consent of the person subject to the
45 screening.

46 e. Provision for the cost of the blood or urine
47 screening to be deducted from the public assistance

48 program benefits payable to the applicant or
49 participant.
50 f. Other design, operation, and standards

Page 2

1 provisions adopted in rule to ensure the program is
2 implemented in a fair and economical manner.
3 4. An adult applicant or adult participant shall be
4 ineligible for public assistance program benefits if
5 any of the following is applicable:
6 a. The applicant or participant does not
7 participate in the substance abuse screening program.
8 b. The applicant or participant tests positive in a
9 substance abuse test administered under the screening
10 program for the presence of either of the following:
11 (1) A substance listed in schedule I under section
12 124.204.
13 (2) A substance listed in schedule II, III, or
14 IV under chapter 124 that was not prescribed for the
15 applicant or participant.
16 c. The applicant or participant tests positive in a
17 substance abuse test administered under the screening
18 program and tests positive in or fails to take a
19 confirmatory test administered within two weeks of the
20 initial test.
21 5. An applicant or recipient ineligible for public
22 assistance benefits under subsection 4 may reapply for
23 the benefits upon successful completion of a substance
24 abuse treatment program approved by the department.>
25 2. By renumbering as necessary.

MARK CHELGREN
BILL ANDERSON
MICHAEL BREITBACH
KENT SORENSON
JACK WHITVER
AMY SINCLAIR

S-3235

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 4, after line 8 by inserting:
5 <Sec. ____ Section 3.1, subsection 1, Code 2013, is
6 amended by adding the following new paragraph:
7 NEW PARAGRAPH. d. Shall include a concise and
8 definite statement of the authority under the Iowa

9 constitution relied upon for the enactment of the
10 bill.>

11 2. By renumbering as necessary.

RICK BERTRAND
KENT SORENSON

S-3236

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 61, after line 22 by inserting:

5 <DIVISION ____

6 EDUCATION SAVINGS GRANTS

7 Sec. ____ Section 256.7, Code 2013, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 33. Adopt rules relating to
10 applications for an education savings grant pursuant
11 to section 257.11B, including application processing
12 timelines and information required to be submitted by a
13 parent or guardian.

14 Sec. ____ NEW SECTION. 257.11B Education savings
15 grant program.

16 1. Pupils eligible to enroll in grades kindergarten
17 through twelve and attending a nonpublic school or
18 receiving competent private instruction under chapter
19 299A shall be eligible to receive an education savings
20 grant in the manner provided in this section for school
21 years beginning on or after July 1, 2014. Education
22 savings grants shall be made available to parents and
23 guardians in the manner authorized under subsection 4,
24 paragraph “c”, for the payment of qualified education
25 expenses as provided in this section.

26 2. a. (1) By January 31 preceding the school year
27 for which the education savings grant is requested, the
28 parent or guardian of the pupil requesting to receive
29 an education savings grant shall submit an application
30 to the department of education, on application forms
31 developed by the department, indicating that the parent
32 or guardian intends to enroll the pupil in a nonpublic
33 school or provide competent private instruction for the
34 pupil under chapter 299A.

35 (2) In addition to such information deemed
36 appropriate by the department of education, the
37 application shall require certification from the
38 nonpublic school of the pupil’s enrollment for the
39 following school year or a statement indicating the
40 parent or guardian’s intent to provide or arrange for
41 competent private instruction for the pupil for the
42 following school year.

43 b. By March 1 preceding the school year for

44 which the education savings grant is requested, the
45 department of education shall notify the department
46 of management of the number of pupils in each school
47 district designated for the following school year
48 to receive an education savings grant and the amount
49 of the education savings grant for each pupil. The
50 department of education shall also notify the parent

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1 or guardian of such pupils who are approved to receive
2 an education savings grant.

3 c. Education savings grants shall only be approved
4 for one school year and applications must be submitted
5 under paragraph "a" for education savings grants in
6 subsequent school years.

7 3. a. The department of management shall assign
8 each pupil an education savings grant in an amount
9 equal to the statewide average state foundation aid per
10 pupil in the same school year.

11 b. The department of management shall on July
12 1 following the determination of the amount of the
13 education savings grant for each approved pupil
14 transfer such amounts to the pupil's account in
15 the education savings grant fund established under
16 subsection 4. Such amount shall be available to the
17 pupil's parent or guardian in the manner authorized
18 under subsection 4, paragraph "c", for the payment of
19 qualified educational expenses incurred by such persons
20 for the pupil during that school year.

21 4. An education savings grant fund is created in
22 the state treasury under the control of the department
23 of management consisting of moneys appropriated to
24 the department for the purpose of providing education
25 savings grants under this section. For the fiscal
26 year commencing July 1, 2014, and each succeeding
27 fiscal year, there is appropriated from the general
28 fund of the state to the department of management to
29 be credited to the fund the amount necessary to pay
30 all education savings grants approved for that fiscal
31 year. The director of the department of management has
32 all powers necessary to carry out and effectuate the
33 purposes, objectives, and provisions of this section
34 pertaining to the fund, including the power to do all
35 of the following:

36 a. Make and enter into contracts necessary for the
37 administration of the fund.

38 b. Procure insurance against any loss in connection
39 with the assets of the fund or require a surety bond.

40 c. Contract with a private financial management
41 firm to manage the fund, in collaboration with the
42 treasurer of state, including providing for the

43 disbursement of education savings grants in the form
44 of an electronic debit card or checks that are payable
45 directly from the pupil's account within the fund.
46 d. Conduct audits or other review necessary to
47 properly administer the program.
48 e. Adopt rules pursuant to chapter 17A for the
49 administration of the fund and accounts within the
50 fund.

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1 5. a. For each pupil approved for an education
2 savings grant, the department shall establish an
3 account for that pupil in the education savings grant
4 fund. The amount of the pupil's education savings
5 grant determined under subsection 3 shall be deposited
6 into the pupil's account on July 1 and such amount
7 shall be immediately available for the payment of
8 qualified education expenses incurred by the parent or
9 guardian for the pupil during that fiscal year using
10 the payment method authorized under subsection 4,
11 paragraph "c".
12 b. A nonpublic school or other entity that accepts
13 payment from a parent or guardian using funds from a
14 pupil's account in the education savings grant fund
15 shall not refund, rebate, or share any portion of such
16 payment with the parent, guardian, or pupil.
17 c. Moneys remaining in a pupil's account upon
18 conclusion of the fiscal year shall remain in the
19 pupil's account within the education savings grant
20 fund for the payment of qualified educational expenses
21 in future fiscal years or for the payment of higher
22 education costs under subsection 8.
23 6. For purposes of this section, "qualified
24 educational expense" includes tuition and fees at a
25 nonpublic school, textbooks, fees or payments for
26 tutoring or cognitive skills training, curriculum
27 materials, tuition or fees for nonpublic online
28 education programs, education materials and services
29 for pupils with disabilities, standardized test fees,
30 fees required by the department not to exceed for each
31 grant recipient five percent of the total grant amount
32 in any fiscal year, and other expenses incurred by the
33 parent or guardian that are directly related to the
34 education of the pupil at a nonpublic school, including
35 a nonpublic school accredited by an independent
36 accrediting agency approved by the department of
37 education, or directly related to providing competent
38 private instruction for the pupil under chapter 299A.
39 The cost of one computer or other portable computing
40 device shall be allowed as a qualified educational
41 expense for a pupil if such a purchase has not been

42 made using funds from that pupil's account in either of
43 the two immediately preceding fiscal years. "Qualified
44 educational expenses" do not include transportation
45 costs for the pupil, the cost of food or refreshments
46 consumed by the pupil, the cost of clothing for the
47 pupil, or the cost of disposable materials including
48 but not limited to paper, notebooks, pencils, pens, and
49 art supplies.

50 7. A person who makes a false claim for the purpose

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1 of obtaining an education savings grant provided for
2 in this section or who knowingly receives the grant or
3 makes a payment from an account within the education
4 savings grant fund without being legally entitled to it
5 is guilty of a fraudulent practice. The false claim
6 for an education savings grant or a payment from an
7 account shall be disallowed and if amounts from the
8 grant have been disbursed from the applicable account
9 in the education savings grant fund, the department of
10 management shall initiate legal proceedings to recover
11 such amounts. A parent or guardian, or a pupil for
12 purposes of subsection 8, who violates this subsection
13 is prohibited from participating in the education
14 savings grant program in the future.

15 8. For each pupil with a positive balance in the
16 pupil's account in the education savings grant fund
17 upon graduation from high school or completion of an
18 equivalent level of competent private instruction
19 under chapter 299A, the department of management shall
20 maintain such account in the fund until the pupil is
21 twenty-five years of age. Following graduation from
22 high school until the pupil is twenty-five years of
23 age, moneys in the pupil's account may be used for
24 higher education costs, as defined in section 12D.1,
25 subsection 2, incurred by the pupil while attending an
26 institution of higher education under the control of
27 the state board of regents, a community college located
28 in this state, or a private college or university
29 located in this state. Payments from a pupil's account
30 for higher education costs shall be made in the same
31 manner as payments for qualified educational expenses
32 under subsection 5. Moneys in a pupil's account
33 when the pupil turns twenty-five years of age shall
34 be transferred by the department for deposit in the
35 general fund of the state.

36 9. This section shall not be construed to authorize
37 this state or any political subdivision of this state
38 to exercise authority over any nonpublic school or
39 pupil receiving competent private instruction under
40 chapter 299A or construed to require a nonpublic school

41 to modify its admissions or educational program in
 42 order to receive payment from a parent or guardian
 43 using funds from a pupil's account in the education
 44 savings grant fund. A nonpublic school or entity
 45 providing competent private instruction under chapter
 46 299A, that accepts payment from a parent or guardian
 47 using funds from a pupil's account in the education
 48 savings grant fund is not an agent of this state or
 49 other political subdivision of this state. Rules
 50 adopted by the department to implement this section

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- 1 that impose an undue burden on a nonpublic school or
- 2 entity providing competent private instruction under
- 3 chapter 299A are invalid.
- 4 Sec. ____ APPLICABILITY. This division of this
- 5 Act applies to school budget years and fiscal years
- 6 beginning on or after July 1, 2014.>
- 7 2. By renumbering as necessary.

JERRY BEHN

S-3237

- 1 Amend the amendment, S-3223, to the House amendment,
- 2 S-3218, to Senate File 452, as amended, passed, and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 4, after line 2 by inserting:
- 5 <Sec. ____ EXPANSION OF LAKE CAPACITY —
- 6 APPROPRIATION. There is appropriated from the
- 7 general fund of the state to the department of natural
- 8 resources for the fiscal year beginning July 1, 2013,
- 9 and ending June 30, 2014, the following amount, or
- 10 so much thereof as is necessary, to be used for the
- 11 purposes designated:
- 12 For the public purpose of distribution to a
- 13 municipal water utility for expanding the capacity of a
- 14 lake that serves as the primary water source for a city
- 15 with a population between 5,189 and 6,010 as determined
- 16 by the 2010 federal decennial census:
- 17 \$ 1,000,000
- 18 The moneys appropriated in this section shall be
- 19 matched by the recipient of the distributed moneys.>
- 20 2. By renumbering as necessary.

JACK HATCH

S-3238

- 1 Amend the amendment, S-3223, to the House amendment,
- 2 S-3218, to Senate File 452, as amended, passed, and

- 3 reprinted by the Senate, as follows:
- 4 1. Page 4, before line 9 by inserting:
- 5 <Sec. ____ CHRONIC WASTING DISEASE. The department
- 6 of agriculture and land stewardship and the department
- 7 of natural resources shall jointly devise a plan for
- 8 the eradication of chronic wasting disease in the
- 9 state.>
- 10 2. By renumbering as necessary.

DR. JOE M. SENG

S-3239

- 1 Amend the amendment, S-3223, to the House amendment,
- 2 S-3218, to Senate File 452, as amended, passed, and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 4, after line 8 by inserting:
- 5 <Sec. ____ TASK FORCE — DEPARTMENT OF EDUCATION.
- 6 1. There is established within the department of
- 7 education a personal financial literacy task force to
- 8 study the implementation of personal financial literacy
- 9 requirements as a high school graduation requirement.
- 10 2. The task force shall consist of eleven voting
- 11 members designated by the department. At least five
- 12 voting members shall have a background in education and
- 13 at least five voting members shall have a background
- 14 in finance.
- 15 3. The task force shall include four ex officio,
- 16 nonvoting members consisting of the following:
- 17 a. Two state senators, one appointed by the
- 18 majority leader of the senate and one appointed by the
- 19 minority leader of the senate from their respective
- 20 parties.
- 21 b. Two state representatives, one appointed by the
- 22 speaker and one appointed by the minority leader of the
- 23 house of representatives from their respective parties.
- 24 4. By November 13, 2013, the task force shall
- 25 file a report with the general assembly regarding the
- 26 findings and recommendations of the task force.
- 27 5. Members of the task force shall be reimbursed
- 28 for mileage expenses incurred while engaged in the
- 29 performance of official duties and shall receive per
- 30 diem compensation by the department. Mileage expenses
- 31 reimbursement and per diem compensation shall not
- 32 exceed a total of \$10,000 for the task force.>
- 33 2. By renumbering as necessary.

TOD R. BOWMAN
ROBY SMITH

S-3240

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 5, before line 47 by inserting:

5 <Sec. ____ Section 261.12, subsection 1, Code 2013,
6 is amended to read as follows:

7 1. The amount of a tuition grant to a qualified
8 full-time student for the fall and spring semesters, or
9 the trimester equivalent, shall be the amount of the
10 student's financial need for that period. However, a
11 tuition grant shall not exceed the ~~lesser of:~~
12 ~~a. The total tuition and mandatory fees for that~~
13 ~~student for two semesters or the trimester or quarter~~
14 ~~equivalent, less the base amount determined annually~~
15 ~~by the college student aid commission, which base~~
16 ~~amount shall be within ten dollars of the average~~
17 ~~tuition for two semesters or the trimester equivalent~~
18 ~~of undergraduate study at the state universities under~~
19 ~~the board of regents, but in any event the base amount~~
20 ~~shall not be less than four hundred dollars; or~~

21 ~~b. For the fiscal year beginning July 1, 2000, and~~
22 ~~for each following fiscal year, four thousand dollars.>~~
23 2. By renumbering as necessary.

RANDY FEENSTRA

S-3241

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 61, before line 23 by inserting:

5 <DIVISION ____
6 EMINENT DOMAIN

7 Sec. ____ NEW SECTION. 6A.15 Property on state
8 historic registry.

9 1. Property listed on the state register of
10 historic places maintained by the historical division
11 of the department of cultural affairs shall not be
12 removed from the register solely for the purpose of
13 allowing acquisition of the property by condemnation,
14 unless such condemnation is undertaken by the
15 department of transportation.

16 2. Property listed on the state register of
17 historic places maintained by the historical division
18 of the department of cultural affairs shall not be
19 condemned by the state or a political subdivision
20 unless a joint resolution authorizing commencement of
21 the condemnation proceedings is approved by a vote of
22 at least two-thirds of the members of both chambers

23 of the general assembly and signed by the governor.
24 The approval requirements of this subsection shall not
25 apply to condemnation undertaken by the department of
26 transportation.

27 Sec. ____ Section 6A.19, Code 2013, is amended to
28 read as follows:

29 6A.19 Interpretative clause.

30 A grant in this chapter of right to take private
31 property for a public use shall not be construed as
32 limiting a like grant elsewhere in the Code for another
33 and different use. Unless specifically provided by
34 law, this chapter shall not be construed to limit or
35 otherwise affect the application of chapters 478 and
36 479 to the eminent domain authority of the utilities
37 division of the department of commerce.

38 Sec. ____ Section 6A.22, subsection 2, paragraph
39 c, subparagraph (1), Code 2013, is amended to read as
40 follows:

41 (1) (a) If private property is to be condemned for
42 development or creation of a lake, only that number
43 of acres justified as reasonable and necessary for
44 a surface drinking water source, and not otherwise
45 acquired, may be condemned. In addition, the acquiring
46 agency shall conduct a review of prudent and feasible
47 alternatives to provision of a drinking water source
48 prior to making a determination that such lake
49 development or creation is reasonable and necessary.
50 Development or creation of a lake as a surface drinking

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1 water source includes all of the following:
2 (i) Construction of the dam, including sites for
3 suitable borrow material and the auxiliary spillway.
4 (ii) The water supply pool.
5 (iii) The sediment pool.
6 (iv) The flood control pool.
7 (v) The floodwater retarding pool.
8 (vi) The surrounding area upstream of the dam
9 no higher in elevation than the top of the dam's
10 elevation.
11 (vii) The appropriate setback distance required
12 by state or federal laws and regulations to protect
13 drinking water supply.
14 (b) For purposes of this subparagraph (1), "number
15 of acres justified as reasonable and necessary for
16 a surface drinking water source" means according to
17 guidelines of the United States natural resource
18 conservation service and according to analyses of
19 ~~surface~~ drinking water capacity needs conducted
20 by one or more registered professional engineers.
21 The registered professional engineers may, if

22 appropriate, employ standards or guidelines other
23 than the guidelines of the United States natural
24 resource conservation service when determining the
25 number of acres justified as reasonable and necessary
26 for a surface drinking water source. The data and
27 information used by the registered professional
28 engineers shall include data and information relating
29 to population and commercial enterprise activity for
30 the area from the two most recent federal decennial
31 censuses unless the district court of the county in
32 which the property is situated has determined by a
33 preponderance of the evidence that such data would
34 not accurately predict the population and commercial
35 enterprise activity of the area in the future.
36 (c) A second review or analysis of the drinking
37 water capacity needs shall be performed upon receipt
38 by the acquiring agency of a petition signed by not
39 less than twenty-five percent of the affected property
40 owners. The registered professional engineer to
41 perform the second review or analysis shall be selected
42 by a committee appointed by the affected property
43 owners and whose membership is comprised of at least
44 fifty percent property owners affected by the proposed
45 condemnation action. The acquiring agency shall be
46 responsible for paying the fees and expenses of such
47 an engineer.
48 (d) If private property is to be condemned for
49 development or creation of a lake, the plans, analyses,
50 applications, including any application for funding,

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1 and other planning activities of the acquiring agency
2 shall not include or provide for the use of the lake
3 for recreational purposes.
4 Sec. ____ Section 6B.54, subsection 10, paragraph
5 a, Code 2013, is amended by adding the following new
6 subparagraph:
7 **NEW SUBPARAGRAPH.** (3) Reasonable attorney fees and
8 reasonable costs not to exceed one hundred thousand
9 dollars, attributable to a determination that the
10 creation of a lake through condemnation includes a
11 future recreational use or that a violation of section
12 6A.22, subsection 2, paragraph “c”, subparagraph (1),
13 subparagraph division (d), has occurred, if such fees
14 and costs are not otherwise provided under section
15 6B.33.
16 Sec. ____ **NEW SECTION.** 6B.56B Disposition of
17 condemned property — two-year time period.
18 1. When two years have elapsed since property
19 was condemned for the creation of a lake according
20 to the requirements of section 6A.22, subsection 2,

21 paragraph “c”, subparagraph (1), and the property has
22 not been used for or construction has not progressed
23 substantially from the date the property was condemned
24 for the purpose stated in the application filed
25 pursuant to section 6B.3, and the acquiring agency has
26 not taken action to dispose of the property pursuant
27 to section 6B.56, the acquiring agency shall, within
28 sixty days, adopt a resolution offering the property
29 for sale to the prior owner at a price as provided in
30 section 6B.56. If the resolution adopted approves an
31 offer of sale to the prior owner, the offer shall be
32 made in writing and mailed by certified mail to the
33 prior owner. The prior owner has one hundred eighty
34 days after the offer is mailed to purchase the property
35 from the acquiring agency.

36 2. If the acquiring agency has not adopted a
37 resolution described in subsection 1 within the
38 sixty-day time period, the prior owner may, in writing,
39 petition the acquiring agency to offer the property
40 for sale to the prior owner at a price as provided in
41 section 6B.56. Within sixty days after receipt of
42 such a petition, the acquiring agency shall adopt a
43 resolution described in subsection 1. If the acquiring
44 agency does not adopt such a resolution within sixty
45 days after receipt of the petition, the acquiring
46 agency is deemed to have offered the property for sale
47 to the prior owner.

48 3. The acquiring agency shall give written notice
49 to the owner of the right to purchase the property
50 under this section at the time damages are paid to the

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1 owner.
2 Sec. ____ Section 403.7, subsection 1, unnumbered
3 paragraph 1, Code 2013, is amended to read as follows:
4 A municipality shall have the right to acquire by
5 condemnation any interest in real property, including a
6 fee simple title thereto, which it may deem necessary
7 for or in connection with an urban renewal project
8 under this chapter, subject to the limitations on
9 eminent domain authority in ~~chapter~~ chapters 6A and 6B.
10 However, a municipality shall not condemn agricultural
11 land included within an economic development area
12 for any use unless the owner of the agricultural land
13 consents to condemnation or unless the municipality
14 determines that the land is necessary or useful for any
15 of the following:
16 Sec. ____ NEW SECTION. 423B.11 Use of revenues —
17 limitation.
18 The revenue raised by a local sales and services
19 tax imposed under this chapter by a county shall not

be expended for any purpose related to a project that includes the condemnation of private property for the creation of a lake according to the requirements of section 6A.22, subsection 2, paragraph "c", subparagraph (1), if the local sales and services tax has not been approved at election in the area where the property to be condemned is located.

Sec. ____ Section 455A.5, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The authority granted to the commission to acquire real property for purposes of carrying out a duty related to development or maintenance of the recreation resources of the state, including planning, acquisition, and development of recreational projects, and areas and facilities related to such projects, shall not include the authority to acquire real property by eminent domain.

Sec. ____ Section 456A.24, subsection 2, unnumbered paragraph 1, Code 2013, is amended to read as follows: Acquire by purchase, ~~condemnation~~, lease, agreement, gift, and devise lands or waters suitable for the purposes hereinafter enumerated, and rights-of-way thereto, and to maintain the same for the following purposes, ~~to wit:~~

Sec. ____ Section 456A.24, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 15. The authority granted the department to acquire real property for any statutory purpose relating to the development or maintenance of the recreation resources of the state, including planning, acquisition, and development of recreational

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projects, and areas and facilities related to such projects, shall not include the authority to acquire real property by eminent domain.

Sec. ____ Section 461A.7, Code 2013, is amended to read as follows:

461A.7 ~~Eminent domain~~ Purchase of lands — public parks.

The commission may purchase ~~or condemn~~ lands ~~from willing sellers~~ for public parks. ~~No A~~ contract for the purchase of such public parks shall ~~not~~ be made to an amount in excess of funds appropriated therefor by the general assembly.

Sec. ____ Section 461A.10, Code 2013, is amended to read as follows:

461A.10 Title to lands.

The title to all lands purchased, ~~condemned~~, or donated; hereunder, for park ~~or highway~~ purposes and the title to all lands purchased, condemned, or donated

19 hereunder for highway purposes, shall be taken in the
20 name of the state and if thereafter it shall be deemed
21 advisable to sell any portion of the land so purchased
22 or condemned, the proceeds of such sale shall be placed
23 to the credit of the ~~said~~ public state parks fund to be
24 used for such park purposes.

25 Sec. ____ Section 463C.8, subsection 1, paragraph
26 k, Code 2013, is amended to read as follows:

27 k. The power to acquire, own, hold, administer,
28 and dispose of property, except that such power is not
29 a grant of authority to acquire property by eminent
30 domain.

31 Sec. ____ REPEAL. Sections 461A.9 and 461A.75,
32 Code 2013, are repealed.

33 Sec. ____ SEVERABILITY. If any provision of this
34 division of this Act is held invalid, the invalidity
35 shall not affect other provisions or applications of
36 this division of this Act which can be given effect
37 without the invalid provision, and to this end the
38 provisions of this division of this Act are severable
39 as provided in section 4.12.

40 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
41 of this Act, being deemed of immediate importance,
42 takes effect upon enactment.

43 Sec. ____ APPLICABILITY. Except as otherwise
44 provided in this division of this Act, this division
45 of this Act applies to projects or condemnation
46 proceedings pending or commenced on or after the
47 effective date of this division of this Act.

48 Sec. ____ RETROACTIVE APPLICABILITY.
49 Notwithstanding any provision of law to the contrary,
50 the following provisions of this division of this

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- 1 Act apply retroactively to projects or condemnation
- 2 proceedings pending or commenced on or after February
- 3 15, 2013:
- 4 1. The section amending section 6A.22.
- 5 2. The section enacting section 6B.56B.>
- 6 2. By renumbering as necessary.

MARK CHELGREN
JAKE CHAPMAN
RICK BERTRAND
JACK WHITVER
JONI ERNST
KENT SORENSON

S-3242

1 Amend the amendment, S-3223, to the House amendment,
2 S-3218, to Senate File 452, as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 61, after line 22 by inserting:

5 <DIVISION ____

6 **VOTER IDENTIFICATION REQUIREMENTS**

7 Sec. ____ Section 39A.2, subsection 1, paragraph
8 b, Code 2013, is amended by adding the following new
9 subparagraph:

10 NEW SUBPARAGRAPH. (6) Falsely swears to an oath
11 required pursuant to section 49.77, subsection 3, or
12 an affidavit pursuant to section 49.81, subsection 5,
13 paragraph “b”.

14 Sec. ____ Section 48A.7A, subsection 1, paragraph
15 a, Code 2013, is amended to read as follows:

16 a. A person who is eligible to register to vote
17 and to vote may register on election day by appearing
18 in person at the polling place for the precinct in
19 which the individual resides and completing a voter
20 registration application, making written oath, and
21 providing proof of identity and ~~residence~~ proof of
22 residence pursuant to paragraph “b”.

23 Sec. ____ Section 48A.7A, subsection 1, paragraph
24 b, Code 2013, is amended by striking the paragraph and
25 inserting in lieu thereof the following:

26 b. (1) For purposes of this section, a person may
27 establish identity by showing proof of identification
28 as required in section 49.77, subsection 3.

29 (2) For purposes of this section, a person may
30 establish residence using a proof of identification
31 document described in section 49.77, subsection 3,
32 paragraph “b”, if the proof of identification contains
33 the person’s current address in the precinct. If the
34 proof of identification does not contain the person’s
35 current address in the precinct, the person shall also
36 present one of the following documents that shows the
37 person’s name and current address in the precinct:

38 (a) Utility bill.

39 (b) Bank statement.

40 (c) Paycheck.

41 (d) Government check.

42 (e) Other government document.

43 Sec. ____ Section 48A.7A, subsections 2 and 3, Code
44 2013, are amended to read as follows:

45 2. The oath required in subsection 1, paragraph
46 “a”, and in paragraph “c”, if applicable, shall be
47 executed on the same piece of paper and attached to the
48 voter registration application.

49 3. At any time before election day, and after the
50 deadline for registration in section 48A.9, a person

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1 who appears in person at the commissioner's office or
2 at a satellite absentee voting station or whose ballot
3 is delivered to a health care facility pursuant to
4 section 53.22 may register to vote and vote an absentee
5 ballot by following the procedure in this section
6 for registering to vote on election day. A person
7 who wishes to vote in person at the polling place on
8 election day and who has not registered to vote before
9 the deadline for registering in section 48A.9, is
10 required to register to vote at the polling place on
11 election day following the procedure in this section.
12 However, the person may complete the voter registration
13 application at the commissioner's office and, after the
14 commissioner has reviewed the completed application,
15 may present the application to the appropriate precinct
16 election official along with proof of ~~identity and~~
17 ~~residency~~ identification and proof of residence.

18 Sec. ____ Section 48A.8, subsection 2, unnumbered
19 paragraph 1, Code 2013, is amended to read as follows:

20 An eligible elector who registers by mail and who
21 has not previously voted in an election for federal
22 office in the county of registration shall be required
23 to provide additional identification documents when
24 voting for the first time in the county, unless the
25 registrant provided on the registration form the
26 registrant's Iowa driver's license number, or the
27 registrant's Iowa nonoperator's identification card
28 number, or the last four numerals of the registrant's
29 social security number and the driver's license,
30 nonoperator's identification, or partial social
31 security number matches an existing state or federal
32 identification record with the same number, name, and
33 date of birth. If the registrant is required to show
34 additional identification under this subsection and
35 votes in person at the polls, or by absentee ballot
36 at the commissioner's office or at a satellite voting
37 station, the registrant shall provide a current and
38 valid photo identification card, or shall present to
39 the appropriate election official one of the following
40 current documents that shows the name and address of
41 the registrant:

42 Sec. ____ Section 48A.8, subsection 4, Code 2013,
43 is amended to read as follows:

44 4. A registrant under subsection 2 who is required
45 to present additional identification when casting
46 a ballot in person shall be permitted to vote a
47 provisional ballot if the voter does not provide the
48 required additional identification documents pursuant
49 to subsection 2. If a voter who is required to present
50 such additional identification when casting a ballot

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1 votes an absentee ballot by mail, the ballot returned
2 by the voter shall be considered a provisional ballot
3 pursuant to sections 49.81 and 53.31.

4 Sec. ____ Section 48A.27, subsection 4, paragraph
5 c, subparagraph (2), Code 2013, is amended to read as
6 follows:

7 (2) The notice shall contain a statement in
8 substantially the following form:

9 Information received from the United States postal
10 service indicates that you are no longer a resident of,
11 and therefore not eligible to vote in (name of county)
12 County, Iowa. If this information is not correct,
13 and you still live in (name of county) County, please
14 complete and mail the attached postage paid card at
15 least ten days before the primary or general election
16 and at least eleven days before any other election at
17 which you wish to vote. If the information is correct
18 and you have moved, please contact a local official
19 in your new area for assistance in registering there.
20 ~~If you do not mail in the card, you may be required~~
21 ~~to show identification before being allowed to vote~~
22 ~~in (name of county) County.~~ If you do not return the
23 card, and you do not vote in an election in (name of
24 county) County, Iowa, on or before (date of second
25 general election following the date of the notice) your
26 name will be removed from the list of voters in that
27 county.

28 Sec. ____ Section 48A.29, subsection 1, paragraph
29 b, Code 2013, is amended to read as follows:

30 b. The notice shall contain a statement in
31 substantially the following form:

32 Information received from the United States postal
33 service indicates that you are no longer a resident
34 of (residence address) in (name of county) County,
35 Iowa. If this information is not correct, and you
36 still live in (name of county) County, please complete
37 and mail the attached postage paid card at least ten
38 days before the primary or general election and at
39 least eleven days before any other election at which
40 you wish to vote. If the information is correct, and
41 you have moved, please contact a local official in your
42 new area for assistance in registering there. ~~If you~~
43 ~~do not mail in the card, you may be required to show~~
44 ~~identification before being allowed to vote in (name~~
45 ~~of county) County.~~ If you do not return the card, and
46 you do not vote in some election in (name of county)
47 County, Iowa, on or before (date of second general
48 election following the date of the notice) your name
49 will be removed from the list of voters in that county.

50 Sec. ____ Section 48A.29, subsection 3, paragraph

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1 b, Code 2013, is amended to read as follows:

2 b. The notice shall contain a statement in
3 substantially the following form:
4 Information received by this office indicates that
5 you are no longer a resident of (residence address) in
6 (name of county) County, Iowa. If the information is
7 not correct, and you still live at that address, please
8 complete and mail the attached postage paid card at
9 least ten days before the primary or general election
10 and at least eleven days before any other election at
11 which you wish to vote. If the information is correct,
12 and you have moved within the county, you may update
13 your registration by listing your new address on the
14 card and mailing it back. If you have moved outside
15 the county, please contact a local official in your
16 new area for assistance in registering there. ~~If you~~
17 ~~do not mail in the card, you may be required to show~~
18 ~~identification before being allowed to vote in (name~~
19 ~~of county) County.~~ If you do not return the card, and
20 you do not vote in some election in (name of county)
21 County, Iowa, on or before (date of second general
22 election following the date of the notice) your name
23 will be removed from the list of registered voters in
24 that county.

25 Sec. ____ Section 49.53, subsection 1, Code 2013,
26 is amended to read as follows:

27 1. The commissioner shall not less than four
28 nor more than twenty days before the day of each
29 election, except those for which different publication
30 requirements are prescribed by law, publish notice of
31 the election. The notice shall contain a facsimile
32 of the portion of the ballot containing the first
33 rotation as prescribed by section 49.31, subsection 2,
34 and shall show the names of all candidates or nominees
35 and the office each seeks, and all public questions,
36 to be voted upon at the election. The sample ballot
37 published as a part of the notice may at the discretion
38 of the commissioner be reduced in size relative to
39 the actual ballot but such reduction shall not cause
40 upper case letters appearing in candidates' names
41 or in summaries of public measures on the published
42 sample ballot to be less than nine point type. The
43 notice shall also state the date of the election, the
44 hours the polls will be open, that all voters will be
45 required to show proof of identification before casting
46 a ballot, the location of each polling place at which
47 voting is to occur in the election, and the names of
48 the precincts voting at each polling place, but the
49 statement need not set forth any fact which is apparent
50 from the portion of the ballot appearing as a part of

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1 the same notice. The notice shall include the full
2 text of all public measures to be voted upon at the
3 election.

4 Sec. ____ Section 49.77, subsection 3, Code 2013,
5 is amended by striking the subsection and inserting in
6 lieu thereof the following:

7 3. a. A precinct election official shall
8 require the voter to present for inspection proof of
9 identification before being allowed to vote.

10 b. For purposes of this section, "proof of
11 identification" refers to a document that satisfies all
12 of the following:

13 (1) The document shows the name of the individual
14 to whom the document was issued which shall conform to
15 the name on the election register.

16 (2) The document shows a photograph of the
17 individual to whom it was issued.

18 (3) The document was issued by the government of
19 the United States, the state of Iowa, an Iowa public
20 or private university or college, an Iowa secondary
21 school, or a political subdivision of the state of
22 Iowa. In the case of a document issued by a political
23 subdivision, the document shall be issued not later
24 than the close of voter registration for the applicable
25 election as set forth in section 48A.9 and shall
26 meet all other requirements established by the state
27 commissioner by rule.

28 c. In lieu of paragraph "b", a person wishing to
29 vote may establish proof of identity by written oath
30 of the person wishing to vote and of an attesting
31 person who provides proof of identification pursuant
32 to paragraph "b". The oath shall be in the form
33 prescribed by the state commissioner of elections
34 and shall state the identity and attest to the stated
35 identity of the person wishing to vote. The oath
36 must be signed by the attesting person and the person
37 wishing to vote in the presence of the appropriate
38 precinct election official. A person who has signed an
39 oath attesting to a person's identity as provided in
40 this paragraph is prohibited from signing any further
41 oaths as provided in this paragraph for the same
42 election. The oath shall advise the person wishing to
43 vote and the attesting person that falsely signing such
44 an oath or falsely attesting to a voter's identity is
45 a class "D" felony.

46 d. The commissioner shall, within forty-five days
47 after each election, review all attestations received
48 under this subsection and if any individual is found to
49 have attested for more than one voter in a particular
50 election, the commissioner shall immediately notify the

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1 state commissioner and the county attorney.

2 Sec. ____ Section 49.77, Code 2013, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 3A. a. If proof of identification
5 or proof of identity is established under subsection 3,
6 the person shall be allowed to vote.

7 b. If a person is unable or refuses to present
8 proof of identification, or the precinct election
9 official determines the proof of identification
10 presented by the person does not qualify as proof of
11 identification under subsection 3, paragraph “b”,
12 or proof of identity under subsection 3, paragraph
13 “c”, the person shall be offered the option to vote a
14 ballot, but only in accordance with section 49.81.

15 Sec. ____ Section 49.77, subsection 4, paragraph a,
16 Code 2013, is amended to read as follows:

17 a. A person whose name does not appear on the
18 election register of the precinct in which that person
19 claims the right to vote shall not be permitted to
20 vote, unless the person affirms that the person is
21 currently registered in the county ~~and presents proof~~
22 ~~of identity~~, or the commissioner informs the precinct
23 election officials that an error has occurred and that
24 the person is a registered voter of that precinct, and
25 the person presents proof of identification pursuant
26 to subsection 3. If the commissioner finds no record
27 of the person’s registration but the person insists
28 that the person is a registered voter of that precinct,
29 the precinct election officials shall allow the person
30 to cast a ballot in the manner prescribed by section
31 49.81.

32 Sec. ____ Section 49.81, subsection 1, Code 2013,
33 is amended to read as follows:

34 1. A prospective voter who is prohibited under
35 section 48A.8, subsection 4, section 49.77, subsection
36 3A, paragraph “b”, section 49.77, subsection 4, section
37 49.80, ~~or~~ section 53.19, subsection 3, or section 53.22,
38 subsection 1, paragraph “d”, from voting except under
39 this section shall be notified by the appropriate
40 precinct election official that the voter may cast a
41 provisional ballot. The voter shall mark the ballot
42 and immediately seal it in an envelope of the type
43 prescribed by subsection 4. The voter shall deliver
44 the sealed envelope to a precinct election official who
45 shall deposit it in an envelope marked “provisional
46 ballots”. The ballot shall be considered as having
47 been cast in the special precinct established by
48 section 53.20 for purposes of the postelection canvass.

49 Sec. ____ Section 49.81, subsection 2, paragraph b,
50 Code 2013, is amended to read as follows:

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b. If the person is casting a provisional ballot because the person ~~failed~~ was unable or refused to provide a required form of identification pursuant to section 48A.8, subsection 4, section 49.77, subsection 3A, paragraph "b", section 49.77, subsection 4, or section 53.22, subsection 1, paragraph "d", a list of the types of acceptable identification and notification that the person must show identification before the ballot can be counted.

Sec. _____. Section 49.81, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 5. a. If a voter casts a provisional ballot pursuant to section 49.77, subsection 3A, paragraph "b", the precinct election official shall indicate on the provisional ballot envelope that the voter is casting a provisional ballot due to the voter's inability or refusal to present proof of identification.

b. At the time a provisional ballot is cast the voter may also execute an affidavit in the form prescribed by the state commissioner which shall be attached to the provisional ballot envelope, affirming that the voter is the person the voter claims to be and further affirming either of the following:

(1) The voter is indigent and is unable to obtain proof of identification without the payment of a fee.

(2) The voter has a religious objection to being photographed.

c. A provisional ballot cast pursuant to section 49.77, subsection 3A, paragraph "b", which is accompanied by an affidavit executed pursuant to paragraph "b" of this subsection shall be presumed valid by the special precinct board and shall be counted unless additional written statements or documents are delivered to the commissioner's office prior to the date provisional ballots are considered by the special precinct election board and the special precinct election board determines such additional evidence successfully rebuts the presumption of validity.

Sec. _____. Section 53.10, subsection 2, Code 2013, is amended to read as follows:

2. Each person who wishes to vote by absentee ballot at the commissioner's office shall first sign an application for a ballot including the following information: name, current address, and the election for which the ballot is requested. The person may report a change of address or other information on the person's voter registration record at that time. The person must also provide proof of identification

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1 pursuant to section 49.77, subsection 3, or be offered
2 the option to vote a provisional ballot pursuant to
3 section 49.77, subsection 3A, paragraph "b", before
4 receiving an absentee ballot. Upon receipt of the
5 absentee ballot, the registered voter shall immediately
6 mark the ballot; enclose the ballot in a secrecy
7 envelope, if necessary, and seal it in an affidavit
8 envelope; subscribe to the affidavit on the reverse
9 side of the envelope; and return the absentee ballot
10 to the commissioner. The commissioner shall record
11 the numbers appearing on the application and affidavit
12 envelope along with the name of the registered voter.

13 Sec. ____. Section 53.22, subsection 1, Code 2013,
14 is amended by adding the following new paragraph:
15 NEW PARAGRAPH. d. Before receiving a ballot
16 under this subsection, each applicant shall present
17 proof of identification pursuant to section 49.77,
18 subsection 3, to the special precinct election board
19 members. If an applicant is unable to present proof of
20 identification, the applicant shall have an opportunity
21 to execute an affidavit in the form prescribed by the
22 state commissioner of elections affirming that the
23 voter does not have and is unable to obtain proof
24 of identification and that the voter resides in a
25 hospital or health care facility and is casting a
26 ballot pursuant to this section. If the applicant
27 refuses to execute an affidavit, the voter's ballot
28 shall be considered a provisional ballot cast pursuant
29 to section 49.81.

30 Sec. ____. Section 321.190, subsection 1, paragraph
31 d, Code 2013, is amended to read as follows:
32 d. The fee for a nonoperator's identification card
33 shall be five dollars and the card shall be valid for
34 a period of five years from the date of issuance. A
35 nonoperator's identification card shall be issued
36 without expiration to anyone age seventy or over. If
37 an applicant for a nonoperator's identification card
38 is a foreign national who is temporarily present in
39 this state, the nonoperator's identification card
40 shall be issued only for the length of time the foreign
41 national is authorized to be present as determined by
42 the department, not to exceed two years. An issuance
43 fee shall not be charged for a person whose driver's
44 license or driving privilege has been suspended
45 under section 321.210, subsection 1, paragraph
46 "a", subparagraph (3), or for a person obtaining an
47 identification card to be used under section 49.77,
48 subsection 3, for voting purposes. Identification
49 cards obtained for voting purposes shall be labeled by
50 the department as "For Voting Purposes Only".

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- 1 Sec. ____ APPLICABILITY. This division of this Act
- 2 applies to elections held on or after January 1, 2015.>
- 3 2. By renumbering as necessary.

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RANDY FEENSTRA
DAVID JOHNSON
MARK SEGEBART
NANCY J. BOETTGER
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AMY SINCLAIR
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RICK BERTRAND
MARK CHELGREN
JACK WHITVER
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TIM L. KAPUCIAN
BRAD ZAUN
KENT SORENSON
ROBY SMITH
DENNIS GUTH
HUBERT HOUSER
BILL DIX

S-3244

- 1 Amend House File 621, as passed by the House, as
- 2 follows:
- 3 1. By striking everything after the enacting clause
- 4 and inserting:
- 5 <Section 1. Section 421.1A, subsection 2, paragraph
- 6 b, Code 2013, is amended to read as follows:
- 7 b. Each member of the property assessment appeal
- 8 board shall be qualified by virtue of at least two
- 9 years' experience in the area of government, corporate,
- 10 or private practice relating to property appraisal
- 11 and property tax administration. One member of the
- 12 board shall be a certified general real estate property
- 13 appraiser ~~or hold a professional appraisal designation,~~
- 14 one member shall be an attorney practicing in the area
- 15 of state and local taxation or property tax appraisals,
- 16 and one member shall be ~~a professional~~ an attorney with
- 17 experience in the field of accounting or finance and
- 18 with experience in state and local taxation matters.
- 19 No more than two members of the board may be from the

20 same political party as that term is defined in section
21 43.2.

22 Sec. 2. Section 421.1A, subsection 6, Code 2013, is
23 amended to read as follows:

24 6. The members of the property assessment appeal
25 board shall receive ~~compensation from the state~~
26 ~~commensurate with the salary of a district judge~~
27 ~~through December 31, 2013~~ an annual salary of ninety
28 thousand dollars. The members of the board shall be
29 considered state employees for purposes of salary and
30 benefits. The members of the board and any employees
31 of the board, when required to travel in the discharge
32 of official duties, shall be paid their actual and
33 necessary expenses incurred in the performance of
34 duties.

35 Sec. 3. Section 421.1A, subsection 7, Code 2013, is
36 amended by striking the subsection.

37 Sec. 4. Section 441.21, subsection 3, Code 2013, is
38 amended to read as follows:

39 3. a. "Actual value", "taxable value", or "assessed
40 value" as used in other sections of the Code in
41 relation to assessment of property for taxation shall
42 mean the valuations as determined by this section;
43 however, other provisions of the Code providing special
44 methods or formulas for assessing or valuing specified
45 property shall remain in effect, but this section
46 shall be applicable to the extent consistent with such
47 provisions. The assessor and department of revenue
48 shall disclose at the written request of the taxpayer
49 all information in any formula or method used to
50 determine the actual value of the taxpayer's property.

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1 b. The burden of proof shall be upon any
2 complainant attacking such valuation as excessive,
3 inadequate, inequitable, or capricious; however, in
4 protest or appeal proceedings when the complainant
5 offers competent evidence by at least two disinterested
6 witnesses that the market value of the property is less
7 than the market value determined by the assessor, the
8 burden of proof thereafter shall be upon the officials
9 or persons seeking to uphold such valuation to be
10 assessed.

11 Sec. 5. Section 441.23, Code 2013, is amended to
12 read as follows:

13 441.23 Notice of valuation.

14 If there has been an increase or decrease in the
15 valuation of the property, or upon the written request
16 of the person assessed, the assessor shall, at the time
17 of making the assessment, inform the person assessed,
18 in writing, of the valuation put upon the taxpayer's

19 property, and notify the person, that if the person
20 feels aggrieved, to contact the assessor pursuant
21 to section 441.30 or to appear before the board of
22 review and show why the assessment should be changed.

23 However, if the valuation of a class of property
24 is uniformly decreased, the assessor may notify the
25 affected property owners by publication in the official
26 newspapers of the county. The owners of real property
27 shall be notified not later than April ~~15~~ 1 of any
28 adjustment of the real property assessment.

29 Sec. 6. Section 441.26, subsection 1, Code 2013, is
30 amended to read as follows:

31 1. The director of revenue shall each year
32 prescribe the form of assessment roll to be used by
33 all assessors in assessing property, in this state,
34 also the form of pages of the assessor's assessment
35 book. The assessment rolls shall be in a form that
36 will permit entering, separately, the names of all
37 persons assessed, and shall also contain a notice in
38 substantially the following form:

39 If you are not satisfied that the foregoing
40 assessment is correct, you may contact the assessor on
41 or after April 1, to and including April 7, of the year
42 of the assessment to request an informal review of the
43 assessment pursuant to section 441.30.

44 If you are not satisfied that the foregoing
45 assessment is correct, you may file a protest against
46 such assessment with the board of review on or after
47 April ~~16~~ 7, to and including May 5, of the year of the
48 assessment, such protest to be confined to the grounds
49 specified in section 441.37.

50 Dated: .. day of ... (month), .. (year)

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1
2 County/City Assessor.
3 Sec. 7. Section 441.28, Code 2013, is amended to
4 read as follows:
5 441.28 Assessment rolls — change — notice to
6 taxpayer.
7 The assessment shall be completed not later than
8 April ~~15~~ 1 each year. If the assessor makes any
9 change in an assessment after it has been entered on
10 the assessor's rolls, the assessor shall note on the
11 roll, together with the original assessment, the new
12 assessment and the reason for the change, together with
13 the assessor's signature and the date of the change.
14 Provided, however, in the event the assessor increases
15 any assessment the assessor shall give notice of the
16 increase in writing to the taxpayer by mail postmarked
17 no later than April ~~15~~ 1. No changes shall be made on

18 the assessment rolls after April ~~15~~ 1 except by order
19 of the board of review or of the property assessment
20 appeal board, or by decree of court.

21 Sec. 8. NEW SECTION. 441.30 Informal assessment
22 review period — recommendation.

23 1. Any property owner or aggrieved taxpayer who is
24 dissatisfied with the owner's or taxpayer's assessment
25 may contact the assessor by telephone or in writing
26 by paper or electronic medium on or after April 1, to
27 and including April 7, of the year of the assessment
28 to inquire about the specifics and accuracy of the
29 assessment. Such an inquiry may also include a
30 request for an informal review of the assessment by the
31 assessor under one or more of the grounds for protest
32 authorized under section 441.37 for the same assessment
33 year.

34 2. In response to an inquiry under subsection 1, if
35 the assessor, following an informal review, determines
36 that the assessment was incorrect under one or more
37 of the grounds for protest authorized under section
38 441.37 for the same assessment year, the assessor may
39 recommend that the property owner or aggrieved taxpayer
40 file a protest with the local board of review and may
41 file a recommendation with the local board of review
42 related to the informal review.

43 3. A recommendation filed with the local board
44 of review by the assessor pursuant to subsection 2
45 shall be utilized by the local board of review in the
46 evaluation of all evidence properly before the local
47 board of review.

48 4. This section, including any action taken by the
49 assessor under this section, shall not be construed to
50 limit a property owner or taxpayer's ability to file a

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1 protest with the local board of review under section
2 441.37.

3 Sec. 9. Section 441.35, subsection 2, Code 2013, is
4 amended to read as follows:

5 2. In any year after the year in which an
6 assessment has been made of all of the real estate
7 in any taxing district, the board of review shall
8 meet as provided in section 441.33, and where the
9 board finds the same has changed in value, the board
10 shall revalue and reassess any part or all of the
11 real estate contained in such taxing district, and
12 in such case, the board shall determine the actual
13 value as of January 1 of the year of the revaluation
14 and reassessment and compute the taxable value
15 thereof. ~~Any aggrieved taxpayer may petition for~~
16 ~~a revaluation of the taxpayer's property, but no~~

17 ~~reduction or increase shall be made for prior years.~~
18 If the assessment of any such property is raised, or
19 any property is added to the tax list by the board,
20 the clerk shall give notice in the manner provided in
21 section 441.36. However, if the assessment of all
22 property in any taxing district is raised, the board
23 may instruct the clerk to give immediate notice by one
24 publication in one of the official newspapers located
25 in the taxing district, and such published notice
26 shall take the place of the mailed notice provided for
27 in section 441.36, but all other provisions of that
28 section shall apply. The decision of the board as to
29 the foregoing matters shall be subject to appeal to the
30 property assessment appeal board within the same time
31 and in the same manner as provided in section 441.37A
32 and to the district court within the same time and in
33 the same manner as provided in section 441.38.
34 Sec. 10. Section 441.37, subsection 1, paragraphs a
35 and b, Code 2013, are amended to read as follows:
36 a. Any property owner or aggrieved taxpayer who is
37 dissatisfied with the owner's or taxpayer's assessment
38 may file a protest against such assessment with
39 the board of review on or after April ~~16~~ 7, to and
40 including May 5, of the year of the assessment. In any
41 county which has been declared to be a disaster area by
42 proper federal authorities after March 1 and prior to
43 May 20 of said year of assessment, the board of review
44 shall be authorized to remain in session until June 15
45 and the time for filing a protest shall be extended
46 to and include the period from May 25 to June 5 of
47 such year. ~~Said~~ The protest shall be in writing and,
48 ~~except as provided in subsection 2A,~~ signed by the one
49 protesting or by the protester's duly authorized agent.
50 The taxpayer may have an oral hearing ~~thereon~~ on the

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1 ~~protest if the request therefor for the oral hearing~~
2 ~~is made in writing is made~~ at the time of filing the
3 protest. ~~Said~~ The protest must be confined to one or
4 more of the following grounds:
5 (1) For odd-numbered assessment years and for
6 even-numbered assessment years for property that was
7 reassessed in such even-numbered assessment year:
8 (a) That said assessment is not equitable as
9 compared with assessments of other like property in
10 the taxing district. When this ground is relied upon
11 as the basis of a protest the legal description and
12 assessments of a representative number of comparable
13 properties, as described by the aggrieved taxpayer
14 shall be listed on the protest, otherwise said protest
15 shall not be considered on this ground.

16 ~~(2)~~ (b) That the property is assessed for more
17 than the value authorized by law, ~~stating. When this~~
18 ground is relied upon, the protesting party shall state
19 the specific amount which the protesting party believes
20 the property to be overassessed, and the amount which
21 the party considers to be its actual value and the
22 amount the party considers a fair assessment.

23 ~~(3)~~ (c) That the property is not assessable, is
24 exempt from taxes, or is misclassified and stating the
25 reasons for the protest.

26 ~~(4)~~ (d) That there is an error in the assessment
27 and state the specific alleged error. ~~When this~~
28 ground is relied upon, the error may include but is not
29 limited to listing errors, clerical or mathematical
30 errors, or other errors that result in an error in the
31 assessment.

32 ~~(5)~~ (e) That there is fraud in the assessment
33 which shall be specifically stated.

34 (2) For even-numbered assessment years, when the
35 property has not been reassessed in such even-numbered
36 assessment year, that there has been a decrease in the
37 value of the property from the previous reassessment
38 year. When this ground is relied upon, the protesting
39 party shall show the decrease in value by comparing
40 the market value of the property as of January 1 of
41 the current assessment year and the actual value of
42 the property for the previous reassessment year. Such
43 protest shall be in the same manner as described in
44 this section and shall be reviewed by the local board
45 of review pursuant to section 441.35, subsection 2, but
46 a reduction or increase shall not be made for prior
47 years.

48 ~~b. In addition to the above, the property owner~~
49 ~~may protest annually to the board of review under~~
50 ~~the provisions of section 441.35, but such protest~~

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1 ~~shall be in the same manner and upon the same terms as~~
2 ~~heretofore prescribed in this section. The burden of~~
3 proof for all protests filed under this section shall
4 be as stated in section 441.21, subsection 3.

5 Sec. 11. Section 441.37, Code 2013, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 2A. For assessment years beginning
8 on or after January 1, 2014, the board of review may
9 allow property owners or aggrieved taxpayers who are
10 dissatisfied with the owner's or taxpayer's assessment
11 to file a protest against such assessment by electronic
12 means. Electronic filing of assessment protests
13 may be authorized for the protest period that begins
14 April 7, the protest period that begins October 15,

or both. Except for the requirement that a protest be signed, all other requirements of this section for an assessment protest to the board of review shall apply to a protest filed electronically. If electronic filing is authorized by the local board of review, the availability of electronic filing shall be clearly indicated on the assessment roll notice provided to the property owner or taxpayer and included in the published equalization order notice.

Sec. 12. Section 441.37A, subsection 1, paragraphs a and b, Code 2013, are amended to read as follows:

a. For the assessment year beginning January 1, 2007, and all subsequent assessment years beginning before January 1, 2015, appeals may be taken from the action of the board of review with reference to protests of assessment, valuation, or application of an equalization order to the property assessment appeal board created in section 421.1A. However, a property owner or aggrieved taxpayer or an appellant described in section 441.42 may bypass the property assessment appeal board and appeal the decision of the local board of review to the district court pursuant to section 441.38.

b. For an appeal to the property assessment appeal board to be valid, written notice must be filed by the party appealing the decision with the secretary of the property assessment appeal board within twenty days after the date ~~the board of review's letter of disposition of the appeal is postmarked to the party making the protest of adjournment of the local board of review or May 31, whichever is later.~~ The written notice of appeal shall include a petition setting forth the basis of the appeal and the relief sought. No new grounds in addition to those set out in the protest to the local board of review as provided in section 441.37 can be pleaded, but additional evidence consisting

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of an appraisal of the property or testimony of an appraiser who prepared an appraisal of the property to sustain those grounds may be introduced. The assessor shall have the same right to appeal to the assessment appeal board as an individual taxpayer, public body, or other public officer as provided in section 441.42. An appeal to the board is a contested case under chapter 17A, and the board is considered an agency for purposes of section 17A.15, subsection 1.

Sec. 13. Section 441.37A, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. For the assessment year beginning January 1, 2014, the property assessment

14 appeal board may, by rule, provide for the filing of a
15 notice of appeal and petition with the secretary of the
16 board by electronic means. All requirements of this
17 section for an appeal to the board shall apply to an
18 appeal filed electronically.

19 Sec. 14. Section 441.37A, subsection 2, paragraph
20 a, Code 2013, is amended to read as follows:

21 a. A party to the appeal may request a hearing or
22 the appeal may proceed without a hearing. If a hearing
23 is requested, the appellant and the local board of
24 review from which the appeal is taken shall be given
25 at least thirty days' written notice by the property
26 assessment appeal board of the date the appeal shall be
27 heard and the local board of review may be present and
28 participate at such hearing. Notice to all affected
29 taxing districts shall be deemed to have been given
30 when written notice is provided to the local board of
31 review. The requirement of thirty days' written notice
32 may be waived by mutual agreement of all parties to
33 the appeal. Failure by the appellant to appear at
34 the property assessment appeal board hearing shall be
35 ~~grounds for result in~~ dismissal of the appeal unless a
36 continuance is granted to the appellant by the board
37 following a showing of good cause for the appellant's
38 failure to appear. If an appeal is dismissed for
39 failure to appear, the property assessment appeal board
40 shall have no jurisdiction to consider any subsequent
41 appeal on the appellant's protest.

42 Sec. 15. Section 441.37A, subsection 2, paragraph
43 b, Code 2013, is amended to read as follows:

44 b. ~~An appeal may be considered by less than a~~
45 ~~majority of the members~~ Each appeal shall be considered
46 by one member of the board, and the chairperson of the
47 board may assign members to consider appeals. If a
48 hearing is requested, it shall be open to the public
49 and shall be conducted in accordance with the rules
50 of practice and procedure adopted by the board. The

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1 board may provide by rule for participation in such
2 hearings by telephone or other means of electronic
3 communication. However, any deliberation of a board
4 member considering the appeal in reaching a decision
5 on any appeal shall be confidential. ~~A meeting of the~~
6 ~~board~~ Any deliberation of a board member to rule on
7 procedural motions in a pending appeal or to deliberate
8 on the decision to be reached in an appeal is exempt
9 from the provisions of chapter 21. The ~~property~~
10 ~~assessment appeal board or any~~ member of the board
11 considering the appeal may require the production of
12 any books, records, papers, or documents as evidence

in any matter pending before the board that may be material, relevant, or necessary for the making of a just decision. Any books, records, papers, or documents produced as evidence shall become part of the record of the appeal. Any testimony given relating to the appeal shall be transcribed and made a part of the record of the appeal.

Sec. 16. Section 441.37A, subsection 3, paragraph a, Code 2013, is amended to read as follows:

a. The board member considering the appeal shall determine anew all questions arising before the local board of review which relate to the liability of the property to assessment or the amount thereof. All of the evidence shall be considered and there shall be no presumption as to the correctness of the valuation of assessment appealed from. The decision of the board member considering the appeal shall be the decision of the property assessment appeal board. The property assessment appeal board shall ~~make issue a~~ decision in each appeal filed with the board. ~~If the appeal is considered by less than a majority of the board, the determination made by that member shall be forwarded to the full board for approval, rejection, or modification. If the initial determination is rejected by the board, it shall be returned for reconsideration to the board member making the initial determination. Any deliberation of the board regarding an initial determination shall be confidential. The burden of proof for all appeals before the board shall be as stated in section 441.21, subsection 3.~~

Sec. 17. 2005 Iowa Acts, chapter 150, section 134, is amended to read as follows:

SEC. 134. FUTURE REPEAL.

1. The sections of this division of this Act amending sections 7E.6, 13.7, 428.4, 441.19, 441.35, 441.38, 441.39, 441.43, 441.49, and 445.60, and enacting sections 421.1A and 441.37A, are repealed effective July 1, ~~2013~~ 2015.

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2. The portion of the section of this division of this Act amending section 441.28 relating only to the property assessment appeal board is repealed effective July 1, ~~2013~~ 2015.

3. The repeals provided for in subsections 1 and 2 shall include all subsequent amendments to such sections relating to the property assessment appeal board.

Sec. 18. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

12 Sec. 19. APPLICABILITY. Except as otherwise
13 provided in this Act, this Act applies to assessment
14 years beginning on or after January 1, 2014.

15 Sec. 20. APPLICABILITY. The following provision
16 of this Act applies to appointments to the property
17 assessment appeal board on or after the effective date
18 of this Act:

19 1. The section of this Act amending section 421.1A,
20 subsection 2, paragraph "b".

21 Sec. 21. APPLICABILITY. The following provision of
22 this Act applies to fiscal years beginning on or after
23 July 1, 2013:

24 1. The section of this Act amending section 421.1A,
25 subsection 6.

26 Sec. 22. APPLICABILITY. The section of this Act
27 amending 2005 Iowa Acts, chapter 150, section 134,
28 applies on or after the effective date of this Act.

29 Sec. 23. RETROACTIVE APPLICABILITY. The following
30 provisions of this Act apply retroactively to January
31 1, 2013, for assessment years beginning on or after
32 that date:

33 1. The section of this Act amending section
34 441.37A, subsection 2, paragraph "a".

35 2. The portion of the section of this Act amending
36 section 441.37A, subsection 2, paragraph "b", that
37 authorizes the property assessment appeal board to
38 provide by rule for participation in hearings by
39 telephone or other means of electronic communication.>

40 2. Title page, line 2, by striking <date and> and
41 inserting <date, retroactive applicability, and other>

42 3. By renumbering, redesignating, and correcting
43 internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3245

1 Amend Senate File 421 as follows:

2 1. Page 3, by striking line 14 and inserting:
3 <NEW PARAGRAPH. 0b. For the three-year period
4 beginning July 1, 2013, and ending June 30, 2016, the
5 program manager shall allocate>

6 2. Page 4, line 12, after <council> by inserting
7 <and the auditor of state>

8 3. Page 4, by striking lines 21 through 26 and
9 inserting:

10 <b. Data collection pursuant to paragraph "a" shall
11 commence no later than January 1, 2014, and shall be
12 subject to an audit by the auditor of state beginning
13 July 1, 2014. The program manager shall prepare a
14 report detailing the methodology developed and the

15 data collected after such data has been collected for
16 a two-year period. The report and the results of
17 the initial audit shall be submitted to the general
18 assembly by March 1, 2016. A new report regarding data
19 collection and the results of an ongoing audit for each
20 successive two-year period shall be submitted by March
21 1 every two years thereafter. Expenses associated with
22 the audit shall be paid to the auditor of state by the
23 program manager from the E911 emergency communications
24 fund established in section 34A.7A.>

25 4. Page 5, after line 8 by inserting:

26 <Sec. _____. E911 EMERGENCY COMMUNICATION SYSTEMS —
27 EFFICIENCIES STUDIES.

28 1. The homeland security and emergency management
29 division of the department of public defense shall
30 conduct a study to identify areas in which efficiencies
31 of operations and expenses could be achieved with
32 regard to E911 emergency communication systems at both
33 the state and local level. The division shall submit
34 a report containing the results of the study to the
35 general assembly by July 1, 2014.

36 2. The homeland security and emergency management
37 division of the department of public defense shall
38 conduct a study to review the administration of the
39 enhanced E911 emergency telephone communication system
40 and expenditures associated with maintaining and
41 operating the system commencing July 1, 2013. The
42 study shall include an assessment of the adequacy
43 of and necessity for the one dollar wire-line E911
44 service surcharge imposed pursuant to section 34A.7
45 and the one dollar emergency communications service
46 surcharge imposed pursuant to section 34A.7A, and a
47 recommendation regarding continuation of the surcharges
48 at those levels or at a reduced level. The division
49 shall submit a report containing the results of the
50 study to the general assembly by January 1, 2016.>

JANET PETERSEN

S-3246

1 Amend the House amendment, S-3183, to Senate File
2 396, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 17, before <The director> by
5 inserting <a.>

6 2. Page 1, line 18, by striking <shall> and
7 inserting <may>

8 3. Page 1, line 20, by striking <executive branch>
9 and inserting <participating>

10 4. Page 1, after line 23 by inserting:

11 <b. For purposes of this section, "participating

12 agency” means an agency, as defined in section 8A.101,
13 that has agreed to participate in and implement the
14 plan as developed by the department of administrative
15 services pursuant to this section. “Participating
16 agency” does not include institutions under the control
17 of the state board of regents.>

18 5. Page 1, line 27, before <agency> by inserting
19 <participating>

20 6. Page 1, line 29, before <agencies> by inserting
21 <participating>

22 7. Page 1, line 33, after <plan.> by inserting <In
23 establishing the new model and plan, the department
24 shall incorporate both information technology resources
25 and personnel resources to provide human resource
26 management functions efficiently and in a manner
27 that includes some level of personal service to
28 participating agencies and their employees.>

29 8. Page 1, line 40, by striking <executive branch>
30 and inserting <participating>

31 9. Page 1, line 40, by striking <and> and inserting
32 <, the department of management,>

33 10. Page 1, line 41, by striking <officer> and
34 inserting <officer,>

35 11. Page 1, by striking lines 44 through 46 and
36 inserting:

37 <f. Establish and implement an access control
38 policy and process related to all personnel files to
39 ensure access to files is limited to business need.>

40 12. Page 1, line 48, before <agencies> by inserting
41 <participating>

42 13. Page 1, line 49, by striking <executive branch>
43 and inserting <participating>

44 14. Page 2, line 14, by striking <Agencies> and
45 inserting <Participating agencies>

46 15. Page 2, line 18, before <agencies> by inserting
47 <participating>

48 16. Page 2, lines 21 and 22, by striking <and
49 payroll systems> and inserting <system>

50 17. Page 2, after line 28 by inserting:

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1 <Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES
2 — PAYROLL SYSTEM. The director of the department of
3 administrative services shall select and implement a
4 new payroll system for state executive branch agencies,
5 except for institutions under the control of the state
6 board of regents. State executive branch agencies,
7 except for institutions under the control of the state
8 board of regents, shall cooperate in the transition
9 to the payroll system selected by the department
10 of administrative services pursuant to timelines

11 identified by the department of administrative
12 services.>

13 18. Page 2, after line 45 by inserting:

14 <____. Page 32, after line 1 by inserting:

15 <Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES

16 — HUMAN RESOURCE MANAGEMENT SYSTEM — REPORTS. The

17 department of administrative services shall submit

18 annual status reports to the general assembly

19 concerning the development and implementation of the

20 new human resource management system, including the

21 payroll system, as provided in this division of this

22 Act. The department shall submit an annual status

23 report to the general assembly by January 1 of each

24 calendar year beginning in calendar year 2014 until the

25 new human resource management system and payroll system

26 are selected and implemented. Each status report

27 shall include plain language comprehensive budget and

28 financial information relative to the personnel and

29 infrastructure costs incurred for implementation of

30 the systems as well as projected budget information

31 relative to the implementation of each system for the

32 next succeeding fiscal year. Budget information in

33 each status report shall provide information relative

34 to any direct personnel and infrastructure costs

35 to be incurred by the department of administrative

36 services in the next succeeding fiscal year for

37 implementing each new system and costs to be charged by

38 the department to executive branch agencies for each

39 system. The department shall submit a final report to

40 the general assembly upon selection and implementation

41 of the new human resource management system and payroll

42 system. >>

43 19. By renumbering as necessary.

JEFF DANIELSON

S-3247

1 Amend House File 641, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. NEW SECTION. 15J.1 Short title.

6 This chapter shall be known and may be cited as the
7 “Iowa Reinvestment Act”.

8 Sec. 2. NEW SECTION. 15J.2 Definitions.

9 As used in this chapter, unless the context
10 otherwise requires:

11 1. “Board” means the same as defined in section
12 15.102.

13 2. “Commencement date” means the date established
14 for each district by the board under section 15J.4,

15 subsection 3, upon which the calculation of new state
16 sales tax and new state hotel and motel tax revenue
17 shall begin under section 15J.5 for deposit in the
18 fund.

19 3. "Department" means the department of revenue.

20 4. "District" means the area within a municipality
21 that is designated a reinvestment district pursuant to
22 section 15J.4.

23 5. "Fund" means the state reinvestment district
24 fund created in section 15J.6.

25 6. "Governing body" means the county board of
26 supervisors, city council, or other body in which the
27 legislative powers of the municipality are vested.

28 7. "Municipality" means a county or an incorporated
29 city.

30 8. "New lessor" means a lessor, as defined in
31 section 423A.2, operating a business in the district
32 that was not in operation in the area of the district
33 before the effective date of the ordinance establishing
34 the district, regardless of ownership. "New lessor"
35 also includes any lessor, defined in section 423A.2,
36 operating a business in the district if the place of
37 business for that business is the subject of a project
38 that was approved by the board.

39 9. "New retail establishment" means a business
40 operated in the district by a retailer, as defined in
41 section 423.1, that was not in operation in the area of
42 the district before the effective date of the ordinance
43 establishing the district, regardless of ownership.
44 "New retail establishment" also includes any business
45 operated in the district by a retailer, as defined in
46 section 423.1, if the place of business for that retail
47 establishment is the subject of a project that was
48 approved by the board.

49 10. "Project" means a vertical improvement
50 constructed or substantially improved within a district

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1 using sales tax revenues and hotel and motel tax
2 revenues received by a municipality pursuant to this
3 chapter.

4 11. "State hotel and motel tax" means the
5 state-imposed tax under section 423A.3.

6 12. "State sales tax" means the sales and services
7 tax imposed pursuant to section 423.2.

8 13. "Substantially improved" means that the cost of
9 the improvements are equal to or exceed fifty percent
10 of the assessed value of the property, excluding the
11 land, prior to such improvements.

12 14. "Vertical improvement" means a building that is
13 wholly or partially above grade and all appurtenant

14 structures to the building.

15 Sec. 3. NEW SECTION. 15J.3 Preapplication process.

16 The board may establish by rule a preapplication
17 process to provide information related to the
18 requirements of this chapter, to determine the interest
19 of municipalities in establishing districts under this
20 chapter, and to assist municipalities in preparing a
21 proposed district plan.

22 Sec. 4. NEW SECTION. 15J.4 District establishment
23 — approval.

24 1. A municipality that has an area suitable for
25 development within the boundaries of the municipality
26 is eligible to seek approval from the board to
27 establish a reinvestment district under this section
28 consisting of the area suitable for development. To be
29 designated a reinvestment district, an area shall meet
30 the following requirements:

31 a. The area consists only of parcels of real
32 property that the governing body of the municipality
33 determines will be directly and substantially benefited
34 by development in the proposed district.

35 b. The area is in whole or in part either an
36 economic development enterprise zone designated under
37 chapter 15E, division XVIII, or an urban renewal area
38 established pursuant to chapter 403.

39 c. The area consists of contiguous parcels and does
40 not exceed twenty-five acres in total.

41 d. For a municipality that is a city, the area does
42 not include the entire incorporated area of the city.

43 e. The area is not located in whole or in part
44 within another district established under this chapter.

45 2. Prior to submission to the board for approval
46 under subsection 3, a proposed district plan shall be
47 developed and approved by resolution of the governing
48 body of the municipality. The proposed district plan
49 shall state the governing body's intent to establish
50 a district. The proposed district plan shall also

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1 include all of the following:

2 a. A finding by the governing body that the area
3 in the proposed district is an area suitable for
4 development.

5 b. A legal description of the real estate forming
6 the boundaries of the area to be included in the
7 proposed district along with a map depicting the
8 existing parcels of real estate located in the proposed
9 district.

10 c. A list of the names and addresses of the owners
11 of record of the parcels to be included in the proposed
12 district.

13 d. A list of all projects proposed to be undertaken
14 within the district, a detailed description of those
15 projects, and a project plan for each proposed project.
16 Each project plan shall clearly state the estimated
17 cost of the proposed project, the anticipated funding
18 sources for the proposed project, the amount of
19 anticipated funding from each such source, and the
20 amount and type of debt, if any, to be incurred by the
21 municipality to fund the proposed project, and shall
22 include a proposed project feasibility study conducted
23 by an independent professional with expertise in
24 economic development and public finance. The project
25 plan for the project that proposes the largest amount
26 of capital investment among all proposed projects
27 within the district shall include an estimate of
28 the date that construction of the project will be
29 completed and of the date that operations will begin
30 at the project. The feasibility study shall include
31 projections and analysis of all of the following:
32 (1) The amount of gross revenues expected to
33 be collected in the district as a result of the
34 proposed project for each year that the district is in
35 existence.
36 (2) A detailed explanation of the manner and extent
37 to which the proposed project will contribute to the
38 economic development of the state and the municipality,
39 including an analysis of the proposed project's
40 economic impact. The analysis shall include the same
41 components and be conducted in the same manner as the
42 economic impact study required under paragraph "e".
43 (3) An estimate of the number of visitors or
44 customers the proposed project will generate during
45 each year that the district exists.
46 (4) A description of the unique characteristics of
47 the proposed project.
48 e. An economic impact study for the proposed
49 district conducted by an independent economist retained
50 by the municipality. The economic impact study shall,

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1 at a minimum, do all of the following:
2 (1) Contain a detailed analysis of the financial
3 benefit of the proposed district to the economy of the
4 state and the municipality.
5 (2) Identify one or more projected market areas in
6 which the district can reasonably be expected to have a
7 substantial economic impact.
8 (3) Assess the fiscal and financial impact of the
9 proposed district on businesses or on other economic
10 development projects within the projected market area.
11 3. a. The municipality shall submit a copy of

12 the resolution, the proposed district plan, and all
13 accompanying materials adopted pursuant to this section
14 to the board for evaluation. The board shall not
15 approve a proposed district plan if the application is
16 submitted after July 1, 2018.

17 b. The board shall evaluate each municipality's
18 proposed district plan and accompanying materials and
19 shall approve the district plan and establishment of
20 the district if the board determines that, in addition
21 to other criteria established by the board by rule, all
22 of the following conditions are met:

23 (1) The area of the municipality proposed to be
24 included in the district meets the requirements of
25 subsection 1.

26 (2) The projects proposed to be undertaken in
27 the district are of a unique nature and will have a
28 substantial beneficial impact on the economy of the
29 state and the economy of the municipality.

30 (3) The proposed funding sources for each proposed
31 project are feasible.

32 (4) At least one of the projects proposed to
33 be undertaken in the district includes a capital
34 investment of at least ten million dollars.

35 (5) The total amount of proposed funding from
36 state sales tax revenues and state hotel and motel tax
37 revenue to be remitted to the municipality from the
38 state reinvestment district fund under section 15J.6
39 for all proposed projects in the proposed district plan
40 does not exceed thirty-five percent of the total cost
41 of all proposed projects in the proposed district plan.

42 (6) The amount of proposed capital investment
43 within the proposed district related to retail
44 businesses in the proposed district does not exceed
45 fifty percent of the total capital investment for all
46 proposed projects in the proposed district plan. For
47 the purposes of this subparagraph, "retail business"
48 means any business engaged in the business of selling
49 tangible personal property or taxable services at
50 retail in this state that is obligated to collect state

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1 sales or use tax under chapter 423. However, for the
2 purposes of this subparagraph, "retail business" does
3 not include a new lessor.

4 c. If the board denies a proposed district plan,
5 the board shall state the reasons for the denial and
6 the municipality may resubmit the application.

7 d. As part of its approval of a proposed district
8 plan, the board shall establish a commencement date
9 for the district. The commencement date established
10 by the board shall be the first day of the first

11 calendar quarter beginning after the later of the two
12 dates identified for the project that proposed the
13 largest amount of capital investment among all proposed
14 projects in the district pursuant to subsection 2,
15 paragraph “d”.

16 e. As part of its approval of a proposed district
17 plan, the board shall, subject to the authorized
18 amounts under section 15J.5, establish maximum amounts
19 of state sales tax revenues or state hotel and motel
20 tax revenues, or both, that may be remitted to a
21 municipality’s reinvestment project fund. Such maximum
22 amounts shall be determined based on the financing
23 needs of the proposed project, the economic impact
24 to the state, and the remittance limitations under
25 paragraph “f”.

26 f. The total aggregate amount of state sales tax
27 revenues and state hotel and motel tax revenues that
28 may be approved by the board for remittance to all
29 municipalities and that may be transferred to the
30 state reinvestment district fund under section 423.2,
31 subsection 11, or section 423A.6, and remitted to all
32 municipalities having a reinvestment district under
33 this chapter shall not exceed one hundred million
34 dollars.

35 g. If a district plan is approved by the board, the
36 district plan, along with the municipality’s resolution
37 and all accompanying materials shall be posted on the
38 economic development authority’s internet site for
39 public viewing within ten days of approval by the
40 board.

41 4. Upon receiving the approval of the board, the
42 municipality may adopt an ordinance establishing the
43 district and shall notify the director of revenue of
44 the district’s commencement date established by the
45 board no later than thirty days after adoption of the
46 ordinance. The ordinance adopted by the municipality
47 shall include the district’s commencement date and a
48 detailed statement of the manner in which the approved
49 projects to be undertaken in the district will be
50 financed, including but not limited to the financial

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1 information included in the project plan under
2 subsection 2, paragraph “d”. Following establishment
3 of the district, a municipality may use the moneys
4 deposited in the municipality’s reinvestment project
5 fund created pursuant to section 15J.7 to fund the
6 development of those projects included within the
7 district plan.

8 5. A municipality may amend the district plan
9 to add or modify projects. However, a proposed

modification to a project and each project proposed to be added shall first be approved by the board in the same manner as provided for the original plan. In no case, however, shall an amendment to the district plan result in the extension of the commencement date established by the board. If a district plan is amended to add or modify a project, the municipality shall amend the ordinance, if necessary, to reflect any changes to the financial information required to be included under subsection 4.

6. Following establishment of a district, the municipality shall on or before October 1 of each year submit a report to the board detailing all of the following:

a. The status of each project undertaken within the district in the previous twelve months.

b. An itemized list of expenditures from the municipality's reinvestment project fund in the previous twelve months that have been made related to each project being undertaken within the district.

c. The amount of the total project cost remaining for each project being undertaken within the district as of the date the report is submitted.

d. The amounts, types, and sources of funding used for each project described in paragraph "a".

e. The amount of bonds issued or other indebtedness incurred for each project described in paragraph "a", including information related to the rate of interest, length of term, costs of issuance, and net proceeds. The report shall also include the amounts and types of moneys to be used for payment of such bonds or indebtedness.

7. All reports received by the board under subsection 6 shall be posted on the economic development authority's internet site as soon as practicable following receipt of the report. The board shall submit a written report to the governor and the general assembly on or before January 15 of each year. The report shall summarize and analyze the information submitted by municipalities under subsection 6.

Sec. 5. NEW SECTION. 15J.5 New state tax revenue

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calculations.

1. a. The department shall calculate quarterly the amount of new state sales tax revenues for each district established in the state to be deposited in the state reinvestment district fund created in section 15J.6, pursuant to section 423.2, subsection 11, paragraph "b", subject to remittance limitations established by the board pursuant to section 15J.4,

9 subsection 3.

10 b. The amount of new state sales tax revenue for
11 purposes of paragraph "a" shall be the product of
12 the amount of sales subject to the state sales tax
13 in the district during the quarter from new retail
14 establishments times four percent.

15 2. a. The department shall calculate quarterly the
16 amount of new state hotel and motel tax revenues for
17 each district established in the state to be deposited
18 in the state reinvestment district fund created in
19 section 15J.6, pursuant to section 423A.6, subject
20 to remittance limitations established by the board
21 pursuant to section 15J.4, subsection 3.

22 b. The amount of new state hotel and motel tax
23 revenue for purposes of paragraph "a" shall be the
24 product of the amount of sales subject to the state
25 hotel and motel tax in the district during the quarter
26 from new lessors times the state hotel and motel tax
27 rate imposed under section 423A.3.

28 3. Each municipality that has established a
29 district under this chapter shall assist the department
30 in identifying new retail establishments in the
31 district that are collecting state sales tax and new
32 lessors in the district that are collecting state hotel
33 and motel tax. This process shall be ongoing until the
34 municipality ceases to utilize state sales tax revenue
35 or state hotel and motel tax revenue under this chapter
36 or the district is dissolved.

37 Sec. 6. NEW SECTION. 15J.6 State reinvestment
38 district fund.

39 1. A state reinvestment district fund is
40 established in the state treasury under the control
41 of the department consisting of the new state sales
42 tax revenues collected within each district and
43 deposited in the fund pursuant to section 423.2,
44 subsection 11, paragraph "b", and the new state hotel
45 and motel tax revenues collected within each district
46 and deposited in the fund pursuant to section 423A.6.
47 Moneys deposited in the fund are appropriated to the
48 department for the purposes of this section. Moneys in
49 the fund shall only be used for the purposes of this
50 section.

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1 2. A district account is created within the fund
2 for each district created by a municipality under this
3 chapter.

4 3. The department shall deposit the moneys
5 described in subsection 1 that were collected in
6 a quarter beginning on or after the district's
7 commencement date into the appropriate district account

8 in the fund.

9 4. All moneys in each district account within the
10 fund shall be remitted quarterly by the department to
11 the municipality that established the district for
12 deposit in the municipality's reinvestment project fund
13 established pursuant to section 15J.7.

14 5. The department shall adopt rules for the
15 administration of the department's duties under
16 this chapter, including the remittance of moneys to
17 municipalities.

18 Sec. 7. NEW SECTION. 15J.7 Reinvestment project
19 fund.

20 1. State sales tax revenue and state hotel and
21 motel tax revenue remitted by the department to
22 a municipality pursuant to section 15J.6 shall be
23 deposited in a reinvestment project fund of the
24 municipality and shall be used to fund projects within
25 the district from which the revenues were collected.
26 If the municipality determines that the revenue
27 accruing to the reinvestment project fund exceeds the
28 amount necessary for these purposes, the excess moneys
29 that are remittances received under section 15J.6 and
30 all interest in the fund attributable to such excess
31 amounts shall be remitted by the municipality to the
32 department for deposit in the general fund of the
33 state.

34 2. In addition to the moneys received pursuant
35 to section 15J.6, a municipality may deposit in the
36 reinvestment project fund any other moneys lawfully at
37 the municipality's disposal, including but not limited
38 to local sales and services tax receipts collected
39 under chapter 423B if such use is a purpose authorized
40 for the municipality under chapter 423B.

41 3. The records of the municipality related to the
42 district and the reinvestment project fund are subject
43 to audit pursuant to section 11.6.

44 4. a. Moneys from any source deposited into
45 the reinvestment project fund shall not be expended
46 for or otherwise used in connection with a project
47 that includes the relocation of a commercial or
48 industrial enterprise not presently located within the
49 municipality.

50 b. For the purposes of this subsection,

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1 "relocation" means the closure or substantial reduction
2 of an enterprise's existing operations in one area of
3 the state and the initiation of substantially the same
4 operation in the same county or a contiguous county in
5 the state. "Relocation" does not include an enterprise
6 expanding its operations in another area of the state

7 provided that existing operations of a similar nature
8 are not closed or substantially reduced.

9 5. Upon dissolution of a district pursuant to
10 section 15J.8, if moneys remitted to the municipality
11 pursuant to section 15J.6 remain in the municipality's
12 reinvestment project fund and those moneys are not
13 necessary to support completion of a project in the
14 dissolved district, such amounts and all interest
15 remaining in the fund that was earned on such amounts
16 shall be remitted by the municipality to the department
17 for deposit in the general fund of the state.

18 6. Upon dissolution of a district pursuant to
19 section 15J.8, moneys remaining in the reinvestment
20 project fund that were deposited pursuant to subsection
21 2 and all interest remaining in the fund that was
22 earned on such amounts shall be deposited in the
23 general fund of the municipality.

24 Sec. 8. NEW SECTION. 15J.8 End of deposits —
25 district dissolution.

26 1. As of the date twenty years after the district's
27 commencement date, the department shall cease to
28 deposit state sales tax revenues and state hotel
29 and motel tax revenues into the district's account
30 within the fund, unless the municipality dissolves the
31 district by ordinance prior to that date. Following
32 the expiration of the twenty-year period, the district
33 shall be dissolved by ordinance of the municipality
34 adopted within twelve months of the conclusion of the
35 twenty-year period.

36 2. If the municipality dissolves the district by
37 ordinance prior to the expiration of the twenty-year
38 period specified in subsection 1, the municipality
39 shall notify the director of revenue of the dissolution
40 as soon as practicable after adoption of the ordinance,
41 and the department shall, as of the effective date
42 of dissolution, cease to deposit state sales tax
43 revenues and state hotel and motel tax revenues into
44 the district's account within the fund.

45 Sec. 9. Section 423.2, subsection 11, paragraph
46 b, Code 2013, is amended by adding the following new
47 subparagraph:

48 NEW SUBPARAGRAPH. (6) Beginning the first day
49 of the calendar quarter beginning on the reinvestment
50 district's commencement date, subject to remittance

1 limitations established by the economic development
2 authority board pursuant to section 15J.4, subsection
3 3, transfer to a district account created in the state
4 reinvestment district fund for each reinvestment
5 district established under chapter 15J, the amount of

new state sales tax revenue, determined in section 15J.5, subsection 1, paragraph "b", in the district, that remains after the prior transfers required under this paragraph "b". Such transfers shall cease pursuant to section 15J.8.

Sec. 10. Section 423A.6, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The director of revenue shall administer the state and local hotel and motel tax as nearly as possible in conjunction with the administration of the state sales tax law, except that portion of the law which implements the streamlined sales and use tax agreement. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting state and local hotel and motel tax liability. All moneys received or refunded one hundred eighty days after the date on which a city or county terminates its local hotel and motel tax and all moneys received from the state hotel and motel tax shall be deposited in or withdrawn from the general fund of the state. Beginning the first day of the calendar quarter beginning on the reinvestment district's commencement date, the director of revenue shall, subject to remittance limitations established by the economic development authority board pursuant to section 15J.4, subsection 3, transfer from the general fund of the state to a district account created in the state reinvestment district fund for each reinvestment district established under chapter 15J, the new state hotel and motel tax revenue, determined in section 15J.5, subsection 2, paragraph "b", in the district. Such transfers shall cease pursuant to section 15J.8.>

2. By renumbering, redesignating, and correcting internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3248

Amend the amendment, S-3247, to House File 641, as amended, passed, and reprinted by the House, as follows:

1. Page 2, line 3, after <chapter.> by inserting <"Project" does not include any of the following:

a. A building, structure, or other facility that is in whole or in part used or intended to be used to conduct gambling games under chapter 99F.

b. A building, structure, or other facility that is in whole or in part used or intended to be used as a hotel or motel if such hotel or motel is connected to or operated in conjunction with a building, structure,

13 or other facility described in paragraph “a”.>
14 2. Page 4, by striking lines 15 and 16 and
15 inserting <approve a proposed district plan or an
16 amendment to an existing district’s plan on or after
17 July 1, 2018.>
18 3. By renumbering, redesignating, and correcting
19 internal references as necessary.

JANET PETERSEN
MATT McCOY

S-3249

1 Amend the amendment, S-3247, to House File 641,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 4, line 34, by striking <ten> and inserting
5 <five>

RANDY FEENSTRA

S-3250

1 Amend House File 615, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 2.48, subsection 3, Code 2013,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. f. In 2017, the innovation fund
8 investment tax credit available under section 15E.52.
9 Sec. 2. Section 15E.52, subsection 3, Code 2013, is
10 amended to read as follows:
11 3. The amount of a tax credit allowed under this
12 section shall equal ~~twenty~~ twenty-five percent of the
13 taxpayer’s equity investment in an innovation fund.
14 Sec. 3. Section 15E.52, subsection 5, Code 2013, is
15 amended to read as follows:
16 5. a. To receive a tax credit, a taxpayer must
17 submit an application to the board. The board shall
18 issue certificates under this section on a first-come,
19 first-served basis, which certificates may be
20 redeemed for tax credits. The board shall issue such
21 certificates so that not more than the amount allocated
22 for such tax credits under section 15.119, subsection
23 2, may be claimed. ~~The certificates shall not be~~
24 ~~transferable.~~ The board shall not issue a certificate
25 before September 1, 2014.
26 b. If in a fiscal year the aggregate amount of tax
27 credits applied for exceeds the amount allocated for
28 that fiscal year under section 15.119, subsection 2,
29 the board shall establish a wait list for certificates.

30 Applications that were approved but for which
31 certificates were not issued shall be placed on the
32 wait list in the order the applications were received
33 by the board and shall be given priority for receiving
34 certificates in succeeding fiscal years.
35 c. The board shall not issue a certificate to a
36 taxpayer for an equity investment in an innovation fund
37 until such fund has been certified as an innovation
38 fund pursuant to subsection 7.
39 ~~b. d.~~ The board shall, in cooperation with
40 the department of revenue, establish criteria and
41 procedures for the allocation and issuance of tax
42 credits by means of certificates issued by the board.
43 The criteria shall include the contingencies that must
44 be met for a certificate to be redeemable in order
45 to receive a tax credit. The procedures established
46 by the board, in cooperation with the department
47 of revenue, shall relate to the procedures for the
48 issuance and transfer of the certificates and for the
49 redemption of a certificate and related tax credit.
50 e. A certificate and related tax credit issued

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1 pursuant to this section shall be deemed a vested right
2 of the original holder or any transferee thereof, and
3 the state shall not cause either to be redeemed in such
4 a way that amends or rescinds the certificate or that
5 curtails, limits, or withdraws the related tax credit,
6 except as otherwise provided in this section or upon
7 consent of the proper holder. A certificate issued
8 pursuant to this section cannot pledge the credit of
9 the state and any such certificate so pledged to secure
10 the debt of the original holder or a transferee shall
11 not constitute a contract binding the state.

12 Sec. 4. Section 15E.52, subsection 6, Code 2013, is
13 amended to read as follows:

14 ~~6. A taxpayer shall not redeem a certificate~~
15 ~~and related tax credit prior to the third tax year~~
16 ~~following the tax year in which the investment is~~
17 ~~made.~~ Any tax credit in excess of the taxpayer's
18 liability for the tax year may be credited to the
19 tax liability for the following five years or until
20 depleted, whichever is earlier. A tax credit shall not
21 be carried back to a tax year prior to the tax year in
22 which the taxpayer claims the tax credit.

23 Sec. 5. Section 15E.52, subsection 7, Code 2013, is
24 amended by adding the following new paragraphs:

25 NEW PARAGRAPH. d. The fund proposes to provide
26 multiple rounds of funding and early-stage private
27 sector funding to innovative businesses with a high
28 growth potential, and proposes to focus such funding on

29 innovative businesses that show a potential to produce
30 commercially viable products or services within a
31 reasonable period of time.

32 NEW PARAGRAPH. e. The fund proposes to evaluate
33 all prospective innovative businesses using a rigorous
34 approach and proposes to collaborate and coordinate
35 with the authority and other state and local entities
36 in an effort to achieve policy consistency.

37 NEW PARAGRAPH. f. The fund proposes to collaborate
38 with the regents institutions of this state and to
39 leverage relationships with such institutions in order
40 to potentially commercialize research developed at
41 those institutions.

42 NEW PARAGRAPH. g. The fund proposes to obtain at
43 least fifteen million dollars in binding investment
44 commitments and to invest a minimum of fifteen million
45 dollars in companies that have a principal place of
46 business in the state.

47 Sec. 6. Section 15E.52, Code 2013, is amended by
48 adding the following new subsections:

49 NEW SUBSECTION. 8. The board shall not certify an
50 innovation fund after June 30, 2018.

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1 NEW SUBSECTION. 9. An innovation fund shall
2 collect and provide to the board the information
3 required in subsection 10, paragraphs “e” and “f”,
4 in the manner and form prescribed by the board. An
5 innovation fund failing to comply with this subsection
6 may have its certification revoked by the board.

7 NEW SUBSECTION. 10. On or before January 31
8 of each year, the board, in cooperation with the
9 department of revenue, shall submit to the general
10 assembly and the governor a report describing the
11 activities of the innovation funds during the preceding
12 fiscal year. The report shall at a minimum include the
13 following information:

- 14 a. The amount of tax credit certificates issued to
- 15 equity investors in each innovation fund.
- 16 b. The amount of approved tax credit applications
- 17 that were placed on the wait list for certificates.
- 18 c. The amount of tax credits claimed.
- 19 d. The amount of tax credits transferred to other
- 20 persons.
- 21 e. The amount of investments in each innovation
- 22 fund.
- 23 f. For each investment by an innovation fund in a
- 24 business:
 - 25 (1) The amount of the investment.
 - 26 (2) The name and industry of the business.
 - 27 (3) The location or locations from which the

28 business operates.

29 (4) The number of employees of the business located
30 in Iowa and the number of employees of the business
31 located outside Iowa on the date of the initial
32 investment by the innovation fund in the business.

33 (5) The number of employees of the business located
34 in Iowa and the number of employees of the business
35 located outside Iowa at the close of the fiscal year
36 which is the subject of the report.

37 NEW SUBSECTION. 11. Tax credit certificates issued
38 pursuant to this section may be transferred, in whole
39 or in part, to any person. A tax credit certificate
40 shall only be transferred once. Within ninety days of
41 transfer, the transferee shall submit the transferred
42 tax credit certificate to the department of revenue
43 along with a statement containing the transferee's
44 name, tax identification number, and address,
45 the denomination that each replacement tax credit
46 certificate is to carry, and any other information
47 required by the department of revenue.

48 NEW SUBSECTION. 12. Within thirty days of
49 receiving the transferred tax credit certificate
50 and the transferee's statement, the department of

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1 revenue shall issue one or more replacement tax credit
2 certificates to the transferee. Each replacement
3 tax credit certificate must contain the information
4 required for the original tax credit certificate. A
5 replacement tax credit certificate may designate a
6 different tax than the tax designated on the original
7 tax credit certificate. A tax credit shall not be
8 claimed by a transferee under this section until a
9 replacement tax credit certificate identifying the
10 transferee as the proper holder has been issued.

11 NEW SUBSECTION. 13. The transferee may use the
12 amount of the tax credit transferred against the taxes
13 imposed in chapter 422, divisions II, III, and V, and
14 in chapter 432, and against the moneys and credits
15 tax imposed in section 533.329, for any tax year the
16 original transferor could have claimed the tax credit.
17 Any consideration received for the transfer of the tax
18 credit shall not be included as income under chapter
19 422, divisions II, III, and V. Any consideration
20 paid for the transfer of the tax credit shall not be
21 deducted from income under chapter 422, divisions II,
22 III, and V.

23 Sec. 7. EFFECTIVE UPON ENACTMENT. This Act, being
24 deemed of immediate importance, takes effect upon
25 enactment.

26 Sec. 8. RETROACTIVE APPLICABILITY. The sections of

27 this Act amending section 15E.52 apply retroactively to
28 January 1, 2013, for tax years beginning on or after
29 that date and for equity investments in an innovation
30 fund made on or after that date.>

31 2. Title page, by striking lines 2 and 3.

32 3. By renumbering, redesignating, and correcting
33 internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3251

1 Amend House File 640, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

<DIVISION I

LEGISLATIVE INTENT

7 Section 1. USE OF RENEWABLE FUELS. The general
8 assembly finds and declares all of the following:

9 1. In accordance with the federal Energy Policy
10 Act of 2005, Pub. L. No. 109-58, as amended by the
11 federal Energy Independence and Security Act of 2007,
12 Pub. L. No. 110-140, the United States has demonstrated
13 its commitment to the long-term policy of increasing
14 the production of clean renewable fuels according to
15 a renewable fuel standard, sometimes referred to as
16 "RFS2," by requiring the increased domestic production
17 and use of renewable fuels, which include total
18 renewable biofuels such as ethanol, advanced biofuels,
19 cellulosic and agricultural waste-based biofuels, and
20 biomass-based biodiesel.

21 2. The renewable fuel standard provides the
22 foundation for reducing dependence on foreign
23 sources of crude oil, reducing the price of domestic
24 transportation fuels, reducing greenhouse gases,
25 increasing farm income, and encouraging the development
26 and expansion of a new industry, and consequently
27 promoting economic growth.

28 3. The rising price of petroleum hampers this
29 nation's economic recovery and contributes to
30 increasing retail prices, including increased costs
31 attributable to the transportation of food and other
32 goods, that drain the finances of both consumers and
33 business.

34 4. The United States Environmental Protection
35 Agency is responsible for establishing and implementing
36 the renewable fuel standard, including by requiring
37 that certain volumes of various types of biofuels
38 be blended in transportation fuels each year with
39 authority to adjust those volumes due to availability.

5. The United States government should renew its commitment to this nation's energy security, move the United States toward greater energy independence and security as required by the federal Energy Independence and Security Act, and use all efforts to meet the highest possible renewable fuel volume requirements set forth in the renewable fuel standard in order to ensure that this nation achieves energy independence.

DIVISION II

MOTOR FUEL MARKETING

Sec. 2. Section 323.1, Code 2013, is amended by

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adding the following new subsections:

NEW SUBSECTION. 01. "Blender pump" means a motor fuel blender pump as defined in section 214.1 that

dispenses motor fuel or special fuel in a manner

required pursuant to chapters 214 and 214A.

NEW SUBSECTION. 3A. a. "Dispenser" means a meter

or similar commercial weighing and measuring device

used to measure and dispense motor fuel or special

fuel, including renewable fuel, originating from a

storage tank used to store fuel.

b. "Dispenser" includes but is not limited to a

motor fuel pump or blender pump.

NEW SUBSECTION. 7A. "Motor fuel pump" means the

same as defined in section 214.1 that dispenses motor

fuel or special fuel in a manner that complies with

standards set forth in chapters 214 and 214A.

NEW SUBSECTION. 7B. "Refiner" means a person

engaged in the refining of crude oil to produce motor

fuel or special fuel, and includes any affiliate of

such person.

NEW SUBSECTION. 7C. "Renewable fuel" means the

same as defined in section 214A.1 that complies with

standards set forth in section 214A.2.

NEW SUBSECTION. 11. "Storage tank" means a

motor fuel storage tank as defined in section 214.1,

including an underground storage tank subject to

regulation under chapter 455G.

NEW SUBSECTION. 12. "Supplier" means the same as

defined in section 452A.2.

Sec. 3. NEW SECTION. 323.4A Use of renewable fuel.

1. Except as provided in subsection 3, this section

applies to a supply agreement or other document

executed on or after the effective date of this

division of this Act by parties who are receiving and

furnishing motor fuel or special fuel as follows:

a. A dealer who is a party receiving motor fuel

or special fuel from another party who is a refiner,

supplier, or distributor furnishing the motor fuel or

39 special fuel.

40 b. A distributor who is a party receiving motor
41 fuel or special fuel from another party who is a
42 refiner, supplier, or other distributor furnishing the
43 motor fuel or special fuel.

44 2. A supply agreement or other document shall not
45 contain a provision restricting a dealer or distributor
46 who is a party receiving motor fuel or special fuel
47 from the other party furnishing the motor fuel or
48 special fuel as described in subsection 1 from doing
49 any of the following:

50 a. Installing, converting, or operating a storage

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1 tank or a dispenser located on the distributor's
2 or dealer's business premises for use in storing or
3 dispensing renewable fuel. However, this paragraph
4 does not apply to a dealer or distributor whose
5 business premises are leased from the other party
6 furnishing the renewable fuel.

7 b. Using a dispenser to dispense ethanol blended
8 gasoline, including gasoline with a specified blend or
9 a range of blends under chapter 214A, if the dispenser
10 is approved as required by the state fire marshal for
11 dispensing the specified blend or range of blends,
12 including as provided in section 455G.31.

13 c. Purchasing, selling, or dispensing motor fuel
14 or special fuel that is a renewable fuel from a source
15 other than the party furnishing other motor fuel or
16 special fuel, if such party furnishing the other motor
17 fuel or special fuel does not furnish motor fuel or
18 special fuel that is a renewable fuel for sale by the
19 distributor or dealer.

20 d. Marketing the sale of any renewable fuel,
21 including but not limited to advertising its
22 availability or price on a sign, on a dispenser, or by
23 media.

24 e. Selling or dispensing renewable fuel in any
25 specified area located on the distributor's or dealer's
26 business premises, including but not limited to any
27 area in which a name or logo of a franchiser or any
28 other entity appears.

29 f. Using a payment form for the sale of a renewable
30 fuel by the retail dealer that is the same type as the
31 payment form used for the sale of another type of motor
32 fuel or special fuel by the dealer on the dealer's
33 retail premises.

34 3. This section does not apply to any activity
35 that constitutes mislabeling, misbranding, willful
36 adulteration, or other trademark violation by a dealer.

37 Sec. 4. Section 452A.2, Code 2013, is amended by

38 adding the following new subsections:

39 NEW SUBSECTION. 6A. "Conventional blendstock
40 for oxygenate blending" means one or more motor fuel
41 components intended for blending with an oxygenate or
42 oxygenates to produce gasoline.

43 NEW SUBSECTION. 9A. "Diesel fuel" or "diesel" means
44 diesel fuel as defined in section 214A.1.

45 NEW SUBSECTION. 28A. "Nonrefiner biofuel
46 manufacturer" means an entity that produces,
47 manufactures, or refines biofuel and does not directly
48 or through a related entity refine, blend, import,
49 or produce a conventional blendstock for oxygenate
50 blending, gasoline, or diesel fuel.

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1 NEW SUBSECTION. 30A. "Refiner" means a person
2 engaged in the refining of crude oil to produce motor
3 fuel or special fuel, and includes any affiliate of
4 such person.

5 NEW SUBSECTION. 37A. "Terminal owner" means a
6 person who holds a legal interest or equitable interest
7 in a terminal.

8 Sec. 5. NEW SECTION. 452A.6A Right of distributors
9 and dealers to blend conventional blendstock for
10 oxygenate blending, gasoline, or diesel fuel using a
11 biofuel.

12 1. a. A dealer or distributor may blend a
13 conventional blendstock for oxygenate blending,
14 gasoline, or diesel fuel using the appropriate biofuel,
15 or sell unblended or blended gasoline or diesel fuel on
16 any premises in this state.

17 b. Paragraph "a" does not apply to the extent that
18 the use of the premises is restricted by federal,
19 state, or local law.

20 2. A refiner, supplier, terminal operator, or
21 terminal owner who in the ordinary course of business
22 sells or transports a conventional blendstock for
23 oxygenate blending, gasoline unblended or blended with
24 a biofuel, or diesel fuel unblended or blended with
25 a biofuel shall not refuse to sell or transport to
26 a distributor or dealer any conventional blendstock
27 for oxygenate blending, unblended gasoline, or
28 unblended diesel fuel that is at the terminal, based
29 on the distributor's or dealer's intent to use the
30 conventional blendstock for oxygenate blending, or
31 blend the gasoline or diesel fuel with a biofuel.

32 3. This section shall not be construed to do any of
33 the following:

34 a. Prohibit a distributor or dealer from
35 purchasing, selling or transporting a conventional
36 blendstock for oxygenate blending, gasoline that has

37 not been blended with a biofuel, or diesel fuel that
38 has not been blended with a biofuel.
39 b. Affect the blender's license requirements under
40 section 452A.6.
41 c. Prohibit a dealer or distributor from leaving a
42 terminal with a conventional blendstock for oxygenate
43 blending, gasoline that has not been blended with a
44 biofuel, or diesel fuel that has not been blended with
45 a biofuel.
46 d. Require a nonrefiner biofuel manufacturer to
47 offer or sell a conventional blendstock for oxygenate
48 blending, gasoline that has not been blended with a
49 biofuel, or diesel fuel that has not been blended with
50 a biofuel.

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1 4. A refiner, supplier, terminal operator, or
2 terminal owner who violates this section is subject to
3 a civil penalty of not more than ten thousand dollars
4 per violation. Each day that a violation continues is
5 deemed a separate offense.

6 DIVISION III 7 STORAGE TANKS

8 Sec. 6. Section 101.22, subsections 4 through 8,
9 Code 2013, are amended to read as follows:

10 4. The registration notice of the owner or operator
11 to the state fire marshal under subsections 1 through
12 3 shall be accompanied by an annual fee of ~~ten~~ twenty
13 dollars for each tank included in the notice. All
14 moneys collected shall be retained by the department of
15 public safety and are appropriated for the use of the
16 state fire marshal. The annual renewal fee applies to
17 all owners or operators who file a registration notice
18 with the state fire marshal pursuant to subsections 1
19 through 3.

20 5. ~~A person who deposits flammable or combustible~~
21 ~~liquid in an aboveground flammable or combustible~~
22 ~~liquid storage tank shall notify the owner or operator~~
23 ~~in writing of the notification requirements of this~~
24 ~~section.~~

25 6. A person who sells or constructs a tank intended
26 to be used as an aboveground storage tank shall
27 notify the purchaser of the tank in writing of the
28 notification requirements of this section applicable
29 to the purchaser.

30 7. ~~6. It is unlawful to deposit flammable or~~
31 ~~combustible liquid in~~ An owner or operator shall
32 register an aboveground flammable or combustible liquid
33 storage tank ~~which has not been registered~~ pursuant to
34 subsections 1 through 4.

35 8. 7. The state fire marshal shall furnish the

owner or operator of an aboveground flammable or combustible liquid storage tank with a registration tag for each aboveground flammable or combustible liquid storage tank registered with the state fire marshal.

~~a. The owner or operator shall affix the tag to the fill pipe of each registered aboveground flammable or combustible liquid storage tank.~~

~~b. A person who conveys or deposits flammable or combustible liquid shall inspect the aboveground flammable or combustible liquid storage tank to determine the existence or absence of the registration tag. If a registration tag is not affixed to the aboveground flammable or combustible liquid storage tank fill pipe, the person conveying or depositing the flammable or combustible liquid may deposit the~~

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~~flammable or combustible liquid in the unregistered tank. However, only one deposit is allowed into the unregistered tank, the person making the deposit shall provide the owner or operator of the tank with another notice as required by subsection 5, and the person shall provide the owner or operator with an aboveground flammable or combustible liquid storage tank registration form.~~

~~c. It is the owner or operator's duty to comply with registration requirements.~~

8. A late registration penalty of twenty-five dollars is imposed in addition to the registration fee for a tank registered after the required date.

DIVISION IV

FUEL TAX

Sec. 7. Section 452A.3, subsection 1, unnumbered paragraph 1, Code 2013, is amended to read as follows:

Except as otherwise provided in this section and in this division, until June 30, ~~2013~~ 2014, this subsection shall apply to the excise tax imposed on each gallon of motor fuel used for any purpose for the privilege of operating motor vehicles in this state.

Sec. 8. Section 452A.3, subsection 1A, Code 2013, is amended to read as follows:

1A. Except as otherwise provided in this section and in this division, after June 30, ~~2013~~ 2014, an excise tax of twenty cents is imposed on each gallon of motor fuel used for any purpose for the privilege of operating motor vehicles in this state.

Sec. 9. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.>

2. Title page, lines 6 and 7, by striking
<providing for liability,>

35 3. By renumbering, redesignating, and correcting
36 internal references as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3252

HOUSE AMENDMENT TO
SENATE FILE 406

1 Amend Senate File 406, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 3 through 9 and
4 inserting:
5 <Sec. ____ NEW SECTION. 10A.901 Definitions.
6 As used in this article, unless the context
7 otherwise requires:
8 1. "Administrator" means the person coordinating
9 the administration of this division.
10 2. "Division" means the mental health advocate
11 division of the department of inspections and appeals.>
12 2. Page 1, line 10, by striking <216A.172> and
13 inserting <10A.902>
14 3. Page 1, line 11, by striking <office's> and
15 inserting <division's>
16 4. Page 1, line 13, after <law.> by inserting
17 <The person appointed as administrator must meet the
18 qualifications to be appointed as a mental health
19 advocate.>
20 5. Page 1, line 16, by striking <office> and
21 inserting <division>
22 6. Page 1, line 17, after <advocate.> by inserting
23 <A mental health advocate serving as of June 30, 2013,
24 shall be deemed to be qualified.>
25 7. Page 1, line 22, by striking <or nursing> and
26 inserting <nursing, or psychology,>
27 8. Page 1, line 27, by striking <office> and
28 inserting <division>
29 9. Page 1, line 29, and striking <advocates.> by
30 inserting <advocates and for reassigning advocate
31 responsibilities based on the location of the patient's
32 placement or other patient need. The court shall be
33 notified of any reassignment. The procedures for
34 appointing a person to a vacant mental health advocate
35 position assigned to a geographic area shall require
36 the person appointed to the vacant position to reside
37 within the assigned geographic area.>
38 10. Page 2, after line 2 by inserting:
39 <7. Implementing a uniform description of the
40 duties of a mental health advocate, based upon the best
41 practices developed and promulgated by the judicial

42 council pursuant to section 229.19, subsection 1,
43 paragraph “c”.>
44 11. Page 2, line 4, by striking <human rights> and
45 inserting <inspections and appeals>
46 12. Page 2, line 10, by striking <human rights> and
47 inserting <inspections and appeals>
48 13. Page 2, line 25, by striking <human rights> and
49 inserting <inspections and appeals>
50 14. Page 3, by striking lines 10 through 19 and

Page 2

1 inserting:
2 <Sec. ____ Section 229.2, subsection 1, paragraph
3 b, subparagraph (6), Code 2013, is amended to read as
4 follows:
5 (6) Upon approval of the admission of a minor
6 over the minor’s objections, the juvenile court
7 shall appoint an individual to act as an advocate
8 representing the interests of the minor in the same
9 manner as ~~an~~ a mental health advocate representing
10 the interests of patients involuntarily hospitalized
11 ~~pursuant to in accordance with~~ section 229.19.>
12 15. Page 3, lines 23 and 24, by striking <office of
13 the>
14 16. Page 3, lines 25 and 26, by striking <human
15 rights> and inserting <inspections and appeals>
16 17. Page 4, line 3, by striking <human rights> and
17 inserting <inspections and appeals>
18 18. Page 5, by striking lines 21 through 23 and
19 inserting <advocate. For the purposes of this section,
20 “division” means the mental health advocate division of
21 the department of inspections and appeals.>
22 19. Page 6, line 11, by striking <office> and
23 inserting <division>
24 20. Page 6, line 12, by striking <office> and
25 inserting <division>
26 21. Page 7, line 8, by striking <office> and
27 inserting <division>
28 22. Page 7, line 10, by striking <office> and
29 inserting <division>
30 23. Page 7, line 11, by striking <office> and
31 inserting <division>
32 24. Page 7, line 32, by striking <office> and
33 inserting <division>
34 25. Page 7, line 34, by striking <216A.172> and
35 inserting <10A.902>
36 26. Page 8, line 10, by striking <office> and
37 inserting <division>
38 27. By striking page 8, line 30, through page 10,
39 line 29, and inserting:
40 <Sec. ____ APPOINTMENT OF MENTAL HEALTH

41 ADVOCATES. The persons appointed to provide mental
42 health advocate services under section 229.19
43 immediately prior to July 1, 2014, shall be appointed
44 as mental health advocates pursuant to section 10A.902,
45 effective July 1, 2014.>

46 28. Page 23, after line 24 by inserting:

47 <Sec. ____ Section 229.22, subsection 2, paragraph
48 a, Code 2013, is amended to read as follows:

49 a. (1) In the circumstances described in
50 subsection 1, any peace officer who has reasonable

Page 3

1 grounds to believe that a person is mentally ill,
2 and because of that illness is likely to physically
3 injure the person's self or others if not immediately
4 detained, may without a warrant take or cause that
5 person to be taken to the nearest available facility
6 or hospital as defined in section 229.11, subsection
7 1, paragraphs "b" and "c". A person believed mentally
8 ill, and likely to injure the person's self or others
9 if not immediately detained, may be delivered to a
10 facility or hospital by someone other than a peace
11 officer.

12 (2) Upon delivery of the person believed mentally
13 ill to the facility or hospital, the examining
14 physician, examining physician assistant, or examining
15 psychiatric advanced registered nurse practitioner may
16 order treatment of that person, including chemotherapy,
17 but only to the extent necessary to preserve the
18 person's life or to appropriately control behavior by
19 the person which is likely to result in physical injury
20 to that person or others if allowed to continue.

21 (3) The peace officer who took the person into
22 custody, or other party who brought the person to the
23 facility or hospital, shall describe the circumstances
24 of the matter to the examining physician, examining
25 physician assistant, or examining psychiatric advanced
26 registered nurse practitioner. If the person is a
27 peace officer, the peace officer may do so either in
28 person or by written report.

29 (4) If the examining physician, examining physician
30 assistant, or examining psychiatric advanced registered
31 nurse practitioner finds that there is reason to
32 believe that the person is seriously mentally impaired,
33 and because of that impairment is likely to physically
34 injure the person's self or others if not immediately
35 detained, the examining physician, examining physician
36 assistant, or examining psychiatric advanced registered
37 nurse practitioner shall at once communicate with
38 the nearest available magistrate as defined in
39 section 801.4, subsection 10. For purposes of this

40 subparagraph, the findings of the examining physician
41 assistant must be approved by the examining physician
42 assistant's supervising physician before the examining
43 physician assistant communicates with the nearest
44 available magistrate.
45 (5) The magistrate shall, based upon the
46 circumstances described by the examining physician,
47 examining physician assistant, or examining psychiatric
48 advanced registered nurse practitioner, give the
49 examining physician, examining physician assistant,
50 or examining psychiatric advanced registered nurse

Page 4

1 practitioner oral instructions either directing that
2 the person be released forthwith or authorizing the
3 person's detention in an appropriate facility. A
4 peace officer from the law enforcement agency that
5 took the person into custody, if available, during
6 the communication with the magistrate, may inform the
7 magistrate that an arrest warrant has been issued for
8 or charges are pending against the person and request
9 that any oral or written order issued under this
10 subsection require the facility or hospital to notify
11 the law enforcement agency about the discharge of the
12 person prior to discharge. The magistrate may also
13 give oral instructions and order that the detained
14 person be transported to an appropriate facility.>
15 29. Title page, by striking lines 4 and 5 and
16 inserting <of a mental health advocate division in the
17 department of inspections and appeals and including
18 effective date provisions.>
19 30. By renumbering as necessary.

S-3253

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 123.92, subsection 2, Code
5 2013, is amended to read as follows:
6 2. a. Every liquor control licensee and class
7 "B" beer permittee, except a class "E" liquor
8 control licensee, shall furnish proof of financial
9 responsibility by the existence of a liability
10 insurance policy in an amount determined by the
11 division. If an insurer provides dramshop liability
12 insurance at a new location to a licensee or permittee
13 who has a positive loss experience at other locations
14 for which such insurance is provided by the insurer,
15 and the insurer bases premium rates at the new location
16 on the negative loss history of the previous licensee

17 or permittee at that location, the insurer shall
18 examine and consider adjusting the premium for the
19 new location not less than thirty months after the
20 insurance is issued, based on the loss experience of
21 the licensee or permittee at that location during that
22 thirty-month period of time.

23 b. A dramshop liability insurance policy may be
24 written on an aggregate limit basis.

25 c. The purpose of dramshop liability insurance
26 is to provide protection for members of the public
27 who experience damages as a result of licensees or
28 permittees serving patrons beer, wine, or intoxicating
29 liquor to a point that reaches or exceeds the standard
30 set forth in law for liability. Minimum coverage
31 requirements for such insurance are not for the purpose
32 of making the insurance affordable for all licensees or
33 permittees regardless of claims experience. A dramshop
34 liability insurance policy obtained by a licensee or
35 permittee shall meet the minimum insurance coverage
36 requirements as determined by the division and is a
37 mandatory condition for holding a license or permit.>

38 2. Title page, line 1, by striking <under the
39 purview of> and inserting <involving insurance and>

MATT McCOY

S-3254

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, after line 6 by inserting:
4 <Sec. ____ Section 505.13, Code 2013, is amended to
5 read as follows:

6 505.13 Other insurance — annual report by the
7 division — audit.

8 1. The commissioner shall annually cause the
9 preparation and printing of a report to be delivered
10 to the governor. The report shall contain information
11 from the statements required of insurance companies,
12 other than life insurance companies, organized or doing
13 business in the state. The reports shall be delivered
14 on or before the first day of September each year.

15 2. The commissioner shall annually conduct an
16 audit of the investment income of any health insurance
17 carrier that covers more than forty percent of the
18 persons covered by health insurance in the state. The
19 results of the audit shall be included in the annual
20 report to the governor required in subsection 1. The
21 audit shall include but is not limited to information
22 about the following:

23 a. The investments from which income is derived,
24 specifying the amount of investment income and the

25 percentage of total investment income derived from each
26 investment.
27 b. Changes in investments that occur from year to
28 year.
29 c. The source of the moneys which are used to
30 purchase investments from which such investment income
31 is derived.
32 d. A specific itemization of how such investment
33 income is disbursed.>
34 2. By renumbering as necessary.

MATT McCOY

S-3255

1 Amend the amendment, S-3251, to House File 640,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, after line 49 by inserting:
5 <Sec. ____ Section 214A.1, Code 2013, is amended by
6 adding the following new subsections:
7 NEW SUBSECTION. 8A. "Distributor" means the same
8 as defined in section 452A.2.
9 NEW SUBSECTION. 12A. "Marketer" means a dealer,
10 distributor, nonrefiner biofuel manufacturer, or
11 supplier.
12 NEW SUBSECTION. 16A. "Nonrefiner biofuel
13 manufacturer" means the same as defined in section
14 452A.2.
15 NEW SUBSECTION. 18A. "Pipeline company" means the
16 same as defined in section 479B.2.
17 NEW SUBSECTION. 18B. "Refiner" means a person
18 engaged in the refining of crude oil to produce motor
19 fuel, and includes any affiliate of such person.
20 NEW SUBSECTION. 23A. "Supplier" means the same as
21 defined in section 452A.2.
22 NEW SUBSECTION. 23B. "Terminal" means the same as
23 defined in section 452A.2.
24 NEW SUBSECTION. 23C. "Terminal operator" means the
25 same as defined in section 452A.2.
26 NEW SUBSECTION. 23D. "Terminal owner" means the
27 same as defined in section 452A.2.
28 Sec. ____ Section 214A.20, subsection 1, unnumbered
29 paragraph 1, Code 2013, is amended to read as follows:
30 A retail dealer or other marketer, pipeline company,
31 refiner, terminal operator, or terminal owner is not
32 liable for damages caused by the use of incompatible
33 motor fuel dispensed at the retail dealer's retail
34 motor fuel site, if all of the following applies:>
35 2. Page 6, by striking lines 33 and 34.

36 3. By renumbering, redesignating, and correcting
37 internal references as necessary.

RANDY FEENSTRA

S-3256

1 Amend the amendment, S-3251, to House File 640,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 5, after line 7 by inserting:
5 <Sec. ____ Section 101.21, subsection 1, paragraphs
6 a through c, Code 2013, are amended to read as follows:
7 a. Aboveground tanks of An aboveground tank which
8 complies with any of the following:
9 (1) Has one thousand one hundred gallons or less
10 capacity.
11 (2) Stores flammable liquids on a farm located
12 outside the limits of a city, if the aboveground tank
13 has two thousand gallons or less capacity.
14 (3) Stores combustible liquids on a farm located
15 outside the limits of a city, if the aboveground tank
16 has five thousand gallons or less capacity.
17 b. Tanks A tank used for storing heating oil for
18 consumptive use on the premises where stored.
19 c. Underground An underground storage tanks tank as
20 defined by section 455B.471.
21 Sec. ____ Section 101.21, Code 2013, is amended by
22 adding the following new subsection:
23 NEW SUBSECTION. 1A. a. "Farm" means land and
24 associated improvements used to produce agricultural
25 commodities, if at least one thousand dollars is
26 annually generated from the sale of the agricultural
27 commodities.
28 b. As used in paragraph "a", "commodities" means
29 crops as defined in section 202.1 or animals as defined
30 in section 459.102.>
31 2. By renumbering, redesignating, and correcting
32 internal references as necessary.

DAN ZUMBACH

S-3257

1 Amend the amendment, S-3251, to House File 640,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, after line 49 by inserting:
5 <Sec. ____ Section 214A.1, Code 2013, is amended by
6 adding the following new subsections:
7 NEW SUBSECTION. 8A. "Distributor" means the same
8 as defined in section 452A.2.

9 NEW SUBSECTION. 12A. "Marketer" means a dealer,
10 distributor, nonrefiner biofuel manufacturer, or
11 supplier.

12 NEW SUBSECTION. 16A. "Nonrefiner biofuel
13 manufacturer" means the same as defined in section
14 452A.2.

15 NEW SUBSECTION. 18A. "Pipeline company" means the
16 same as defined in section 479B.2.

17 NEW SUBSECTION. 18B. "Refiner" means a person
18 engaged in the refining of crude oil to produce motor
19 fuel, and includes any affiliate of such person.

20 NEW SUBSECTION. 23A. "Supplier" means the same as
21 defined in section 452A.2.

22 NEW SUBSECTION. 23B. "Terminal" means the same as
23 defined in section 452A.2.

24 NEW SUBSECTION. 23C. "Terminal operator" means the
25 same as defined in section 452A.2.

26 NEW SUBSECTION. 23D. "Terminal owner" means the
27 same as defined in section 452A.2.

28 Sec. _____. Section 214A.20, subsection 1, Code 2013,
29 is amended to read as follows:

30 1. A retail dealer ~~or other marketer, pipeline~~
31 ~~company, refiner, terminal operator, or terminal~~
32 ~~owner~~ is not liable for damages caused by the use
33 of incompatible motor fuel dispensed at the retail
34 dealer's retail motor fuel site, if all of the
35 following applies:

36 a. The incompatible motor fuel complies with the
37 specifications for a type of motor fuel as provided in
38 section 214A.2.

39 b. The incompatible motor fuel is selected by ~~a~~
40 ~~person other than the retail dealer, including an~~
41 ~~employee or agent of the retail dealer~~ the end consumer
42 of the motor fuel.

43 c. The incompatible motor fuel is dispensed from a
44 motor fuel pump that correctly labels the type of fuel
45 dispensed.>

46 2. By renumbering as necessary.

ROBERT M. HOGG

S-3258

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 123.92, subsection 2, Code
5 2013, is amended to read as follows:

6 2. a. Every liquor control licensee and class
7 "B" beer permittee, except a class "E" liquor
8 control licensee, shall furnish proof of financial
9 responsibility by the existence of a liability

10 insurance policy in an amount determined by the
 11 division. If an insurer provides dramshop liability
 12 insurance at a new location to a licensee or permittee
 13 who has a positive loss experience at other locations
 14 for which such insurance is provided by the insurer,
 15 and the insurer bases premium rates at the new location
 16 on the negative loss history of the previous licensee
 17 or permittee at that location, the insurer shall
 18 examine and consider adjusting the premium for the
 19 new location not less than thirty months after the
 20 insurance is issued, based on the loss experience of
 21 the licensee or permittee at that location during that
 22 thirty-month period of time.

23 b. A dramshop liability insurance policy may be
 24 written on an aggregate limit basis.

25 c. The purpose of dramshop liability insurance
 26 is to provide protection for members of the public
 27 who experience damages as a result of licensees or
 28 permittees serving patrons beer, wine, or intoxicating
 29 liquor to a point that reaches or exceeds the standard
 30 set forth in law for liability. Minimum coverage
 31 requirements for such insurance are not for the purpose
 32 of making the insurance affordable for all licensees or
 33 permittees regardless of claims experience. A dramshop
 34 liability insurance policy obtained by a licensee or
 35 permittee shall meet the minimum insurance coverage
 36 requirements as determined by the division and is a
 37 mandatory condition for holding a license or permit.>

38 2. Page 11, by striking lines 8 through 11.

39 3. Title page, line 1, by striking <under the
 40 purview of> and inserting <involving insurance and>

41 4. By renumbering as necessary.

MATT McCOY

S-3259

1 Amend House File 599, as passed by the House, as
 2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I
 5 GENERAL PROVISIONS>

6 2. Page 1, after line 24 by inserting:

7 <Sec. ____ Section 175.8, subsection 1, unnumbered
 8 paragraph 1, Code 2013, is amended to read as follows:
 9 The authority shall submit a report to the governor
 10 and ~~to the members of the general assembly as request~~
 11 ~~it~~, not later than January 15 of each year, ~~and~~. The
 12 report shall be complete and economically designed and
 13 reproduced, ~~report~~ setting forth all of the following:>

14 3. Page 2, line 22, after <experience> by inserting
 15 <in>

16 4. Page 9, line 31, by striking <agricultural
17 development>

18 5. Page 12, line 9, before <Act> by inserting
19 <division of this>

20 6. Page 12, line 11, before <Act> by inserting
21 <division of this>

22 7. Page 12, after line 13 by inserting:

23 <DIVISION II

24 FUTURE REPEALS

25 Sec. ____ FUTURE REPEALS.

26 1. The sections of this Act amending sections 2.48,
27 175.8, 175.37, 422.11M, and 422.33, are repealed. The
28 Code editor shall revise the applicable Code language
29 to that language existing in the 2013 Code of Iowa.

30 2. The sections of this Act enacting section 175.2,
31 subsection 1, paragraphs “0h”, “0t”, “00t”, and “v”,
32 section 175.36A, section 175.36B, section 175.38, and
33 section 175.39, are repealed.

34 3. Any intervening amendments effective prior to
35 the effective date of this division of this Act that
36 relates to the beginning farmer tax credit program
37 shall be stricken with the repeal, unless a subsequent
38 Act specifically provides otherwise.

39 Sec. ____ PRESERVATION OF EXISTING RIGHTS.

40 This division of this Act shall not limit, modify,
41 or otherwise adversely affect any of the following:

42 1. A tax credit or tax credit certificate issued,
43 awarded, or allowed before the effective date of this
44 division of this Act.

45 2. A taxpayer's right to claim or redeem a tax
46 credit issued, awarded, or allowed before the effective
47 date of this division of this Act, including but not
48 limited to any tax credit carryforward amount.

49 Sec. ____ IOWA FINANCE AUTHORITY. The Iowa
50 finance authority established in chapter 16 shall

Page 2

1 propose legislation to the general assembly necessary
2 to implement this division of this Act. The Iowa
3 finance authority shall propose such legislation for
4 consideration by the general assembly during its 2017
5 legislative session.

6 Sec. ____ EFFECTIVE DATES.

7 1. Except as provided in subsection 2, this
8 division of this Act takes effect December 31, 2017.

9 2. The section of this division of this Act
10 which requires the Iowa finance authority to propose
11 legislation for consideration by the general assembly
12 takes effect July 1, 2013.>

13 8. By renumbering, redesignating, and correcting
14 internal references as necessary.

CHRIS BRASE

S-3260

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 18, after line 25 by inserting:
4 <Sec. ____ AUDIT OF HEALTH INSURANCE CARRIERS.
5 1. The commissioner of insurance shall conduct an
6 audit of investment income for the period of time from
7 July 1, 2012, and ending June 30, 2013, for any health
8 insurance carrier that covers more than forty percent
9 of the persons covered by health insurance in the
10 state. The results of the audit shall be contained in
11 a report prepared by the commissioner and delivered to
12 the general assembly by September 30, 2013. The cost
13 of the audit shall be assessed to each health insurance
14 carrier that is audited.
15 2. The audit and report shall include but are not
16 limited to information about the following:
17 a. The investments from which income is derived,
18 specifying the amount of investment income and the
19 percentage of total investment income derived from each
20 investment.
21 b. Changes in investments that occur from year to
22 year.
23 c. The source of the moneys which are used to
24 purchase investments from which such investment income
25 is derived.
26 d. A specific itemization of how such investment
27 income is disbursed.
28 e. Performance data for the investments including
29 rate of return and any changes in the rate of return
30 of each investment.
31 f. A determination by the commissioner of whether
32 the performance of the carrier's investments was used
33 as a factor by the carrier in proposing or effectuating
34 premium rate increases for individual or group policies
35 issued by the carrier.>
36 2. By renumbering as necessary.

MATT McCOY

S-3261

1 Amend House File 620, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, line 20, by striking <eighty-five> and
4 inserting <seventy>

2. Page 2, line 23, after <shall> by inserting
<not exceed twenty percent of the amount specified in
paragraph “a”, and shall>

3. Page 3, after line 11 by inserting:
<Sec. ____ Section 15.119, subsection 3, Code 2013,
is amended to read as follows:

3. In allocating the amount of tax credits
authorized pursuant to subsection 1 among the programs
specified in subsection 2, the authority shall not
allocate more than ~~five ten~~ million dollars for
purposes of subsection 2, paragraph “f”.>

4. Page 3, line 22, by striking <five> and
inserting <six>

5. By striking page 4, line 14, through page 6,
line 2.

6. Page 6, after line 19 by inserting:

<DIVISION ____

MAIN STREET IOWA PROGRAM APPROPRIATION

Sec. ____ From the moneys appropriated in 2013
Iowa Acts, House File 604, if enacted, for the fiscal
year beginning July 1, 2013, and ending June 30, 2014,
from the Iowa skilled worker and job creation fund
created in section 8.75, if enacted, to the economic
development authority for the purposes of providing
assistance under the high quality jobs program as
described in section 15.335B, not more than \$1,000,000
may be used by the economic development authority
for purposes of providing infrastructure grants to
mainstreet communities under the main street Iowa
program.>

7. Title page, by striking lines 6 and 7 and
inserting <making appropriations, and including>

8. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3262

Amend House File 648, as amended, passed, and
reprinted by the House, as follows:

1. By striking page 4, line 19, through page 21,
line 1.

JACK WHITVER

S-3263

Amend House File 648, as amended, passed, and
reprinted by the House, as follows:

1. Page 16, after line 23 by inserting:
<Sec. ____ NEW SECTION. 331.399 GOVERNMENTAL BODY.

- 5 Mental health and disability services regions formed
 6 pursuant to this part shall be a governmental body for
 7 purposes of chapter 21 and shall be a government body
 8 for purposes of chapter 22.>
 9 2. By renumbering as necessary.

DAVID JOHNSON

S-3264

- 1 Amend House File 648, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 12, line 25, before <For> by inserting <a.>
 4 2. Page 12, line 29, by striking <subsection> and
 5 inserting <lettered paragraph>
 6 3. Page 12, after line 32 by inserting:
 7 <b. For multimodal transportation projects as
 8 determined by the state transportation commission:
 9 \$ 11,000,000
 10 Moneys appropriated in this lettered paragraph shall
 11 be awarded to projects that improve the connectivity
 12 and efficiency of Iowa's multimodal transportation
 13 system. This includes but is not limited to aviation,
 14 public transit, rail transloading, intermodal, rail
 15 infrastructure, and waterway projects.>
 16 4. By renumbering as necessary.

TIM L. KAPUCIAN
 HUBERT HOUSER
 BILL ANDERSON
 JERRY BEHN
 JONI K. ERNST
 DAN ZUMBACH
 MICHAEL BREITBACH
 DAVID JOHNSON
 BILL DIX

S-3265

- 1 Amend House File 648, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 17, after line 4 by inserting:
 4 <Sec. ____ 2013 Iowa Acts, Senate File 452, section
 5 10, if enacted, is amended to read as follows:
 6 SEC. 10. IOWA TUITION GRANTS. There is
 7 appropriated from the general fund of the state to the
 8 college student aid commission for the fiscal year
 9 beginning July 1, 2013, and ending June 30, 2014, the
 10 following amount, or so much thereof as is necessary,
 11 to be used for the purposes designated:
 12 For Iowa tuition grants under section 261.25,
 13 subsection 1:

14 \$ 500,000>
15 2. By renumbering as necessary.

ROBERT E. DVORSKY

S-3266

1 Amend House File 625, as passed by the House, as
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I

5 SALES AND USE TAX

6 Section 1. Section 423.1, subsection 48, Code 2013,
7 is amended to read as follows:

8 48. a. "Retailer maintaining a place of business
9 in this state" or any like term includes any retailer
10 having or maintaining within this state, directly
11 or by a subsidiary, an office, distribution house,
12 sales house, warehouse, or other place of business,
13 or any representative operating within this state
14 under the authority of the retailer or its subsidiary,
15 irrespective of whether that place of business
16 or representative is located here permanently or
17 temporarily, or whether the retailer or subsidiary is
18 admitted to do business within this state pursuant to
19 chapter 490.

20 b. (1) A retailer shall be presumed to be
21 maintaining a place of business in this state, as
22 defined in paragraph "a", if any person that has
23 substantial nexus in this state, other than a person
24 acting in its capacity as a common carrier, does any
25 of the following:

26 (a) Sells a similar line of products as the
27 retailer and does so under the same or similar business
28 name.

29 (b) Maintains an office, distribution facility,
30 warehouse, storage place, or similar place of business
31 in this state to facilitate the delivery of property
32 or services sold by the retailer to the retailer's
33 customers.

34 (c) Uses trademarks, service marks, or trade
35 names in this state that are the same or substantially
36 similar to those used by the retailer.

37 (d) Delivers, installs, assembles, or performs
38 maintenance services for the retailer's customers.

39 (e) Facilitates the retailer's delivery of
40 property to customers in this state by allowing the
41 retailer's customers to take delivery of property sold
42 by the retailer at an office, distribution facility,
43 warehouse, storage place, or similar place of business
44 maintained by the person in this state.

45 (f) Conducts any other activities in this state

46 that are significantly associated with the retailer's
47 ability to establish and maintain a market in this
48 state for the retailer's sales.
49 (2) The presumption established in this paragraph
50 may be rebutted by a showing of proof that the

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1 person's activities in this state are not significantly
2 associated with the retailer's ability to establish
3 or maintain a market in this state for the retailer's
4 sales.

5 Sec. ____ NEW SECTION. 423.13A Administration —
6 effectiveness of agreements with retailers.

7 1. Notwithstanding any provision of this chapter
8 to the contrary, any ruling, agreement, or contract,
9 whether written or oral, express or implied, entered
10 into after the effective date of this division of
11 this Act between a retailer and a state agency that
12 provides that a retailer is not required to collect
13 sales and use tax in this state despite the presence
14 in this state of a warehouse, distribution center, or
15 fulfillment center that is owned and operated by the
16 retailer or an affiliate of the retailer shall be null
17 and void unless such ruling, agreement, or contract is
18 approved, by resolution, by a majority vote of each
19 house of the general assembly.

20 2. For purposes of this section, "state agency"
21 means the executive branch, including any executive
22 department, commission, board, institution, division,
23 bureau, office, agency, or other entity of state
24 government. "State agency" does not mean the general
25 assembly, or the judicial branch as provided in section
26 602.1102.

27 Sec. ____ Section 423.36, Code 2013, is amended by
28 adding the following new subsection:

29 NEW SUBSECTION. 1A. a. Notwithstanding subsection

30 1, if any person will make taxable sales of tangible
31 personal property or furnish services to any state
32 agency, that person shall, prior to the sale, apply
33 for and receive a permit to collect sales or use tax
34 pursuant to this section. A state agency shall not
35 purchase tangible personal property or services from
36 any person unless that person has a valid, unexpired
37 permit issued pursuant to this section and is in
38 compliance with all other requirements in this chapter
39 imposed upon retailers, including but not limited to
40 the requirement to collect and remit sales and use tax
41 and file sales and use tax returns.

42 b. For purposes of this subsection, "state
43 agency" means any executive, judicial, or legislative
44 department, commission, board, institution, division,

45 bureau, office, agency, or other entity of state
46 government.

47 DIVISION ____
48 SCHOOL TUITION ORGANIZATION TAX CREDIT>
49 2. Page 1, line 22, before <Act> by inserting
50 <division of this>

Page 3

1 3. Page 1, line 24, before <Act> by inserting
2 <division of this>
3 4. Title page, by striking lines 1 through 3 and
4 inserting <An Act relating to revenue and taxation,
5 including retailers maintaining a place of business
6 in this state for purposes of sales and use taxes,
7 agreements relating to the collection of sales and use
8 taxes, sales of tangible personal property and services
9 to state agencies, modifying the school tuition
10 organization income>
11 5. Title page, line 4, by striking <credits> and
12 inserting <credit>
13 6. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS
JOE BOLKCOM, Chair

S-3267

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 489

1 Amend the Senate amendment, H-1455 , to House File
2 489, as amended, passed, and reprinted by the House, as
3 follows:
4 1. By striking page 1, line 44, through page 2,
5 line 26.
6 2. By renumbering as necessary.

S-3268

1 Amend House File 648, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, line 25, by striking <\$18,900,000> and
4 inserting <\$15,900,000>
5 2. Page 4, line 32, by striking <\$91,300,000> and
6 inserting <\$84,300,000>
7 3. Page 4, after line 32 by inserting:
8 <Sec. ____ STATEWIDE FIRE AND POLICE RETIREMENT
9 SYSTEM FUND — APPROPRIATION. There is appropriated
10 from the general fund of the state to the statewide
11 fire and police retirement fund created in section

12 411.8, for the fiscal year beginning July 1, 2012, and
13 ending June 30, 2013, an amount equal to \$10,000,000.>

JEFF DANIELSON
KENT SORENSON
RICK BERTRAND

S-3269

1 Amend the amendment, S-3262, to House File 648,
2 as amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 3 and 4 and inserting:
5 <__. By striking page 4, line 19, through page 5,
6 line 1.
7 __. Page 5, by striking lines 10 through 19.
8 __. By striking page 5, line 31, through page 17,
9 line 4.>
10 2. By renumbering as necessary.

MARK CHELGREN
TIM L. KAPUCIAN
JONI K. ERNST
DAN ZUMBACH

REPORTS OF CONFERENCE COMMITTEES

Senate Files

SENATE FILE 295

To the President of the Senate and the Speaker of the House of Representatives.

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 295, a bill for an Act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-3166.
2. That Senate File 295, as passed by the Senate, is amended to read as follows:
1. By striking everything after the enacting clause and inserting:

<DIVISION I

BUSINESS PROPERTY TAX CREDIT

Section 1. Section 331.512, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. Carry out duties relating to the business property tax credit as provided in chapter 426C.

Sec. 2. Section 331.559, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 14A. Carry out duties relating to the business property tax credit as provided in chapter 426C.

Sec. 3. NEW SECTION. 426C.1 Definitions.

For the purposes of this chapter, unless the context otherwise requires:

1. *“Contiguous parcels”* means any of the following:
 - a. Parcels that share a common boundary.
 - b. Parcels within the same building or structure regardless of whether the parcels share a common boundary.
 - c. Permanent improvements to the land that are situated on one or more parcels of land that are assessed and taxed separately from the permanent improvements if the parcels of land upon which the permanent improvements are situated share a common boundary.
2. *“Department”* means the department of revenue.
3. *“Fund”* means the business property tax credit fund created in section 426C.2.
4. *“Parcel”* means as defined in section 445.1 and, for purposes of business property tax credits claimed for fiscal years beginning on or after January 1, 2016, *“parcel”* also means that portion of a parcel assigned to be commercial property, industrial property, or railway property under chapter 434 pursuant to section 441.21, subsection 13, paragraph “c”.

5. *“Property unit”* means contiguous parcels all of which are located within the same county, with the same property tax classification, are owned by the same person, and are operated by that person for a common use and purpose.

Sec. 4. NEW SECTION. 426C.2 Business property tax credit fund — appropriation.

1. A business property tax credit fund is created in the state treasury under the authority of the department. For the fiscal year beginning July 1, 2014, there is

appropriated from the general fund of the state to the department to be credited to the fund, the sum of fifty million dollars to be used for business property tax credits authorized in this chapter. For the fiscal year beginning July 1, 2015, there is appropriated from the general fund of the state to the department to be credited to the fund, the sum of one hundred million dollars to be used for business property tax credits authorized in this chapter. For the fiscal year beginning July 1, 2016, and each fiscal year thereafter, there is appropriated from the general fund of the state to the department to be credited to the fund, the sum of one hundred twenty-five million dollars to be used for business property tax credits authorized in this chapter.

2. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund. Moneys in the fund are not subject to the provisions of section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this chapter.

Sec. 5. NEW SECTION. 426C.3 Claims for credit.

1. Each person who wishes to claim the credit allowed under this chapter shall obtain the appropriate forms from the assessor and file the claim with the assessor. The director of revenue shall prescribe suitable forms and instructions for such claims, and make such forms and instructions available to the assessors.

2. *a.* Claims for the business property tax credit shall be filed not later than March 15 preceding the fiscal year during which the taxes for which the credit is claimed are due and payable.

b. A claim for credit filed after the deadline for filing claims shall be considered as a claim for the following year.

3. Upon the filing of a claim and allowance of the credit, the credit shall be allowed on the parcel or property unit for successive years without further filing as long as the parcel or property unit satisfies the requirements for the credit. If the parcel or property unit ceases to qualify for the credit under this chapter, the owner shall provide written notice to the assessor by the date for filing claims specified in subsection 2 following the date on which the parcel or property unit ceases to qualify for the credit.

4. The assessor shall remit the claims for credit to the county auditor with the assessor's recommendation for allowance or disallowance. If the assessor recommends disallowance of a claim, the assessor shall submit the reasons for the recommendation, in writing, to the county auditor. The county auditor shall forward the claims and recommendations to the board of supervisors. The board shall allow or disallow the claims.

5. For each claim and allowance of a credit for a property unit, the county auditor shall calculate the average of all consolidated levy rates applicable to the several parcels within the property unit. All claims for credit which have been allowed by the board of supervisors, the actual value of such parcels and property units applicable to the fiscal year for which the credit is claimed that are subject to assessment and taxation prior to imposition of any applicable assessment limitation, the consolidated levy rates for such parcels and the average consolidated levy rates for such property units applicable to the fiscal year for which the credit is claimed, and the taxing districts in which the parcel or property unit is located, shall be certified on or before June 30, in each year, by the county auditor to the department.

6. The assessor shall maintain a permanent file of current business property tax credits. The assessor shall file a notice of transfer of property for which a credit has been allowed when notice is received from the office of the county recorder, from the person who sold or transferred the property, or from the personal representative of a deceased property owner. The county recorder shall give notice to the assessor of each transfer of title filed in the recorder's office. The notice from the county recorder shall

describe the property transferred, the name of the person transferring title to the property, and the name of the person to whom title to the property has been transferred.

7. When all or a portion of a parcel or property unit that is allowed a credit under this chapter is sold, transferred, or ownership otherwise changes, the buyer, transferee, or new owner who wishes to receive the credit shall refile the claim for credit. In addition, when a portion of a parcel or property unit that is allowed a credit under this chapter is sold, transferred, or ownership otherwise changes, the owner of the portion of the parcel or property unit for which ownership did not change shall refile the claim for credit.

Sec. 6. NEW SECTION. 426C.4 Eligibility and amount of credit.

1. *a.* Except as provided in paragraph “*b*”, parcels classified and taxed as commercial property, industrial property, or railway property under chapter 434 are eligible for a credit under this chapter. A person may claim and receive one credit under this chapter for each eligible parcel unless the parcel is part of a property unit for which a credit is claimed. A person may claim and receive one credit under this chapter for each property unit. A credit approved for a property unit shall be allocated to the several parcels within the property unit in the proportion that each parcel’s total amount of property taxes due and payable bears to the total amount of property taxes due and payable on the property unit. Only property units comprised of property assessed as commercial property, industrial property, or railway property under chapter 434 are eligible for a credit under this chapter. The classification of property used to determine eligibility for the credit under this chapter shall be the classification of the property for the assessment year used to calculate the taxes due and payable in the fiscal year for which the credit is claimed.

b. All of the following shall not be eligible to receive a credit under this chapter or be part of a property unit that receives a credit under this chapter:

(1) Property that is rented or leased to low-income individuals and families as authorized by section 42 of the Internal Revenue Code, as amended, and that is subject to assessment procedures relating to section 42 property under section 441.21, subsection 2, for the applicable assessment year.

(2) For credits claimed for the fiscal year beginning July 1, 2014, and the fiscal year beginning July 1, 2015, property that is a mobile home park, manufactured home community, land-leased community, assisted living facility, as those terms are defined in section 441.21, subsection 13, as enacted in division III of this Act, or that is property primarily used or intended for human habitation containing three or more separate dwelling units.

2. Using the actual value of each parcel or property unit and the consolidated levy rate for each parcel or the average consolidated levy rate for each property unit, as certified by the county auditor to the department under section 426C.3, subsection 5, the department shall calculate, for each fiscal year, an initial amount of actual value for use in determining the amount of the credit for each such parcel or property unit so as to provide the maximum possible credit according to the credit formula and limitations under subsection 3, and to provide a total dollar amount of credits against the taxes due and payable in the fiscal year equal to ninety-eight percent of the moneys in the fund following the deposit of the appropriation for the fiscal year and including interest or earnings credited to the fund.

3. *a.* The amount of the credit for each parcel or property unit for which a claim for credit under this chapter has been approved shall be calculated under paragraph “*b*” using the lesser of the initial amount of actual value determined by the department under subsection 2, and the amount of actual value of the parcel or property unit certified by the county auditor under section 426C.3, subsection 5.

b. The amount of the credit for each parcel or property unit for which a claim for credit under this chapter has been approved shall be equal to the product of the amount of actual value determined under paragraph “a” times the difference, stated as a percentage, between the assessment limitation percentage applicable to the parcel or property unit under section 441.21, subsection 5, and the assessment limitation percentage applicable to residential property under section 441.21, subsection 4, divided by one thousand dollars, and then multiplied by the consolidated levy rate or average consolidated levy rate per one thousand dollars of taxable value applicable to the parcel or property unit for the fiscal year for which the credit is claimed as certified by the county auditor under section 426C.3, subsection 5.

Sec. 7. NEW SECTION. 426C.5 Payment to counties.

1. Annually the department shall certify to the county auditor of each county the amounts of the business property tax credits allowed in the county. Each county auditor shall then enter the credits against the tax levied on each eligible parcel or property unit in the county, designating on the tax lists the credit as being paid from the fund. Each taxing district shall receive its share of the business property tax credit allowed on each eligible parcel or property unit in such taxing district in the proportion that the levy made by such taxing district upon the parcel or property unit bears to the total levy upon the parcel or property unit by all taxing districts. However, the several taxing districts shall not draw the moneys so credited until after the semiannual allocations have been received by the county treasurer, as provided in this section. Each county treasurer shall show on each taxpayer receipt the amount of credit received from the fund.

2. The director of revenue shall authorize the department of administrative services to draw warrants on the fund payable to the county treasurers of the several counties of the state in the amounts certified by the department.

3. The amount due each county shall be paid in two payments on November 15 and March 15 of each fiscal year, drawn upon warrants payable to the respective county treasurers. The two payments shall be as nearly equal as possible.

Sec. 8. NEW SECTION. 426C.6 Appeals.

1. If the board of supervisors disallows a claim for credit under section 426C.3, subsection 4, the board of supervisors shall send written notice, by mail, to the claimant at the claimant's last known address. The notice shall state the reasons for disallowing the claim for the credit. The board of supervisors is not required to send notice that a claim for credit is disallowed if the claimant voluntarily withdraws the claim. Any person whose claim is disallowed under the provisions of this chapter may appeal from the action of the board of supervisors to the district court of the county in which the parcel or property unit is located by giving written notice of such appeal to the county auditor within twenty days from the date of mailing of notice of such action by the board of supervisors.

2. If a claim for credit is disallowed by the board of supervisors, and such action is subsequently reversed on appeal, the credit shall be allowed on the applicable parcel or property unit, and the director of revenue, the county auditor, and the county treasurer shall provide the credit and change their books and records accordingly. In the event the claimant has paid one or both of the installments of the tax payable in the year or years in question, remittance shall be made to the claimant of the amount of such credit. The amount of such credit awarded on appeal shall be allocated and paid from the balance remaining in the fund.

Sec. 9. NEW SECTION. 426C.7 Audit — recalculation or denial.

1. If on the audit of a credit provided under this chapter, the director of revenue determines the amount of the credit to have been incorrectly calculated or that the credit is not allowable, the director shall recalculate the credit and notify the claimant

and the county auditor of the recalculation or denial and the reasons for it. The director shall not adjust a credit after three years from October 31 of the year in which the claim for the credit was filed. If the credit has been paid, the director shall give notification to the claimant, the county treasurer, and the applicable assessor of the recalculation or denial of the credit and the county treasurer shall proceed to collect the tax owed in the same manner as other property taxes due and payable are collected, if the parcel or property unit for which the credit was allowed is still owned by the claimant. If the parcel or property unit for which the credit was allowed is not owned by the claimant, the amount may be recovered from the claimant by assessment in the same manner that income taxes are assessed under sections 422.26 and 422.30. The amount of such erroneous credit, when collected, shall be deposited in the fund.

2. The claimant or board of supervisors may appeal any decision of the director of revenue to the state board of tax review pursuant to section 421.1, subsection 5. The claimant, the board of supervisors, or the director of revenue may seek judicial review of the action of the state board of tax review in accordance with chapter 17A.

Sec. 10. NEW SECTION. 426C.8 False claim — penalty.

A person who makes a false claim for the purpose of obtaining a credit provided for in this chapter or who knowingly receives the credit without being legally entitled to it is guilty of a fraudulent practice. The claim for a credit of such a person shall be disallowed and if the credit has been paid the amount shall be recovered in the manner provided in section 426C.7. In such cases, the director of revenue shall send a notice of disallowance of the credit.

Sec. 11. NEW SECTION. 426C.9 Rules.

The director of revenue shall prescribe forms, instructions, and rules as necessary, pursuant to chapter 17A, to carry out and effectuate the purposes of this chapter.

Sec. 12. IMPLEMENTATION. Notwithstanding the deadline for filing claims established in section 426C.3, for a credit against property taxes due and payable during the fiscal year beginning July 1, 2014, the claim for the credit shall be filed not later than January 15, 2014.

Sec. 13. APPLICABILITY. This division of this Act applies to property taxes due and payable in fiscal years beginning on or after July 1, 2014.

DIVISION II

PROPERTY ASSESSMENT LIMITATION AND REPLACEMENT

Sec. 14. Section 257.3, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* The amount paid to each school district for the commercial and industrial property tax replacement claim under section 441.21A shall be regarded as property tax. The portion of the payment which is foundation property tax shall be determined by applying the foundation property tax rate to the amount computed under section 441.21A, subsection 4, paragraph “a”, and such amount shall be prorated pursuant to section 441.21A, subsection 2, if applicable.

Sec. 15. Section 331.512, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 13A. Carry out duties relating to the calculation and payment of commercial and industrial property tax replacement claims under section 441.21A.

Sec. 16. Section 331.559, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 25A. Carry out duties relating to the calculation and payment of commercial and industrial property tax replacement claims under section 441.21A.

Sec. 17. Section 441.21, subsection 4, Code 2013, is amended to read as follows:

4. For valuations established as of January 1, 1979, the percentage of actual value at which agricultural and residential property shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the dividend as determined for each class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus six percent of the amount so determined. However, if the difference between the dividend so determined for either class of property and the dividend for that class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is less than six percent, the 1979 dividend for the other class of property shall be the dividend as determined for that class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus a percentage of the amount so determined which is equal to the percentage by which the dividend as determined for the other class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is increased in arriving at the 1979 dividend for the other class of property. The divisor for each class of property shall be the total actual value of all such property in the state in the preceding year, as reported by the assessors on the abstracts of assessment submitted for 1978, plus the amount of value added to said total actual value by the revaluation of existing properties in 1979 as equalized by the director of revenue pursuant to section 441.49. The director shall utilize information reported on abstracts of assessment submitted pursuant to section 441.45 in determining such percentage. For valuations established as of January 1, 1980, and each ~~assessment~~ year thereafter ~~beginning before January 1, 2013~~, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which agricultural and residential property shall be assessed shall be calculated in accordance with the methods provided ~~herein in this subsection~~, including the limitation of increases in agricultural and residential assessed values to the percentage increase of the other class of property if the other class increases less than the allowable limit adjusted to include the applicable and current values as equalized by the director of revenue, except that any references to six percent in this subsection shall be four percent. For valuations established as of January 1, 2013, and each assessment year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which agricultural and residential property shall be assessed shall be calculated in accordance with the methods provided in this subsection, including the limitation of increases in agricultural and residential assessed values to the percentage increase of the other class of property if the other class increases less than the allowable limit adjusted to include the applicable and current values as equalized by the director of revenue, except that any references to six percent in this subsection shall be three percent.

Sec. 18. Section 441.21, subsection 5, Code 2013, is amended to read as follows:

5. a. ~~For valuations established as of January 1, 1979, commercial property and industrial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed as a percentage of the actual value of each class of property. The percentage shall be determined for each class of property by the director of revenue for the state in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the total actual valuation for each class of property established for 1978, plus six percent of the amount so determined. The divisor for each class of property shall be the valuation for each class of property established for 1978, as reported by the assessors on the abstracts of assessment for 1978, plus the amount of value added to the total actual value by the revaluation of existing properties in 1979 as equalized by the director of revenue pursuant to section 441.49. For valuations established as of January 1, 1979, property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be considered as one class of property and shall be assessed as a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1979, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1978 by the department of revenue, plus ten percent of the amount so determined. The divisor for property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be the valuation established for 1978, plus the amount of value added to the total actual value by the revaluation of the property by the department of revenue as of January 1, 1979. For valuations established as of January 1, 1980, commercial property and industrial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed at a percentage of the actual value of each class of property. The percentage shall be determined for each class of property by the director of revenue for the state in accordance with the provisions of this section. For valuations established as of January 1, 1980, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the dividend as determined for each class of property for valuations established as of January 1, 1979, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1979, plus four percent of the amount so determined. The divisor for each class of property shall be the total actual value of all such property in 1979, as equalized by the director of revenue pursuant to section 441.49, plus the amount of value added to the total actual value by the revaluation of existing properties in 1980. The director shall utilize information reported on the abstracts of assessment submitted pursuant to section 441.45 in determining such percentage. For valuations established as of January 1, 1980, property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be assessed at a percentage of its actual value. The percentage shall be determined by the director of revenue in accordance with the provisions of this section. For valuations established as of January 1, 1980, the percentage shall be the quotient of the dividend and divisor as defined in this section. The dividend shall be the total actual valuation established for 1979 by the department of revenue, plus eight percent of the amount so determined. The divisor for property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be the valuation established for 1979, plus the amount of value added to the total actual value by the revaluation of the property by the department of revenue as of January 1, 1980. For valuations~~

established as of January 1, 1981, and each year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which commercial property and industrial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed shall be calculated in accordance with the methods provided herein, except that any references to six percent in this subsection shall be four percent. For valuations established as of January 1, 1981, and each year thereafter, the percentage of actual value at which property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438 shall be assessed shall be calculated in accordance with the methods provided herein, except that any references to ten percent in this subsection shall be eight percent. ~~Beginning with valuations established as of January 1, 1979, and each year thereafter, property valued by the department of revenue pursuant to chapter 434 shall also be assessed at a percentage of its actual value which percentage shall be equal to the percentage determined by the director of revenue for commercial property, industrial property, or property valued by the department of revenue pursuant to chapters 428, 433, 437, and 438, whichever is lowest.~~ For valuations established on or after January 1, 2013, property valued by the department of revenue pursuant to chapter 434 shall be assessed at a percentage of its actual value equal to the percentage of actual value at which property assessed as commercial property is assessed under paragraph "b" for the same assessment year.

b. For valuations established on or after January 1, 2013, commercial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed at a percentage of its actual value, as determined in this paragraph "b". For valuations established for the assessment year beginning January 1, 2013, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which commercial property shall be assessed shall be ninety-five percent. For valuations established for the assessment year beginning January 1, 2014, and each assessment year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which commercial property shall be assessed shall be ninety percent.

c. For valuations established on or after January 1, 2013, industrial property, excluding properties referred to in section 427A.1, subsection 8, shall be assessed at a percentage of its actual value, as determined in this paragraph "c". For valuations established for the assessment year beginning January 1, 2013, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which industrial property shall be assessed shall be ninety-five percent. For valuations established for the assessment year beginning January 1, 2014, and each assessment year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which industrial property shall be assessed shall be ninety percent.

Sec. 19. Section 441.21, subsections 9 and 10, Code 2013, are amended to read as follows:

9. Not later than November 1, 1979, and November 1 of each subsequent year, the director shall certify to the county auditor of each county the percentages of actual value at which residential property, agricultural property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, 434, 437, and 438 in each assessing jurisdiction in the county shall be assessed for taxation. The county auditor shall proceed to determine the assessed values of agricultural property, residential property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, ~~434~~, 437, and 438

by applying such percentages to the current actual value of such property, as reported to the county auditor by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made.

10. The percentage of actual value computed by the director for agricultural property, residential property, commercial property, industrial property, property valued by the department of revenue pursuant to chapter 434, and property valued by the department of revenue pursuant to chapters 428, 433, ~~434~~, 437, and 438 and used to determine assessed values of those classes of property does not constitute a rule as defined in section 17A.2, subsection 11.

Sec. 20. NEW SECTION. 441.21A Commercial and industrial property tax replacement — replacement claims.

1. *a.* For each fiscal year beginning on or after July 1, 2014, there is appropriated from the general fund of the state to the department of revenue an amount necessary for the payment of all commercial and industrial property tax replacement claims under this section for the fiscal year. However, for a fiscal year beginning on or after July 1, 2017, the total amount of moneys appropriated from the general fund of the state to the department of revenue for the payment of commercial and industrial property tax replacement claims in that fiscal year shall not exceed the total amount of money necessary to pay all commercial and industrial property tax replacement claims for the fiscal year beginning July 1, 2016.

b. Moneys appropriated by the general assembly to the department under this subsection for the payment of commercial and industrial property tax replacement claims are not subject to a uniform reduction in appropriations in accordance with section 8.31.

2. Beginning with the fiscal year beginning July 1, 2014, each county treasurer shall be paid by the department of revenue an amount equal to the amount of the commercial and industrial property tax replacement claims in the county, as calculated in subsection 4. If an amount appropriated for a fiscal year is insufficient to pay all replacement claims, the director of revenue shall prorate the payment of replacement claims to the county treasurers and shall notify the county auditors of the pro rata percentage on or before September 30.

3. On or before July 1 of each fiscal year beginning on or after July 1, 2014, the assessor shall report to the county auditor the total actual value of all commercial property and industrial property in the county that is subject to assessment and taxation for the assessment year used to calculate the taxes due and payable in that fiscal year.

4. On or before a date established by rule of the department of revenue of each fiscal year beginning on or after July 1, 2014, the county auditor shall prepare a statement, based upon the report received pursuant to subsection 3, listing for each taxing district in the county:

a. The difference between the assessed valuation of all commercial property and industrial property for the assessment year used to calculate taxes which are due and payable in the applicable fiscal year and the actual value of all commercial property and industrial property that is subject to assessment and taxation for the same assessment year. If the difference between the assessed value of all commercial property and industrial property and the actual valuation of all commercial property and industrial property is zero, there is no tax replacement for that taxing district for the fiscal year.

b. The tax levy rate per one thousand dollars of assessed value for each taxing district for that fiscal year.

c. The commercial and industrial property tax replacement claim for each taxing district. The replacement claim is equal to the amount determined pursuant to

paragraph “a”, multiplied by the tax rate specified in paragraph “b”, and then divided by one thousand dollars.

5. For purposes of computing replacement amounts under this section, that portion of an urban renewal area defined as the sum of the assessed valuations defined in section 403.19, subsections 1 and 2, shall be considered a taxing district.

6. a. The county auditor shall certify and forward one copy of the statement to the department of revenue not later than a date of each year established by the department of revenue by rule.

b. The replacement claims shall be paid to each county treasurer in equal installments in September and March of each year. The county treasurer shall apportion the replacement claim payments among the eligible taxing districts in the county.

c. If the taxing district is an urban renewal area, the amount of the replacement claim shall be apportioned and credited to those portions of the assessed value defined in section 403.19, subsections 1 and 2, as follows:

(1) To that portion defined in section 403.19, subsection 1, an amount of the replacement claim that is proportionate to the amount of actual value of the commercial and industrial property in the urban renewal area as determined in section 403.19, subsection 1, that was subtracted pursuant to section 403.20, as it bears to the total amount of actual value of the commercial and industrial property in the urban renewal area that was subtracted pursuant to section 403.20 for the assessment year for property taxes due and payable in the fiscal year for which the replacement claim is computed.

(2) To that portion defined in section 403.19, subsection 2, the remaining amount, if any.

d. Notwithstanding the allocation provisions of paragraph “c”, the amount of the tax replacement amount that shall be allocated to that portion of the assessed value defined in section 403.19, subsection 2, shall not exceed the amount equal to the amount certified to the county auditor under section 403.19 for the fiscal year in which the claim is paid, after deduction of the amount of other revenues committed for payment on that amount for the fiscal year. The amount not allocated to that portion of the assessed value defined in section 403.19, subsection 2, as a result of the operation of this paragraph, shall be allocated to that portion of assessed value defined in section 403.19, subsection 1.

e. The amount of the replacement claim amount credited to the portion of the assessed value defined in section 403.19, subsection 1, shall be allocated to and when received be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. The amount of the replacement claim amount credited to the portion of the assessed value defined in section 403.19, subsection 2, shall be allocated to and when collected be paid into the special fund of the municipality under section 403.19, subsection 2.

Sec. 21. SAVINGS PROVISION. This division of this Act, pursuant to section 4.13, does not affect the operation of, or prohibit the application of, prior provisions of section 441.21, or rules adopted under chapter 17A to administer prior provisions of section 441.21, for assessment years beginning before January 1, 2013, and for duties, powers, protests, appeals, proceedings, actions, or remedies attributable to an assessment year beginning before January 1, 2013.

Sec. 22. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 23. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2013, for assessment years beginning on or after that date.

DIVISION III
MULTIRESIDENTIAL PROPERTY CLASSIFICATION

Sec. 24. Section 404.2, subsection 2, paragraph f, Code 2013, is amended to read as follows:

f. A statement specifying whether the revitalization is applicable to none, some, or all of the property assessed as residential, multiresidential, agricultural, commercial, or industrial property within the designated area or a combination thereof and whether the revitalization is for rehabilitation and additions to existing buildings or new construction or both. If revitalization is made applicable only to some property within an assessment classification, the definition of that subset of eligible property must be by uniform criteria which further some planning objective identified in the plan. The city shall state how long it is estimated that the area shall remain a designated revitalization area which time shall be longer than one year from the date of designation and shall state any plan by the city to issue revenue bonds for revitalization projects within the area. For a county, a revitalization area shall include only property which will be used as industrial property, commercial property, ~~commercial property consisting of three or more separate living quarters with at least seventy five percent of the space used for residential purposes,~~ multiresidential property, or residential property. However, a county shall not provide a tax exemption under this chapter to commercial property, ~~commercial property consisting of three or more separate living quarters with at least seventy five percent of the space used for residential purposes~~ multiresidential property, or residential property which is located within the limits of a city.

Sec. 25. Section 404.3, subsection 4, Code 2013, is amended to read as follows:

4. a. All qualified real estate assessed as ~~residential property or assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least seventy five percent of the space used for residential purposes,~~ any of the following is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements:-

(1) Residential property.

(2) Commercial property if the commercial property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes.

(3) Multiresidential property if the multiresidential property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes.

b. The exemption is for a period of ten years.

Sec. 26. Section 441.21, subsection 8, paragraph b, Code 2013, is amended to read as follows:

b. Notwithstanding paragraph "a", any construction or installation of a solar energy system on property classified as agricultural, residential, commercial, multiresidential, or industrial property shall not increase the actual, assessed, and taxable values of the property for five full assessment years.

Sec. 27. Section 441.21, subsections 9 and 10, Code 2013, are amended to read as follows:

9. Not later than November 1, 1979, and November 1 of each subsequent year, the director shall certify to the county auditor of each county the percentages of actual value at which residential property, agricultural property, commercial property, industrial property, multiresidential property, and property valued by the department of revenue pursuant to chapters 428, 433, 434, 437, and 438 in each assessing jurisdiction in the county shall be assessed for taxation. The county auditor shall proceed to determine the assessed values of agricultural property, residential property,

commercial property, industrial property, multiresidential property, and property valued by the department of revenue pursuant to chapters 428, 433, 434, 437, and 438 by applying such percentages to the current actual value of such property, as reported to the county auditor by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made.

10. The percentage of actual value computed by the director for agricultural property, residential property, commercial property, industrial property, multiresidential property, and property valued by the department of revenue pursuant to chapters 428, 433, 434, 437, and 438 and used to determine assessed values of those classes of property does not constitute a rule as defined in section 17A.2, subsection 11.

Sec. 28. Section 441.21, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 13. *a.* Beginning with valuations established on or after January 1, 2015, mobile home parks, manufactured home communities, land-leased communities, assisted living facilities, property primarily used or intended for human habitation containing three or more separate dwelling units, and that portion of a building that is used or intended for human habitation and a proportionate share of the land upon which the building is situated, regardless of the number of dwelling units located in the building, if the use for human habitation is not the primary use of the building and such building is not otherwise classified as residential property, shall be valued as a separate class of property known as multiresidential property and, excluding properties referred to in section 427A.1, subsection 8, shall be assessed at a percentage of its actual value, as determined in this subsection.

b. For valuations established for the assessment year beginning January 1, 2015, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of eighty-six and twenty-five hundredths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2016, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of eighty-two and five-tenths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2017, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of seventy-eight and seventy-five hundredths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2018, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of seventy-five percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2019, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of seventy-one and twenty-five hundredths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the

assessment year beginning January 1, 2020, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of sixty-seven and five-tenths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2021, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be the greater of sixty-three and seventy-five hundredths percent or the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed for the same assessment year under subsection 4. For valuations established for the assessment year beginning January 1, 2022, and each assessment year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section 441.49 at which multiresidential property shall be assessed shall be equal to the percentage of actual value determined by the director of revenue at which property assessed as residential property is assessed under subsection 4 for the same assessment year.

c. Accordingly, for parcels that, in part, satisfy the requirements for classification as multiresidential property, the assessor shall assign to that portion of the parcel the classification of multiresidential property and to such other portions of the parcel the property classification for which such other portions qualify.

d. In no case, however, shall property that is rented or leased to low-income individuals and families as authorized by section 42 of the Internal Revenue Code, and that is subject to assessment procedures relating to section 42 property under section 441.21, subsection 2, or a hotel, motel, inn, or other building where rooms or dwelling units are usually rented for less than one month be classified as multiresidential property under this subsection.

e. As used in this subsection:

(1) “*Assisted living facility*” means property for providing assisted living as defined in section 231C.2. “*Assisted living facility*” also includes a health care facility, as defined in section 135C.1, an elder group home, as defined in section 231B.1, a child foster care facility under chapter 237, or property used for a hospice program as defined in section 135J.1.

(2) “*Dwelling unit*” means an apartment, group of rooms, or single room which is occupied as separate living quarters or, if vacant, is intended for occupancy as separate living quarters, in which a tenant can live and sleep separately from any other persons in the building.

(3) “*Land-leased community*” means the same as defined in sections 335.30A and 414.28A.

(4) “*Manufactured home community*” means the same as a land-leased community.

(5) “*Mobile home park*” means the same as defined in section 435.1.

Sec. 29. Section 558.46, subsection 5, Code 2013, is amended to read as follows:

5. For the purposes of this section, “*residential property*” includes commercial or multiresidential property ~~consisting of~~ consisting of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes.

Sec. 30. EFFECTIVE DATE. This division of this Act takes effect January 1, 2015.

DIVISION IV

TELECOMMUNICATIONS COMPANY PROPERTY TAXATION

Sec. 31. Section 433.4, Code 2013, is amended to read as follows:

433.4 Assessment and exemption.

1. The director of revenue shall on or before October 31 each year, proceed to find the actual value of the property of these companies in this state that is used by the companies in the transaction of telegraph and telephone business, taking into consideration the information obtained from the statements required, and any further information the director can obtain, using the same as a means for determining the actual ~~cash~~ value of the property of these companies within this state. The director shall also take into consideration the valuation of all property of these companies, including franchises and the use of the property in connection with lines outside the state, and making these deductions as may be necessary on account of extra value of property outside the state as compared with the value of property in the state, in order that the actual ~~cash~~ value of the property of the company within this state may be ascertained. The assessment shall include all property of every kind and character whatsoever, real, personal, or mixed, used by the companies in the transaction of telegraph and telephone business; and the The property so included in the assessment shall not be taxed in any other manner than as provided in this chapter.

2. a. For assessment years beginning on or after January 1, 2013, each company assessed for taxation under this chapter shall receive a partial exemption from taxation on the value of the company's property as provided in this subsection.

b. For the assessment year beginning January 1, 2013, the total amount of the exemption for each company shall be equal to the sum of the following amounts:

(1) An amount equal to twenty percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds zero dollars but does not exceed twenty million dollars.

(2) An amount equal to seventeen and five-tenths percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds twenty million dollars but does not exceed fifty-five million dollars.

(3) An amount equal to twelve and five-tenths percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds fifty-five million dollars but does not exceed five hundred million dollars.

(4) An amount equal to ten percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds five hundred million dollars.

c. For the assessment year beginning January 1, 2014, and each assessment year thereafter, the total amount of the exemption for each company shall be equal to the sum of the following amounts:

(1) An amount equal to forty percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds zero dollars but does not exceed twenty million dollars.

(2) An amount equal to thirty-five percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds twenty million dollars but does not exceed fifty-five million dollars.

(3) An amount equal to twenty-five percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds fifty-five million dollars but does not exceed five hundred million dollars.

(4) An amount equal to twenty percent of the actual value of the property of such company for that assessment year, as determined under subsection 1, that exceeds five hundred million dollars.

Sec. 32. Section 433.5, Code 2013, is amended to read as follows:

433.5 Actual value per mile — exemption value per mile.

1. The director of revenue shall ascertain the actual value per mile of the property of each ~~of said companies~~ company within this state by dividing the total actual value, as ~~above~~ ascertained under section 433.4, subsection 1, by the number of miles of line

of such company within the state, and the result shall be deemed and held to be the actual value per mile of line of the property of such company within this state.

2. The director of revenue shall ascertain the exemption value per mile of the property of each company within this state by dividing the amount of the exemption for that company determined under section 433.4, subsection 2, by the number of miles of line of such company within the state, and the result shall be deemed and held to be the exemption value per mile of line for that company.

Sec. 33. Section 433.8, Code 2013, is amended to read as follows:

433.8 Assessment in each county — how certified.

The director of revenue shall, for the purpose of determining what amount shall be assessed to ~~any one of said companies~~ each company in each county of the state into which the line of the said company extends, ~~multiply the assessed or taxable value per mile of line of said company, as above ascertained, by the number of miles in each of said counties, and the result thereof shall be by the director certified~~ certify to the several county auditors of the respective counties into, over, or through which said line extends the number of miles of line in the county for that company, the actual value per mile of line for that company, and the exemption value per mile of line for that company.

Sec. 34. Section 433.9, Code 2013, is amended to read as follows:

433.9 Entry of certificate.

At the first meeting of the board of supervisors held after ~~such statement the certification made under section 433.8~~ is received by the county auditor, ~~it the board shall cause such statement certification~~ to be entered in its minute book, and make and enter therein an order stating the length of the lines, ~~and the assessed actual value of the property, and the exempted value of the property of each of said companies situated in each city, township, or lesser taxing district in its county, as fixed by the director of revenue, which.~~ The value certified by the director of revenue, following application of the percentage of actual value under section 441.21, and following the application of the exemption value certified by the director of revenue, shall constitute the taxable value of said property for taxing purposes, and the taxes on said property when collected by the county treasurer shall be disposed of as other taxes on real estate. The county auditor shall transmit a copy of said order to the council or trustees of each city or township in which the lines of said company extend.

Sec. 35. REPEAL. Section 433.6, Code 2013, is repealed.

Sec. 36. PROPERTY TAXATION OF TELECOMMUNICATIONS COMPANIES STUDY — REPORT.

1. a. The department of revenue, in consultation with the department of management, representatives of companies providing telecommunications services in this state by any means, including but not limited to mobile, wireless, voice over internet protocol, and landline, and other interested persons shall study the current system of assessing telecommunications company property and levying property tax against companies that provide telecommunications services in this state and make recommendations for changes.

b. The department of revenue shall prepare and file a report detailing recommendations for changes to the current system of assessing telecommunications company property and levying property tax against companies providing telecommunications services in this state. The report shall also include recommendations for establishing methods to provide equivalent property tax treatment for all companies providing telecommunications services in this state and recommendations for apportioning property tax revenues to the appropriate local taxing authorities in the state. The report shall also include proposed legislation to implement the recommendations contained in the report. The report shall be filed by

the department of revenue with the chairpersons and ranking members of the ways and means committees of the senate and the house of representatives and with the legislative services agency by August 1, 2015.

c. Upon receipt of the report by the chairpersons and ranking members of the ways and means committees under paragraph “b”, a legislative telecommunications company property tax review committee consisting of six members of the general assembly, two appointed by the majority leader of the senate, one appointed by the minority leader of the senate, two appointed by the speaker of the house of representatives, and one appointed by the minority leader of the house of representatives shall review the information and recommendations contained in the report. The department of revenue shall provide additional information and analysis to the review committee or the general assembly upon request of the review committee.

2. Each company providing telecommunications services in this state by any means, including but not limited to mobile, wireless, voice over internet protocol, and landline, shall on or before a date specified by the director of revenue submit to the department of revenue such information determined by the director of revenue to be necessary to facilitate the creation of the report required under this section. However, the director of revenue shall only request aggregate statistical data or information from such companies and in no case shall such companies be required under this section to provide data or information about any individual end user or customer, including but not limited to account information, place of primary use, or service address information within the meaning of section 423.20. In addition, such companies shall not be required to resubmit any information that was submitted to the director of revenue pursuant to the requirements of chapter 433. Information provided to the department under this section shall be verified by the company’s president or secretary. The confidentiality provisions of sections 422.20 and 422.72 apply to all information received by the department of revenue for purposes of the report pursuant to this section and pursuant to chapter 433, if applicable.

Sec. 37. IMPLEMENTATION. Section 25B.7 shall not apply to this division of this Act.

Sec. 38. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 39. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to assessment years beginning on or after January 1, 2013.

DIVISION V

IOWA TAXPAYERS TRUST FUND TAX CREDIT

Sec. 40. TAXPAYERS TRUST FUND — IOWA TAXPAYERS TRUST FUND TAX CREDIT TRANSFER. During the fiscal year beginning July 1, 2013, there is transferred from the taxpayers trust fund created in section 8.57E to the Iowa taxpayers trust fund tax credit fund created in section 422.11E, an amount equal to the sum of the balance of the taxpayers trust fund as determined after the close of the fiscal year beginning July 1, 2012, and ending June 30, 2013, including the amount transferred for that fiscal year to the taxpayers trust fund from the Iowa economic emergency fund created in section 8.55 in the fiscal year beginning July 1, 2013, and ending June 30, 2014, to be used for the Iowa taxpayers trust fund tax credit in accordance with section 422.11E, subsection 5.

Sec. 41. Section 8.57E, subsection 2, Code 2013, is amended to read as follows:

2. Moneys in the taxpayers trust fund shall only be used pursuant to appropriations or transfers made by the general assembly for tax relief. During each fiscal year beginning on or after July 1, 2014, in which the balance of the taxpayers trust fund equals or exceeds thirty million dollars, there is transferred from the taxpayers trust fund to the Iowa taxpayers trust fund tax credit fund created in section

422.11E, the entire balance of the taxpayers trust fund to be used for the Iowa taxpayers trust fund tax credit in accordance with section 422.11E, subsection 5.

Sec. 42. Section 257.21, unnumbered paragraph 2, Code 2013, is amended to read as follows:

The instructional support income surtax shall be imposed on the state individual income tax for the calendar year during which the school's budget year begins, or for a taxpayer's fiscal year ending during the second half of that calendar year and after the date the board adopts a resolution to participate in the program or the first half of the succeeding calendar year, and shall be imposed on all individuals residing in the school district on the last day of the applicable tax year. As used in this section, "*state individual income tax*" means the taxes computed under section 422.5, less the amounts of nonrefundable credits allowed under chapter 422, division II, except for the Iowa taxpayers trust fund tax credit allowed under section 422.11E.

Sec. 43. **NEW SECTION. 422.11E Iowa taxpayers trust fund tax credit.**

1. For purposes of this section, unless the context otherwise requires:

a. "*Eligible individual*" means, with respect to a tax year, an individual who makes and files an individual income tax return pursuant to section 422.13. "*Eligible individual*" does not include an estate or trust, or an individual for whom an individual income tax return was not timely filed, including extensions.

b. "*Unclaimed tax credit*" means, with respect to a tax year, the aggregate amount by which the Iowa taxpayers trust fund tax credits that were eligible to be claimed by eligible individuals, if any, exceeds the Iowa taxpayers trust fund tax credits actually claimed by eligible individuals, if any.

2. The taxes imposed under this division, less the credits allowed under this division except the credits for withheld tax and estimated tax paid in section 422.16, shall be reduced by an Iowa taxpayers trust fund tax credit to an eligible individual for the tax year beginning January 1 immediately preceding July 1 of any fiscal year during which a transfer, if any, is made from the taxpayers trust fund in section 8.57E to the Iowa taxpayers trust fund tax credit fund created in this section.

3. The credit shall be equal to the quotient of the amount transferred to the Iowa taxpayers trust fund tax credit fund in the applicable fiscal year, divided by the number of eligible individuals for the tax year immediately preceding the tax year for which the credit in this section is allowed, as determined by the director of revenue in accordance with this section, rounded down to the nearest whole dollar. The department of revenue shall draft the income tax form for any tax year in which a credit will be allowed under this section to provide the information and space necessary for eligible individuals to claim the credit.

4. Any credit in excess of the taxpayer's liability for the tax year is not refundable and shall not be credited to the tax liability for any following year or carried back to a tax year prior to the tax year in which the taxpayer claims the credit.

5. a. There is established within the state treasury under the control of the department an Iowa taxpayers trust fund tax credit fund consisting of any moneys transferred by the general assembly by law from the taxpayers trust fund created in section 8.57E for purposes of the credit provided in this section. For the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, the department shall transfer from the Iowa taxpayers trust fund tax credit fund to the general fund of the state, the lesser of the balance of the Iowa taxpayers trust fund tax credit fund or an amount of money equal to the Iowa taxpayers trust fund tax credits claimed in that fiscal year, if any. Any moneys in the Iowa taxpayers trust fund tax credit fund which represent unclaimed tax credits shall immediately revert to the taxpayers trust fund

created in section 8.57E. Interest or earnings on moneys in the Iowa taxpayers trust fund tax credit fund shall be credited to the taxpayers trust fund created in section 8.57E.

b. The moneys transferred to the general fund of the state in accordance with this subsection shall not be considered new revenues for purposes of the state general fund expenditure limitation under section 8.54 but instead as replacement of a like amount included in the expenditure limitation for the fiscal year in which the transfer is made.

Sec. 44. Section 422D.2, Code 2013, is amended to read as follows:

422D.2 Local income surtax.

A county may impose by ordinance a local income surtax as provided in section 422D.1 at the rate set by the board of supervisors, of up to one percent, on the state individual income tax of each individual residing in the county at the end of the individual's applicable tax year. However, the cumulative total of the percents of income surtax imposed on any taxpayer in the county shall not exceed twenty percent. The reason for imposing the surtax and the amount needed shall be set out in the ordinance. The surtax rate shall be set to raise only the amount needed. For purposes of this section, "*state individual income tax*" means the tax computed under section 422.5, less the amounts of nonrefundable credits allowed under chapter 422, division II, except for the Iowa taxpayers trust fund tax credit allowed under section 422.11E.

Sec. 45. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 46. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2013, for tax years beginning on or after that date.

DIVISION VI

PROPERTY ASSESSMENT APPEAL BOARD

Sec. 47. Section 421.1A, subsection 2, paragraph b, Code 2013, is amended to read as follows:

b. Each member of the property assessment appeal board shall be qualified by virtue of at least two years' experience in the area of government, corporate, or private practice relating to property appraisal and property tax administration. ~~One member~~ Two members of the board shall be ~~a certified real estate appraiser or hold a professional appraisal designation, property appraisers and~~ a certified real estate appraiser or hold a professional appraisal designation, property appraisers and one member shall be an attorney practicing in the area of state and local taxation or property tax appraisals; ~~and one member shall be a professional with experience in the field of accounting or finance and with experience in state and local taxation matters.~~ No more than two members of the board may be from the same political party as that term is defined in section 43.2.

Sec. 48. Section 421.1A, subsection 6, Code 2013, is amended to read as follows:

6. The members of the property assessment appeal board shall receive ~~compensation from the state commensurate with the salary of a district judge through December 31, 2013~~ a salary set by the governor within a range established by the general assembly. The members of the board shall be considered state employees for purposes of salary and benefits. The members of the board and any employees of the board, when required to travel in the discharge of official duties, shall be paid their actual and necessary expenses incurred in the performance of duties.

Sec. 49. Section 421.1A, subsection 7, Code 2013, is amended by striking the subsection.

Sec. 50. Section 441.21, subsection 3, Code 2013, is amended to read as follows:

3. a. "*Actual value*", "*taxable value*", or "*assessed value*" as used in other sections of the Code in relation to assessment of property for taxation shall mean the valuations as determined by this section; however, other provisions of the Code providing special methods or formulas for assessing or valuing specified property shall remain in effect,

but this section shall be applicable to the extent consistent with such provisions. The assessor and department of revenue shall disclose at the written request of the taxpayer all information in any formula or method used to determine the actual value of the taxpayer's property.

b. The burden of proof shall be upon any complainant attacking such valuation as excessive, inadequate, inequitable, or capricious; however, in protest or appeal proceedings when the complainant offers competent evidence by at least two disinterested witnesses that the market value of the property is less than the market value determined by the assessor, the burden of proof thereafter shall be upon the officials or persons seeking to uphold such valuation to be assessed.

Sec. 51. Section 441.23, Code 2013, is amended to read as follows:

441.23 Notice of valuation.

If there has been an increase or decrease in the valuation of the property, or upon the written request of the person assessed, the assessor shall, at the time of making the assessment, inform the person assessed, in writing, of the valuation put upon the taxpayer's property, and notify the person, that if the person feels aggrieved, to contact the assessor pursuant to section 441.30 or to appear before the board of review and show why the assessment should be changed. However, if the valuation of a class of property is uniformly decreased, the assessor may notify the affected property owners by publication in the official newspapers of the county. The owners of real property shall be notified not later than April ~~15~~ 1 of any adjustment of the real property assessment.

Sec. 52. Section 441.26, subsection 1, Code 2013, is amended to read as follows:

1. The director of revenue shall each year prescribe the form of assessment roll to be used by all assessors in assessing property, in this state, also the form of pages of the assessor's assessment book. The assessment rolls shall be in a form that will permit entering, separately, the names of all persons assessed, and shall also contain a notice in substantially the following form:

If you are not satisfied that the foregoing assessment is correct, you may contact the assessor on or after April 1, to and including May 4, of the year of the assessment to request an informal review of the assessment pursuant to section 441.30.

If you are not satisfied that the foregoing assessment is correct, you may file a protest against such assessment with the board of review on or after April ~~16~~ 7, to and including May 5, of the year of the assessment, such protest to be confined to the grounds specified in section 441.37.

Dated: .. day of ... (month), .. (year)

.....

County/City Assessor.

Sec. 53. Section 441.28, Code 2013, is amended to read as follows:

441.28 Assessment rolls — change — notice to taxpayer.

The assessment shall be completed not later than April ~~15~~ 1 each year. If the assessor makes any change in an assessment after it has been entered on the assessor's rolls, the assessor shall note on the roll, together with the original assessment, the new assessment and the reason for the change, together with the assessor's signature and the date of the change. Provided, however, in the event the assessor increases any assessment the assessor shall give notice of the increase in writing to the taxpayer by mail postmarked no later than April ~~15~~ 1. No changes shall be made on the assessment rolls after April ~~15~~ 1 except by order of the board of review or of the property assessment appeal board, or by decree of court.

Sec. 54. NEW SECTION. **441.30 Informal assessment review period — recommendation.**

1. Any property owner or aggrieved taxpayer who is dissatisfied with the owner's or taxpayer's assessment may contact the assessor by telephone or in writing by paper or electronic medium on or after April 1, to and including May 4, of the year of the assessment to inquire about the specifics and accuracy of the assessment. Such an inquiry may also include a request for an informal review of the assessment by the assessor under one or more of the grounds for protest authorized under section 441.37 for the same assessment year.

2. In response to an inquiry under subsection 1, if the assessor, following an informal review, determines that the assessment was incorrect under one or more of the grounds for protest authorized under section 441.37 for the same assessment year, the assessor may recommend that the property owner or aggrieved taxpayer file a protest with the local board of review and may file a recommendation with the local board of review related to the informal review.

3. A recommendation filed with the local board of review by the assessor pursuant to subsection 2 shall be utilized by the local board of review in the evaluation of all evidence properly before the local board of review.

4. This section, including any action taken by the assessor under this section, shall not be construed to limit a property owner or taxpayer's ability to file a protest with the local board of review under section 441.37.

Sec. 55. Section 441.35, subsection 2, Code 2013, is amended to read as follows:

2. In any year after the year in which an assessment has been made of all of the real estate in any taxing district, the board of review shall meet as provided in section 441.33, and where the board finds the same has changed in value, the board shall revalue and reassess any part or all of the real estate contained in such taxing district, and in such case, the board shall determine the actual value as of January 1 of the year of the revaluation and reassessment and compute the taxable value thereof. ~~Any aggrieved taxpayer may petition for a revaluation of the taxpayer's property, but no reduction or increase shall be made for prior years.~~ If the assessment of any such property is raised, or any property is added to the tax list by the board, the clerk shall give notice in the manner provided in section 441.36. However, if the assessment of all property in any taxing district is raised, the board may instruct the clerk to give immediate notice by one publication in one of the official newspapers located in the taxing district, and such published notice shall take the place of the mailed notice provided for in section 441.36, but all other provisions of that section shall apply. The decision of the board as to the foregoing matters shall be subject to appeal to the property assessment appeal board within the same time and in the same manner as provided in section 441.37A and to the district court within the same time and in the same manner as provided in section 441.38.

Sec. 56. Section 441.37, subsection 1, paragraphs a and b, Code 2013, are amended to read as follows:

a. Any property owner or aggrieved taxpayer who is dissatisfied with the owner's or taxpayer's assessment may file a protest against such assessment with the board of review on or after April 16 ~~7~~, to and including May 5, of the year of the assessment. In any county which has been declared to be a disaster area by proper federal authorities after March 1 and prior to May 20 of said year of assessment, the board of review shall be authorized to remain in session until June 15 and the time for filing a protest shall be extended to and include the period from May 25 to June 5 of such year. ~~Said The~~ protest shall be in writing and, except as provided in subsection 2A, signed by the one protesting or by the protester's duly authorized agent. The taxpayer may have an oral hearing ~~thereon on the protest if the request therefor for the oral hearing is made in writing is made~~ at the time of filing the protest. ~~Said The~~ protest must be confined to one or more of the following grounds:

(1) For odd-numbered assessment years and for even-numbered assessment years for property that was reassessed in such even-numbered assessment year:

(a) That said assessment is not equitable as compared with assessments of other like property in the taxing district. When this ground is relied upon as the basis of a protest the legal description and assessments of a representative number of comparable properties, as described by the aggrieved taxpayer shall be listed on the protest, otherwise said protest shall not be considered on this ground.

(2) (b) That the property is assessed for more than the value authorized by law, stating. When this ground is relied upon, the protesting party shall state the specific amount which the protesting party believes the property to be overassessed, and the amount which the party considers to be its actual value and the amount the party considers a fair assessment.

(3) (c) That the property is not assessable, is exempt from taxes, or is misclassified and stating the reasons for the protest.

(4) (d) That there is an error in the assessment and state the specific alleged error. When this ground is relied upon, the error may include but is not limited to listing errors, clerical or mathematical errors, or other errors that result in an error in the assessment.

(5) (e) That there is fraud in the assessment which shall be specifically stated.

(2) For even-numbered assessment years, when the property has not been reassessed in such even-numbered assessment year, that there has been a decrease in the value of the property from the previous reassessment year. When this ground is relied upon, the protesting party shall show the decrease in value by comparing the market value of the property as of January 1 of the current assessment year and the actual value of the property for the previous reassessment year. Such protest shall be in the same manner as described in this section and shall be reviewed by the local board of review pursuant to section 441.35, subsection 2, but a reduction or increase shall not be made for prior years.

b. In addition to the above, the property owner may protest annually to the board of review under the provisions of section 441.35, but such protest shall be in the same manner and upon the same terms as heretofore prescribed in this section. The burden of proof for all protests filed under this section shall be as stated in section 441.21, subsection 3.

Sec. 57. Section 441.37, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. For assessment years beginning on or after January 1, 2014, the board of review may allow property owners or aggrieved taxpayers who are dissatisfied with the owner's or taxpayer's assessment to file a protest against such assessment by electronic means. Electronic filing of assessment protests may be authorized for the protest period that begins April 7, the protest period that begins October 15, or both. Except for the requirement that a protest be signed, all other requirements of this section for an assessment protest to the board of review shall apply to a protest filed electronically. If electronic filing is authorized by the local board of review, the availability of electronic filing shall be clearly indicated on the assessment roll notice provided to the property owner or taxpayer and included in the published equalization order notice.

Sec. 58. Section 441.37A, subsection 1, paragraphs a and b, Code 2013, are amended to read as follows:

a. For the assessment year beginning January 1, 2007, and all subsequent assessment years beginning before January 1, 2018, appeals may be taken from the action of the board of review with reference to protests of assessment, valuation, or application of an equalization order to the property assessment appeal board created in

section 421.1A. However, a property owner or aggrieved taxpayer or an appellant described in section 441.42 may bypass the property assessment appeal board and appeal the decision of the local board of review to the district court pursuant to section 441.38.

b. For an appeal to the property assessment appeal board to be valid, written notice must be filed by the party appealing the decision with the secretary of the property assessment appeal board within twenty days after the date ~~the board of review's letter of disposition of the appeal is postmarked to the party making the protest of adjournment of the local board of review or May 31, whichever is later.~~ The written notice of appeal shall include a petition setting forth the basis of the appeal and the relief sought. No new grounds in addition to those set out in the protest to the local board of review as provided in section 441.37 can be pleaded, but additional evidence to sustain those grounds may be introduced. The assessor shall have the same right to appeal to the assessment appeal board as an individual taxpayer, public body, or other public officer as provided in section 441.42. An appeal to the board is a contested case under chapter 17A.

Sec. 59. Section 441.37A, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. For the assessment year beginning January 1, 2014, the property assessment appeal board may, by rule, provide for the filing of a notice of appeal and petition with the secretary of the board by electronic means. All requirements of this section for an appeal to the board shall apply to an appeal filed electronically.

Sec. 60. Section 441.37A, subsection 2, Code 2013, is amended to read as follows:

2. a. A party to the appeal may request a hearing or the appeal may proceed without a hearing. If a hearing is requested, the appellant and the local board of review from which the appeal is taken shall be given at least thirty days' written notice by the property assessment appeal board of the date the appeal shall be heard and the local board of review may be present and participate at such hearing. Notice to all affected taxing districts shall be deemed to have been given when written notice is provided to the local board of review. The requirement of thirty days' written notice may be waived by mutual agreement of all parties to the appeal. Failure by the appellant to appear at the property assessment appeal board hearing shall ~~be grounds for result in~~ dismissal of the appeal unless a continuance is granted to the appellant by the board following a showing of good cause for the appellant's failure to appear. If an appeal is dismissed for failure to appear, the property assessment appeal board shall have no jurisdiction to consider any subsequent appeal on the appellant's protest.

b. ~~An~~ Each appeal may be considered by ~~less than a majority of the one or more~~ members of the board, and the chairperson of the board may assign members to consider appeals. If a hearing is requested, it shall be open to the public and shall be conducted in accordance with the rules of practice and procedure adopted by the board. The board may provide by rule for participation in such hearings by telephone or other means of electronic communication. However, any deliberation of ~~a the board or of board member members~~ considering the appeal in reaching a decision on any appeal shall be confidential. ~~A meeting of the board~~ Any deliberation of the board or of board members to rule on procedural motions in a pending appeal or to deliberate on the decision to be reached in an appeal is exempt from the provisions of chapter 21. The property assessment appeal board or any member of the board considering the appeal may require the production of any books, records, papers, or documents as evidence in any matter pending before the board that may be material, relevant, or necessary for the making of a just decision. Any books, records, papers, or documents produced as evidence shall become part of the record of the appeal. Any testimony given relating to

the appeal shall be transcribed and made a part of the record of the appeal.

Sec. 61. Section 441.37A, subsection 3, paragraph a, Code 2013, is amended to read as follows:

a. The burden of proof for all appeals before the board shall be as stated in section 441.21, subsection 3. The board ~~member~~ members considering the appeal shall determine anew all questions arising before the local board of review which relate to the liability of the property to assessment or the amount thereof. All of the evidence shall be considered and there shall be no presumption as to the correctness of the valuation of assessment appealed from. The property assessment appeal board shall ~~make issue~~ a decision in each appeal filed with the board. If the appeal is considered by less than ~~a majority~~ the full membership of the board, the determination made by ~~that member~~ such members shall be forwarded to the full board for approval, rejection, or modification. If the initial determination is rejected by the board, it shall be returned for reconsideration to the board ~~member~~ members making the initial determination. Any deliberation of the board regarding an initial determination shall be confidential.

Sec. 62. 2005 Iowa Acts, chapter 150, section 134, is amended to read as follows:

SEC. 134. FUTURE REPEAL.

1. The sections of this division of this Act amending sections 7E.6, 13.7, 428.4, 441.19, 441.35, 441.38, 441.39, 441.43, 441.49, and 445.60, and enacting sections 421.1A and 441.37A, are repealed effective July 1, ~~2013~~ 2018.

2. The portion of the section of this division of this Act amending section 441.28 relating only to the property assessment appeal board is repealed effective July 1, ~~2013~~ 2018.

3. The repeals provided for in subsections 1 and 2 shall include all subsequent amendments to such sections relating to the property assessment appeal board.

Sec. 63. 2008 Iowa Acts, chapter 1191, section 14, subsection 5, is amended to read as follows:

5. The following are range 5 positions: administrator of the division of homeland security and emergency management of the department of public defense, state public defender, drug policy coordinator, labor commissioner, workers' compensation commissioner, director of the department of cultural affairs, director of the department of elder affairs, director of the law enforcement academy, members of the property assessment appeal board, and administrator of the historical division of the department of cultural affairs.

Sec. 64. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 65. APPLICABILITY. Except as otherwise provided in this division of this Act, this division of this Act applies to assessment years beginning on or after January 1, 2014.

Sec. 66. APPLICABILITY. The following provision of this division of this Act applies to appointments to the property assessment appeal board on or after the effective date of this division of this Act:

1. The section of this division of this Act amending section 421.1A, subsection 2, paragraph "b".

Sec. 67. APPLICABILITY. The following provisions of this division of this Act apply to fiscal years beginning on or after July 1, 2013:

1. The section of this division of this Act amending section 421.1A, subsection 6.

2. The section of this division of this Act amending 2008 Iowa Acts, chapter 1191, section 14, subsection 5.

Sec. 68. APPLICABILITY. The following provision of this division of this Act applies on or after the effective date of this division of this Act:

1. The section of this division of this Act amending 2005 Iowa Acts, chapter 150, section 134.

Sec. 69. RETROACTIVE APPLICABILITY. The following provision of this division of this Act applies retroactively to January 1, 2013, for assessment years beginning on or after that date:

1. The section of this division of this Act amending section 441.37A, subsection 2.

DIVISION VII

EARNED INCOME TAX CREDIT

Sec. 70. Section 422.12B, subsection 1, Code 2013, is amended to read as follows:

1. a. The taxes imposed under this division less the credits allowed under section 422.12 shall be reduced by an earned income credit equal to ~~seven percent~~ the following percentage of the federal earned income credit provided in section 32 of the Internal Revenue Code:

(1) For the tax year beginning in the 2013 calendar year, fourteen percent.

(2) For tax years beginning on or after January 1, 2014, fifteen percent.

b. Any credit in excess of the tax liability is refundable.

Sec. 71. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2013, for tax years beginning on or after that date.>

2. Title page, by striking lines 1 through 4 and inserting <An Act relating to state and local finances by establishing a business property tax credit for commercial, industrial, and railway property, establishing and modifying property assessment limitations, providing for commercial and industrial property tax replacement payments, providing for the classification of multiresidential property, modifying provisions for the taxation of telecommunications company property, providing for the study of the taxation of telecommunications company property, providing a taxpayers trust fund tax credit, modifying provisions relating to the property assessment appeal board, modifying the amount of the earned income tax credit, making appropriations, providing penalties, and including effective date, implementation, retroactive applicability, and other applicability provisions.>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

MATT McCOY, Chair
JOE BOLKCOM
BILL DIX
WILLIAM A. DOTZLER, JR.
RANDY FEENSTRA

TOM SANDS, Chair
CHRIS HAGENOW
JO OLDSON
STEVE OLSON
ROGER THOMAS

SENATE FILE 430

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 430, a bill for an Act relating to appropriations to the department of cultural affairs, the economic development authority, the board of regents and certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, providing for other properly related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-3161.
2. That Senate File 430, as amended, passed, and reprinted by the Senate, is

amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<DIVISION I

FY 2013–2014

Section 1. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

- a. ADMINISTRATION

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

.....	\$ 171,813
..... FTEs	74.50

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

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

- b. COMMUNITY CULTURAL GRANTS

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

.....	\$ 172,090
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- c. HISTORICAL DIVISION

For the support of the historical division:

.....	\$ 3,167,701
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- d. HISTORIC SITES

For the administration and support of historic sites:

.....	\$ 426,398
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- e. ARTS DIVISION

For the support of the arts division:

.....	\$ 1,233,764
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Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

- f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

.....	\$ 150,000
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- g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

.....	\$ 65,933
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- h. RECORDS CENTER RENT

For payment of rent for the state records center:

.....	\$ 227,243
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- i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

.....	\$ 94,000
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2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 2. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2013, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall do all of the following for the fiscal year beginning July 1, 2013:

a. Concentrate its efforts on programs and activities that result in commercially viable products and services.

b. Adopt practices and services consistent with free market, private sector philosophies.

c. Ensure economic growth and development throughout the state.

d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.

e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.

f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential. A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.

g. Encourage the development of communities and quality of life to foster economic growth.

h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.

i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.

j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 3. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$	15,468,965
.....	FTEs	149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the

community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

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

2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

c. A business that receives financial assistance from the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for the world food prize and in lieu of the standing appropriation in section 15.368, subsection 1:

.....	\$	800,000
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5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa

mentoring partnership programs, and for not more than the following full-time equivalent positions:

.....	\$	178,133
.....	FTEs	7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$75,000 for purposes of the Iowa state commission grant program and \$103,133 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

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

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

.....	\$	175,000
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Sec. 4. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2013, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this Act.

Sec. 5. INSURANCE ECONOMIC DEVELOPMENT. From the moneys collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2013, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 6. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, for purposes of the workforce development fund:

.....	\$	4,000,000
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Sec. 7. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

.....	\$	658,000
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2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2013, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 8. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

Sec. 9. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, for the purposes designated:

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

.....	\$	1,341,926
.....	FTEs	10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 10. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

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

.....	\$	3,548,720
.....	FTEs	65.00

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

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,259,044
.....	FTEs	30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$	9,179,413
.....	FTEs	130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender reentry program to

provide offenders with employment skills, and for not more than the following full-time equivalent positions:

.....	\$	284,464
.....	FTEs	4.00

b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders' abilities to find and retain productive employment.

5. NONREVERSION

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

Sec. 11. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	451,458
.....	FTEs	8.10

Sec. 12. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	1,766,084
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2. Any remaining additional penalty and interest revenue collected by the department of workforce development is appropriated to the department for the fiscal year beginning July 1, 2013, and ending June 30, 2014, to accomplish the mission of the department.

Sec. 13. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph “e”, there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

.....	\$	494,000
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Sec. 14. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 15. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph “a”, moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2013.

DIVISION II FY 2014–2015

Sec. 16. DEPARTMENT OF CULTURAL AFFAIRS.

1. There is appropriated from the general fund of the state to the department of cultural affairs for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. ADMINISTRATION

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

.....	\$	85,907
..... FTEs		74.50

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

Full-time equivalent positions authorized under this paragraph shall be funded, in full or in part, using moneys appropriated under this paragraph and paragraphs "c" through "g".

b. COMMUNITY CULTURAL GRANTS

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

.....	\$	86,045
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c. HISTORICAL DIVISION

For the support of the historical division:

.....	\$	1,583,851
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d. HISTORIC SITES

For the administration and support of historic sites:

.....	\$	213,199
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e. ARTS DIVISION

For the support of the arts division:

.....	\$	616,882
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Of the moneys appropriated in this paragraph, the department shall allocate \$300,000 for purposes of the film office.

f. IOWA GREAT PLACES

For the Iowa great places program established under section 303.3C:

.....	\$	75,000
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g. ARCHIVE IOWA GOVERNORS' RECORDS

For archiving the records of Iowa governors:

.....	\$	32,967
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h. RECORDS CENTER RENT

For payment of rent for the state records center:

.....	\$	113,622
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i. BATTLE FLAGS

For continuation of the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection:

.....	\$	47,000
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2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. GOALS AND ACCOUNTABILITY — ECONOMIC DEVELOPMENT.

1. For the fiscal year beginning July 1, 2014, the goals for the economic development authority shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

2. To achieve the goals in subsection 1, the economic development authority shall

do all of the following for the fiscal year beginning July 1, 2014:

- a. Concentrate its efforts on programs and activities that result in commercially viable products and services.
- b. Adopt practices and services consistent with free market, private sector philosophies.
- c. Ensure economic growth and development throughout the state.
- d. Work with businesses and communities to continually improve the economic development climate along with the economic well-being and quality of life for Iowans.
- e. Coordinate with other state agencies to ensure that they are attentive to the needs of an entrepreneurial culture.
- f. Establish a strong and aggressive marketing image to showcase Iowa's workforce, existing industry, and potential. A priority shall be placed on recruiting new businesses, business expansion, and retaining existing Iowa businesses. Emphasis shall be placed on entrepreneurial development through helping entrepreneurs secure capital, and developing networks and a business climate conducive to entrepreneurs and small businesses.
- g. Encourage the development of communities and quality of life to foster economic growth.
- h. Prepare communities for future growth and development through development, expansion, and modernization of infrastructure.
- i. Develop public-private partnerships with Iowa businesses in the tourism industry, Iowa tour groups, Iowa tourism organizations, and political subdivisions in this state to assist in the development of advertising efforts.
- j. Develop, to the fullest extent possible, cooperative efforts for advertising with contributions from other sources.

Sec. 18. ECONOMIC DEVELOPMENT AUTHORITY.

1. APPROPRIATION

a. There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated in this subsection, and for not more than the following full-time equivalent positions:

.....	\$	7,734,483
.....	FTEs	149.00

b. (1) For salaries, support, miscellaneous purposes, programs, marketing, and the maintenance of an administration division, a business development division, a community development division, a small business development division, and other divisions the authority may organize.

(2) The full-time equivalent positions authorized under this section shall be funded, in whole or in part, by the moneys appropriated under this subsection or by other moneys received by the authority, including certain federal moneys.

(3) For business development operations and programs, international trade, export assistance, workforce recruitment, and the partner state program.

(4) For transfer to the strategic investment fund created in section 15.313.

(5) For community economic development programs, tourism operations, community assistance, plans for Iowa green corps and summer youth programs, the mainstreet and rural mainstreet programs, the school-to-career program, the community development block grant, and housing and shelter-related programs.

(6) For achieving the goals and accountability, and fulfilling the requirements and duties required under this Act.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but

shall remain available for expenditure for the purposes designated in this subsection until the close of the succeeding fiscal year.

2. FINANCIAL ASSISTANCE RESTRICTIONS

a. A business creating jobs through moneys appropriated in subsection 1 shall be subject to contract provisions requiring new and retained jobs to be filled by individuals who are citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

b. Any vendor who receives moneys appropriated in subsection 1 shall adhere to such contract provisions and provide periodic assurances as the state shall require that the jobs are filled solely by citizens of the United States who reside within the United States or any person authorized to work in the United States pursuant to federal law, including legal resident aliens in the United States.

c. A business that receives financial assistance from the authority from moneys appropriated in subsection 1 shall only employ individuals legally authorized to work in this state. In addition to all other applicable penalties provided by current law, all or a portion of the assistance received by a business which is found to knowingly employ individuals not legally authorized to work in this state is subject to recapture by the authority.

3. USES OF APPROPRIATIONS

a. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of a grant to a community economic development entity for conducting a local workforce recruitment effort designed to recruit former citizens of the state and former students at colleges and universities in the state to meet the needs of local employers.

b. From the moneys appropriated in subsection 1, the authority may provide financial assistance to early stage industry companies being established by women entrepreneurs.

c. From the moneys appropriated in subsection 1, the authority may provide financial assistance in the form of grants, loans, or forgivable loans for advanced research and commercialization projects involving value-added agriculture, advanced technology, or biotechnology.

d. The authority shall not use any moneys appropriated in subsection 1 for purposes of providing financial assistance for the Iowa green streets pilot project or for any other program or project that involves the installation of geothermal systems for melting snow and ice from streets or sidewalks.

4. WORLD FOOD PRIZE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for the world food prize and in lieu of the standing appropriation in section 15.368, subsection 1:

.....	\$	400,000
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5. IOWA COMMISSION ON VOLUNTEER SERVICE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount for allocation to the Iowa commission on volunteer service for purposes of the Iowa state commission grant program, the Iowa's promise and Iowa mentoring partnership programs, and for not more than the following full-time equivalent positions:

.....	\$	89,067
.....	FTEs	7.00

Of the moneys appropriated in this subsection, the authority shall allocate \$37,500

for purposes of the Iowa state commission grant program and \$51,567 for purposes of the Iowa's promise and Iowa mentoring partnership programs.

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

6. COUNCILS OF GOVERNMENTS — ASSISTANCE

There is appropriated from the general fund of the state to the economic development authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount to be used for the purposes of providing financial assistance to Iowa's councils of governments:

..... \$ 87,500

Sec. 19. VISION IOWA PROGRAM — FTE AUTHORIZATION. For purposes of administrative duties associated with the vision Iowa program for the fiscal year beginning July 1, 2014, the economic development authority is authorized an additional 2.25 FTEs above those otherwise authorized in this division of this Act.

Sec. 20. INSURANCE ECONOMIC DEVELOPMENT. From the moneys collected by the division of insurance in excess of the anticipated gross revenues under section 505.7, subsection 3, during the fiscal year beginning July 1, 2014, \$100,000 shall be transferred to the economic development authority for insurance economic development and international insurance economic development.

Sec. 21. WORKFORCE DEVELOPMENT FUND. There is appropriated from the workforce development fund account created in section 15.342A to the workforce development fund created in section 15.343 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, for purposes of the workforce development fund:

..... \$ 2,000,000

Sec. 22. IOWA FINANCE AUTHORITY.

1. There is appropriated from the general fund of the state to the Iowa finance authority for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used to provide reimbursement for rent expenses to eligible persons under the rent subsidy program:

..... \$ 329,000

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, 2014, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 23. IOWA FINANCE AUTHORITY AUDIT. The auditor of state is requested to review the audit of the Iowa finance authority performed by the auditor hired by the authority.

Sec. 24. PUBLIC EMPLOYMENT RELATIONS BOARD.

1. There is appropriated from the general fund of the state to the public employment relations board for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:	\$	670,963
.....	FTEs	10.00

2. Of the moneys appropriated in this section, the board shall allocate \$15,000 for

maintaining a website that allows searchable access to a database of collective bargaining information.

Sec. 25. DEPARTMENT OF WORKFORCE DEVELOPMENT. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. DIVISION OF LABOR SERVICES

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

.....	\$	1,774,360
.....	FTEs	65.00

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

c. Of the moneys appropriated under this subsection, the department shall allocate \$53,280 for the purpose of employing an additional investigator to investigate wage enforcement.

2. DIVISION OF WORKERS' COMPENSATION

a. For the division of workers' compensation, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,629,522
.....	FTEs	30.00

b. The division of workers' compensation shall charge a \$100 filing fee for workers' compensation cases. The filing fee shall be paid by the petitioner of a claim. However, the fee can be taxed as a cost and paid by the losing party, except in cases where it would impose an undue hardship or be unjust under the circumstances. The moneys generated by the filing fee allowed under this subsection are appropriated to the department of workforce development to be used for purposes of administering the division of workers' compensation.

3. WORKFORCE DEVELOPMENT OPERATIONS

a. For the operation of field offices, the workforce development board, and for not more than the following full-time equivalent positions:

.....	\$	4,589,707
.....	FTEs	130.00

b. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate \$150,000 to the state library for the purpose of licensing an online resource which prepares persons to succeed in the workplace through programs which improve job skills and vocational test-taking abilities.

c. Of the moneys appropriated in paragraph "a" of this subsection, the department shall allocate at least \$1,130,602 for the operation of the three satellite field offices projected by the department to serve the most people from the offices located in Decorah, Fort Madison, Iowa City, or Webster City.

4. OFFENDER REENTRY PROGRAM

a. For the development and administration of an offender reentry program to provide offenders with employment skills, and for not more than the following full-time equivalent positions:

.....	\$	142,232
.....	FTEs	4.00

b. The department of workforce development shall partner with the department of corrections to provide staff within the correctional facilities to improve offenders'

abilities to find and retain productive employment.

5. NONREVERSION

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

Sec. 26. GENERAL FUND — EMPLOYEE MISCLASSIFICATION PROGRAM. There is appropriated from the general fund of the state to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For enhancing efforts to investigate employers that misclassify workers and for not more than the following full-time equivalent positions:

.....	\$	225,729
.....	FTEs	8.10

Sec. 27. SPECIAL EMPLOYMENT SECURITY CONTINGENCY FUND.

1. There is appropriated from the special employment security contingency fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for field offices:

.....	\$	883,042
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2. Any remaining additional penalty and interest revenue collected by the department of workforce development is appropriated to the department for the fiscal year beginning July 1, 2014, and ending June 30, 2015, to accomplish the mission of the department.

Sec. 28. UNEMPLOYMENT COMPENSATION RESERVE FUND — FIELD OFFICES. Notwithstanding section 96.9, subsection 8, paragraph “e”, there is appropriated from interest earned on the unemployment compensation reserve fund to the department of workforce development for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount or so much thereof as is necessary, for the purposes designated:

For the operation of field offices:

.....	\$	247,000
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Sec. 29. VIRTUAL ACCESS WORKFORCE DEVELOPMENT OFFICES. The department of workforce development shall require a unique identification login for all users of workforce development centers operated through electronic means.

Sec. 30. UNEMPLOYMENT COMPENSATION PROGRAM. Notwithstanding section 96.9, subsection 4, paragraph “a”, moneys credited to the state by the secretary of the treasury of the United States pursuant to section 903 of the Social Security Act are appropriated to the department of workforce development and shall be used by the department for the administration of the unemployment compensation program only. This appropriation shall not apply to any fiscal year beginning after December 31, 2014.

DIVISION III
MISCELLANEOUS PROVISIONS

Sec. 31. Section 15.251, Code 2013, is amended to read as follows:

15.251 Industrial new job training program certificates — fee.

The authority may charge, within thirty days following the sale of certificates under chapter 260E, the board of directors of the merged area a fee of up to one percent of the gross sale amount of the certificates issued. The amount of this fee shall be deposited and allowed to accumulate in a job training fund created in the authority. ~~At the end of each fiscal year, all funds deposited under this subsection into the job training fund~~

during the fiscal year shall be transferred to the workforce development fund account established in section 15.342A. Moneys in the fund are appropriated to the authority for purposes of workforce development program coordination and activities including salaries, support, maintenance, legal and compliance, and miscellaneous purposes.

Sec. 32. Section 15.342A, Code 2013, is amended to read as follows:

15.342A Workforce development fund account.

A workforce development fund account is established in the office of the treasurer of state under the control of the authority. The account shall receive funds pursuant to section 422.16A up to a maximum of four million dollars per year. The account shall also receive funds pursuant to section 15.251 with no dollar limitation.

Sec. 33. Section 90A.7, Code 2013, is amended to read as follows:

90A.7 Rules.

1. The commissioner shall adopt rules, pursuant to chapter 17A, that the commissioner determines are reasonably necessary to administer and enforce this chapter.

2. The commissioner shall adopt rules establishing an event fee to cover the costs of the administration of this chapter.

3. The commissioner may adopt the rules of a recognized national or world boxing organization that sanctions a boxing match in this state to regulate the match if the organization's rules provide protection to the boxers participating in the match which is equal to or greater than the protections provided by this chapter or by rules adopted pursuant to this chapter. As used in this paragraph, "*recognized national or world boxing organization*" includes, but is not limited to, the international boxing federation, the world boxing association, and the world boxing council.

Sec. 34. Section 90A.10, subsection 1, Code 2013, is amended to read as follows:

1. Moneys collected pursuant to ~~sections 90A.3 and section 90A.9 in excess of the amount of moneys needed to administer this chapter from a professional boxing event~~ are appropriated to the department of workforce development and shall be used by the commissioner to award grants to organizations that promote amateur boxing matches in this state. All other moneys collected by the commissioner pursuant to this chapter are appropriated to the department of workforce development and shall be used by the commissioner to administer this chapter. Section 8.33 applies only to moneys in excess of the first twenty thousand dollars appropriated each fiscal year.

Sec. 35. Section 303A.4, subsection 4, Code 2013, is amended to read as follows:

4. a. The treasurer of state shall act as custodian of the fund, shall invest moneys in the trust fund, and shall transfer the interest attributable to the investment of trust fund moneys to the grant account created in section 303A.7. The trust fund's principal shall not be used or accessed by the department or the board for any purpose.

b. Notwithstanding paragraph "a", for each of the following fiscal years, the treasurer of state shall transfer the following amounts from the principal of the trust fund to the grant account created in section 303A.7:

(1) For the fiscal year beginning July 1, 2013, and ending June 30, 2014, fifty thousand dollars.

(2) For the fiscal year beginning July 1, 2014, and ending June 30, 2015, fifty thousand dollars.

Sec. 36. 2005 Iowa Acts, chapter 169, section 5, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 200,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but

shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 37. 2006 Iowa Acts, chapter 1180, section 5, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 45, is amended to read as follows:

6. GREAT PLACES

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

..... \$ 300,000
..... FTEs 1.70

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the for~~ succeeding fiscal ~~year~~ years.

Sec. 38. 2007 Iowa Acts, chapter 212, section 1, subsection 6, as amended by 2007 Iowa Acts, chapter 215, section 46, is amended to read as follows:

6. GREAT PLACES

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

..... \$ 305,794
..... FTEs 3.00

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated ~~until the close of the for~~ succeeding fiscal ~~year~~ years.

Sec. 39. 2008 Iowa Acts, chapter 1190, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

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

..... \$ 322,231
..... FTEs 3.00

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 40. 2009 Iowa Acts, chapter 176, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

..... \$ 248,060

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 41. 2010 Iowa Acts, chapter 1188, section 1, subsection 6, is amended to read as follows:

6. GREAT PLACES

a. For the great places program:

..... \$ 214,869

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection

for succeeding fiscal years.

Sec. 42. 2011 Iowa Acts, chapter 130, section 1, subsection 6, is amended to read as follows:

6. IOWA GREAT PLACES

a. For the Iowa great places program established under section 303.3C:

..... \$ 150,000

b. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this subsection for succeeding fiscal years.

Sec. 43. 2011 Iowa Acts, chapter 130, section 48, as amended by 2012 Iowa Acts, chapter 1136, section 1, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated in this section for succeeding fiscal years.

Sec. 44. 2011 Iowa Acts, chapter 130, section 67, subsection 2, is amended to read as follows:

2. Participation in the rent subsidy program shall be limited to only those persons who meet the requirements for the nursing facility level of care for home and community-based services waiver services as in effect on July 1, ~~2011~~ 2012, and to those individuals who are eligible for the federal money follows the person grant program under the medical assistance program. Of the moneys appropriated in this section, not more than \$35,000 may be used for administrative costs.

Sec. 45. 2012 Iowa Acts, chapter 1136, section 17, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 46. EFFECTIVE UPON ENACTMENT. The sections of this division of this Act amending 2011 Iowa Acts, chapter 130, section 48, and 2012 Iowa Acts, chapter 1136, section 17, being deemed of immediate importance, take effect upon enactment.

Sec. 47. RETROACTIVE APPLICABILITY. The section of this Act amending 2005 Iowa Acts, chapter 169, applies retroactively to July 1, 2005.

Sec. 48. RETROACTIVE APPLICABILITY. The section of this Act amending 2006 Iowa Acts, chapter 1180, applies retroactively to May 29, 2007.

Sec. 49. RETROACTIVE APPLICABILITY. The section of this Act amending 2007 Iowa Acts, chapter 212, applies retroactively to July 1, 2007.

Sec. 50. RETROACTIVE APPLICABILITY. The section of this Act amending 2008 Iowa Acts, chapter 1190, applies retroactively to July 1, 2008.

Sec. 51. RETROACTIVE APPLICABILITY. The section of this Act amending 2009 Iowa Acts, chapter 176, applies retroactively to July 1, 2009.

Sec. 52. RETROACTIVE APPLICABILITY. The section of this Act amending 2010 Iowa Acts, chapter 1188, applies retroactively to July 1, 2010.

Sec. 53. RETROACTIVE APPLICABILITY. The sections of this Act amending 2011 Iowa Acts, chapter 130, sections 1 and 67, apply retroactively to July 1, 2011.

Sec. 54. RETROACTIVE APPLICABILITY. The sections of this Act amending 2012 Iowa Acts, chapter 1136, section 17, and 2011 Iowa Acts, chapter 130, section 48, apply retroactively to July 1, 2012.>

2. Title page, by striking lines 2 and 3 and inserting <affairs, the economic development authority,>

ON THE PART OF THE SENATE:

WILLIAM A. DOTZLER, JR., Chair
RITA HART
DR. JOE M. SENG

ON THE PART OF THE HOUSE:

DAVE DEYOE, Chair
MARY ANN HANUSA
BOBBY KAUFMANN
BOB KRESSIG

SENATE FILE 435

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 435, a bill for an Act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1371.
2. That the House amendment, S-3178, to Senate File 435, as amended, passed, and reprinted by the Senate, is amended to read as follows:
 1. Page 4, after line 9 by inserting:

<DIVISION ____
GENERAL FUND
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
WATER QUALITY
APPROPRIATIONS FOR FY 2013-2014

Sec. ____ WATER QUALITY INITIATIVE — GENERAL.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, as enacted by this Act, for purposes of supporting the water quality initiative administered by the soil conservation division as provided in section 466B.42, as enacted by this Act, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	2,400,000
.....	FTEs	1.00

2. The moneys appropriated in subsection 1 shall be used to support reducing nutrients in subwatersheds as designated by the division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3. In supporting reducing nutrients in subwatersheds, the division shall establish and administer demonstration projects as follows:

a. The demonstration projects shall utilize water quality practices as described in the latest revision of the document entitled “Iowa Nutrient Reduction Strategy” initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology.

b. The division shall implement demonstration projects as provided in paragraph “a” by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same subwatershed.

c. The division shall implement a demonstration project on a cost-share basis as determined by the division. However, the state's share of the amount shall not exceed 50 percent of the estimated cost of establishing the practice as determined by the division or 50 percent of the actual cost of establishing the practice, whichever is less.

d. The demonstration projects shall be used to educate other persons about the feasibility and value of establishing similar water quality practices. The division shall promote field day events for purposes of allowing interested persons to establish water quality practices on their agricultural land.

e. The division shall conduct water quality evaluations within supported subwatersheds. Within a reasonable period after accumulating information from such evaluations, the division shall create an aggregated database of water quality practices. Any information identifying a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record under section 22.7.

3. The moneys appropriated in subsection 1 shall be used to support education and outreach in a manner that encourages persons who hold a legal interest in agricultural land used for farming to implement water quality practices, including the establishment of such practices in watersheds generally, and not limited to subwatersheds or high-priority watersheds.

4. The moneys appropriated in subsection 1 may be used to contract with persons to coordinate the implementation of efforts provided in this section. Not more than \$150,000 shall be used to support the administration of this section by a full-time equivalent position.

5. Notwithstanding any other provision of law to the contrary, the department may use moneys appropriated in subsection 1 in combination with other moneys appropriated to the department from the environment first fund created in section 8.57A for cost sharing to match the United States department of agriculture, natural resources conservation service, wetland reserve enhancement program.

Sec. ____ IOWA NUTRIENT RESEARCH CENTER.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting an Iowa nutrient research center as established in section 466B.47, as enacted in this Act:

..... \$ 1,500,000

2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2014.

Sec. ____ WATER QUALITY INITIATIVE APPROPRIATIONS — FEDERAL MONEYS. The department of agriculture and land stewardship, and its soil conservation division, may use moneys appropriated in this division of this Act to support the water quality initiative, including its projects, as provided in this division of this Act, in combination with other moneys provided by the United States government.

Sec. ____ WATER QUALITY INITIATIVE — REPORT. The department of agriculture and land stewardship shall prepare a preliminary report and final report regarding its efforts to administer the water quality initiative as provided in this division. Each report shall include information regarding the establishment of water quality practices, including demonstration projects. The department shall deliver the preliminary report to the governor and general assembly not later than January 15, 2014, and shall deliver the final report to the governor and general assembly not later

than January 15, 2015. A report shall not identify an individual or specific agricultural land.>

2. Page 7, line 13, by striking <100,000> and inserting <200,000>

3. Page 7, after line 19 by inserting:

<Sec. ____ LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

1. There is transferred from the general fund of the state to the loess hills development and conservation fund created in section 161D.2 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For supporting the purposes of the fund:

..... \$ 75,000

2. a. Of the amount transferred in subsection 1, \$56,250 shall be allocated to the fund's hungry canyons account.

b. Not more than 10 percent of the moneys allocated to the hungry canyons account as provided in paragraph "a" may be used for administrative costs.

3. a. Of the amount transferred in subsection 1, \$18,750 shall be allocated to the fund's loess hills alliance account.

b. Not more than 10 percent of the moneys allocated to the loess hills alliance account as provided in paragraph "a" may be used for administrative costs.

4. Moneys deposited to the loess hills development and conservation fund and its accounts for the fiscal year are appropriated to the authority to be used as provided by law.>

4. Page 7, line 34, by striking <3,487,636> and inserting <3,762,636>

5. Page 10, by striking lines 37 through 44.

6. Page 11, by striking lines 12 through 19.

7. Page 11, line 35, by striking <6,610,000> and inserting <6,360,000>

8. Page 12, line 4, by striking <1,120,000> and inserting <1,320,000>

9. Page 13, line 6, by striking <12,000,000> and inserting <16,000,000>

10. Page 16, after line 12 by inserting:

<DIVISION ____

GENERAL FUND

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

WATER QUALITY

APPROPRIATIONS FOR FY 2014–2015

Sec. ____ WATER QUALITY INITIATIVE — GENERAL.

1. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the water quality initiative fund created in section 466B.45, as enacted by this Act, for purposes of supporting the water quality initiative administered by the soil conservation division as provided in section 466B.42, as enacted by this Act, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,400,000

..... FTEs 1.00

2. The moneys appropriated in subsection 1 shall be used to support reducing nutrients in subwatersheds as designated by the division that are part of high-priority watersheds identified by the water resources coordinating council established pursuant to section 466B.3. In supporting reducing nutrients in subwatersheds, the division shall establish and administer demonstration projects as follows:

a. The demonstration projects shall utilize water quality practices as described in

the latest revision of the document entitled “Iowa Nutrient Reduction Strategy” initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology.

b. The division shall implement demonstration projects as provided in paragraph “a” by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same subwatershed.

c. The division shall implement a demonstration project on a cost-share basis as determined by the division. However, the state’s share of the amount shall not exceed 50 percent of the estimated cost of establishing the practice as determined by the division or 50 percent of the actual cost of establishing the practice, whichever is less.

d. The demonstration projects shall be used to educate other persons about the feasibility and value of establishing similar water quality practices. The division shall promote field day events for purposes of allowing interested persons to establish water quality practices on their agricultural land.

e. The division shall conduct water quality evaluations within supported subwatersheds. Within a reasonable period after accumulating information from such evaluations, the division shall create an aggregated database of water quality practices. Any information identifying a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record under section 22.7.

3. The moneys appropriated in subsection 1 shall be used to support education and outreach in a manner that encourages persons who hold a legal interest in agricultural land used for farming to implement water quality practices, including the establishment of such practices in watersheds generally, and not limited to subwatersheds or high-priority watersheds.

4. The moneys appropriated in subsection 1 may be used to contract with persons to coordinate the implementation of efforts provided in this section. Not more than \$150,000 shall be used to support the administration of this section by a full-time equivalent position.

5. Notwithstanding any other provision of law to the contrary, the department may use moneys appropriated in subsection 1 in combination with other moneys appropriated to the department from the environment first fund created in section 8.57A for cost sharing to match the United States department of agriculture, natural resources conservation service, wetland reserve enhancement program.

Sec. ____ IOWA NUTRIENT RESEARCH CENTER.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting an Iowa nutrient research center as established in section 466B.47, as enacted in this Act:

.....	\$ 750,000
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2. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2015.

Sec. ____ WATER QUALITY INITIATIVE APPROPRIATIONS — FEDERAL MONEYS. The department of agriculture and land stewardship, and its soil conservation division, may use moneys appropriated in this division of this Act to support the water quality initiative, including its projects, as provided in this division

of this Act, in combination with other moneys provided by the United States government.>

11. Page 18, line 44, by striking <50,000> and inserting <100,000>

12. Page 18, after line 50 by inserting:

<Sec. ____ LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

1. There is transferred from the general fund of the state to the loess hills development and conservation fund created in section 161D.2 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For supporting the purposes of the fund:

..... \$ 37,500

2. a. Of the amount transferred in subsection 1, \$28,125 shall be allocated to the fund's hungry canyons account.

b. Not more than 10 percent of the moneys allocated to the hungry canyons account as provided in paragraph "a" may be used for administrative costs.

3. a. Of the amount transferred in subsection 1, \$9,375 shall be allocated to the fund's loess hills alliance account.

b. Not more than 10 percent of the moneys allocated to the loess hills alliance account as provided in paragraph "a" may be used for administrative costs.

4. Moneys deposited to the loess hills development and conservation fund and its accounts for the fiscal year are appropriated to the authority to be used as provided by law.>

13. Page 19, line 15, by striking <1,743,818> and inserting <1,881,318>

14. Page 22, by striking lines 14 through 21.

15. Page 22, by striking lines 39 through 46.

16. Page 23, line 12, by striking <2,305,000> and inserting <3,180,000>

17. Page 23, line 31, by striking <560,000> and inserting <660,000>

18. Page 24, by striking lines 18 through 33.

19. Page 24, after line 35 by inserting:

<MANURE MANAGEMENT>

20. Page 24, after line 39 by inserting:

<DIVISION ____

RELATED STATUTORY CHANGES

DNR RADIOS

Sec. ____ 2011 Iowa Acts, chapter 128, section 19, subsection 1, as amended by 2012 Iowa Acts, chapter 1135, section 15, is amended to read as follows:

SEC. 19. USE OF MONEYS — RADIOS.

1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7, the department of natural resources may use the unappropriated balance remaining in the state fish and game protection fund for the fiscal year beginning July 1, 2010, and ending June 30, 2011, to purchase mobile radios to meet federal and state requirements for homeland security and public safety. This section applies to those moneys in the fund that are not otherwise used, obligated, or encumbered for payment of health and life insurance premium payments for conservation peace officer retirements for that fiscal year. The department may use such moneys until June 30, ~~2013~~ 2014.

Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION ____

RELATED STATUTORY CHANGES

AGRICULTURAL DRAINAGE WELLS

Sec. ____ Section 460.303, subsection 3, Code 2013, is amended to read as follows:

3. ~~The Moneys in the fund shall be used~~ are appropriated to support an

agricultural drainage well water quality assistance program as provided in section 460.304. Moneys shall be used to provide financial incentives under the program, and to defray expenses by the division in administering the program. However, not more than one percent of the money in the fund is available to defray administrative expenses. The division may adopt rules pursuant to chapter 17A to administer this section.

DIVISION ____
RELATED STATUTORY CHANGES
OUTDOOR RECREATION

Sec. ____ Section 321G.29, subsection 3, Code 2013, is amended to read as follows:

3. An owner of a snowmobile shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notarial officer as provided in chapter 9B or other person who administers oaths, or~~ shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the snowmobile or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for a snowmobile last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. ____ Section 321I.31, subsection 3, Code 2013, is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notary public as provided in chapter 9B or other person who administers oaths, or~~ shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the all-terrain vehicle or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for an all-terrain vehicle last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. ____ REPEAL. Section 461A.3A, Code 2013, is repealed.

DIVISION ____
RELATED STATUTORY CHANGES
WATERSHED PROTECTION

Sec. ____ Section 466B.2, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. *"Political subdivision"* means a city, county, or soil and water conservation district.

Sec. ____ Section 466B.21, subsection 3, Code 2013, is amended by striking the subsection.

Sec. ____ NEW SECTION. 466B.41 Definitions.

As used in this subchapter, unless the context otherwise requires:

1. *"Center"* means the Iowa nutrient research center established pursuant to section 466B.47.

2. “*Council*” means the Iowa nutrient research center advisory council established pursuant to section 466.48.

3. “*Division*” means the division of soil conservation within the department of agriculture and land stewardship as established in section 161A.4.

4. “*Fund*” means the water quality initiative fund created in section 466B.45.

5. “*Nutrient*” includes nitrogen and phosphorus.

Sec. ____ NEW SECTION. **466B.42 Water quality initiative.**

The division shall establish a water quality initiative in order to assess and reduce nutrients in this state’s watersheds, including subwatersheds, and regional watersheds. The division shall establish and administer projects to reduce nutrients in surface waters from nonpoint sources in a scientific, reasonable, and cost-effective manner. The division shall utilize a pragmatic, strategic, and coordinated approach with the goal of accomplishing reductions over time.

Sec. ____ NEW SECTION. **466B.45 Water quality initiative fund.**

1. A water quality initiative fund is created in the state treasury under the management and control of the division.

2. The fund shall include moneys appropriated by the general assembly. The fund may include other moneys available to and obtained or accepted by the division, including moneys from public or private sources.

3. Moneys in the fund are appropriated to the division and shall be used exclusively to carry out the provisions of this subchapter as determined by the division, and shall not require further special authorization by the general assembly.

4. *a.* Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund.

b. Notwithstanding section 8.33, moneys appropriated or otherwise credited to the fund for a fiscal year shall not revert to the fund from which appropriated at the close of the fiscal year for which the appropriation was made but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins three years from the beginning date of the fiscal year for which the appropriation was made.

Sec. ____ NEW SECTION. **466B.47 Iowa nutrient research center — establishment and purpose.**

1. The state board of regents shall establish and maintain in Ames as part of Iowa state university of science and technology an Iowa nutrient research center.

2. The purpose of the center shall be to pursue a science-based approach to nutrient management research that may include but is not limited to evaluating the performance of current and emerging nutrient management practices, and using an adaptive management framework for providing recommendations for the implementation of nutrient management practices and the development of new nutrient management practices.

3. The center shall be administered by a director who shall be appointed by the dean of the college of agriculture and life sciences of Iowa state university of science and technology.

4. The center shall facilitate collaboration among appropriate institutions of higher education governed by the state board of regents, including but not limited to institutes, departments, and centers.

5. Any information collected or received by the center that identifies a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record under section 22.7.

Sec. ____ NEW SECTION. **466B.48 Iowa nutrient research center advisory council — establishment and purpose.**

1. The state board of regents shall establish and maintain in Ames as part of Iowa state university of science and technology an Iowa nutrient research center advisory council.

2. The council shall consist of the following members:

a. The dean of the college of agriculture and life sciences of Iowa state university of science and technology, or the dean's designee.

b. The director of the Iowa state university of science and technology extension service, or the director's designee.

c. A representative of the IIHR — hydrosience and engineering within the college of engineering of the university of Iowa who shall be appointed by the president of the university.

d. A person knowledgeable in an area related to nutrient research who shall be appointed by the president of the university of northern Iowa.

e. A person knowledgeable in an area related to nutrient research who shall be appointed by the state association of private colleges and universities.

f. The secretary of agriculture or the secretary's designee.

g. The administrative director of the soil conservation division of the department of agriculture and land stewardship as provided in chapter 161A, or the administrative director's designee.

h. The director of the department of natural resources, or the director's designee.

3. a. An appointed or designated member of the council shall serve at the pleasure of the person making the appointment or designation.

b. A majority of the members of the council as provided in subsection 2 constitutes a quorum. Any action taken by the council must be adopted by the affirmative vote of a majority of its members present, except that a lesser number may adjourn a meeting. The majority shall not include any member who has a conflict of interest and a statement by a member of a conflict of interest shall be conclusive for this purpose.

c. The council shall elect a chairperson and any other officers from the membership of the council as the council determines necessary. An officer shall serve for a term required by rules adopted by the council. A vacancy in the membership does not impair the right of a quorum to exercise all rights and perform all duties of the council.

d. The council shall adopt rules that it determines are necessary for the conduct of business.

e. Only the member appointed by the state association of private colleges and universities is eligible for reimbursement of actual expenses as provided in section 7E.6. However, no member is eligible for a payment of a per diem.

4. The council shall function on a continuing basis for the study, and recommendation of solutions for consideration by the Iowa nutrient research center in carrying out its purpose as provided in section 466B.47.>

21. By striking page 24, line 40, through page 25, line 29.

22. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

DENNIS H. BLACK, Chair
DICK L. DEARDEN
MARY JO WILHELM

ON THE PART OF THE HOUSE:

JACK DRAKE, Chair
BRUCE BEARINGER
PAT GRASSLEY
JARAD KLEIN
PATTI RUFF

SENATE FILE 446

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 446, a bill for an Act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-3217.
2. That Senate File 446, as amended, passed, and reprinted by the Senate, is amended to read as follows:
 1. By striking everything after the enacting clause and inserting:

<DIVISION I

DEPARTMENT ON AGING — FY 2013–2014

Section 1. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa’s aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	10,600,379
.....	FTEs	28.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, \$279,946 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both state and federal laws, rules, and regulations, including but not limited to all of the following:

(1) Requiring that expenditures are incurred only for goods or services received or performed prior to the end of the fiscal period designated for use of the funds.

(2) Prohibiting prepayment for goods or services not received or performed prior to the end of the fiscal period designated for use of the funds.

(3) Prohibiting the prepayment for goods or services not defined specifically by good or service, time period, or recipient.

(4) Prohibiting the establishment of accounts from which future goods or services which are not defined specifically by good or service, time period, or recipient, may be purchased.

b. The procedures shall provide that if any funds are expended in a manner that is not in compliance with the procedures and applicable federal and state laws, rules, and

regulations, and are subsequently subject to repayment, the area agency on aging expending such funds in contravention of such procedures, laws, rules and regulations, not the state, shall be liable for such repayment.

4. Of the funds appropriated in this section, \$250,000 shall be used to fund services to meet the unmet needs of older individuals as identified in the annual compilation of unmet service units by the area agencies on aging.

5. Of the funds appropriated in this section, \$600,000 shall be used to fund home and community-based services through the area agencies on aging that enable older individuals to avoid more costly utilization of residential or institutional services and remain in their own homes.

6. Of the funds appropriated in this subsection, \$20,000 shall be used for implementation of a guardianship and conservatorship monitoring and assistance pilot project as specified in this Act.

DIVISION II

OFFICE OF LONG-TERM CARE RESIDENT'S ADVOCATE — FY 2013–2014

Sec. 2. OFFICE OF LONG-TERM CARE RESIDENT'S ADVOCATE. There is appropriated from the general fund of the state to the office of long-term care resident's advocate for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,021,707
.....	FTEs	13.00

1. Of the funds appropriated in this section, \$200,000 shall be used to provide two additional local long-term care resident's advocates to continue moving toward the national recommendation of one full-time equivalent paid staff ombudsman per 2,000 long-term care beds in the state.

2. Of the funds appropriated in this section, \$210,000 shall be used to provide two local long-term care resident's advocates to administer the certified volunteer long-term care resident's advocate program pursuant to section 231.45, including operational certification and training costs.

DIVISION III

DEPARTMENT OF PUBLIC HEALTH — FY 2013–2014

Sec. 3. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the department of public health for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

For reducing the prevalence of use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:

.....	\$	27,163,690
.....	FTEs	13.00

a. (1) Of the funds appropriated in this subsection, \$5,148,361 shall be used for the tobacco use prevention and control initiative, including efforts at the state and local levels, as provided in chapter 142A. The commission on tobacco use prevention and control established pursuant to section 142A.3 shall advise the director of public health in prioritizing funding needs and the allocation of moneys appropriated for the programs and activities of the initiative under this subparagraph (1) and shall make recommendations to the director in the development of budget requests relating to the initiative.

(2) Of the funds allocated in this paragraph “a”, \$75,000 shall be used to develop a social media structure to engage youth and prevent youth initiation of tobacco use. Of the amount allocated in this subparagraph (2), \$25,000 shall be used for a youth summit.

(3) Of the funds allocated in this paragraph “a”, \$200,000 shall be used to increase the efficacy of local tobacco control efforts by community partnerships, including through professional development, regional trainings and round table planning efforts, and a training opportunity involving all community partnerships.

(4) Of the funds allocated in this paragraph “a”, \$1,200,000 shall be used to promote smoking cessation and to reduce the number of tobacco users in the state by offering nicotine replacement therapy to uninsured and underinsured Iowans.

(5) (a) Of the funds allocated in this paragraph “a”, \$453,067 is transferred to the alcoholic beverages division of the department of commerce for enforcement of tobacco laws, regulations, and ordinances and to engage in tobacco control activities approved by the division of tobacco use prevention and control as specified in the memorandum of understanding entered into between the divisions.

(b) For the fiscal year beginning July 1, 2013, and ending June 30, 2014, the terms of the memorandum of understanding, entered into between the division of tobacco use prevention and control of the department of public health and the alcoholic beverages division of the department of commerce, governing compliance checks conducted to ensure licensed retail tobacco outlet conformity with tobacco laws, regulations, and ordinances relating to persons under eighteen years of age, shall restrict the number of such checks to one check per retail outlet, and one additional check for any retail outlet found to be in violation during the first check.

b. Of the funds appropriated in this subsection, \$22,015,329 shall be used for problem gambling and substance-related disorder prevention, treatment, and recovery services, including a 24-hour helpline, public information resources, professional training, and program evaluation.

(1) Of the funds allocated in this paragraph “b”, \$18,903,715 shall be used for substance-related disorder prevention and treatment.

(a) Of the funds allocated in this subparagraph (1), \$899,300 shall be used for the public purpose of a grant program to provide substance-related disorder prevention programming for children.

(i) Of the funds allocated in this subparagraph division (a), \$427,539 shall be used for grant funding for organizations that provide programming for children by utilizing mentors. Programs approved for such grants shall be certified or will be certified within six months of receiving the grant award by the Iowa commission on volunteer services as utilizing the standards for effective practice for mentoring programs.

(ii) Of the funds allocated in this subparagraph division (a), \$426,839 shall be used for grant funding for organizations that provide programming that includes youth development and leadership. The programs shall also be recognized as being programs that are scientifically based with evidence of their effectiveness in reducing substance-related disorders in children.

(iii) The department of public health shall utilize a request for proposals process to implement the grant program.

(iv) All grant recipients shall participate in a program evaluation as a requirement for receiving grant funds.

(v) Of the funds allocated in this subparagraph division (a), up to \$44,922 may be used to administer substance-related disorder prevention grants and for program evaluations.

(b) Of the funds allocated in this subparagraph (1), \$272,603 shall be used for culturally competent substance-related disorder treatment pilot projects.

(i) The department shall utilize the amount allocated in this subparagraph division (b) for at least three pilot projects to provide culturally competent substance-related disorder treatment in various areas of the state. Each pilot project shall target a particular ethnic minority population. The populations targeted shall include but are not limited to African American, Asian, and Latino.

(ii) The pilot project requirements shall provide for documentation or other means to ensure access to the cultural competence approach used by a pilot project so that such approach can be replicated and improved upon in successor programs.

(2) Of the funds allocated in this paragraph “b”, up to \$3,111,614 may be used for problem gambling prevention, treatment, and recovery services.

(a) Of the funds allocated in this subparagraph (2), \$2,573,762 shall be used for problem gambling prevention and treatment.

(b) Of the funds allocated in this subparagraph (2), up to \$437,852 may be used for a 24-hour helpline, public information resources, professional training, and program evaluation.

(c) Of the funds allocated in this subparagraph (2), up to \$100,000 may be used for the licensing of problem gambling treatment programs.

(3) It is the intent of the general assembly that from the moneys allocated in this paragraph “b”, persons with a dual diagnosis of substance-related disorder and gambling addiction shall be given priority in treatment services.

c. Notwithstanding any provision of law to the contrary, to standardize the availability, delivery, cost of delivery, and accountability of problem gambling and substance-related disorder treatment services statewide, the department shall continue implementation of a process to create a system for delivery of treatment services in accordance with the requirements specified in 2008 Iowa Acts, chapter 1187, section 3, subsection 4. To ensure the system provides a continuum of treatment services that best meets the needs of Iowans, the problem gambling and substance-related disorder treatment services in any area may be provided either by a single agency or by separate agencies submitting a joint proposal.

(1) The system for delivery of substance-related disorder and problem gambling treatment shall include problem gambling prevention.

(2) The system for delivery of substance-related disorder and problem gambling treatment shall include substance-related disorder prevention by July 1, 2014.

(3) Of the funds allocated in paragraph “b”, the department may use up to \$100,000 for administrative costs to continue developing and implementing the process in accordance with this paragraph “c”.

d. The requirement of section 123.53, subsection 5, is met by the appropriations and allocations made in this Act for purposes of substance-related disorder treatment and addictive disorders for the fiscal year beginning July 1, 2013.

e. The department of public health shall work with all other departments that fund substance-related disorder prevention and treatment services and all such departments shall, to the extent necessary, collectively meet the state maintenance of effort requirements for expenditures for substance-related disorder services as required under the federal substance-related disorder prevention and treatment block grant.

2. HEALTHY CHILDREN AND FAMILIES

For promoting the optimum health status for children, adolescents from birth through 21 years of age, and families, and for not more than the following full-time equivalent positions:

.....	\$	3,653,559
.....	FTEs	14.00

a. Of the funds appropriated in this subsection, not more than \$734,841 shall be used for the healthy opportunities for parents to experience success (HOPES)-healthy families Iowa (HFI) program established pursuant to section 135.106. The funding shall be distributed to renew the grants that were provided to the grantees that operated the program during the fiscal year ending June 30, 2013.

b. In order to implement the legislative intent stated in sections 135.106 and 256I.9, that priority for home visitation program funding be given to programs using evidence-based or promising models for home visitation, it is the intent of the general assembly to phase in the funding priority in accordance with 2012 Iowa Acts, chapter 1133, section 2, subsection 2, paragraph “0b”.

c. Of the funds appropriated in this subsection, \$1,327,887 shall be used for the department’s initiative to provide for adequate developmental surveillance and screening during a child’s first five years statewide. The funds shall be used first to fully fund the current sites to ensure that the sites are fully operational, with the remaining funds to be used for expansion to additional sites. Full implementation and expansion shall include enhancing the scope of the program through collaboration with the child health specialty clinics to promote healthy child development through early identification and response to both biomedical and social determinants of healthy development; by developing child health metrics to inform practice, document long-term health impacts and savings, and provide for continuous improvement through training, education, and evaluation; and by providing for practitioner consultation particularly for children with behavioral conditions and needs. The department of public health shall also collaborate with the Iowa Medicaid enterprise and the child health specialty clinics to integrate the activities of the first five initiative into the establishment of patient-centered medical homes, community utilities, accountable care organizations, and other integrated care models developed to improve health quality and population health while reducing health care costs. To the maximum extent possible, funding allocated in this paragraph shall be utilized as matching funds for medical assistance program reimbursement.

d. Of the funds appropriated in this subsection, \$31,597 shall be distributed to a statewide dental carrier to provide funds to continue the donated dental services program patterned after the projects developed by the lifeline network to provide dental services to indigent elderly and disabled individuals.

e. Of the funds appropriated in this subsection, \$111,995 shall be used for childhood obesity prevention.

f. Of the funds appropriated in this subsection, \$162,768 shall be used to provide audiological services and hearing aids for children. The department may enter into a contract to administer this paragraph.

g. Of the funds appropriated in this subsection, \$25,000 is transferred to the university of Iowa college of dentistry for provision of primary dental services to children. State funds shall be matched on a dollar-for-dollar basis. The university of Iowa college of dentistry shall coordinate efforts with the department of public health, bureau of oral and health delivery systems, to provide dental care to underserved populations throughout the state.

h. Of the funds appropriated in this subsection, \$50,000 shall be used to address youth suicide prevention.

3. CHRONIC CONDITIONS

For serving individuals identified as having chronic conditions or special health care needs, and for not more than the following full-time equivalent positions:

.....	\$	5,080,692
.....	FTEs	6.00

a. Of the funds appropriated in this subsection, \$159,932 shall be used for grants to individual patients who have phenylketonuria (PKU) to assist with the costs of necessary special foods.

b. Of the funds appropriated in this subsection, \$891,644 shall be used for the brain injury services program pursuant to section 135.22B, including for continuation of the contracts for resource facilitator services in accordance with section 135.22B, subsection 9, and to enhance brain injury training and recruitment of service providers on a statewide basis. Of the amount allocated in this paragraph, \$95,000 shall be used to fund one full-time equivalent position to serve as the state brain injury service program manager.

c. Of the funds appropriated in this subsection, \$547,982 shall be used as additional funding to leverage federal funding through the federal Ryan White Care Act, Tit. II, AIDS drug assistance program supplemental drug treatment grants.

d. Of the funds appropriated in this subsection, \$99,823 shall be used for the public purpose of continuing to contract with an existing national-affiliated organization to provide education, client-centered programs, and client and family support for people living with epilepsy and their families.

e. Of the funds appropriated in this subsection, \$785,114 shall be used for child health specialty clinics.

f. Of the funds appropriated in this subsection, \$400,000 shall be used by the regional autism assistance program established pursuant to section 256.35, and administered by the child health specialty clinic located at the university of Iowa hospitals and clinics. The funds shall be used to enhance interagency collaboration and coordination of educational, medical, and other human services for persons with autism, their families, and providers of services, including delivering regionalized services of care coordination, family navigation, and integration of services through the statewide system of regional child health specialty clinics and fulfilling other requirements as specified in chapter 225D, creating the autism support program, as enacted in this Act. The university of Iowa shall not receive funds allocated under this paragraph for indirect costs associated with the regional autism assistance program.

g. Of the funds appropriated in this subsection, \$570,993 shall be used for the comprehensive cancer control program to reduce the burden of cancer in Iowa through prevention, early detection, effective treatment, and ensuring quality of life. Of the funds allocated in this lettered paragraph, \$150,000 shall be used to support a melanoma research symposium, a melanoma biorepository and registry, basic and translational melanoma research, and clinical trials.

h. Of the funds appropriated in this subsection, \$126,450 shall be used for cervical and colon cancer screening, and \$500,000 shall be used to enhance the capacity of the cervical cancer screening program to include provision of recommended prevention and early detection measures to a broader range of low-income women.

i. Of the funds appropriated in this subsection, \$526,695 shall be used for the center for congenital and inherited disorders.

j. Of the funds appropriated in this subsection, \$129,411 shall be used for the prescription drug donation repository program created in chapter 135M.

k. Of the funds appropriated in this subsection, \$215,263 shall be used for the costs of the medical home system advisory council established pursuant to section 135.159 including incorporation of the development and implementation of the prevention and chronic care management state initiative.

4. COMMUNITY CAPACITY

For strengthening the health care delivery system at the local level, and for not more than the following full-time equivalent positions:

.....	\$	8,562,617
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.....	FTEs	18.25
a. Of the funds appropriated in this subsection, \$99,414 is allocated for continuation of the child vision screening program implemented through the university of Iowa hospitals and clinics in collaboration with early childhood Iowa areas. The program shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph "a". The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on service provided; and the continuing needs of the program.		
b. Of the funds appropriated in this subsection, \$110,656 is allocated for continuation of an initiative implemented at the university of Iowa and \$99,904 is allocated for continuation of an initiative at the state mental health institute at Cherokee to expand and improve the workforce engaged in mental health treatment and services. The initiatives shall receive input from the university of Iowa, the department of human services, the department of public health, and the mental health and disability services commission to address the focus of the initiatives.		
c. Of the funds appropriated in this subsection, \$1,164,628 shall be used for essential public health services that promote healthy aging throughout the lifespan, contracted through a formula for local boards of health, to enhance health promotion and disease prevention services.		
d. Of the funds appropriated in this section, \$99,286 shall be deposited in the governmental public health system fund created in section 135A.8 to be used for the purposes of the fund.		
e. Of the funds appropriated in this subsection, \$105,448 shall be used to address the shortage of mental health professionals in the state.		
f. Of the funds appropriated in this subsection, \$50,000 shall be used for a grant to a statewide association of psychologists that is affiliated with the American psychological association to be used for continuation of a program to rotate intern psychologists in placements in urban and rural mental health professional shortage areas, as defined in section 135.180.		
g. Of the funds appropriated in this subsection, the following amounts shall be allocated to the Iowa collaborative safety net provider network established pursuant to section 135.153 to be used for the purposes designated. The following amounts allocated under this lettered paragraph shall be distributed to the specified provider and shall not be reduced for administrative or other costs prior to distribution:		
(1) For distribution to the Iowa primary care association for statewide coordination of the Iowa collaborative safety net provider network:		
.....	\$	145,785
(2) For distribution to the Iowa primary care association to be used to continue a training program for sexual assault response team (SART) members, including representatives of law enforcement, victim advocates, prosecutors, and certified medical personnel:		
.....	\$	50,000
(3) For distribution to federally qualified health centers for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:		
.....	\$	75,000

(4) For distribution to the local boards of health that provide direct services for pilot programs in three counties to assist patients in securing a medical home inclusive of oral health care:

..... \$ 77,153

(5) For distribution to maternal and child health centers for pilot programs in three service areas to assist patients in securing a medical home inclusive of oral health care:

..... \$ 95,126

(6) For distribution to free clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:

..... \$ 348,322

(7) For distribution to rural health clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:

..... \$ 141,544

(8) For continuation of the safety net provider patient access to a specialty health care initiative as described in 2007 Iowa Acts, chapter 218, section 109:

..... \$ 378,474

(9) For continuation of the pharmaceutical infrastructure for safety net providers as described in 2007 Iowa Acts, chapter 218, section 108:

..... \$ 413,415

The Iowa collaborative safety net provider network may continue to distribute funds allocated pursuant to this lettered paragraph through existing contracts or renewal of existing contracts.

h. Of the funds appropriated in this subsection, \$175,900 shall be used for continuation of the work of the direct care worker advisory council established pursuant to 2008 Iowa Acts, chapter 1188, section 69, in implementing the recommendations in the final report submitted by the advisory council to the governor and the general assembly in March 2012. During the fiscal year beginning July 1, 2013, the advisory council shall focus on doing all of the following:

(1) Finalizing core and advanced competencies and curricula and making them available statewide.

(2) Conducting education and outreach about the competencies and curricula to direct care professionals, community colleges health occupations, training centers, employers, the public, and other stakeholders.

(3) Establishing a means of tracking and evaluating the impact of the training, including retention and direct care professional job satisfaction.

(4) Working with statewide associations of stakeholders, including providers, to promote adoption and utilization of the competencies, curricula, training programs, and impact tracking.

(5) Conducting an initial study of differential reimbursement rates in cooperation with the department of human services and the Iowa Medicaid enterprise. The study shall include research on provider reimbursements and worker compensation based on demonstrated knowledge and skill of the worker.

i. (1) Of the funds appropriated in this subsection, \$178,875 shall be used for allocation to an independent statewide direct care worker organization under continuation of the contract in effect during the fiscal year ending June 30, 2013, with terms determined by the director of public health relating to education, outreach, leadership development, mentoring, and other initiatives intended to enhance the recruitment and retention of direct care workers in health care and long-term care settings.

(2) Of the funds appropriated in this subsection, \$75,000 shall be used to provide scholarships or other forms of subsidization for direct care worker educational conferences, training, or outreach activities.

j. Of the funds appropriated in this subsection, the department may use up to \$58,175 for up to one full-time equivalent position to administer the volunteer health care provider program pursuant to section 135.24.

k. Of the funds appropriated in this subsection, \$49,707 shall be used for a matching dental education loan repayment program to be allocated to a dental nonprofit health service corporation to develop the criteria and implement the loan repayment program.

l. Of the funds appropriated in this subsection, \$105,823 is transferred to the college student aid commission for deposit in the rural Iowa primary care trust fund created in section 261.113 to be used for the purposes of the fund.

m. Of the funds appropriated in this subsection, \$150,000 shall be used for the purposes of the Iowa donor registry as specified in section 142C.18.

n. Of the funds appropriated in this subsection, \$100,000 shall be used for continuation of a grant to a nationally affiliated volunteer eye organization that has an established program for children and adults and that is solely dedicated to preserving sight and preventing blindness through education, nationally certified vision screening and training, and community and patient service programs. The organization shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph "n". The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on services provided; and the continuing needs of the program.

o. Of the funds appropriated in this subsection, \$25,000 shall be used for the establishment of a wellness council under the direction of the director of public health to increase support for wellness activities in the state.

p. Of the funds appropriated in this section, \$1,158,150 is allocated to the Iowa collaborative safety net provider network established pursuant to section 135.153 to be used for the development and implementation of a statewide regionally based network to provide an integrated approach to health care delivery through care coordination that supports primary care providers and links patients with community resources necessary to empower patients in addressing biomedical and social determinants of health to improve health outcomes. The Iowa collaborative safety net provider network shall work in conjunction with the department of human services to align the integrated network with the health care delivery system model developed under the state innovation models initiative grant. The Iowa collaborative safety net provider network shall submit a progress report to the individuals designated in this Act for submission of reports by December 31, 2013, including progress in developing and implementing the network, how the funds were distributed and used in developing and implementing the network, and the remaining needs in developing and implementing the network.

q. Of the funds appropriated in this section, \$50,000 shall be distributed to a statewide nonprofit organization to be used for the public purpose of supporting a partnership between medical providers and parents through community health centers to promote reading and encourage literacy skills so children enter school prepared for success in reading.

r. Of the funds appropriated in this subsection, \$2,000,000 shall be deposited in the medical residency training account created in section 135.175, subsection 5, paragraph “a”, and is appropriated from the account to the department of public health to be used for the purposes of the medical residency training state matching grants program as specified in section 135.176.

5. HEALTHY AGING

To provide public health services that reduce risks and invest in promoting and protecting good health over the course of a lifetime with a priority given to older Iowans and vulnerable populations:

.....	\$	7,297,142
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6. ENVIRONMENTAL HAZARDS

For reducing the public’s exposure to hazards in the environment, primarily chemical hazards, and for not more than the following full-time equivalent positions:

.....	\$	803,870
.....	FTEs	4.00

Of the funds appropriated in this subsection, \$537,750 shall be used for childhood lead poisoning provisions.

7. INFECTIOUS DISEASES

For reducing the incidence and prevalence of communicable diseases, and for not more than the following full-time equivalent positions:

.....	\$	1,335,155
.....	FTEs	4.00

8. PUBLIC PROTECTION

For protecting the health and safety of the public through establishing standards and enforcing regulations, and for not more than the following full-time equivalent positions:

.....	\$	3,278,771
.....	FTEs	131.00

a. Of the funds appropriated in this subsection, not more than \$454,700 shall be credited to the emergency medical services fund created in section 135.25. Moneys in the emergency medical services fund are appropriated to the department to be used for the purposes of the fund.

b. Of the funds appropriated in this subsection, \$203,032 shall be used for sexual violence prevention programming through a statewide organization representing programs serving victims of sexual violence through the department’s sexual violence prevention program. The amount allocated in this lettered paragraph shall not be used to supplant funding administered for other sexual violence prevention or victims assistance programs.

c. Of the funds appropriated in this subsection, \$598,751 shall be used for the state poison control center.

d. Of the funds appropriated in this section, \$28,000 shall be used as one-time funding to transition the licensing of orthotists, prosthetists, and pedorthists to a fee-supported licensing model. The fee-supported model shall provide for repayment of the funds allocated under this paragraph to the general fund of the state by June 30, 2015.

e. Of the funds appropriated in this section, \$28,644 shall be used for the costs of the emergency medical services task force as enacted in this Act.

9. RESOURCE MANAGEMENT

For establishing and sustaining the overall ability of the department to deliver services to the public, and for not more than the following full-time equivalent positions:

.....	\$	804,054
.....	FTEs	5.00

The university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section. The university of Iowa hospitals and clinics billings to the department shall be on at least a quarterly basis.

The department of public health shall submit a report to the individuals specified in this Act for submission of reports by December 15, 2013, providing recommendations for improvements in the intraoperability and interoperability of communications technology under the purview of the department to improve efficiency and reduce costs.

DIVISION IV

DEPARTMENT OF VETERANS AFFAIRS — FY 2013–2014

Sec. 4. DEPARTMENT OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the department of veterans affairs for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

.....	\$	1,093,508
.....	FTEs	13.00

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	7,525,714
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a. The Iowa veterans home billings involving the department of human services shall be submitted to the department on at least a monthly basis.

b. If there is a change in the employer of employees providing services at the Iowa veterans home under a collective bargaining agreement, such employees and the agreement shall be continued by the successor employer as though there had not been a change in employer.

c. Within available resources and in conformance with associated state and federal program eligibility requirements, the Iowa veterans home may implement measures to provide financial assistance to or on behalf of veterans or their spouses who are participating in the community reentry program.

d. The Iowa veterans home expenditure report shall be submitted monthly to the legislative services agency.

3. HOME OWNERSHIP ASSISTANCE PROGRAM

For transfer to the Iowa finance authority for the continuation of the home ownership assistance program for persons who are or were eligible members of the armed forces of the United States, pursuant to section 16.54:

.....	\$	1,600,000
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Sec. 5. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the amounts appropriated from the general fund of the state pursuant to that section for the following designated purposes shall not exceed the following amount:

For the county commissions of veteran affairs fund under section 35A.16:

.....	\$	990,000
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DIVISION V

DEPARTMENT OF HUMAN SERVICES — FY 2013–2014

Sec. 6. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014,

from moneys received under the federal temporary assistance for needy families (TANF) block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and successor legislation, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:

..... \$ 18,116,948

2. To be credited to the family investment program account and used for the job opportunities and basic skills (JOBS) program and implementing family investment agreements in accordance with chapter 239B:

..... \$ 11,866,439

3. To be used for the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 2,898,980

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, 2014, the moneys shall revert.

4. For field operations:

..... \$ 31,296,232

5. For general administration:

..... \$ 3,744,000

6. For state child care assistance:

..... \$ 25,732,687

The funds appropriated in this subsection are transferred to the child care and development block grant appropriation made by the Eighty-fifth General Assembly, 2013 Session, for the federal fiscal year beginning October 1, 2013, and ending September 30, 2014. Of this amount, \$200,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.

7. For distribution to counties and regions through the property tax relief fund for mental health and disability services as provided in an appropriation made for this purpose:

..... \$ 4,894,052

8. For child and family services:

..... \$ 32,084,430

9. For child abuse prevention grants:

..... \$ 125,000

10. For pregnancy prevention grants on the condition that family planning services are funded:

..... \$ 1,930,067

Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2013, if the programs have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2013, if the programs are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts,

chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

11. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... \$ 1,037,186

12. For the family investment program share of the costs to develop and maintain a new, integrated eligibility determination system:

..... \$ 5,050,451

13. a. Notwithstanding any provision to the contrary, including but not limited to requirements in section 8.41 or provisions in 2012 or 2013 Iowa Acts regarding the receipt and appropriation of federal block grants, federal funds from the temporary assistance for needy families block grant received by the state not otherwise appropriated in this section and remaining available for the fiscal year beginning July 1, 2013, are appropriated to the department of human services to the extent as may be necessary to be used in the following priority order: the family investment program, for state child care assistance program payments for individuals enrolled in the family investment program who are employed, and for the family investment program share of costs to develop and maintain a new, integrated eligibility determination system. The federal funds appropriated in this paragraph "a" shall be expended only after all other funds appropriated in subsection 1 for the assistance under the family investment program, in subsection 6 for child care assistance, or in subsection 12 for the family investment program share of the costs to develop and maintain a new, integrated eligibility determination system, as applicable, have been expended.

b. The department shall, on a quarterly basis, advise the legislative services agency and department of management of the amount of funds appropriated in this subsection that was expended in the prior quarter.

14. Of the amounts appropriated in this section, \$12,962,008 for the fiscal year beginning July 1, 2013, is transferred to the appropriation of the federal social services block grant made to the department of human services for that fiscal year.

15. For continuation of the program providing categorical eligibility for the food assistance program as specified for the program in the section of this division relating to the family investment program account:

..... \$ 25,000

16. The department may transfer funds allocated in this section to the appropriations made in this division of this Act for the same fiscal year for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

Sec. 7. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2013, and ending June 30, 2014, shall be used to provide assistance in accordance with chapter 239B.

2. The department may use a portion of the moneys credited to the FIP account under this section as necessary for salaries, support, maintenance, and miscellaneous purposes.

3. The department may transfer funds allocated in this section to the appropriations made in this division of this Act for the same fiscal year for general

administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

4. Moneys appropriated in this division of this Act and credited to the FIP account for the fiscal year beginning July 1, 2013, and ending June 30, 2014, are allocated as follows:

a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in FIP and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy families block grant:

..... \$ 20,000

b. To the department of human rights for staffing, administration, and implementation of the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 6,042,834

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not more than 5 percent of the funds shall be used for the administration of the grant program.

(2) The department of human rights may continue to implement the family development and self-sufficiency grant program statewide during fiscal year 2013–2014.

c. For the diversion subaccount of the FIP account:

..... \$ 1,698,400

A portion of the moneys allocated for the subaccount may be used for field operations, salaries, data management system development, and implementation costs and support deemed necessary by the director of human services in order to administer the FIP diversion program. To the extent moneys allocated in this lettered paragraph are not deemed by the department to be necessary to support diversion activities, such moneys may be used for other efforts intended to increase engagement by family investment program participants in work, education, or training activities.

d. For the food assistance employment and training program:

..... \$ 66,588

(1) The department shall apply the federal supplemental nutrition assistance program (SNAP) employment and training state plan in order to maximize to the fullest extent permitted by federal law the use of the 50 percent federal reimbursement provisions for the claiming of allowable federal reimbursement funds from the United States department of agriculture pursuant to the federal SNAP employment and training program for providing education, employment, and training services for eligible food assistance program participants, including but not limited to related dependent care and transportation expenses.

(2) The department shall continue the categorical federal food assistance program eligibility at 160 percent of the federal poverty level and continue to eliminate the asset test from eligibility requirements, consistent with federal food assistance program requirements. The department shall include as many food assistance households as is allowed by federal law. The eligibility provisions shall conform to all federal requirements including requirements addressing individuals who are incarcerated or otherwise ineligible.

e. For the JOBS program:

..... \$ 19,690,816

5. Of the child support collections assigned under FIP, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation made in this division of this Act. Of the remainder of the assigned child support collections received by the child support recovery unit, a portion shall be credited to the FIP account, a portion may be used to increase recoveries, and a portion may be used to sustain cash flow in the child support payments account. If as a consequence of the appropriations and allocations made in this section the resulting amounts are insufficient to sustain cash assistance payments and meet federal maintenance of effort requirements, the department shall seek supplemental funding. If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account.

6. The department may adopt emergency rules for the family investment, JOBS, food assistance, and medical assistance programs if necessary to comply with federal requirements.

Sec. 8. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B:

.....	\$ 48,437,214
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1. Of the funds appropriated in this section, \$7,824,377 is allocated for the JOBS program.

2. Of the funds appropriated in this section, \$3,163,854 is allocated for the family development and self-sufficiency grant program.

3. Notwithstanding section 8.39, for the fiscal year beginning July 1, 2013, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding or to implement, in accordance with this division of this Act, activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys, the department of human services may transfer funds within or between any of the appropriations made in this division of this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

- a. For the family investment program.
- b. For child care assistance.
- c. For child and family services.
- d. For field operations.
- e. For general administration.
- f. For distribution to counties or regions for services to persons with mental illness or an intellectual disability.

This subsection shall not be construed to prohibit the use of existing state transfer authority for other purposes. The department shall report any transfers made pursuant to this subsection to the legislative services agency.

4. Of the funds appropriated in this section, \$195,678 shall be used for continuation of a grant to an Iowa-based nonprofit organization with a history of

providing tax preparation assistance to low-income Iowans in order to expand the usage of the earned income tax credit. The purpose of the grant is to supply this assistance to underserved areas of the state.

5. Of the funds appropriated in this section, \$40,000 shall be used to fund the expansion of an unfunded pilot project, as defined in 441 IAC 100.1, that has been in existence for at least six months, relating to parental obligations, in which the child support recovery unit participates, to support the efforts of a nonprofit organization committed to strengthening the community through youth development, healthy living, and social responsibility in a county with a population over 350,000. The funds allocated in this subsection shall be used by the recipient organization to develop a larger community effort, through public and private partnerships, to support a broad-based fatherhood initiative that promotes payment of child support obligations, improved family relationships, and full-time employment. The department shall collaborate with other state agencies to compile a comprehensive inventory of the parenthood support programs in the state. The inventory shall provide a description of each program, the population served, outcomes to date, and funding sources and funding expended for each program. The inventory shall be submitted to the individuals identified in this Act for submission of reports by December 15, 2013.

6. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and field operations as necessary to administer this section and the overall family investment program.

Sec. 9. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	14,173,770
.....	FTEs	464.00

1. The department shall expend up to \$24,329, including federal financial participation, for the fiscal year beginning July 1, 2013, for a child support public awareness campaign. The department and the office of the attorney general shall cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both parents in the lives of their children as well as the importance of payment of child support obligations.

2. Federal access and visitation grant moneys shall be issued directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation sites and mediation services.

3. The appropriation made to the department for child support recovery may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for cash flow management purposes the department may temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year.

4. With the exception of the funding amount specified, the requirements established under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph "c", subparagraph (3), shall be applicable to parental obligation pilot projects for the fiscal

year beginning July 1, 2013, and ending June 30, 2014. Notwithstanding 441 IAC 100.8, providing for termination of rules relating to the pilot projects, the rules shall remain in effect until June 30, 2014.

Sec. 10. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE — FY 2013–2014. Any funds remaining in the health care trust fund created in section 453A.35A for the fiscal year beginning July 1, 2013, and ending June 30, 2014, are appropriated to the department of human services to supplement the medical assistance program appropriations made in this division of this Act, for medical assistance reimbursement and associated costs, including program administration and costs associated with program implementation.

Sec. 11. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY 2013–2014. Any funds remaining in the Medicaid fraud fund created in section 249A.7 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, are appropriated to the department of human services to supplement the medical assistance appropriations made in this division of this Act, for medical assistance reimbursement and associated costs, including program administration and costs associated with program implementation.

Sec. 12. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2013, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

..... \$ 1,143,810,311

1. a. Iowans support reducing the number of abortions performed in our state. For an abortion covered under the program, except in the case of a medical emergency, as defined in section 135L.1, for any woman, the physician shall certify both of the following:

(1) That the woman has been given the opportunity to view an ultrasound image of the fetus as part of the standard of care before an abortion is performed.

(2) That the woman has been provided information regarding the options relative to a pregnancy, including continuing the pregnancy to term and retaining parental rights following the child's birth, continuing the pregnancy to term and placing the child for adoption, and terminating the pregnancy.

b. Funds appropriated under this section shall not be used for abortions, unless otherwise authorized under this section.

c. The provisions of this section relating to abortions shall also apply to the Iowa health and wellness plan created pursuant to chapter 249N, as enacted in this Act.

2. The department shall utilize not more than \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than \$5,000 may be expended for administrative purposes.

3. Of the funds appropriated in this Act to the department of public health for addictive disorders, \$950,000 for the fiscal year beginning July 1, 2013, is transferred to the department of human services for an integrated substance-related disorder managed care system. The department shall not assume management of the substance-related disorder system in place of the managed care contractor unless such a change in approach is specifically authorized in law. The departments of human services and

public health shall work together to maintain the level of mental health and substance-related disorder treatment services provided by the managed care contractor through the Iowa plan for behavioral health. Each department shall take the steps necessary to continue the federal waivers as necessary to maintain the level of services.

4. a. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy provisions.

b. Of the funds appropriated in this section, \$100,000 shall be used for participation in one or more pilot projects operated by a private provider to allow the individual or individuals to receive service in the community in accordance with principles established in *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose of providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to the policy provisions.

5. Of the funds appropriated in this section, up to \$3,050,082 may be transferred to the field operations or general administration appropriations in this division of this Act for operational costs associated with Part D of the federal Medicare Prescription Drug Improvement and Modernization Act of 2003, Pub. L. No. 108-173.

6. Of the funds appropriated in this section, up to \$442,100 may be transferred to the appropriation in this division of this Act for medical contracts to be used for clinical assessment services and prior authorization of services.

7. A portion of the funds appropriated in this section may be transferred to the appropriations in this division of this Act for general administration, medical contracts, the children's health insurance program, or field operations to be used for the state match cost to comply with the payment error rate measurement (PERM) program for both the medical assistance and children's health insurance programs as developed by the centers for Medicare and Medicaid services of the United States department of health and human services to comply with the federal Improper Payments Information Act of 2002, Pub. L. No. 107-300.

8. It is the intent of the general assembly that the department continue to implement the recommendations of the assuring better child health and development initiative II (ABCDII) clinical panel to the Iowa early and periodic screening, diagnostic, and treatment services healthy mental development collaborative board regarding changes to billing procedures, codes, and eligible service providers.

9. Of the funds appropriated in this section, a sufficient amount is allocated to supplement the incomes of residents of nursing facilities, intermediate care facilities for persons with mental illness, and intermediate care facilities for persons with an intellectual disability, with incomes of less than \$50 in the amount necessary for the residents to receive a personal needs allowance of \$50 per month pursuant to section 249A.30A.

10. Of the funds appropriated in this section, the following amounts are transferred to the appropriations made in this division of this Act for the state mental health institutes:

a. Cherokee mental health institute.....	\$	9,098,425
b. Clarinda mental health institute.....	\$	1,977,305
c. Independence mental health institute.....	\$	9,045,894
d. Mount Pleasant mental health institute.....	\$	5,752,587

11. a. Of the funds appropriated in this section, \$7,969,074 is allocated for the state match for a disproportionate share hospital payment of \$19,133,430 to hospitals that meet both of the conditions specified in subparagraphs (1) and (2). In addition, the hospitals that meet the conditions specified shall either certify public expenditures or transfer to the medical assistance program an amount equal to provide the nonfederal share for a disproportionate share hospital payment of \$7,500,000. The hospitals that meet the conditions specified shall receive and retain 100 percent of the total disproportionate share hospital payment of \$26,633,430.

(1) The hospital qualifies for disproportionate share and graduate medical education payments.

(2) The hospital is an Iowa state-owned hospital with more than 500 beds and eight or more distinct residency specialty or subspecialty programs recognized by the American college of graduate medical education.

b. Distribution of the disproportionate share payments shall be made on a monthly basis. The total amount of disproportionate share payments including graduate medical education, enhanced disproportionate share, and Iowa state-owned teaching hospital payments shall not exceed the amount of the state's allotment under Pub. L. No. 102-234. In addition, the total amount of all disproportionate share payments shall not exceed the hospital-specific disproportionate share limits under Pub. L. No. 103-66.

12. The university of Iowa hospitals and clinics shall either certify public expenditures or transfer to the appropriations made in this division of this Act for medical assistance an amount equal to provide the nonfederal share for increased medical assistance payments for inpatient and outpatient hospital services of \$9,900,000. The university of Iowa hospitals and clinics shall receive and retain 100 percent of the total increase in medical assistance payments.

13. Of the funds appropriated in this section, up to \$11,921,225 may be transferred to the IowaCare account created in section 249J.24.

14. One hundred percent of the nonfederal share of payments to area education agencies that are medical assistance providers for medical assistance-covered services provided to medical assistance-covered children, shall be made from the appropriation made in this section.

15. Any new or renewed contract entered into by the department with a third party to administer behavioral health services under the medical assistance program shall provide that any interest earned on payments from the state during the state fiscal year shall be remitted to the department and treated as recoveries to offset the costs of the medical assistance program.

16. The department shall continue to implement the provisions in 2007 Iowa Acts, chapter 218, section 124 and section 126, as amended by 2008 Iowa Acts, chapter 1188, section 55, relating to eligibility for certain persons with disabilities under the medical assistance program in accordance with the federal Family Opportunity Act.

17. A portion of the funds appropriated in this section may be transferred to the appropriation in this division of this Act for medical contracts to be used for administrative activities associated with the money follows the person demonstration project.

18. Of the funds appropriated in this section, \$349,011 shall be used for the administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes.

19. a. The department shall implement the following cost containment strategies for the medical assistance program and shall adopt emergency rules for such implementation:

(1) Notwithstanding any provision of law to the contrary, the department shall integrate medical assistance program habilitation services into the Iowa plan contract for the fiscal year beginning July 1, 2013.

(2) The department shall only provide coverage for medically necessary, elective cesarean sections.

(3) The department shall require prior authorization based on specified criteria before providing reimbursement for hospital swing bed placements and continued stays.

(4) The department shall align payment methodologies and rates between medical and nonmedical transportation services through the transportation brokerage provider.

(5) The department shall require that all fees for employee records checks shall be paid by the medical assistance home and community-based waiver services consumer-directed attendant care or consumer choices option provider, with the exception of one initial state records check per employee which shall be paid by the Iowa Medicaid enterprise.

(6) The department shall require transition of the provision by individual providers of personal care under the consumer-directed attendant care option to agency-provided personal care services and shall retain the consumer choice option for those individuals able and desiring to self-direct services.

(7) The department shall require that persons with an intellectual disability receiving services under the medical assistance program receive a functional assessment utilizing the supports intensity scale tool. The department shall contract with an independent entity to perform the functional assessments. The department shall implement a tiered resource allocation methodology for service plans under the medical assistance home and community-based services waiver for persons with an intellectual disability.

(8) The department shall develop a new reimbursement methodology for medical assistance targeted case management that applies appropriate cost limits.

(9) The department shall implement an integrated health home approach under the medical assistance program for persons with chronic mental illness. The approach shall integrate the functions of medical assistance targeted case management.

(10) The department shall expand the categories of diabetic supplies for which a rebate may be received.

(11) The department shall limit initial authorizations for institutional-based care to 30 days for members following discharge from a hospital if the member previously lived in a community-based setting.

b. The department shall not implement the cost containment strategies to require a primary care referral for the provision of chiropractic services or to require prior authorization of the provision of any home health services for adults in excess of 100 visits per year.

c. The department may increase the amounts allocated for salaries, support, maintenance, and miscellaneous purposes associated with the medical assistance program, as necessary, to implement the cost containment strategies. The department shall report any such increase to the legislative services agency and the department of management.

d. If the savings to the medical assistance program exceed the cost for the fiscal year, the department may transfer any savings generated for the fiscal year due to

medical assistance program cost containment efforts to the appropriation made in this division of this Act for medical contracts or general administration to defray the increased contract costs associated with implementing such efforts.

e. The department shall report the implementation of any cost containment strategies under this subsection to the individuals specified in this division of this Act for submission of reports on a quarterly basis.

20. Of the funds appropriated in this section, \$8,715,473 shall be used to implement reductions in the waiting lists of all medical assistance home and community-based services waivers.

21. a. Of the funds appropriated in this section, \$900,000 shall be used to implement the children's mental health home project proposed by the department of human services and reported to the general assembly's mental health and disability services study committee in December 2011. Of this amount, up to \$50,000 may be transferred by the department to the appropriation made in this division of this Act to the department for the same fiscal year for general administration to be used for associated administrative expenses and for not more than one full-time equivalent position, in addition to those authorized for the same fiscal year, to be assigned to implementing the project.

b. Of the funds appropriated in this section, up to \$400,000 may be transferred by the department to the appropriation made to the department in this division of this Act for the same fiscal year for general administration to support the redesign of mental health and disability services and the state balancing incentive payments program planning and implementation activities. The funds may be used for contracts or for personnel in addition to the amounts appropriated for and the positions authorized for general administration for the same fiscal year.

c. Of the funds appropriated in this section, up to \$3,000,000 may be transferred by the department to the appropriations made to the department in this division of this Act for the same fiscal year for general administration or medical contracts to be used to support the development and implementation of standardized assessment tools for persons with mental illness, an intellectual disability, a developmental disability, or a brain injury.

d. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, the replacement generation tax revenues required to be deposited in the property tax relief fund pursuant to section 437A.8, subsection 4, paragraph "d", and section 437A.15, subsection 3, paragraph "f", shall instead be credited to and supplement the appropriation made in this section and used for the allocations made in this subsection.

e. The moneys reimbursed and credited to the risk pool in the property tax relief fund pursuant to 2012 Iowa Acts, chapter 1128, section 6, subsection 5, as amended by 2012 Iowa Acts, chapter 1133, section 67, are appropriated to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, to be used to supplement the appropriation made in this section for the medical assistance program.

22. Of the funds appropriated in this section, \$250,000 shall be used for lodging expenses associated with care provided at the university of Iowa hospitals and clinics under chapter 249J for patients with cancer whose travel distance is 30 miles or more from the university of Iowa hospitals and clinics. The department of human services shall establish the maximum number of overnight stays and the maximum rate reimbursed for overnight lodging, which may be based on the state employee rate established by the department of administrative services. The funds allocated in this subsection shall not be used as nonfederal share matching funds. Any funds allocated

in this subsection that remain unencumbered or unobligated on December 31, 2013, shall continue to be used in accordance with departmental specifications established in this subsection for lodging expenses associated with care provided at the university of Iowa hospitals and clinics for patients with cancer whose travel distance is 30 miles or more and whose income is at or below 200 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

23. The department shall continue to administer the state balancing incentive payments program as specified in 2012 Iowa Acts, chapter 1133, section 14.

24. Of the funds appropriated in this section, \$300,000 shall be used for reimbursement of staff training as direct costs for home and community-based services providers beginning January 1, 2014, as provided under 2013 Iowa Acts, House File 198 or 2013 successor legislation, if enacted.

Sec. 13. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 12,291,569

1. The department of inspections and appeals shall provide all state matching funds for survey and certification activities performed by the department of inspections and appeals. The department of human services is solely responsible for distributing the federal matching funds for such activities.

2. Of the funds appropriated in this section, \$50,000 shall be used for continuation of home and community-based services waiver quality assurance programs, including the review and streamlining of processes and policies related to oversight and quality management to meet state and federal requirements.

3. Of the amount appropriated in this section, up to \$200,000 may be transferred to the appropriation for general administration in this division of this Act to be used for additional full-time equivalent positions in the development of key health initiatives such as cost containment, development and oversight of managed care programs, and development of health strategies targeted toward improved quality and reduced costs in the Medicaid program.

4. Of the funds appropriated in this section, \$64,398 shall be used for provision of the IowaCare program nurse helpline for the expansion population as provided in section 249J.6.

5. Of the funds appropriated in this section, \$80,000 shall be used for costs related to audits, performance evaluations, and studies required pursuant to chapter 249J.

6. Of the funds appropriated in this section, \$194,654 shall be used for administrative costs associated with chapter 249J.

7. Of the funds appropriated in this section, \$1,000,000 shall be used for planning and development, in cooperation with the department of public health, of a phased-in program to provide a dental home for children.

8. Of the funds appropriated in this section, \$270,000 shall be used for payment to the publicly owned acute care teaching hospital located in a county with a population of over 350,000 that is a participating provider pursuant to chapter 249J. Disbursements under this subsection shall be made monthly. The hospital shall submit a report following the close of the fiscal year regarding use of the funds allocated in this subsection to the persons specified in this Act to receive reports.

9. Of the funds appropriated in this section, \$75,000 shall be used for continued implementation of a uniform cost report.

10. Of the funds appropriated in this section, \$2,000,000 shall be used for the autism support program created in chapter 225D, as enacted in this Act, beginning January 1, 2014.

11. Of the funds appropriated in this section, \$99,790 shall be used for continued implementation of an electronic medical records system.

Sec. 14. STATE SUPPLEMENTARY ASSISTANCE.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:

..... \$ 16,512,174

2. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

3. If during the fiscal year beginning July 1, 2013, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-through requirement specified in Tit. XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this division of this Act to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

Sec. 15. CHILDREN'S HEALTH INSURANCE PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I, including supplemental dental services, for receipt of federal financial participation under Tit. XXI of the federal Social Security Act, which creates the children's health insurance program:

..... \$ 36,806,102

2. Of the funds appropriated in this section, \$141,450 is allocated for continuation of the contract for outreach with the department of public health.

Sec. 16. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

..... \$ 62,709,794

1. Of the funds appropriated in this section, \$54,755,189 shall be used for state child care assistance in accordance with section 237A.13.

2. Nothing in this section shall be construed or is intended as or shall imply a grant of entitlement for services to persons who are eligible for assistance due to an income

level consistent with the waiting list requirements of section 237A.13. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

3. Of the funds appropriated in this section, \$432,453 is allocated for the statewide program for child care resource and referral services under section 237A.26. A list of the registered and licensed child care facilities operating in the area served by a child care resource and referral service shall be made available to the families receiving state child care assistance in that area.

4. Of the funds appropriated in this section, \$936,974 is allocated for child care quality improvement initiatives including but not limited to the voluntary quality rating system in accordance with section 237A.30.

5. Of the funds appropriated in this section, \$135,178 shall be used to conduct fingerprint-based national criminal history record checks of home-based child care providers pursuant to section 237A.5, subsection 2, through the United States department of justice, federal bureau of investigation.

6. Of the amount appropriated in this section, up to \$25,000 shall be used to implement a searchable internet-based application as part of the consumer information made available under section 237A.25. The application shall provide a listing of the child care providers in this state that have received a rating under the voluntary quality rating system implemented pursuant to section 237A.30 and information on whether a provider specializes in child care for infants, school-age children, children with special needs, or other populations or provides any other specialized services to support family needs.

7. Of the amount appropriated in this section, up to \$75,000 shall be used by the department to conduct an independent evaluation of Iowa's child care quality rating system. The evaluation shall address the system's strengths and weaknesses, and shall provide recommendations for change. The department shall submit a final report on or before December 16, 2013, to the governor and general assembly concerning the evaluation. The evaluation shall also include but is not limited to all of the following:

- a. An assessment of the validity of the system's key underlying concepts.
- b. An assessment of the techniques utilized and psychometric properties of the measures used in the system to assess quality.
- c. An analysis of the outputs quantified by the rating process.
- d. An analysis of the relationship between the ratings utilized and child outcomes realized.

8. Of the funds appropriated in this section, \$6,350,000 shall be credited to the early childhood programs grants account in the early childhood Iowa fund created in section 256I.11. The moneys shall be distributed for funding of community-based early childhood programs targeted to children from birth through five years of age developed by early childhood Iowa areas in accordance with approved community plans as provided in section 256I.8

9. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's service areas. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

10. A portion of the state match for the federal child care and development block grant shall be provided as necessary to meet federal matching funds requirements through the state general fund appropriation made for child development grants and other programs for at-risk children in section 279.51.

11. If a uniform reduction ordered by the governor under section 8.31 or other operation of law, transfer, or federal funding reduction reduces the appropriation made in this section for the fiscal year, the percentage reduction in the amount paid out to or on behalf of the families participating in the state child care assistance program shall be equal to or less than the percentage reduction made for any other purpose payable from the appropriation made in this section and the federal funding relating to it. The percentage reduction to the other allocations made in this section shall be the same as the uniform reduction ordered by the governor or the percentage change of the federal funding reduction, as applicable. If there is an unanticipated increase in federal funding provided for state child care assistance, the entire amount of the increase shall be used for state child care assistance payments. If the appropriations made for purposes of the state child care assistance program for the fiscal year are determined to be insufficient, it is the intent of the general assembly to appropriate sufficient funding for the fiscal year in order to avoid establishment of waiting list requirements.

12. Notwithstanding section 8.33, moneys advanced for purposes of the programs developed by early childhood Iowa areas, advanced for purposes of wraparound child care, or received from the federal appropriations made for the purposes of this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 17. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the Iowa juvenile home at Toledo and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,859,355
.....	FTEs	114.00

2. For operation of the state training school at Eldora and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	11,256,969
.....	FTEs	164.30

Of the funds appropriated in this subsection, \$91,150 shall be used for distribution to licensed classroom teachers at this and other institutions under the control of the department of human services based upon the average student yearly enrollment at each institution as determined by the department.

3. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention activities at the institutions in the fiscal year beginning July 1, 2013.

Sec. 18. CHILD AND FAMILY SERVICES.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

..... \$ 91,283,920

2. Up to \$5,200,000 of the amount of federal temporary assistance for needy families block grant funding appropriated in this division of this Act for child and family services shall be made available for purposes of juvenile delinquent graduated sanction services.

3. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under the medical assistance program, state child care assistance program, or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

4. a. Of the funds appropriated in this section, up to \$32,242,236 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services. If the department projects that such expenditures for the fiscal year will be less than the target amount allocated in this lettered paragraph, the department may reallocate the excess to provide additional funding for shelter care or the child welfare emergency services addressed with the allocation for shelter care.

b. If at any time after September 30, 2013, annualization of a service area's current expenditures indicates a service area is at risk of exceeding its group foster care expenditure target under section 232.143 by more than 5 percent, the department and juvenile court services shall examine all group foster care placements in that service area in order to identify those which might be appropriate for termination. In addition, any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

5. In accordance with the provisions of section 232.188, the department shall continue the child welfare and juvenile justice funding initiative during fiscal year 2013–2014. Of the funds appropriated in this section, \$1,717,753 is allocated specifically for expenditure for fiscal year 2013–2014 through the decategorization service funding pools and governance boards established pursuant to section 232.188.

6. A portion of the funds appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project or successor project to stay together or to be reunified.

7. Notwithstanding section 234.35 or any other provision of law to the contrary, state funding for shelter care and the child welfare emergency services contracting implemented to provide for or prevent the need for shelter care shall be limited to \$7,616,048.

8. Federal funds received by the state during the fiscal year beginning July 1, 2013, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for services and purposes provided for under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or obligated at the close of the fiscal year shall not revert to any fund but shall remain available for the purposes designated until the close of the succeeding fiscal year.

9. a. Of the funds appropriated in this section, up to \$3,290,000 is allocated for the payment of the expenses of court-ordered services provided to juveniles who are under the supervision of juvenile court services, which expenses are a charge upon the state pursuant to section 232.141, subsection 4. Of the amount allocated in this lettered paragraph, up to \$1,556,287 shall be made available to provide school-based supervision of children adjudicated under chapter 232, of which not more than \$15,000 may be used for the purpose of training. A portion of the cost of each school-based liaison officer shall be paid by the school district or other funding source as approved by the chief juvenile court officer.

b. Of the funds appropriated in this section, up to \$748,985 is allocated for the payment of the expenses of court-ordered services provided to children who are under the supervision of the department, which expenses are a charge upon the state pursuant to section 232.141, subsection 4.

c. Notwithstanding section 232.141 or any other provision of law to the contrary, the amounts allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator and to the department's service areas as determined by the administrator of the department's division of child and family services. The state court administrator and the division administrator shall make the determination of the distribution amounts on or before June 15, 2013.

d. Notwithstanding chapter 232 or any other provision of law to the contrary, a district or juvenile court shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district court or departmental service area distribution amounts to pay for the service. The chief juvenile court officer and the departmental service area manager shall encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The chief juvenile court officers and departmental service area managers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator or division administrator to transfer funds between the judicial districts' or departmental service areas' distribution amounts as prudent.

e. Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141, subsection 4.

f. Of the funds allocated in this subsection, not more than \$83,000 may be used by the judicial branch for administration of the requirements under this subsection.

g. Of the funds allocated in this subsection, \$17,000 shall be used by the department of human services to support the interstate commission for juveniles in accordance with the interstate compact for juveniles as provided in section 232.173.

10. Of the funds appropriated in this section, \$8,053,226 is allocated for juvenile delinquent graduated sanctions services. Any state funds saved as a result of efforts by juvenile court services to earn federal Tit. IV-E match for juvenile court services administration may be used for the juvenile delinquent graduated sanctions services.

11. Of the funds appropriated in this section, \$1,608,285 is transferred to the department of public health to be used for equalization and renewal of the grants under the child protection center grant program in accordance with section 135.118. The grant amounts shall be equalized so that each center receives a uniform amount of at least \$245,000.

12. If the department receives federal approval to implement a waiver under Tit. IV-E of the federal Social Security Act to enable providers to serve children who remain

in the children's families and communities, for purposes of eligibility under the medical assistance program through 25 years of age, children who participate in the waiver shall be considered to be placed in foster care.

13. Of the funds appropriated in this section, \$3,256,980 is allocated for the preparation for adult living program pursuant to section 234.46.

14. Of the funds appropriated in this section, \$520,150 shall be used for juvenile drug courts. The amount allocated in this subsection shall be distributed as follows:

To the judicial branch for salaries to assist with the operation of juvenile drug court programs operated in the following jurisdictions:

a. Marshall county:

.....	\$	62,708
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b. Woodbury county:

.....	\$	125,682
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c. Polk county:

.....	\$	195,892
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d. The third judicial district:

.....	\$	67,934
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e. The eighth judicial district:

.....	\$	67,934
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15. Of the funds appropriated in this section, \$227,337 shall be used for the public purpose of continuing a grant to a nonprofit human services organization providing services to individuals and families in multiple locations in southwest Iowa and Nebraska for support of a project providing immediate, sensitive support and forensic interviews, medical exams, needs assessments, and referrals for victims of child abuse and their nonoffending family members.

16. Of the funds appropriated in this section, \$200,590 is allocated for the foster care youth council approach of providing a support network to children placed in foster care.

17. Of the funds appropriated in this section, \$202,000 is allocated for use pursuant to section 235A.1 for continuation of the initiative to address child sexual abuse implemented pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection 21.

18. Of the funds appropriated in this section, \$630,240 is allocated for the community partnership for child protection sites.

19. Of the funds appropriated in this section, \$371,250 is allocated for the department's minority youth and family projects under the redesign of the child welfare system.

20. Of the funds appropriated in this section, up to \$1,436,595 is allocated for funding of the community circle of care collaboration for children and youth in northeast Iowa. The department may determine the appropriate allocation of funding to ensure there is not duplication of services and that the needs of children and youth are met as they transition to an integrated health home.

21. Of the funds appropriated in this section, at least \$147,158 shall be used for the child welfare training academy.

22. Of the funds appropriated in this section, \$25,000 shall be used for the public purpose of continuation of a grant to a child welfare services provider headquartered in a county with a population between 205,000 and 215,000 in the latest certified federal census that provides multiple services including but not limited to a psychiatric medical institution for children, shelter, residential treatment, after school programs, school-based programming, and an Asperger's syndrome program, to be used for support services for children with autism spectrum disorder and their families.

23. Of the funds appropriated in this section, \$25,000 shall be used for the public purpose of continuing a grant to a hospital-based provider headquartered in a county with a population between 90,000 and 95,000 in the latest certified federal census that provides multiple services including but not limited to diagnostic, therapeutic, and behavioral services to individuals with autism spectrum disorder across the lifespan. The grant recipient shall utilize the funds to continue the pilot project to determine the necessary support services for children with autism spectrum disorder and their families to be included in the children's disabilities services system. The grant recipient shall submit findings and recommendations based upon the results of the pilot project to the individuals specified in this division of this Act for submission of reports by December 31, 2013.

24. Of the funds appropriated in this section, \$327,947 shall be used for continuation of the central Iowa system of care program grant through June 30, 2014. The department may determine the appropriate allocation of funding to ensure there is not duplication of services and that the needs of children and youth are met as they transition to an integrated health home.

25. Of the funds appropriated in this section, \$160,000 shall be used for the public purpose of the continuation of a system of care grant implemented in Cerro Gordo and Linn counties. The department may determine the appropriate allocation of funding to ensure there is not duplication of services and that the needs of children and youth are met as they transition to an integrated health home.

26. Of the funds appropriated in this section, at least \$25,000 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support.

Sec. 19. ADOPTION SUBSIDY.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For adoption subsidy payments and services:

..... \$ 40,729,282

2. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for general administration for costs paid from the appropriation relating to adoption subsidy.

3. Federal funds received by the state during the fiscal year beginning July 1, 2013, as the result of the expenditure of state funds during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for the services and activities funded under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 20. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2013, and ending June 30, 2014, are appropriated to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for distribution of an amount equal to a percentage of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2012. Moneys appropriated for distribution in accordance with this section shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all

eligible detention homes in the fiscal year beginning July 1, 2012. The percentage figure shall be determined by the department based on the amount available for distribution for the fund. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2013, shall be limited to the amount appropriated for the purposes of this section.

Sec. 21. FAMILY SUPPORT SUBSIDY PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program subject to the enrollment restrictions in section 225C.37, subsection 3:

..... \$ 1,092,955

2. The department shall use at least \$483,500 of the moneys appropriated in this section for the family support center component of the comprehensive family support program under section 225C.47. Not more than \$25,000 of the amount allocated in this subsection shall be used for administrative costs.

3. If at any time during the fiscal year, the amount of funding available for the family support subsidy program is reduced from the amount initially used to establish the figure for the number of family members for whom a subsidy is to be provided at any one time during the fiscal year, notwithstanding section 225C.38, subsection 2, the department shall revise the figure as necessary to conform to the amount of funding available.

Sec. 22. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... \$ 33,622

Sec. 23. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state mental health institute at Cherokee for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,954,464
..... FTEs 169.20

If recommended by the superintendent, the department may sell or transfer ownership of unused facilities at the state mental health institute to the city in which the institute is located.

2. For the state mental health institute at Clarinda for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 6,751,868
..... FTEs 86.10

3. For the state mental health institute at Independence for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	10,318,778
.....	FTEs	233.00
4. For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	1,366,686
.....	FTEs	97.92

Sec. 24. STATE RESOURCE CENTERS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

.....	\$	20,274,472
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b. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

.....	\$	14,220,463
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2. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of ICFID services, in a manner which does not shift costs between the medical assistance program, counties, or other sources of funding for the state resource centers.

3. The state resource centers may expand the time-limited assessment and respite services during the fiscal year.

4. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

5. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service or a special need for which a payment source or other funding is available for the service or to address the special need, and facilities for the service or to address the special need can be provided within the available payment source or other funding, the superintendent of a state resource center may authorize opening not more than two units or other facilities and begin implementing the service or addressing the special need during fiscal year 2013-2014.

Sec. 25. SEXUALLY VIOLENT PREDATORS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	9,416,969
.....	FTEs	124.50

2. Unless specifically prohibited by law, if the amount charged provides for recoupment of at least the entire amount of direct and indirect costs, the department of human services may contract with other states to provide care and treatment of persons placed by the other states at the unit for sexually violent predators at Cherokee. The moneys received under such a contract shall be considered to be repayment receipts and used for the purposes of the appropriation made in this section.

Sec. 26. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For field operations, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	66,522,388
.....	FTEs	1,837.00

1. As a condition of this appropriation, the department shall make every possible effort to fill the entire number of positions authorized by this section and, unless specifically provided otherwise by an applicable collective bargaining agreement, the department is not subject to any approval requirement external to the department to fill a field operations vacancy within the number of full-time equivalent positions authorized by this section. The department shall report on the first of each month to the chairpersons and ranking members of the appropriations committees of the senate and house of representatives, and the persons designated by this Act for submission of reports concerning the status of filling the positions.

2. Priority in filling full-time equivalent positions shall be given to those positions related to child protection services and eligibility determination for low-income families.

Sec. 27. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For general administration, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	16,304,771
.....	FTEs	309.00

1. Of the funds appropriated in this section, \$63,543 is allocated for the prevention of disabilities policy council established in section 225B.3. Of the amount allocated in this subsection, \$25,000 shall be passed through to the council for the costs involved with holding a summit meeting of the multiple entities providing services to persons with disabilities. The focus of the summit meeting shall be to review existing disability prevention activities in order to identify cost effective public policy options for reaching the greatest number of children and adults in order to eliminate the risk of disabilities. The review shall also address options for health care services available to youth transitioning to the adult system of health care. The council shall report to the individuals identified in this Act for submission of reports within 60 calendar days of completing the summit meeting concerning the review, policy options identified, and recommendations made.

2. The department shall report at least monthly to the legislative services agency concerning the department's operational and program expenditures.

3. Of the funds appropriated in this section, \$132,300 shall be used to continue the contract for the provision of a program to provide technical assistance, support, and consultation to providers of habilitation services and home and community-based services waiver services for adults with disabilities under the medical assistance program.

4. Of the funds appropriated in this section, \$50,000 is transferred to the Iowa finance authority to be used for administrative support of the council on homelessness established in section 16.100A and for the council to fulfill its duties in addressing and reducing homelessness in the state.

5. Of the funds appropriated in this section, \$250,000 is transferred to the department of inspections and appeals to be used to implement a new mental health advocate division in the department in accordance with 2013 Iowa Acts, Senate File 406, if enacted.

Sec. 28. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:

..... \$ 84,660

Sec. 29. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. (1) For the fiscal year beginning July 1, 2013, the total state funding amount for the nursing facility budget shall not exceed \$268,712,511.

(2) For the fiscal year beginning July 1, 2013, the department shall rebase case-mix nursing facility rates effective July 1, 2013. However, total nursing facility budget expenditures, including both case-mix and noncase-mix, shall not exceed the amount specified in subparagraph (1). When calculating case-mix per diem cost and the patient-day-weighted medians used in rate-setting for nursing facilities effective July 1, 2013, the inflation factor applied from the midpoint of the cost report period to the first day of the state fiscal year rate period shall be adjusted to maintain state funding within the amount specified in subparagraph (1).

(3) The department, in cooperation with nursing facility representatives, shall review projections for state funding expenditures for reimbursement of nursing facilities on a quarterly basis and the department shall determine if an adjustment to the medical assistance reimbursement rate is necessary in order to provide reimbursement within the state funding amount for the fiscal year. Notwithstanding 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph “c”, and subsection 3, paragraph “a”, subparagraph (2), if the state funding expenditures for the nursing facility budget for the fiscal year are projected to exceed the amount specified in subparagraph (1), the department shall adjust the reimbursement for nursing facilities reimbursed under the case-mix reimbursement system to maintain expenditures of the nursing facility budget within the specified amount for the fiscal year.

(4) For the fiscal year beginning July 1, 2013, special population nursing facilities shall be reimbursed in accordance with the methodology in effect on June 30, 2013.

b. (1) For the fiscal year beginning July 1, 2013, the department shall establish the pharmacy dispensing fee reimbursement at \$10.12 per prescription. Any subsequent actual dispensing fee shall be established within the range determined by a cost of dispensing survey performed by the department and required to be completed by all medical assistance program participating pharmacies every two years beginning in FY 2014–2015.

(2) The department shall utilize an average acquisition cost reimbursement methodology for pharmacy ingredient cost reimbursement of all drugs covered under the medical assistance program in accordance with 2012 Iowa Acts, chapter 1133, section 33.

c. (1) For the fiscal year beginning July 1, 2013, reimbursement rates for outpatient hospital services shall be increased 1 percent over the rates in effect on June 30, 2013, subject to Medicaid program upper payment limit rules.

(2) For the fiscal year beginning July 1, 2013, reimbursement rates for inpatient hospital services shall be increased by 1 percent over the rates in effect on June 30, 2013, subject to Medicaid program upper payment limit rules.

(3) For the fiscal year beginning July 1, 2013, the graduate medical education and disproportionate share hospital fund shall be increased by 1 percent over the amount in effect on June 30, 2013, except that the portion of the fund attributable to graduate medical education shall be reduced in an amount that reflects the elimination of graduate medical education payments made to out-of-state hospitals.

(4) In order to ensure the efficient use of limited state funds in procuring health care services for low-income Iowans, funds appropriated in this Act for hospital services shall not be used for activities which would be excluded from a determination of reasonable costs under the federal Medicare program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

d. For the fiscal year beginning July 1, 2013, reimbursement rates for rural health clinics, hospices, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. For the fiscal year beginning July 1, 2013, independent laboratories shall be reimbursed using the same methodology in effect on June 30, 2013, and reimbursement for rehabilitation agencies shall be increased by 1 percent over the rates in effect on June 30, 2013.

f. (1) For the fiscal year beginning July 1, 2013, rates for home health services shall be reimbursed based on the Medicare low utilization payment amount (LUPA) methodology with state geographic wage adjustments. The Medicare LUPA per-visit rates in effect on July 1, 2013, shall be utilized as the basis for establishing the initial reimbursement schedule. The department shall update the rates every two years to reflect the most recent Medicare LUPA rates. For the fiscal year beginning July 1, 2013, the department shall adjust the reimbursement rates as calculated under this paragraph to reflect the most recent Medicare LUPA rates for home health services, not to exceed an additional \$2,765,655.

(2) For the fiscal year beginning July 1, 2013, rates for private duty nursing and personal care services under the early and periodic screening, diagnostic, and treatment program benefit shall be established based on an hourly interim rate subject to cost settlement up to a limit calculated by the department, and subject to approval by the centers for Medicare and Medicaid services of the United States department of health and human services.

g. For the fiscal year beginning July 1, 2013, federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

h. For the fiscal year beginning July 1, 2013, the reimbursement rates for dental services shall be increased by 1 percent over the rates in effect on June 30, 2013.

i. (1) For the fiscal year beginning July 1, 2013, state-owned psychiatric medical institutions for children shall receive cost-based reimbursement for 100 percent of the actual and allowable costs for the provision of services to recipients of medical assistance.

(2) For the nonstate-owned psychiatric medical institutions for children, reimbursement rates shall be based on the reimbursement methodology developed by the department as required for federal compliance.

(3) As a condition of participation in the medical assistance program, enrolled providers shall accept the medical assistance reimbursement rate for any covered goods or services provided to recipients of medical assistance who are children under the custody of a psychiatric medical institution for children.

j. For the fiscal year beginning July 1, 2013, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall be increased by 1 percent over the rates in effect on June 30, 2013, except for area education agencies, local education agencies, infant and toddler services providers, home and community-based services providers including consumer-directed attendant care providers under a section 1915(c) or 1915(i) waiver, targeted case management providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2013, the reimbursement rate for anesthesiologists shall be increased by 1 percent over the rate in effect on June 30, 2013.

l. Notwithstanding section 249A.20, for the fiscal year beginning July 1, 2013, the average reimbursement rate for health care providers eligible for use of the federal Medicare resource-based relative value scale reimbursement methodology under that section shall be increased by 1 percent over the rate in effect on June 30, 2013; however, this rate shall not exceed the maximum level authorized by the federal government.

m. For the fiscal year beginning July 1, 2013, the reimbursement rate for residential care facilities shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement. The flat reimbursement rate for facilities electing not to file annual cost reports shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

n. For the fiscal year beginning July 1, 2013, the reimbursement rates for inpatient mental health services provided at hospitals shall be increased by 1 percent over the rates in effect on June 30, 2013, subject to Medicaid program upper payment limit rules; community mental health centers and providers of mental health services to county residents pursuant to a waiver approved under section 225C.7, subsection 3, shall be reimbursed at 100 percent of the reasonable costs for the provision of services to recipients of medical assistance; and psychiatrists shall be reimbursed at the medical assistance program fee-for-service rate.

o. For the fiscal year beginning July 1, 2013, the reimbursement rate for providers of family planning services that are eligible to receive a 90 percent federal match shall be increased by 1 percent over the rates in effect on June 30, 2013.

p. For the fiscal year beginning July 1, 2013, the upper limits on reimbursement rates for providers of home and community-based services waiver services shall be the limits in effect on June 30, 2013, pursuant to 441 IAC 79.1(2) based on federal Medicare rates, federal veterans administration rates, or the dollar amount specified in the rule, increased by 3 percent.

q. For the fiscal year beginning July 1, 2013, the reimbursement rate for emergency medical services providers shall be increased by 10 percent over the rates in effect on June 30, 2013.

2. For the fiscal year beginning July 1, 2013, the reimbursement rate for providers reimbursed under the in-home-related care program shall not be less than the

minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

3. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2002.

4. a. For the fiscal year beginning July 1, 2013, notwithstanding section 234.38, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$16.78, the rate for children ages 6 through 11 years shall be \$17.45, the rate for children ages 12 through 15 years shall be \$19.10, and the rate for children and young adults ages 16 and older shall be \$19.35. For youth ages 18 to 21 who have exited foster care, the maximum preparation for adult living program maintenance rate shall be \$602.70 per month. The maximum payment for adoption subsidy nonrecurring expenses shall be limited to \$500 and the disallowance of additional amounts for court costs and other related legal expenses implemented pursuant to 2010 Iowa Acts, chapter 1031, section 408 shall be continued.

b. (1) For the fiscal year beginning July 1, 2013, the reimbursement rates for child welfare services providers shall be increased by 5 percent over the rates in effect on June 30, 2013, and the maximum reimbursement rate for group foster care providers, including service and maintenance costs, shall be increased by 5 percent.

(2) For purposes of this lettered paragraph, "child welfare services providers" means the resource family recruitment and retention contractors, the family safety, risk, and permanency services (family-centered) contractors, the child welfare emergency services contractors, and supervised apartment living foster care providers.

c. For the fiscal year beginning July 1, 2013, the maximum reimbursement rates under the supervised apartment living program other than foster care-related, and for social services providers under contract, shall be increased by 5 percent over the rates in effect on June 30, 2013, or the provider's actual and allowable cost plus inflation for each service, whichever is less. However, if a new service or service provider is added after June 30, 2013, the initial reimbursement rate for the service or provider shall be based upon a weighted average of provider rates for similar services.

d. The group foster care reimbursement rates paid for placement of children out of state shall be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of human services or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

5. a. For the fiscal year beginning July 1, 2013, the reimbursement rate paid for shelter care and the child welfare emergency services implemented to provide or prevent the need for shelter care shall be established by contract.

b. For the fiscal year beginning July 1, 2013, the combined service and maintenance components of the reimbursement rate paid for shelter care services shall be based on the financial and statistical report submitted to the department. The maximum reimbursement rate shall be \$96.98 per day. The department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

c. Notwithstanding section 232.141, subsection 8, for the fiscal year beginning July 1, 2013, the amount of the statewide average of the actual and allowable rates for reimbursement of juvenile shelter care homes that is utilized for the limitation on recovery of unpaid costs shall be increased by \$4.62 over the amount in effect for this purpose in the preceding fiscal year.

6. For the fiscal year beginning July 1, 2013, the department shall calculate reimbursement rates for intermediate care facilities for persons with intellectual disabilities at the 80th percentile. Beginning July 1, 2013, the rate calculation methodology shall utilize the consumer price index inflation factor applicable to the fiscal year beginning July 1, 2013.

7. For the fiscal year beginning July 1, 2013, for child care providers reimbursed under the state child care assistance program, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 2004. Effective July 1, 2013, the child care provider reimbursement rates shall be increased by 4 percent over the rates in effect on June 30, 2013. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered by applying the increase only to registered and licensed providers.

8. Any increase specified in a provider's reimbursement rate in accordance with this section shall be used to increase compensation and costs of employment, including benefits, for nonadministrative staff.

9. The department may adopt emergency rules to implement this section.

Sec. 30. EMERGENCY RULES.

1. If specifically authorized by a provision of this division of this Act for the fiscal year beginning July 1, 2013, the department of human services or the mental health and disability services commission may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 7, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

2. If during the fiscal year beginning July 1, 2013, the department of human services is adopting rules in accordance with this section or as otherwise directed or authorized by state law, and the rules will result in an expenditure increase beyond the amount anticipated in the budget process or if the expenditure was not addressed in the budget process for the fiscal year, the department shall notify the persons designated by this division of this Act for submission of reports, the chairpersons and ranking members of the committees on appropriations, and the department of management concerning the rules and the expenditure increase. The notification shall be provided at least 30 calendar days prior to the date notice of the rules is submitted to the administrative rules coordinator and the administrative code editor.

Sec. 31. REPORTS. Any reports or other information required to be compiled and submitted under this Act during the fiscal year beginning July 1, 2013, shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the legislative services agency, and the legislative caucus staffs on or before the dates specified for submission of the reports or information.

DIVISION VI

HEALTH CARE ACCOUNTS AND FUNDS — FY 2013–2014

Sec. 32. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is appropriated from the pharmaceutical settlement account created in section 249A.33 to the

department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Notwithstanding any provision of law to the contrary, to supplement the appropriations made in this Act for medical contracts under the medical assistance program for the fiscal year beginning July 1, 2013, and ending June 30, 2014:

..... \$ 6,650,000

Sec. 33. APPROPRIATIONS FROM IOWACARE ACCOUNT.

1. There is appropriated from the IowaCare account created in section 249J.24 to the state board of regents for distribution to the university of Iowa hospitals and clinics for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, equipment, and miscellaneous purposes, for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, for medical education and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under chapter 249J:

..... \$ 13,642,292

a. (1) Funds appropriated in this subsection used for abortions shall be used in a manner consistent with options under federal Medicaid law and regulation. Funds appropriated in this subsection shall not be used for abortions, unless otherwise authorized under the appropriation in this Act for the medical assistance program.

(2) Iowans support reducing the number of abortions performed in our state. For an abortion covered under this subsection, except in the case of a medical emergency, as defined in section 135L.1, for any woman, the physician shall certify both of the following:

(a) That the woman has been given the opportunity to view an ultrasound image of the fetus as part of the standard of care before an abortion is performed.

(b) That the woman has been provided information regarding the options relative to a pregnancy, including continuing the pregnancy to term and retaining parental rights following the child's birth, continuing the pregnancy to term and placing the child for adoption, and terminating the pregnancy.

b. Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise.

c. The university of Iowa hospitals and clinics shall certify public expenditures in an amount equal to provide the nonfederal share on total expenditures not to exceed \$10,000,000.

2. There is appropriated from the IowaCare account created in section 249J.24 to the state board of regents for distribution to the university of Iowa hospitals and clinics for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, equipment, and miscellaneous purposes, for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:

..... \$ 26,284,600

Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise.

3. There is appropriated from the IowaCare account created in section 249J.24 to the state board of regents for distribution to university of Iowa physicians for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary to be used for the purposes designated:

For salaries, support, maintenance, equipment, and miscellaneous purposes for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:

..... \$ 9,903,183

Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise. Once the entire amount appropriated in this subsection has been distributed, claims shall continue to be submitted and adjudicated by the Iowa Medicaid enterprise; however, no payment shall be made based upon such claims.

4. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For distribution to a publicly owned acute care teaching hospital located in a county with a population over 350,000 for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:

..... \$ 35,500,000

a. Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise plus a monthly disproportionate share hospital payment. Any amount appropriated in this subsection in excess of \$32,500,000 shall be distributed only if the sum of the expansion population claims adjudicated and paid by the Iowa Medicaid enterprise plus the estimated disproportionate share hospital payments exceeds \$32,500,000. The amount paid in excess of \$32,500,000 shall not adjust the original monthly payment amount but shall be distributed monthly based on actual claims adjudicated and paid by the Iowa Medicaid enterprise plus the estimated disproportionate share hospital amount. Any amount appropriated in this subsection in excess of \$32,500,000 shall be allocated only if federal funds are available to match the amount allocated. Pursuant to paragraph “b”, of the amount appropriated in this subsection, not more than \$2,000,000 shall be distributed for prescription drugs, podiatry services, optometric services, and durable medical equipment.

b. Notwithstanding any provision of law to the contrary, the hospital identified in this subsection shall be reimbursed for outpatient prescription drugs, podiatry services, optometric services, and durable medical equipment provided to members of the expansion population pursuant to all applicable medical assistance program rules, in an amount not to exceed \$2,000,000.

c. Notwithstanding the total amount of proceeds distributed pursuant to section 249J.24, subsection 4, paragraph “a”, unnumbered paragraph 1, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the county treasurer of a county with a population of over 350,000 in which a publicly owned acute care teaching hospital is located shall distribute the proceeds collected pursuant to section 347.7 between July 1, 2013, and December 31, 2013, in a total amount of \$19,000,000, which

would otherwise be distributed to the county hospital, to the treasurer of state for deposit in the IowaCare account.

d. Notwithstanding the amount collected and distributed for deposit in the IowaCare account pursuant to section 249J.24, subsection 4, paragraph “a”, subparagraph (1), the first \$19,000,000 in proceeds collected pursuant to section 347.7 between July 1, 2013, and December 31, 2013, shall be distributed to the treasurer of state for deposit in the IowaCare account and collections during this time period in excess of \$19,000,000 shall be distributed to the acute care teaching hospital identified in this subsection. Of the collections in excess of the \$19,000,000 received by the acute care teaching hospital under this paragraph “d”, \$2,000,000 shall be distributed by the acute care teaching hospital to the treasurer of state for deposit in the IowaCare account in the month of January 2014, following the July 1 through December 31, 2013, period.

5. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary to be used for the purpose designated:

For payment to the regional provider network specified by the department pursuant to section 249J.7 for provision of covered services to members of the expansion population pursuant to chapter 249J:

..... \$ 2,993,183

Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise. Once the entire amount appropriated in this subsection has been distributed, claims shall continue to be submitted and adjudicated by the Iowa Medicaid enterprise; however, no payment shall be made based upon such claims.

6. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For a care coordination pool to pay the expansion population providers consisting of the university of Iowa hospitals and clinics, the publicly owned acute care teaching hospital as specified in section 249J.7, and current medical assistance program providers that are not expansion population network providers pursuant to section 249J.7, for services covered by the full benefit medical assistance program but not under the IowaCare program pursuant to section 249J.6, that are provided to expansion population members:

..... \$ 1,500,000

a. Notwithstanding sections 249J.6 and 249J.7, the amount appropriated in this subsection is intended to provide payment for medically necessary services provided to expansion population members for continuation of care provided by the university of Iowa hospitals and clinics or the publicly owned acute care teaching hospital as specified in section 249J.7. Payment may only be made for services that are not otherwise covered under section 249J.6, and which are follow-up services to covered services provided by the hospitals specified in this paragraph “a”.

b. The funds appropriated in this subsection are intended to provide limited payment for continuity of care services for an expansion population member, and are intended to cover the costs of services to expansion population members, regardless of

the member's county of residence or medical home assignment, if the care is related to specialty or hospital services provided by the hospitals specified in paragraph "a".

c. The funds appropriated in this subsection are not intended to provide for expanded coverage under the IowaCare program, and shall not be used to cover emergency transportation services.

d. The department shall adopt administrative rules pursuant to chapter 17A to establish a prior authorization process and to identify covered services for reimbursement under this subsection.

7. There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, for the purposes designated:

For transfer to the medical contracts appropriation in this division of this Act to be used for administrative costs associated with chapter 249J including eligibility determinations:

..... \$ 371,552

8. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the state board of regents shall transfer \$637,789 to the IowaCare account created in section 249J.24, to provide the nonfederal share for distribution to university of Iowa physicians under the IowaCare program. The university of Iowa hospitals and clinics shall receive and retain 100 percent of the total increase in IowaCare program payments.

Sec. 34. APPROPRIATIONS FROM NONPARTICIPATING PROVIDER REIMBURSEMENT FUND — DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary, and subject to the availability of funds, there is appropriated from the nonparticipating provider reimbursement fund created in section 249J.24A to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, for the program period beginning July 1, 2013, and ending December 31, 2013, the following amount, or so much thereof as is necessary, for the purposes designated:

To reimburse nonparticipating providers in accordance with section 249J.24A:

..... \$ 1,000,000

Sec. 35. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the quality assurance trust fund created in section 249L.4 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, for the purposes designated:

To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ 28,788,917

Sec. 36. HOSPITAL HEALTH CARE ACCESS TRUST FUND — DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the hospital health care access trust fund created in section 249M.4 to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, for the purposes designated:

1. To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ 34,288,000

2. For deposit in the nonparticipating provider reimbursement fund created in section 249J.24A to be used for the purposes of the fund:

..... \$ 412,000

Sec. 37. MEDICAL ASSISTANCE PROGRAM — NONREVERSION FOR FY 2013–2014. Notwithstanding section 8.33, if moneys appropriated for purposes of the medical assistance program for the fiscal year beginning July 1, 2013, and ending June 30, 2014, from the general fund of the state, the quality assurance trust fund and the hospital health care access trust fund, are in excess of actual expenditures for the medical assistance program and remain unencumbered or unobligated at the close of the fiscal year, the excess moneys shall not revert but shall remain available for expenditure for the purposes of the medical assistance program until the close of the succeeding fiscal year.

DIVISION VII PRIOR YEAR APPROPRIATIONS RESPITE

Sec. 38. 2011 Iowa Acts, chapter 129, section 128, as amended by 2012 Iowa Acts, chapter 1133, section 22, subsection 26, is amended to read as follows:

26. Of the funds appropriated in this section, at least \$25,000 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support. Notwithstanding section 8.33, moneys allocated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

MEDICAL ASSISTANCE — GENERAL FUND

Sec. 39. 2011 Iowa Acts, chapter 129, section 122, unnumbered paragraph 2, is amended to read as follows:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2012, except as otherwise expressly authorized by law, ~~and~~ consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

.....	\$	<u>914,093,421</u>
		975,993,421

Sec. 40. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Funds appropriated under this section shall not be used for abortions, unless otherwise authorized under this section.

MEDICAL ASSISTANCE — IOWACARE TRANSFER ALLOCATION

Sec. 41. 2011 Iowa Acts, chapter 129, section 122, subsection 13, as amended by 2012 Iowa Acts, chapter 1133, section 10, is amended to read as follows:

13. Of the funds appropriated in this section, up to ~~\$8,684,320~~ \$16,004,422 may be transferred to the IowaCare account created in section 249J.24.

ADOPTION SUBSIDY — GENERAL FUND

Sec. 42. 2011 Iowa Acts, chapter 129, section 129, as amended by 2012 Iowa Acts, chapter 1133, section 23, subsection 1, is amended to read as follows:

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For adoption subsidy payments and services:

.....	\$	36,788,576
		<u>37,743,429</u>

NURSING FACILITY REIMBURSEMENT

Sec. 43. 2011 Iowa Acts, chapter 129, section 141, subsection 1, paragraph a, subparagraph (1), as amended by 2012 Iowa Acts, chapter 1133, section 32, is amended to read as follows:

(1) For the fiscal year beginning July 1, 2012, the total state funding amount for the nursing facility budget shall not exceed ~~\$237,226,901~~ \$239,226,901.

Sec. 44. 2012 Iowa Acts, chapter 1133, section 55, is amended to read as follows:

SEC. 55. REPLACEMENT GENERATION TAX REVENUES — LEVY RATES FOR FY 2011–2012 AND FY 2012–2013.

1. a. For the fiscal year beginning July 1, 2011, and ending June 30, 2012, and for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the replacement generation tax revenues required to be deposited in the property tax relief fund pursuant to section 437A.8, subsection 4, paragraph “d”, and section 437A.15, subsection 3, paragraph “f”, shall instead be credited to the mental health and disability services redesign fund created in this division of this Act.

b. If this section of this division of this Act is enacted after the department of management has reduced county certified budgets and revised rates of taxation pursuant to section 426B.2, subsection 3, paragraph “b”, to reflect anticipated replacement generation tax revenues, and the enactment date is during the period beginning May 1, 2012, and ending June 30, 2012, the reductions and revisions shall be rescinded and the department of management shall expeditiously report that fact to the county auditors.

2. Except as otherwise provided in subsection 1 for department of management reductions of certified budgets and revisions of tax rates and rescinding of those reductions and revisions, the budgets and tax rates certified for a county services fund under section 331.424A, for the fiscal year beginning July 1, 2012, shall remain in effect, notwithstanding section 426B.3, subsection 1, the property tax relief fund payment and other services fund financing changes made in this division of this Act, or other statutory amendments affecting county services funds for the fiscal year to the contrary.

Sec. 45. **EFFECTIVE UPON ENACTMENT.** This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 46. **RETROACTIVE APPLICABILITY.** The following provision of this Act applies retroactively to July 1, 2011:

1. The section amending 2012 Iowa Acts, chapter 1133, section 55.

DIVISION VIII

CHILD WELFARE AND CHILD CARE

Sec. 47. Section 232.142, subsection 5, Code 2013, is amended to read as follows:

5. The director shall approve annually all such homes established and maintained under the provisions of this chapter. A home shall not be approved unless it complies with minimal rules and standards adopted by the director and has been inspected by the department of inspections and appeals. The statewide number of beds in the homes approved by the director shall not exceed two hundred sixty-two beds.

DIVISION IX

AGING

Sec. 48. Section 231.33, subsection 21, Code 2013, if enacted by 2013 Iowa Acts, Senate File 184, section 22, is amended to read as follows:

21. Comply with all applicable requirements of the Iowa public employees' retirement system established pursuant to chapter 97B. Notwithstanding any provision to the contrary, an employee of an area agency on aging that was enrolled in an alternative qualified plan prior to July 1, 2012, may continue participation in that alternative qualified plan in lieu of mandatory participation in the Iowa public employees' retirement system.

Sec. 49. Section 231.42, subsection 7, paragraph a, Code 2013, is amended to read as follows:

a. An officer, owner, director, or employee of a long-term care facility, assisted living program, or elder group home who intentionally prevents, interferes with, or attempts to impede the work of the state or a local long-term care resident's advocate is subject to a penalty imposed by the director of not more than one thousand five hundred dollars for each violation. If the director imposes a penalty for a violation under this paragraph, no other state agency shall impose a penalty for the same interference violation. Any moneys collected pursuant to this subsection shall be deposited in the general fund of the state and are appropriated to the office of long-term care resident's advocate to be used for administration and the duties of the office.

Sec. 50. TASK FORCE ON ELDER ABUSE PREVENTION AND INTERVENTION.

1. The department on aging shall continue a task force on elder abuse prevention and intervention to continue the work of the elder abuse task force established pursuant to 2012 Iowa Acts, chapter 1056. The task force shall include representatives of the department on aging, the office of long-term care resident's advocate, the department of human services, the department of inspections and appeals, the department of public health, the office of the attorney general, the department of veterans affairs, the department of public safety, the insurance division of the department of commerce, a county attorney's office with experience in prosecuting elder abuse, the superintendent of banking, the courts, the elder law section of the Iowa state bar association, and other affected stakeholders. The task force shall form workgroups as necessary to address the specific recommendations.

2. The task force shall review the report of the elder abuse task force submitted in December 2012, develop an implementation plan for the recommendations, and make any additional recommendations as necessary. The implementation plan and additional recommendations shall address all of the following:

a. The design of the comprehensive approach to elder abuse prevention and intervention in the state utilizing the prevention of elder abuse program pursuant to section 231.56A and the office of substitute decision maker pursuant to chapter 231E. The design shall also address all of the following:

(1) Harmonization of the approach design with the existing dependent adult abuse system pursuant to chapter 235B, including but not limited to standardized training, collaboration between the elder abuse approach and the department of human services when a report of dependent adult abuse involves an older individual, and the membership of multidisciplinary teams.

(2) Incorporation of the approach design into other existing and developing components of the system including the area agencies on aging, the mental health and disability services regions, local public health departments, the local offices of the department on human services, the courts, and other appropriate entities, to most effectively and efficiently address the needs of older individuals.

b. The definition of elder abuse to be used in the approach to elder abuse. The task force shall address continued use of the definition of "elder abuse" as specified under the federal Older Americans Act and utilized by the prevention of elder abuse program under section 231.56A, or shall provide a specific alternative definition.

c. The designation of a single point of contact to report elder abuse. The task force shall specifically address utilizing the aging and disability resource center network as the single point of contact.

d. The means of addressing financial exploitation of older individuals, including those relating to powers of attorney and conservatorships as described in the 2012 task force report.

e. Promotion of public awareness of elder abuse and the services and support available to older individuals at risk of or experiencing elder abuse.

f. Any specific changes in statute and rules necessary to achieve the recommendations of the task force.

3. The task force shall submit a progress report to the elder abuse prevention and intervention legislative interim committee established pursuant to this Act for review, by October 31, 2013, and shall submit a final report of its recommendations and proposed legislation following approval by the legislative interim committee to the governor and the general assembly no later than December 31, 2013.

Sec. 51. **LEGISLATIVE INTERIM COMMITTEE.** The legislative council is requested to establish a legislative interim committee on elder abuse prevention and intervention for the 2013 legislative interim to monitor the progress of, and provide direction to, the task force on elder abuse prevention and intervention created in this Act. The legislative committee shall review the progress report and approve the final report of the task force and shall submit the committee's recommendations and a final report to the general assembly following completion of the committee's work.

Sec. 52. **PILOT PROJECT — GUARDIANSHIP AND CONSERVATORSHIP MONITORING.** The department on aging shall collaborate with the national health law and policy resource center at the university of Iowa college of law to establish a three-year pilot project to train, recruit, and oversee volunteers to assist the courts in monitoring guardianships and conservatorships and to provide assistance to guardians and conservators. The pilot project shall be implemented initially in the sixth judicial district. The pilot project shall be utilized to establish a basis for an ongoing guardianship and conservatorship monitoring and assistance program administered through the department on aging. The department on aging shall submit an annual report to the individuals identified in this Act for submission of reports. The annual report shall include the objectives and results for the pilot project year, how the funds allocated were utilized in meeting the pilot project's objectives, the number of individuals served, the types of services provided, any other sources of funding utilized or identified as available for the pilot project, and the continuing needs of the pilot project.

Sec. 53. **EFFECTIVE UPON ENACTMENT.** The section of this division of this Act establishing a task force on elder abuse prevention, being deemed of immediate importance, takes effect upon enactment.

Sec. 54. **EFFECTIVE UPON ENACTMENT.** The section of this division of this Act amending section 231.33, subsection 21, as enacted by 2013 Iowa Acts, Senate File 184, being deemed of immediate importance, takes effect upon enactment.

Sec. 55. **RETROACTIVE APPLICABILITY.** The section of this division of this Act amending section 231.33, subsection 21, as enacted by 2013 Iowa Acts, Senate File 184, applies retroactively to July 1, 2012.

DIVISION X EMS TASK FORCE

Sec. 56. **EMERGENCY MEDICAL SERVICES TASK FORCE AND REPORT.**

1. The department of public health shall establish a task force to ensure the future availability of quality emergency medical services for the state.

2. The members of the task force shall be appointed by the director of the department of public health, or the director's designee, as follows:

- a. A manager of a rural volunteer emergency medical transport service.
- b. A manager of a rural paid emergency medical transport service.
- c. A manager of an urban emergency medical transport service.
- d. A manager of a nontransport emergency medical service.
- e. A representative of a fire department-based emergency medical service.
- f. A representative of a hospital-based emergency medical service.
- g. A representative of a private, for-profit emergency medical transport service.
- h. A representative of a not-for-profit emergency medical transport service.
- i. A representative of the Iowa emergency medical services association board of directors.
- j. A representative of an emergency medical services training agency.
- k. An urban emergency department physician.
- l. A rural emergency department physician.
- m. A representative of the Iowa emergency nurses association.
- n. A representative of the Iowa alliance in home care.
- o. A representative of an emergency medical service air ambulance.
- p. A representative of the Iowa hospital association.
- q. A representative of the private insurance industry.
- r. A representative of the Iowa Medicaid enterprise division of the department of human services.
- s. A representative of city government.
- t. A representative of county government.
- u. A representative of the nursing facility industry.
- v. A representative of the Iowa behavioral health association.
- w. A consumer of emergency medical services.
- x. An advanced registered nurse practitioner.

3. The task force shall discuss the current state of emergency medical services in Iowa and make recommendations for enhancement of Iowa's emergency medical services system. The recommendations shall address issues facing volunteer and paid rural emergency medical services, cost projections including administration costs for all recommendations, the Medicaid reimbursement fee schedule for ambulance services, and the nature and scope of any recommended changes in regulations governing emergency medical services.

4. The task force shall, by December 15, 2013, submit a final report of its findings and recommendations to the governor, the general assembly, the department of public health, and the emergency medical services advisory council. The emergency medical services advisory council shall review the report and make recommendations related to implementation of the report's recommendations to the director of the department of public health.

DIVISION XI HOSPITAL PROVIDER TAX

Sec. 57. Section 249M.5, Code 2013, is amended to read as follows:

249M.5 Future repeal.

This chapter is repealed June 30, ~~2013~~ 2016.

Sec. 58. **EFFECTIVE UPON ENACTMENT.** The section of this division of this Act relating to the future repeal of the hospital health care access assessment program chapter, being deemed of immediate importance, takes effect upon enactment.

DIVISION XII

ILL AND HANDICAPPED WAIVER NAME CHANGE

Sec. 59. Section 423.3, subsection 18, paragraph f, subparagraph (1), Code 2013, is amended to read as follows:

(1) ~~Ill and handicapped~~ Health and disability waiver service providers, described in 441 IAC 77.30.

DIVISION XIII

FAMILY PLANNING WAIVER

Sec. 60. 2010 Iowa Acts, chapter 1192, section 11, subsection 24, paragraph a, subparagraph (1), subparagraph division (a), is amended to read as follows:

(a) Are uninsured or have health insurance coverage ~~that does not include coverage for benefits provided under the Iowa family planning network~~ subject to the medical assistance program being the payer of last resort.

Sec. 61. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XIV

MISCELLANEOUS HEALTH CARE AMENDMENTS

Sec. 62. Section 249A.2, subsection 1, Code 2013, is amended by striking the subsection.

Sec. 63. Section 249A.2, subsections 4 and 7, Code 2013, are amended to read as follows:

4. “*Discretionary medical assistance*” means mandatory medical assistance or ~~additional optional~~ medical assistance provided to medically needy individuals whose income and resources are in excess of eligibility limitations but are insufficient to meet all of the costs of necessary medical care and services, provided that if the assistance includes services in institutions for mental diseases or intermediate care facilities for persons with an intellectual disability, or both, for any group of such individuals, the assistance also includes for all covered groups of such individuals at least the care and services enumerated in Tit. XIX of the federal Social Security Act, section 1905(a), paragraphs (1) through (5), and (17), as codified in 42 U.S.C. § 1396d(a), pars. (1) through (5), and (17), or any seven of the care and services enumerated in Tit. XIX of the federal Social Security Act, section 1905(a), paragraphs (1) through (7) ~~and (9) through (18) (24)~~, as codified in 42 U.S.C. § 1396d(a), ~~para. paragraphs (1) through (7), and (9) through (18) (24).~~

7. “*Medical assistance*” or “*Medicaid*” means payment of all or part of the costs of the care and services ~~required to be provided by~~ made in accordance with Tit. XIX of the federal Social Security Act, ~~section 1905(a), paragraphs (1) through (5), and (17), as codified in 42 U.S.C. § 1396d(a), para. (1) through (5), and (17) and authorized pursuant to this chapter.~~

Sec. 64. Section 249A.2, Code 2013, is amended by adding the following new subsections:

NEW SUBSECTION. 6A. “*Mandatory medical assistance*” means payment of all or part of the costs of the care and services required to be provided by Tit. XIX of the federal Social Security Act, section 1905(a), paragraphs (1) through (5), (17), (21), and (28), as codified in 42 U.S.C. § 1396d(a), paragraphs (1) through (5), (17), (21), and (28).

NEW SUBSECTION. 7A. “*Medical assistance program*” or “*Medicaid program*” means the program established under this chapter to provide medical assistance.

NEW SUBSECTION. 8A. “*Optional medical assistance*” means payment of all or part of the costs of any or all of the care and services authorized to be provided by Tit. XIX of the federal Social Security Act, section 1905(a), paragraphs (6) through (16), (18) through (20), (22) through (27), and (29), as codified in 42 U.S.C. § 1396d(a), paragraphs (6) through (16), and (18) through (20), (22) through (27), and (29).

Sec. 65. Section 249A.3, subsection 1, unnumbered paragraph 1, Code 2013, is amended to read as follows:

Medical Mandatory medical assistance shall be provided to, or on behalf of, any individual or family residing in the state of Iowa, including those residents who are temporarily absent from the state, who:

Sec. 66. Section 249A.3, subsection 1, paragraph 1, subparagraph (2), Code 2013, is amended to read as follows:

(2) ~~Additionally, effective July 1, 2009, medical assistance shall be provided to~~ Is a pregnant woman or infant whose family income is at or below three hundred percent of the federal poverty level, as defined by the most recently revised poverty income guidelines published by the United States department of health and human services, if otherwise eligible.

Sec. 67. Section 249A.3, subsection 2, paragraph a, unnumbered paragraph 1, Code 2013, is amended to read as follows:

Medical Mandatory medical assistance may also, within the limits of available funds and in accordance with section 249A.4, subsection 1, be provided to, or on behalf of, other individuals and families who are not excluded under subsection 5 of this section and whose incomes and resources are insufficient to meet the cost of necessary medical care and services in accordance with the following order of priorities:

Sec. 68. Section 249A.3, subsection 2, paragraph a, subparagraph (1), subparagraph division (a), Code 2013, is amended to read as follows:

(a) As allowed under 42 U.S.C. § 1396a(a)(10)(A)(ii)(XIII), individuals with disabilities, who are less than sixty-five years of age, who are members of families whose income is less than two hundred fifty percent of the most recently revised official poverty guidelines published by the United States department of health and human services for the family, who have earned income and who are eligible for mandatory medical assistance or ~~additional optional~~ medical assistance under this section if earnings are disregarded. As allowed by 42 U.S.C. § 1396a(r)(2), unearned income shall also be disregarded in determining whether an individual is eligible for assistance under this subparagraph. For the purposes of determining the amount of an individual's resources under this subparagraph and as allowed by 42 U.S.C. § 1396a(r)(2), a maximum of ten thousand dollars of available resources shall be disregarded, and any additional resources held in a retirement account, in a medical savings account, or in any other account approved under rules adopted by the department shall also be disregarded.

Sec. 69. Section 249A.3, subsection 2, paragraph a, subparagraph (3), Code 2013, is amended to read as follows:

(3) Individuals who are receiving care in a hospital or in a basic nursing home, intermediate nursing home, skilled nursing home or extended care facility, as defined by section 135C.1, and who meet all eligibility requirements for federal supplemental security income except that their income exceeds the allowable maximum ~~therefor for~~ such eligibility, but whose income is not in excess of the maximum established by ~~subsection 4~~ for eligibility for discretionary medical assistance and is insufficient to meet the full cost of their care in the hospital or health care facility on the basis of standards established by the department.

Sec. 70. Section 249A.3, subsection 2, paragraph b, Code 2013, is amended to read as follows:

b. Notwithstanding the provisions of this subsection establishing priorities for individuals and families to receive mandatory medical assistance, the department may determine within the priorities listed in this subsection which persons shall receive mandatory medical assistance based on income levels established by the department, subject to the limitations provided in subsection 4.

Sec. 71. Section 249A.3, subsection 3, Code 2013, is amended to read as follows:

3. ~~Additional~~ Optional medical assistance may, within the limits of available funds and in accordance with section 249A.4, subsection 1, be provided to, or on behalf of, either of the following groups of individuals and families:

- a. Only those individuals and families described in subsection 1 ~~of this section; or,~~
- b. Those individuals and families described in both subsections 1 and 2.

Sec. 72. Section 249A.4, subsection 9, unnumbered paragraph 1, Code 2013, is amended to read as follows:

Adopt rules pursuant to chapter 17A in determining the method and level of reimbursement for all medical and health services ~~referred to in section 249A.2, subsection 1 or 7 to be provided under the medical assistance program,~~ after considering all of the following:

Sec. 73. Section 249B.1, subsection 6, Code 2013, is amended to read as follows:

6. “Medical assistance” means “mandatory medical assistance”, “~~additional~~ optional medical assistance”, “discretionary medical assistance” or “medicare cost sharing” as defined in section 249A.2 which is provided to an individual pursuant to chapter 249A and Tit. XIX of the federal Social Security Act.

Sec. 74. Section 249F.1, subsection 1, Code 2013, is amended to read as follows:

1. “Medical assistance” means “mandatory medical assistance”, “~~additional~~ optional medical assistance”, “discretionary medical assistance”, or “Medicare cost sharing” as each is defined in section 249A.2 which is provided to an individual pursuant to chapter 249A and Tit. XIX of the federal Social Security Act.

Sec. 75. Section 509.1, subsection 7, Code 2013, is amended to read as follows:

7. A policy issued to the department of human services, which shall be deemed the policyholder, to insure eligible persons for medical assistance, or for both mandatory medical assistance and ~~additional~~ optional medical assistance, as defined by chapter 249A as hereafter amended.

Sec. 76. Section 514.1, subsection 2, Code 2013, is amended to read as follows:

2. For the purposes of this chapter, “*subscriber*” means an individual who enters into a contract for health care services with a corporation subject to this chapter and includes a person eligible for mandatory medical assistance or ~~additional~~ optional medical assistance as defined under chapter 249A, with respect to whom the department of human services has entered into a contract with a firm operating under this chapter. For purposes of this chapter, “*provider*” means a person as defined in section 4.1, subsection 20, which is licensed or authorized in this state to furnish health care services. “*Health care*” means that care necessary for the purpose of preventing, alleviating, curing, or healing human physical or mental illness, injury, or disability.

DIVISION XV

MEDICAID BREAST AND CERVICAL CANCER

Sec. 77. Section 249A.3, subsection 2, paragraph a, subparagraph (2), Code 2013, is amended to read as follows:

(2) (a) As provided under the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000, Pub. L. No. 106-354, ~~women~~ individuals who meet all of the following criteria:

(i) Are not described in 42 U.S.C. § 1396a(a)(10)(A)(i).

(ii) Have not attained age sixty-five.

(iii) Have been screened for breast and cervical cancer under the United States centers for disease control and prevention breast and cervical cancer early detection program established under 42 U.S.C. § 300k et seq., in accordance with the requirements of 42 U.S.C. § 300n, and need treatment for breast or cervical cancer. ~~A woman~~ An individual is considered screened for breast and cervical cancer under this subparagraph subdivision if the ~~woman~~ individual is screened by any provider or

entity, and the state grantee of the United States centers for disease control and prevention funds under Tit. XV of the federal Public Health Services Act has elected to include screening activities by that provider or entity as screening activities pursuant to Tit. XV of the federal Public Health Services Act. This screening includes ~~but is not limited to breast or cervical cancer screenings or related diagnostic services provided or funded by family planning or centers, community health centers and breast cancer screenings funded by the Susan G. Komen foundation which, or nonprofit organizations, and the screenings or services~~ are provided to ~~women individuals~~ who meet the eligibility requirements established by the state grantee of the United States centers for disease control and prevention funds under Tit. XV of the federal Public Health Services Act.

(iv) Are not otherwise covered under creditable coverage as defined in 42 U.S.C. § 300gg(c).

(b) ~~A woman~~ An individual who meets the criteria of this subparagraph (2) shall be presumptively eligible for medical assistance.

Sec. 78. MEDICAID STATE PLAN AMENDMENT. The department of human services shall submit a medical assistance state plan amendment to the centers for Medicare and Medicaid services of the United States department of health and human services to provide for applicability of the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000, Pub. L. No. 106-354, to both men and women. The department shall implement applicability of the program to both men and women upon receipt of federal approval.

DIVISION XVI HEALTH AND LONG-TERM CARE

Sec. 79. Section 135.164, subsection 1, paragraph d, Code 2013, is amended by striking the paragraph.

Sec. 80. Section 135.164, subsection 4, Code 2013, is amended by striking the subsection.

Sec. 81. COST PROJECTION REPORT — STRATEGIC PLAN. The department of public health shall develop cost projections for implementing the strategic plan for health care delivery infrastructure and health care workforce resources as specified in section 135.164, and shall submit a report of such cost projections and any recommendations to the individuals identified in this Act for submission of reports by December 15, 2013.

DIVISION XVII AUTISM SUPPORT PROGRAM

Sec. 82. NEW SECTION. 225D.1 Definitions.

As used in this chapter unless the context otherwise requires:

1. *“Applied behavioral analysis”* means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior or to prevent loss of attained skill or function, including the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

2. *“Autism”* means autism spectrum disorders as defined in section 514C.28.

3. *“Autism service provider”* means a person providing applied behavioral analysis, who meets all of the following criteria:

a. Is certified as a behavior analyst by the behavior analyst certification board or is a health professional licensed under chapter 147.

b. Is approved as a member of the provider network by the department.

4. *“Autism support fund”* or *“fund”* means the autism support fund created in section 225D.2.

5. *“Clinically relevant”* means medically necessary and resulting in the development, maintenance, or restoration, to the maximum extent practicable, of the functioning of an individual.

6. *“Department”* means the department of human services.

7. *“Diagnostic assessment of autism”* means medically necessary assessment, evaluations, or tests performed by a licensed child psychiatrist, developmental pediatrician, or clinical psychologist.

8. *“Eligible individual”* means a child less than nine years of age who has been diagnosed with autism based on a diagnostic assessment of autism, is not otherwise eligible for coverage for applied behavioral analysis treatment under the medical assistance program, section 514C.28, or private insurance coverage, and whose household income does not exceed four hundred percent of the federal poverty level.

9. *“Federal poverty level”* means the most recently revised poverty income guidelines published by the United States department of health and human services.

10. *“Household income”* means household income as determined using the modified adjusted gross income methodology pursuant to section 2002 of the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148.

11. *“Medical assistance”* or *“Medicaid”* means assistance provided under the medical assistance program pursuant to chapter 249A.

12. *“Regional autism assistance program”* means the regional autism assistance program created in section 256.35.

13. *“Treatment plan”* means a plan for the treatment of autism developed by a licensed physician or licensed psychologist pursuant to a comprehensive evaluation or reevaluation performed in consultation with the patient and the patient’s representative.

Sec. 83. NEW SECTION. 225D.2 Autism support program — fund.

1. The department shall implement an autism support program beginning January 1, 2014, to provide payment for the provision of applied behavioral analysis treatment for eligible individuals. The department shall adopt rules, including standards and guidelines pursuant to chapter 17A to implement and administer the program. In adopting the rules, standards, and guidelines for the program, the department shall consult with and incorporate the recommendations of an expert panel convened by the regional autism assistance program to provide expert opinion on clinically relevant practices and guidance on program implementation and administration. The expert panel shall consist of families of individuals with autism; educational, medical, and human services specialists, professionals, and providers; and others with interest in or expertise related to autism. The program shall be implemented and administered in a manner so that payment for services is available throughout the state, including in rural and under-resourced areas.

2. At a minimum, the rules, standards, and guidelines for the program shall address all of the following:

a. A maximum annual benefit amount for an eligible individual of thirty-six thousand dollars.

b. A maximum of twenty-four months of applied behavioral analysis treatment.

c. Notwithstanding the age limitation for an eligible individual, a provision that if an eligible individual reaches nine years of age prior to completion of the maximum applied behavioral analysis treatment period specified in paragraph “b”, the individual may complete such treatment in accordance with the individual’s treatment plan, not to exceed the maximum treatment period.

d. A graduated schedule for cost-sharing by an eligible individual based on a percentage of the total benefit amount expended for the eligible individual, annually. Cost-sharing shall be applicable to eligible individuals with household incomes at or

above two hundred percent of the federal poverty level in incrementally increased amounts up to a maximum of ten percent. The rules shall provide a financial hardship exemption from payment of the cost-sharing based on criteria established by rule of the department.

e. Application, approval, compliance, and appeal processes for eligible individuals as necessary to operate and manage the program.

f. Enrollment, renewal, and reimbursement of claims provisions for autism service providers participating in the program.

g. A requirement of family engagement and participation as part of the eligible individual's treatment plan.

h. A requirement that the autism service provider coordinate interventions with the school in which the eligible individual is enrolled.

i. A requirement that the administrator of the program utilize the regional autism assistance program to coordinate interventions between eligible individuals and their families receiving support through the autism support program with appropriate medical, educational, and treatment providers, including integrated health homes. The regional autism assistance program shall provide for family navigation and coordination and integration of services through the statewide system of regional child health specialty clinics, utilizing the community child health team model. As necessitated by the availability of resources in the community where services are delivered, telehealth may be used in delivering and coordinating interventions with appropriate providers. To the extent available and accessible to an eligible individual, the eligible individual shall be enrolled in an integrated health home that is an approved provider enrolled in the medical assistance program. Health home services that are covered services under the medical assistance program shall be reimbursed under the autism support program at rates consistent with those established under the medical assistance program.

j. Requirements related to review of treatment plans, which may require review once every six months, subject to utilization review requirements established by rule. A more or less frequent review may be agreed upon by the eligible individual and the licensed physician or licensed psychologist developing the treatment plan.

k. Recognition of the results of a diagnostic assessment of autism as valid for a period of not less than twelve months, unless a licensed physician or licensed psychologist determines that a more frequent assessment is necessary.

3. Moneys in the autism support fund created under subsection 5 shall be expended only for eligible individuals who are not eligible for coverage for applied behavioral analysis treatment under the medical assistance program, section 514C.28, or private insurance. Payment for applied behavioral analysis treatment through the fund shall be limited to only applied behavioral analysis treatment that is clinically relevant and only to the extent approved under the guidelines established by rule of the department.

4. This section shall not be construed as granting an entitlement for any program, service, or other support for eligible individuals. Any state obligation to provide a program, service, or other support pursuant to this section is limited to the extent of the funds appropriated for the purposes of the program. The department may establish a waiting list or terminate participation of eligible individuals if the department determines that moneys in the autism support fund are insufficient to cover future claims for reimbursement beyond ninety days.

5. *a.* An autism support fund is created in the state treasury under the authority of the department. Moneys appropriated to and all other moneys specified for deposit in the fund shall be deposited in the fund and used for the purposes of the program.

b. The fund shall be separate from the general fund of the state and shall not be considered part of the general fund of the state. The moneys in the fund shall not be considered revenue of the state, but rather shall be funds of the autism support program. The moneys deposited in the fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered, except to provide for the purposes of this section. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

c. The department shall adopt rules pursuant to chapter 17A to administer the fund and reimbursements made from the fund.

d. Moneys in the fund are appropriated to the department and shall be used by the department for the purposes of the autism support program. The department shall be the administrator of the fund for auditing purposes.

e. The department shall submit an annual report to the governor and the general assembly no later than January 1 of each year that includes but is not limited to all of the following:

(1) The total number of applications received under the program for the immediately preceding fiscal year.

(2) The number of applications approved and the total amount of funding expended for reimbursements under the program in the immediately preceding fiscal year.

(3) The cost of administering the program in the immediately preceding fiscal year.

(4) The number of eligible individuals on a waiting list, if any, and the amount of funding necessary to reduce the existing waiting list.

(5) Recommendations for any changes to the program.

Sec. 84. IMPLEMENTATION.

1. The department of human services shall implement the autism support program beginning January 1, 2014, subject to available funding.

2. Notwithstanding section 8.47 or any other provision of law to the contrary, the department may utilize a sole-source contract and utilize the managed care entity under contract with the department to manage behavioral health services under the medical assistance program to administer the program. Total administrative costs of the program shall not exceed ten percent of the funds expended through the program, annually.

Sec. 85. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XVIII

DEPARTMENT OF HUMAN SERVICES — CHILD, ADULT, AND FAMILY SERVICES

Sec. 86. Section 225C.38, subsection 1, paragraph c, Code 2013, is amended to read as follows:

c. Except as provided in section 225C.41, a family support subsidy for a fiscal year shall be in an amount determined by the department ~~in consultation with the comprehensive family support council created in section 225C.48.~~ The parent or legal guardian receiving a family support subsidy may elect to receive a payment amount which is less than the amount determined in accordance with this paragraph.

Sec. 87. Section 225C.42, subsection 1, Code 2013, is amended to read as follows:

1. The department shall conduct an annual evaluation of the family support subsidy program ~~in conjunction with the comprehensive family support council~~ and shall submit the evaluation report with recommendations to the governor and general assembly. The report shall be submitted on or before October 30 and provide an evaluation of the latest completed fiscal year.

Sec. 88. Section 225C.47, subsection 5, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The department shall design the program ~~in consultation with the comprehensive family support council created in section 225C.48.~~ The department shall adopt rules to implement the program which provide for all of the following:

Sec. 89. Section 225C.49, subsection 4, Code 2013, is amended to read as follows:

4. The department shall designate one individual whose sole duties are to provide central coordination of the programs under sections 225C.36 and 225C.47 and ~~to work with the comprehensive family support council~~ to oversee development and implementation of the programs.

Sec. 90. Section 239B.5, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4. *a.* The department shall implement policies and procedures as necessary to comply with provisions of the federal Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, to prevent assistance provided under this chapter from being used in any electronic benefit transfer transaction in any liquor store; any casino, gambling casino, or gaming establishment; or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment. For purposes of this paragraph, the definitions found in the federal Middle Class Tax Relief and Job Creation Act and related rules and statutes apply.

b. Unless otherwise precluded by federal law or regulation, policies and procedures implemented under this subsection shall at a minimum impose the prohibition described in paragraph “a” as a condition for continued eligibility for assistance under this chapter.

c. The department may implement additional measures as may be necessary to comply with federal regulations in implementing paragraph “a”.

d. The department shall adopt rules as necessary to implement this subsection.

Sec. 91. Section 239B.14, subsection 1, Code 2013, is amended to read as follows:

1. *a.* An individual who obtains, or attempts to obtain, or aids or abets an individual to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation, or any fraudulent device, any assistance or other benefits under this chapter to which the individual is not entitled, commits a fraudulent practice.

b. An individual who accesses benefits provided under this chapter in violation of any prohibition imposed by the department pursuant to section 239B.5, subsection 4, commits a fraudulent practice.

Sec. 92. Section 249A.3, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *v.* Beginning January 1, 2014, is an individual who meets all of the following requirements:

(1) Is under twenty-six years of age.

(2) Was in foster care under the responsibility of the state on the date of attaining eighteen years of age or such higher age to which foster care is provided.

(3) Was enrolled in the medical assistance program under this chapter while in such foster care.

Sec. 93. Section 249A.3, subsection 2, paragraph a, subparagraph (9), Code 2013, is amended by striking the subparagraph.

Sec. 94. Section 249J.26, subsection 2, Code 2013, is amended to read as follows:

2. This chapter is repealed ~~October~~ December 31, 2013.

Sec. 95. Section 514I.4, subsection 5, paragraph a, Code 2013, is amended by striking the paragraph.

Sec. 96. Section 514I.5, subsection 7, paragraph f, Code 2013, is amended to read as follows:

f. Review, in consultation with the department, and take necessary steps to improve interaction between the program and other public and private programs which provide services to the population of eligible children. ~~The board, in consultation with the department, shall also develop and implement a plan to improve the medical assistance program in coordination with the hawk i program, including but not limited to a provision to coordinate eligibility between the medical assistance program and the hawk i program, and to provide for common processes and procedures under both programs to reduce duplication and bureaucracy.~~

Sec. 97. Section 514I.5, subsection 8, paragraphs b and f, Code 2013, are amended by striking the paragraphs.

Sec. 98. Section 514I.7, subsection 2, paragraphs a and g, Code 2013, are amended to read as follows:

a. Determine ~~individual~~ eligibility for program enrollment ~~based upon review of completed applications and supporting documentation as prescribed by federal law and regulation, using policies and procedures adopted by rule of the department pursuant to chapter 17A.~~ The administrative contractor shall not enroll a child who has group health coverage, unless expressly authorized by such rules.

g. ~~Create and Utilize the department's eligibility system to maintain eligibility files that are compatible with the data system of the department with pertinent eligibility determination and ongoing enrollment information including, but not limited to, data regarding beneficiaries, enrollment dates, disenrollments, and annual financial redeterminations.~~

Sec. 99. Section 514I.7, subsection 2, paragraphs c, d, e, f, and k, Code 2013, are amended by striking the paragraphs.

Sec. 100. Section 514I.8, subsection 1, Code 2013, is amended to read as follows:

1. a. Effective July 1, 1998, and notwithstanding any medical assistance program eligibility criteria to the contrary, medical assistance shall be provided to, or on behalf of, an eligible child under the age of nineteen whose family income does not exceed one hundred thirty-three percent of the federal poverty level, as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

b. ~~Additionally, effective~~ Effective July 1, 2000, and notwithstanding any medical assistance program eligibility criteria to the contrary, medical assistance shall be provided to, or on behalf of, an eligible infant whose family income does not exceed two hundred percent of the federal poverty level, as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

c. Effective July 1, 2009, and notwithstanding any medical assistance program eligibility criteria to the contrary, medical assistance shall be provided to, or on behalf of, a pregnant woman or an eligible child who is an infant and whose family income is at or below three hundred percent of the federal poverty level, as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

Sec. 101. Section 514I.8, subsection 2, paragraph c, Code 2013, is amended to read as follows:

c. Is a member of a family whose income does not exceed three hundred percent of the federal poverty level, as defined in 42 U.S.C. § 9902(2), including any revision required by such section, and in accordance with the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3. The modified adjusted gross income methodology prescribed in section 2101 of the federal Patient

Protection and Affordable Care Act, Pub. L. No. 111-148, to determine family income under this paragraph.

Sec. 102. Section 514I.8, subsections 3 and 4, Code 2013, are amended to read as follows:

3. In accordance with the rules adopted by the board, a child may be determined to be presumptively eligible for the program pending a final eligibility determination. Following final determination of eligibility ~~by the administrative contractor~~, a child shall be eligible for a twelve-month period. At the end of the twelve-month period, ~~the administrative contractor shall conduct~~ a review of the circumstances of the eligible child's family shall be conducted to establish eligibility and cost sharing for the subsequent twelve-month period.

4. Once an eligible child is enrolled in a plan, ~~the eligible child shall remain enrolled in the plan unless a determination is made, according to criteria established by the board, that the eligible child should be allowed to enroll in another qualified child health plan or should be disenrolled. An enrollee may request to change plans within ninety days of initial enrollment for any reason and at any time for cause, as defined in 42 C.F.R. § 438.56(d)(2). Otherwise, an enrollee may change plan enrollment once a year on the enrollee's anniversary date.~~

Sec. 103. Section 514I.8, subsections 5 and 6, Code 2013, are amended by striking the subsections.

Sec. 104. Section 514I.9, Code 2013, is amended to read as follows:

514I.9 Program benefits.

1. ~~Until June 30, 1999, the benefits provided under the program shall be those benefits established by rule of the board and in compliance with Tit. XXI of the federal Social Security Act.~~

2. ~~On or before June 30, 1999, the hawk-i board shall adopt rules to amend the benefits package based upon review of the results of the initial benefits package used.~~

3. ~~Subsequent to June 30, 1999, the~~ The hawk-i board shall review the benefits package annually and shall determine additions to or deletions from the benefits package offered. The hawk-i board shall submit the recommendations to the general assembly for any amendment to the benefits package.

4. 2. Benefits, in addition to those required by rule, may be provided to eligible children by a participating insurer if the benefits are provided at no additional cost to the state.

Sec. 105. REPEAL. Section 225C.48, Code 2013, is repealed.

Sec. 106. EFFECTIVE DATE. The following provision or provisions of this division of this Act take effect December 31, 2013:

1. The section of this Act amending section 249A.3, subsection 2, paragraph "a", subparagraph (9).

DIVISION XIX

OPTIONS — PERSONS WITH AGGRESSIVE OR PSYCHIATRIC BEHAVIORS

Sec. 107. FACILITY FOR PERSONS WITH AGGRESSIVE OR PSYCHIATRIC BEHAVIORS — COMMITTEE — REPORT.

1. The department of inspections and appeals, in conjunction with the department of human services, shall establish and facilitate a committee of stakeholders to examine options for designating a facility to provide care for persons in this state who are sexually aggressive, combative, or have unmet psychiatric needs.

2. The membership of the committee shall include but is not limited to the following:

a. Representatives of the departments of inspections and appeals, human services, corrections, and public health, the department on aging, the state public defender, the

office of the citizens' aide, the office of the state long-term care resident's advocate, and the judicial branch.

b. Consumers of services provided by long-term care facilities and family members of consumers.

c. Representatives from leadingage Iowa, the Iowa health care association, and the Iowa association of community providers.

d. Direct care workers employed by long-term care facilities.

e. Representatives from Iowa legal aid.

f. Representatives from AARP Iowa.

g. Representatives from the Iowa civil liberties union.

h. Other stakeholders as the department of inspections and appeals and the department of human services deem appropriate.

3. The committee shall discuss whether a long-term care facility, as defined in section 142D.2, should have the ability to refuse admission to, or discharge, residents who are sexually aggressive, combative, or have unmet psychiatric needs. The committee shall consider options for establishment of a facility to provide care for persons who are sexually aggressive, combative, or have unmet psychiatric needs. The committee shall identify the characteristics of residents for such a facility, options for creating a new facility to house such residents, options for the expansion of an existing facility to house such residents, options for using any alternative facilities for such residents, the workforce and training necessary for the workforce in such facility, options to qualify a facility for Medicaid reimbursement, cost projections for any recommendations, and other information deemed relevant by the department of inspections and appeals.

4. The committee shall provide a report detailing its findings and recommendations to the governor and the general assembly by December 15, 2013.

DIVISION XX

SPORTS INJURY PREVENTION

Sec. 108. MUNICIPAL YOUTH SPORTS INJURY PREVENTION STUDY AND REPORT.

1. A municipal youth sports injury prevention study is established to make recommendations regarding how cities can most effectively prevent concussions and other sports-related injuries in children participating in municipal youth sports programs. The national center for sports safety is requested to administer the study in coordination with the department of public health and interested parties representing cities, municipal youth sports programs, parents, coaches, trainers, and other stakeholders. The study shall include recommendations for safety equipment for participants and training for employees and volunteers to be required by cities as part of municipal youth sports programs.

2. The national center for sports safety is requested to submit a report on its findings and recommendations to the general assembly by December 15, 2013.

DIVISION XXI

SUICIDE PREVENTION

Sec. 109. SUICIDE PREVENTION. The department of education shall work with the departments of human services and public health in developing recommendations for required training of persons who hold a license, certificate, authorization, or statement of recognition issued by the board of educational examiners and who provide services to students. The recommendations shall address training of such persons on suicide prevention and trauma-informed care. In developing the recommendations, the department shall consult with stakeholders, including but not limited to mental health professionals, school administrators, school nurses, and guidance counselors. For purposes of this section, "trauma-informed care" means services that are based on an

understanding of the vulnerabilities and triggers of individuals who have experienced trauma, recognize the role trauma has played in the lives of those individuals, recognize the presence of trauma symptoms and their onset, are supportive of trauma recovery, and avoid further traumatization. The department shall submit a report to the governor and general assembly providing findings and recommendations on or before December 15, 2013.

DIVISION XXII

IOWACARE — ACCOUNT FOR HEALTH CARE TRANSFORMATION

Sec. 110. Section 249J.8, subsection 1, paragraph k, Code 2013, is amended to read as follows:

k. Premiums collected under this subsection shall be deposited in the ~~premiums subaccount of the IowaCare account for health care transformation~~ created pursuant to section ~~249J.23~~ 249J.24.

Sec. 111. Section 249J.23, subsection 1, Code 2013, is amended to read as follows:

1. An account for health care transformation is created in the state treasury under the authority of the department. Moneys received from sources including but not limited to appropriations from the general fund of the state, grants, and contributions shall be deposited in the account. ~~The account shall include a separate premiums subaccount. Revenue generated through payment of premiums by expansion population members as required pursuant to section 249J.8 shall be deposited in the separate premiums subaccount within the account.~~

Sec. 112. Section 249J.24, subsection 1, Code 2013, is amended to read as follows:

1. An IowaCare account is created in the state treasury under the authority of the department of human services. Moneys appropriated from the general fund of the state to the account, moneys received as federal financial participation funds under the expansion population provisions of this chapter and credited to the account, moneys received for disproportionate share hospitals and credited to the account, moneys received for graduate medical education and credited to the account, proceeds distributed from the county treasurer as specified in subsection 4, revenue generated through payment of premiums pursuant to section 249J.8, and moneys from any other source credited to the account shall be deposited in the account. Moneys deposited in or credited to the account shall be used only as provided in appropriations or distributions from the account for the purposes specified in the appropriation or distribution. Moneys in the account shall be appropriated to the university of Iowa hospitals and clinics and to a publicly owned acute care teaching hospital located in a county with a population over three hundred fifty thousand for the purposes provided in the federal law making the funds available or as specified in the state appropriation and shall be distributed as determined by the department.

DIVISION XXIII

IOWACARE REPEAL — CONFORMING CHANGES

Sec. 113. Section 8A.504, subsection 1, paragraph c, subparagraph (1), Code 2013, is amended to read as follows:

(1) Any debt, which is assigned to the department of human services, or which is owed to the department of human services for unpaid premiums under section 249A.3, subsection 2, paragraph “a”, subparagraph (1), ~~or section 249J.8, subsection 1~~, or which the child support recovery unit is otherwise attempting to collect, or which the foster care recovery unit of the department of human services is attempting to collect on behalf of a child receiving foster care provided by the department of human services.

Sec. 114. Section 21.5, subsection 1, paragraph l, Code 2013, is amended to read as follows:

l. To discuss patient care quality and process improvement initiatives in a meeting of a public hospital or to discuss marketing and pricing strategies or similar

proprietary information in a meeting of a public hospital, where public disclosure of such information would harm such a hospital's competitive position when no public purpose would be served by public disclosure. The minutes and the audio recording of a closed session under this paragraph shall be available for public inspection when the public disclosure would no longer harm the hospital's competitive position. For purposes of this paragraph, "*public hospital*" means ~~the same as defined in section 249J.3~~ a hospital licensed pursuant to chapter 135B and governed pursuant to chapter 145A, 226, 347, 347A, or 392. This paragraph does not apply to the information required to be disclosed pursuant to section 347.13, subsection 11, or to any discussions relating to terms or conditions of employment, including but not limited to compensation of an officer or employee or group of officers or employees.

Sec. 115. Section 97B.52A, subsection 1, paragraph c, subparagraph (2), subparagraph division (b), Code 2013, is amended to read as follows:

(b) For a member whose first month of entitlement is July 2004 or later, but before July 2014, covered employment does not include employment as a licensed health care professional by a public hospital ~~as defined in section 249J.3, with the exception of public hospitals governed pursuant to chapter 226.~~ For the purposes of this subparagraph, "*public hospital*" means a hospital licensed pursuant to chapter 135B and governed pursuant to chapter 145A, 347, 347A, or 392.

Sec. 116. Section 135.152, subsection 5, paragraphs a and c, Code 2013, are amended to read as follows:

a. The department, in collaboration with the department of human services and the Iowa state association of counties, shall adopt rules pursuant to chapter 17A to establish minimum standards for eligibility for obstetrical and newborn care, including physician examinations, medical testing, ambulance services, and inpatient transportation services under the program. The minimum standards shall provide that the individual is not otherwise eligible for assistance under the medical assistance program or for assistance under the medically needy program without a spend-down requirement pursuant to chapter 249A, ~~or for expansion population benefits pursuant to chapter 249J.~~ If the individual is eligible for assistance pursuant to chapter 249A ~~or 249J~~, or if the individual is eligible for maternal and child health care services covered by a maternal and child health program, the obstetrical and newborn indigent patient care program shall not provide the assistance, care, or covered services provided under the other program.

c. The department in cooperation with the department of human services, shall develop a standardized application form for the program and shall coordinate the determination of eligibility for the medical assistance and medically needy programs under chapter 249A, ~~the medical assistance expansion under chapter 249J~~, and the obstetrical and newborn indigent patient care program.

Sec. 117. Section 135.153, subsection 1, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The department shall establish an Iowa collaborative safety net provider network that includes community health centers, rural health clinics, free clinics, maternal and child health centers, ~~the expansion population provider network as described in chapter 249J~~, local boards of health that provide direct services, Iowa family planning network agencies, child health specialty clinics, and other safety net providers. The network shall be a continuation of the network established pursuant to 2005 Iowa Acts, ch. 175, section 2, subsection 12. The network shall include all of the following:

Sec. 118. Section 135.153, subsection 1, paragraphs a and c, Code 2013, are amended to read as follows:

a. An Iowa safety net provider advisory group consisting of representatives of community health centers, rural health clinics, free clinics, maternal and child health centers, ~~the expansion population provider network as described in chapter 249J~~, local boards of health that provide direct services, Iowa family planning network agencies, child health specialty clinics, other safety net providers, patients, and other interested parties.

c. A database of all community health centers, rural health clinics, free clinics, maternal and child health centers, ~~the expansion population provider network as described in chapter 249J~~, local boards of health that provide direct services, Iowa family planning network agencies, child health specialty clinics, and other safety net providers. The data collected shall include the demographics and needs of the vulnerable populations served, current provider capacity, and the resources and needs of the participating safety net providers.

Sec. 119. Section 135.153, subsection 2, Code 2013, is amended to read as follows:

2. The network shall form a governing group which includes two individuals each representing community health centers, rural health clinics, free clinics, maternal and child health centers, ~~the expansion population provider network as described in chapter 249J~~, local boards of health that provide direct services, the state board of health, Iowa family planning network agencies, child health specialty clinics, and other safety net providers.

Sec. 120. Section 135.154, subsection 15, Code 2013, is amended to read as follows:

15. *"Iowa Medicaid enterprise"* means the ~~Iowa Medicaid enterprise as defined in section 249J.3~~ centralized medical assistance program infrastructure, based on a business enterprise model, and designed to foster collaboration among all program stakeholders by focusing on quality, integrity, and consistency.

Sec. 121. Section 135.157, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. *"Dental home"* means a network of individualized care based on risk assessment, which includes oral health education, dental screenings, preventive services, diagnostic services, treatment services, and emergency services.

Sec. 122. Section 217.34, Code 2013, is amended to read as follows:

217.34 Debt setoff.

The investigations division of the department of inspections and appeals and the department of human services shall provide assistance to set off against a person's or provider's income tax refund or rebate any debt which has accrued through written contract, nonpayment of premiums pursuant to section 249A.3, subsection 2, paragraph "a", subparagraph (1), ~~or section 249J.8, subsection 1~~, subrogation, departmental recoupment procedures, or court judgment and which is in the form of a liquidated sum due and owing the department of human services. The department of inspections and appeals, with approval of the department of human services, shall adopt rules under chapter 17A necessary to assist the department of administrative services in the implementation of the setoff under section 8A.504 in regard to money owed to the state for public assistance overpayments or nonpayment of premiums as specified in this section. The department of human services shall adopt rules under chapter 17A necessary to assist the department of administrative services in the implementation of the setoff under section 8A.504, in regard to collections by the child support recovery unit and the foster care recovery unit.

Sec. 123. Section 249K.2, subsection 3, Code 2013, is amended to read as follows:

3. *"Iowa Medicaid enterprise"* means Iowa Medicaid enterprise as defined in section ~~249J.3~~ 135.154.

Sec. 124. Section 249M.4, subsection 2, Code 2013, is amended to read as follows:

2. Moneys in the trust fund shall be used, subject to their appropriation by the general assembly, by the department to reimburse participating hospitals the medical assistance program upper payment limit for inpatient and outpatient hospital services as calculated in this section. Following payment of such upper payment limit to participating hospitals, any remaining funds in the trust fund on an annual basis may be used for any of the following purposes:

a. To support medical assistance program utilization shortfalls.

b. To maintain the state's capacity to provide access to and delivery of services for vulnerable Iowans.

~~c. To support payments to nonparticipating hospitals under the IowaCare program pursuant to chapter 249J.~~

~~d. c.~~ To fund the health care workforce support initiative created pursuant to section 135.175.

e. ~~d.~~ To support access to health care services for uninsured Iowans.

f. ~~e.~~ To support Iowa hospital programs and services which expand access to health care services for Iowans.

Sec. 125. Section 263.18, subsection 4, Code 2013, is amended to read as follows:

4. The physicians and surgeons on the staff of the university of Iowa hospitals and clinics who care for patients provided for in this section may charge for the medical services provided under such rules, regulations, and plans approved by the state board of regents. ~~However, a physician or surgeon who provides treatment or care for an expansion population member pursuant to chapter 249J shall only receive compensation for the treatment or care provided in accordance with section 249J.7.~~

Sec. 126. Section 476B.1, subsection 4, paragraph d, subparagraph (2), Code 2013, is amended to read as follows:

(2) For applications filed on or after July 1, 2009, by a private college or university, community college, institution under the control of the state board of regents, public or accredited nonpublic elementary and secondary school, or public hospital ~~as defined in section 249J.3~~, for the applicant's own use of qualified electricity, consists of wind turbines with a combined nameplate capacity of three-fourths of a megawatt or greater. For the purposes of this subparagraph, "public hospital" means a hospital licensed pursuant to chapter 135B and governed pursuant to chapter 145A, 226, 347, 347A, or 392.

Sec. 127. EFFECTIVE DATE. This division of this Act takes effect January 1, 2014.

DIVISION XXIV TELEPHARMACY

Sec. 128. 2011 Iowa Acts, chapter 63, section 36, subsections 2 and 4, are amended to read as follows:

2. The board of pharmacy shall adopt rules and procedures pursuant to chapter 17A for application for and approval of such projects. The rules may include exceptions to any existing rules under the purview of the board of pharmacy as necessary for completion of the project, limited to the duration of the project. The initial duration of any project approved by the board of pharmacy shall not exceed eighteen months and. However, the board of pharmacy may approve an extension or renewal of a project in accordance with rules adopted by the board of pharmacy. Any project approved shall comply with the rules and procedures adopted for such projects.

4. The board of pharmacy shall submit ~~a report~~ reports to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services regarding all of the following:

a. The approval or denial of any projects.

b. By December 15, 2013, any changes in law or rules necessary to implement telepharmacy throughout the state.

DIVISION XXV
MEDICAID COST CONTAINMENT

Sec. 129. 2011 Iowa Acts, chapter 129, section 122, subsection 26, as enacted by 2012 Iowa Acts, chapter 1133, section 12, is amended by striking the subsection.

DIVISION XXVI

CIGARETTE AND TOBACCO TAX PROCEEDS — HEALTH CARE TRUST FUND

Sec. 130. Section 453A.35, Code 2013, is amended to read as follows:

453A.35 ~~Tax and fees~~ Proceeds paid to general fund — ~~standing appropriation to health care trust fund.~~

1. *a.* With the exception of revenues credited to the health care trust fund pursuant to paragraph “b”, the proceeds derived from the sale of stamps and the payment of ~~taxes, fees, and penalties~~ provided for under this chapter, and the permit fees received from all permits issued by the department, shall be credited to the general fund of the state.

b. ~~Of the~~ The revenues generated from the tax on cigarettes pursuant to section 453A.6, subsection 1, and from the tax on tobacco products as specified in section 453A.43, subsections 1, 2, 3, and 4, ~~the first one hundred six million sixteen thousand four hundred dollars~~ shall be credited to the health care trust fund created in section 453A.35A.

2. All permit fees provided for in this chapter and collected by cities in the issuance of permits granted by the cities shall be paid to the treasurer of the city where the permit is effective, or to another city officer as designated by the council, and credited to the general fund of the city. Permit fees so collected by counties shall be paid to the county treasurer.

DIVISION XXVII

DEPARTMENT ON AGING — FY 2014–2015

Sec. 131. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa’s aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,300,190
.....	FTEs	28.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, \$139,973 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

3. a. The department on aging shall establish and enforce procedures relating to expenditure of state and federal funds by area agencies on aging that require compliance with both state and federal laws, rules, and regulations, including but not limited to all of the following:

(1) Requiring that expenditures are incurred only for goods or services received or performed prior to the end of the fiscal period designated for use of the funds.

(2) Prohibiting prepayment for goods or services not received or performed prior to the end of the fiscal period designated for use of the funds.

(3) Prohibiting the prepayment for goods or services not defined specifically by good or service, time period, or recipient.

(4) Prohibiting the establishment of accounts from which future goods or services which are not defined specifically by good or service, time period, or recipient, may be purchased.

b. The procedures shall provide that if any funds are expended in a manner that is not in compliance with the procedures and applicable federal and state laws, rules, and regulations, and are subsequently subject to repayment, the area agency on aging expending such funds in contravention of such procedures, laws, rules and regulations, not the state, shall be liable for such repayment.

4. Of the funds appropriated in this section, \$125,000 shall be used to fund services to meet the unmet needs of older individuals as identified in the annual compilation of unmet service units by the area agencies on aging.

5. Of the funds appropriated in this section, \$300,000 shall be used to fund home and community-based services through the area agencies on aging that enable older individuals to avoid more costly utilization of residential or institutional services and remain in their own homes.

6. Of the funds appropriated in this subsection, \$10,000 shall be used for implementation of a guardianship and conservatorship monitoring and assistance pilot project as specified in this Act.

DIVISION XXVIII

OFFICE OF LONG-TERM CARE RESIDENT'S ADVOCATE — FY 2014–2015

Sec. 132. OFFICE OF LONG-TERM CARE RESIDENT'S ADVOCATE. There is appropriated from the general fund of the state to the office of long-term care resident's advocate for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	510,854
.....	FTEs	13.00

1. Of the funds appropriated in this section, \$100,000 shall be used to continue to provide two additional local long-term care resident's advocates to continue moving toward the national recommendation of one full-time equivalent paid staff ombudsman per 2,000 long-term care beds in the state.

2. Of the funds appropriated in this section, \$105,000 shall be used to provide two local long-term care resident's advocates to administer the certified volunteer long-term care resident's advocates program pursuant to section 231.45, including operational certification and training costs.

DIVISION XXIX

DEPARTMENT OF PUBLIC HEALTH — FY 2014–2015

Sec. 133. DEPARTMENT OF PUBLIC HEALTH. There is appropriated from the general fund of the state to the department of public health for the fiscal year

beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADDICTIVE DISORDERS

For reducing the prevalence of use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling, and for not more than the following full-time equivalent positions:

.....	\$	13,581,845
.....	FTEs	13.00

a. (1) Of the funds appropriated in this subsection, \$2,574,181 shall be used for the tobacco use prevention and control initiative, including efforts at the state and local levels, as provided in chapter 142A. The commission on tobacco use prevention and control established pursuant to section 142A.3 shall advise the director of public health in prioritizing funding needs and the allocation of moneys appropriated for the programs and activities of the initiative under this subparagraph (1) and shall make recommendations to the director in the development of budget requests relating to the initiative.

(2) Of the funds allocated in this paragraph "a", \$37,500 shall be used to develop a social media structure to engage youth and prevent youth initiation of tobacco use. Of the amount allocated in this subparagraph (2), \$12,500 shall be used for a youth summit.

(3) Of the funds allocated in this paragraph "a", \$100,000 shall be used to increase the efficacy of local tobacco control efforts by community partnerships, including through professional development, regional trainings and round table planning efforts, and a training opportunity involving all community partnerships.

(4) Of the funds allocated in this paragraph "a", \$600,000 shall be used to promote smoking cessation and to reduce the number of tobacco users in the state by offering nicotine replacement therapy to uninsured and underinsured Iowans.

(5) (a) Of the funds allocated in this paragraph "a", \$226,534 is transferred to the alcoholic beverages division of the department of commerce for enforcement of tobacco laws, regulations, and ordinances and to engage in tobacco control activities approved by the division of tobacco use prevention and control as specified in the memorandum of understanding entered into between the divisions.

(b) For the fiscal year beginning July 1, 2014, and ending June 30, 2015, the terms of the memorandum of understanding, entered into between the division of tobacco use prevention and control of the department of public health and the alcoholic beverages division of the department of commerce, governing compliance checks conducted to ensure licensed retail tobacco outlet conformity with tobacco laws, regulations, and ordinances relating to persons under eighteen years of age, shall restrict the number of such checks to one check per retail outlet, and one additional check for any retail outlet found to be in violation during the first check.

b. Of the funds appropriated in this subsection, \$11,007,665 shall be used for problem gambling and substance-related disorder prevention, treatment, and recovery services, including a 24-hour helpline, public information resources, professional training, and program evaluation.

(1) Of the funds allocated in this paragraph "b", \$9,451,858 shall be used for substance-related disorder prevention and treatment.

(a) Of the funds allocated in this subparagraph (1), \$449,650 shall be used for the public purpose of a grant program to provide substance-related disorder prevention programming for children.

(i) Of the funds allocated in this subparagraph division (a), \$213,770 shall be used for grant funding for organizations that provide programming for children by utilizing mentors. Programs approved for such grants shall be certified or will be certified

within six months of receiving the grant award by the Iowa commission on volunteer services as utilizing the standards for effective practice for mentoring programs.

(ii) Of the funds allocated in this subparagraph division (a), \$213,420 shall be used for grant funding for organizations that provide programming that includes youth development and leadership. The programs shall also be recognized as being programs that are scientifically based with evidence of their effectiveness in reducing substance-related disorders in children.

(iii) The department of public health shall utilize a request for proposals process to implement the grant program.

(iv) All grant recipients shall participate in a program evaluation as a requirement for receiving grant funds.

(v) Of the funds allocated in this subparagraph division (a), up to \$22,461 may be used to administer substance-related disorder prevention grants and for program evaluations.

(b) Of the funds allocated in this subparagraph (1), \$136,302 shall be used for culturally competent substance-related disorder treatment pilot projects.

(i) The department shall utilize the amount allocated in this subparagraph division (b) for at least three pilot projects to provide culturally competent substance-related disorder treatment in various areas of the state. Each pilot project shall target a particular ethnic minority population. The populations targeted shall include but are not limited to African American, Asian, and Latino.

(ii) The pilot project requirements shall provide for documentation or other means to ensure access to the cultural competence approach used by a pilot project so that such approach can be replicated and improved upon in successor programs.

(2) Of the funds allocated in this paragraph "b", up to \$1,555,807 may be used for problem gambling prevention, treatment, and recovery services.

(a) Of the funds allocated in this subparagraph (2), \$1,286,881 shall be used for problem gambling prevention and treatment.

(b) Of the funds allocated in this subparagraph (2), up to \$218,926 may be used for a 24-hour helpline, public information resources, professional training, and program evaluation.

(c) Of the funds allocated in this subparagraph (2), up to \$50,000 may be used for the licensing of problem gambling treatment programs.

(3) It is the intent of the general assembly that from the moneys allocated in this paragraph "b", persons with a dual diagnosis of substance-related disorder and gambling addiction shall be given priority in treatment services.

c. Notwithstanding any provision of law to the contrary, to standardize the availability, delivery, cost of delivery, and accountability of problem gambling and substance-related disorder treatment services statewide, the department shall continue implementation of a process to create a system for delivery of treatment services in accordance with the requirements specified in 2008 Iowa Acts, chapter 1187, section 3, subsection 4. To ensure the system provides a continuum of treatment services that best meets the needs of Iowans, the problem gambling and substance-related disorder treatment services in any area may be provided either by a single agency or by separate agencies submitting a joint proposal.

(1) The system for delivery of substance-related disorder and problem gambling treatment shall include problem gambling prevention.

(2) The system for delivery of substance-related disorder and problem gambling treatment shall include substance-related disorder prevention by July 1, 2015.

(3) Of the funds allocated in paragraph "b", the department may use up to \$50,000 for administrative costs to continue developing and implementing the process in accordance with this paragraph "c".

d. The requirement of section 123.53, subsection 5, is met by the appropriations and allocations made in this Act for purposes of substance-related disorder treatment and addictive disorders for the fiscal year beginning July 1, 2014.

e. The department of public health shall work with all other departments that fund substance-related disorder prevention and treatment services and all such departments shall, to the extent necessary, collectively meet the state maintenance of effort requirements for expenditures for substance-related disorder services as required under the federal substance-related disorder prevention and treatment block grant.

2. HEALTHY CHILDREN AND FAMILIES

For promoting the optimum health status for children, adolescents from birth through 21 years of age, and families, and for not more than the following full-time equivalent positions:

.....	\$	1,826,780
.....	FTEs	14.00

a. Of the funds appropriated in this subsection, not more than \$367,421 shall be used for the healthy opportunities for parents to experience success (HOPES)-healthy families Iowa (HFI) program established pursuant to section 135.106. The funding shall be distributed to renew the grants that were provided to the grantees that operated the program during the fiscal year ending June 30, 2014.

b. In order to implement the legislative intent stated in sections 135.106 and 256I.9, that priority for home visitation program funding be given to programs using evidence-based or promising models for home visitation, it is the intent of the general assembly to phase in the funding priority in accordance with 2012 Iowa Acts, chapter 1133, section 2, subsection 2, paragraph 0b.

c. Of the funds appropriated in this subsection, \$663,944 shall be used to continue the department's initiative to provide for adequate developmental surveillance and screening during a child's first five years statewide. The funds shall be used first to fully fund the current sites to ensure that the sites are fully operational, with the remaining funds to be used for expansion to additional sites. The full implementation and expansion shall include enhancing the scope of the program through collaboration with the child health specialty clinics to promote healthy child development through early identification and response to both biomedical and social determinants of healthy development; by developing child health metrics to inform practice, document long-term health impacts and savings, and provide for continuous improvement through training, education, and evaluation; and by providing for practitioner consultation particularly for children with behavioral conditions and needs. The department of public health shall also collaborate with the Iowa Medicaid enterprise and the child health specialty clinics to integrate the activities of the first five initiative into the establishment of patient-centered medical homes, community utilities, accountable care organizations, and other integrated care models developed to improve health quality and population health while reducing health care costs. To the maximum extent possible, funding allocated in this paragraph shall be utilized as matching funds for medical assistance program reimbursement.

d. Of the funds appropriated in this subsection, \$15,799 shall be distributed to a statewide dental carrier to provide funds to continue the donated dental services program patterned after the projects developed by the lifeline network to provide dental services to indigent elderly and disabled individuals.

e. Of the funds appropriated in this subsection, \$55,998 shall be used for childhood obesity prevention.

f. Of the funds appropriated in this subsection, \$81,384 shall be used to provide audiological services and hearing aids for children. The department may enter into a contract to administer this paragraph.

g. Of the funds appropriated in this subsection, \$12,500 is transferred to the university of Iowa college of dentistry for provision of primary dental services to children. State funds shall be matched on a dollar-for-dollar basis. The university of Iowa college of dentistry shall coordinate efforts with the department of public health, bureau of oral and health delivery systems, to provide dental care to underserved populations throughout the state.

h. Of the funds appropriated in this subsection, \$25,000 shall be used to address youth suicide prevention.

3. CHRONIC CONDITIONS

For serving individuals identified as having chronic conditions or special health care needs, and for not more than the following full-time equivalent positions:

.....	\$	2,540,346
.....	FTEs	6.00

a. Of the funds appropriated in this subsection, \$79,966 shall be used for grants to individual patients who have phenylketonuria (PKU) to assist with the costs of necessary special foods.

b. Of the funds appropriated in this subsection, \$445,822 shall be used for the brain injury services program pursuant to section 135.22B, including for continuation of the contracts for resource facilitator services in accordance with section 135.22B, subsection 9, and to enhance brain injury training and recruitment of service providers on a statewide basis. Of the amount allocated in this paragraph, \$47,500 shall be used to fund one full-time equivalent position to serve as the state brain injury service program manager.

c. Of the funds appropriated in this subsection, \$273,991 shall be used as additional funding to leverage federal funding through the federal Ryan White Care Act, Tit. II, AIDS drug assistance program supplemental drug treatment grants.

d. Of the funds appropriated in this subsection, \$49,912 shall be used for the public purpose of continuing to contract with an existing national-affiliated organization to provide education, client-centered programs, and client and family support for people living with epilepsy and their families.

e. Of the funds appropriated in this subsection, \$392,557 shall be used for child health specialty clinics.

f. Of the funds appropriated in this subsection, \$200,000 shall be used by the regional autism assistance program established pursuant to section 256.35, and administered by the child health specialty clinic located at the university of Iowa hospitals and clinics. The funds shall be used to enhance interagency collaboration and coordination of educational, medical, and other human services for persons with autism, their families, and providers of services, including delivering regionalized services of care coordination, family navigation, and integration of services through the statewide system of regional child health specialty clinics and fulfilling other requirements as specified in chapter 225D, creating the autism support program, as enacted in this Act. The university of Iowa shall not receive funds allocated under this paragraph for indirect costs associated with the regional autism assistance program.

g. Of the funds appropriated in this subsection, \$285,497 shall be used for the comprehensive cancer control program to reduce the burden of cancer in Iowa through prevention, early detection, effective treatment, and ensuring quality of life. Of the funds allocated in this lettered paragraph, \$75,000 shall be used to support a melanoma research symposium, a melanoma biorepository and registry, basic and translational melanoma research, and clinical trials.

h. Of the funds appropriated in this subsection, \$63,225 shall be used for cervical and colon cancer screening, and \$250,000 shall be used to enhance the capacity of the

cervical cancer screening program to include provision of recommended prevention and early detection measures to a broader range of low-income women.

i. Of the funds appropriated in this subsection, \$263,348 shall be used for the center for congenital and inherited disorders.

j. Of the funds appropriated in this subsection, \$64,706 shall be used for the prescription drug donation repository program created in chapter 135M.

k. Of the funds appropriated in this subsection, \$107,632 shall be used for the costs of the medical home system advisory council established pursuant to section 135.159 including incorporation of the development and implementation of the prevention and chronic care management state initiative.

4. COMMUNITY CAPACITY

For strengthening the health care delivery system at the local level, and for not more than the following full-time equivalent positions:

.....	\$	4,281,309
.....	FTEs	18.25

a. Of the funds appropriated in this subsection, \$49,707 is allocated for continuation of the child vision screening program implemented through the university of Iowa hospitals and clinics in collaboration with early childhood Iowa areas. The program shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph "a". The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on service provided; and the continuing needs of the program.

b. Of the funds appropriated in this subsection, \$55,328 is allocated for continuation of an initiative implemented at the university of Iowa and \$49,952 is allocated for continuation of an initiative at the state mental health institute at Cherokee to expand and improve the workforce engaged in mental health treatment and services. The initiatives shall receive input from the university of Iowa, the department of human services, the department of public health, and the mental health and disability services commission to address the focus of the initiatives.

c. Of the funds appropriated in this subsection, \$582,314 shall be used for essential public health services that promote healthy aging throughout the lifespan, contracted through a formula for local boards of health, to enhance health promotion and disease prevention services.

d. Of the funds appropriated in this section, \$49,643 shall be deposited in the governmental public health system fund created in section 135A.8 to be used for the purposes of the fund.

e. Of the funds appropriated in this subsection, \$52,724 shall be used to continue to address the shortage of mental health professionals in the state.

f. Of the funds appropriated in this subsection, \$25,000 shall be used for a grant to a statewide association of psychologists that is affiliated with the American psychological association to be used for continuation of a program to rotate intern psychologists in placements in urban and rural mental health professional shortage areas, as defined in section 135.180.

g. Of the funds appropriated in this subsection, the following amounts shall be allocated to the Iowa collaborative safety net provider network established pursuant to section 135.153 to be used for the purposes designated. The following amounts allocated under this lettered paragraph shall be distributed to the specified provider and shall not be reduced for administrative or other costs prior to distribution:

(1) For distribution to the Iowa primary care association for statewide coordination of the Iowa collaborative safety net provider network:

..... \$ 72,893

(2) For distribution to the Iowa primary care association to be used to continue a training program for sexual assault response team (SART) members, including representatives of law enforcement, victim advocates, prosecutors, and certified medical personnel:

..... \$ 25,000

(3) For distribution to federally qualified health centers for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:

..... \$ 37,500

(4) For distribution to the local boards of health that provide direct services for pilot programs in three counties to assist patients in securing a medical home inclusive of oral health care:

..... \$ 38,577

(5) For distribution to maternal and child health centers for pilot programs in three service areas to assist patients in securing a medical home inclusive of oral health care:

..... \$ 47,563

(6) For distribution to free clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:

..... \$ 174,161

(7) For distribution to rural health clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in securing a medical home inclusive of oral health care:

..... \$ 70,772

(8) For continuation of the safety net provider patient access to a specialty health care initiative as described in 2007 Iowa Acts, chapter 218, section 109:

..... \$ 189,237

(9) For continuation of the pharmaceutical infrastructure for safety net providers as described in 2007 Iowa Acts, chapter 218, section 108:

..... \$ 206,708

The Iowa collaborative safety net provider network may continue to distribute funds allocated pursuant to this lettered paragraph through existing contracts or renewal of existing contracts.

The Iowa collaborative safety net provider network may continue to distribute funds allocated pursuant to this lettered paragraph through existing contracts or renewal of existing contracts.

h. Of the funds appropriated in this subsection, \$87,950 shall be used for continuation of the work of the direct care worker advisory council established pursuant to 2008 Iowa Acts, chapter 1188, section 69, in implementing the recommendations in the final report submitted by the advisory council to the governor and the general assembly in March 2012.

i. (1) Of the funds appropriated in this subsection, \$89,438 shall be used for allocation to an independent statewide direct care worker organization under continuation of the contract in effect during the fiscal year ending June 30, 2013, with terms determined by the director of public health relating to education, outreach, leadership development, mentoring, and other initiatives intended to enhance the recruitment and retention of direct care workers in health care and long-term care settings.

(2) Of the funds appropriated in this subsection, \$37,500 shall be used to provide scholarships or other forms of subsidization for direct care worker educational conferences, training, or outreach activities.

j. Of the funds appropriated in this subsection, the department may use up to \$29,088 for up to one full-time equivalent position to administer the volunteer health care provider program pursuant to section 135.24.

k. Of the funds appropriated in this subsection, \$24,854 shall be used for a matching dental education loan repayment program to be allocated to a dental nonprofit health service corporation to develop the criteria and implement the loan repayment program.

l. Of the funds appropriated in this subsection, \$52,912 is transferred to the college student aid commission for deposit in the rural Iowa primary care trust fund created in section 261.113 to be used for the purposes of the fund.

m. Of the funds appropriated in this subsection, \$75,000 shall be used for the purposes of the Iowa donor registry as specified in section 142C.18.

n. Of the funds appropriated in this subsection, \$50,000 shall be used for continuation of a grant to a nationally affiliated volunteer eye organization that has an established program for children and adults and that is solely dedicated to preserving sight and preventing blindness through education, nationally certified vision screening and training, and community and patient service programs. The organization shall submit a report to the individuals identified in this Act for submission of reports regarding the use of funds allocated under this paragraph "n". The report shall include the objectives and results for the program year including the target population and how the funds allocated assisted the program in meeting the objectives; the number, age, and location within the state of individuals served; the type of services provided to the individuals served; the distribution of funds based on services provided; and the continuing needs of the program.

o. Of the funds appropriated in this subsection, \$12,500 shall be used for the establishment of a wellness council under the direction of the director of public health to increase support for wellness activities in the state.

p. Of the funds appropriated in this section, \$579,075 is allocated to the Iowa collaborative safety net provider network established pursuant to section 135.153 to be used for the development and implementation of a statewide regionally based network to provide an integrated approach to health care delivery through care coordination that supports primary care providers and links patients with community resources necessary to empower patients in addressing biomedical and social determinants of health to improve health outcomes. The Iowa collaborative safety net provider network shall work in conjunction with the department of human services to align the integrated network with the health care delivery system model developed under the state innovation models initiative grant. The Iowa collaborative safety net provider network shall submit a progress report to the individuals designated in this Act for submission of reports by December 31, 2014, including progress in developing and implementing the network, how the funds were distributed and used in developing and implementing the network, and the remaining needs in developing and implementing the network.

q. Of the funds appropriated in this subsection, \$1,000,000 shall be deposited in the medical residency training account created in section 135.175, subsection 5, paragraph a, and is appropriated from the account to the department of public health to be used for the purposes of the medical residency training state matching grants program as specified in section 135.176.

r. Of the funds appropriated in this section, \$25,000 shall be distributed to a statewide nonprofit organization to be used for the public purpose of supporting a partnership between medical providers and parents through community health centers to promote reading and encourage literacy skills so children enter school prepared for success in reading.

5. HEALTHY AGING

To provide public health services that reduce risks and invest in promoting and protecting good health over the course of a lifetime with a priority given to older Iowans and vulnerable populations:

.....	\$	3,648,571
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6. ENVIRONMENTAL HAZARDS

For reducing the public's exposure to hazards in the environment, primarily chemical hazards, and for not more than the following full-time equivalent positions:

.....	\$	401,935
.....	FTEs	4.00

Of the funds appropriated in this subsection, \$268,875 shall be used for childhood lead poisoning provisions.

7. INFECTIOUS DISEASES

For reducing the incidence and prevalence of communicable diseases, and for not more than the following full-time equivalent positions:

.....	\$	667,578
.....	FTEs	4.00

8. PUBLIC PROTECTION

For protecting the health and safety of the public through establishing standards and enforcing regulations, and for not more than the following full-time equivalent positions:

.....	\$	1,639,386
.....	FTEs	131.00

a. Of the funds appropriated in this subsection, not more than \$227,350 shall be credited to the emergency medical services fund created in section 135.25. Moneys in the emergency medical services fund are appropriated to the department to be used for the purposes of the fund.

b. Of the funds appropriated in this subsection, \$101,516 shall be used for sexual violence prevention programming through a statewide organization representing programs serving victims of sexual violence through the department's sexual violence prevention program. The amount allocated in this lettered paragraph shall not be used to supplant funding administered for other sexual violence prevention or victims assistance programs.

c. Of the funds appropriated in this subsection, \$299,376 shall be used for the state poison control center.

9. RESOURCE MANAGEMENT

For establishing and sustaining the overall ability of the department to deliver services to the public, and for not more than the following full-time equivalent positions:

.....	\$	402,027
.....	FTEs	5.00

The university of Iowa hospitals and clinics under the control of the state board of regents shall not receive indirect costs from the funds appropriated in this section. The university of Iowa hospitals and clinics billings to the department shall be on at least a quarterly basis.

DIVISION XXX

DEPARTMENT OF VETERANS AFFAIRS — FY 2014–2015

Sec. 134. DEPARTMENT OF VETERANS AFFAIRS. There is appropriated from the general fund of the state to the department of veterans affairs for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

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

.....	\$	546,754
.....	FTEs	13.00

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	3,762,857
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a. The Iowa veterans home billings involving the department of human services shall be submitted to the department on at least a monthly basis.

b. If there is a change in the employer of employees providing services at the Iowa veterans home under a collective bargaining agreement, such employees and the agreement shall be continued by the successor employer as though there had not been a change in employer.

c. Within available resources and in conformance with associated state and federal program eligibility requirements, the Iowa veterans home may implement measures to provide financial assistance to or on behalf of veterans or their spouses who are participating in the community reentry program.

d. The Iowa veterans home expenditure report shall be submitted monthly to the legislative services agency.

3. HOME OWNERSHIP ASSISTANCE PROGRAM

For transfer to the Iowa finance authority for the continuation of the home ownership assistance program for persons who are or were eligible members of the armed forces of the United States, pursuant to section 16.54:

.....	\$	800,000
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Sec. 135. LIMITATION OF COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the amounts appropriated from the general fund of the state pursuant to that section for the following designated purposes shall not exceed the following amount:

For the county commissions of veteran affairs fund under section 35A.16:

.....	\$	495,000
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DIVISION XXXI

DEPARTMENT OF HUMAN SERVICES — FY 2014–2015

Sec. 136. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT. There is appropriated from the fund created in section 8.41 to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, from moneys received under the federal temporary assistance for needy families (TANF) block grant pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and successor legislation, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. To be credited to the family investment program account and used for assistance under the family investment program under chapter 239B:

.....	\$	9,058,474
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2. To be credited to the family investment program account and used for the job opportunities and basic skills (JOBS) program and implementing family investment agreements in accordance with chapter 239B:

..... \$ 5,933,220

3. To be used for the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 1,449,490

Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year. However, unless such moneys are encumbered or obligated on or before September 30, 2015, the moneys shall revert.

4. For field operations:

..... \$ 15,648,116

5. For general administration:

..... \$ 1,872,000

6. For state child care assistance:

..... \$ 12,866,344

The funds appropriated in this subsection are transferred to the child care and development block grant appropriation made by the Eighty-fifth General Assembly, 2013 Session, for the federal fiscal year beginning October 1, 2014, and ending September 30, 2015. Of this amount, \$100,000 shall be used for provision of educational opportunities to registered child care home providers in order to improve services and programs offered by this category of providers and to increase the number of providers. The department may contract with institutions of higher education or child care resource and referral centers to provide the educational opportunities. Allowable administrative costs under the contracts shall not exceed 5 percent. The application for a grant shall not exceed two pages in length.

7. For distribution to counties and regions through the property tax relief fund for mental health and disability services as provided in an appropriation made for this purpose:

..... \$ 2,447,026

8. For child and family services:

..... \$ 16,042,215

9. For child abuse prevention grants:

..... \$ 62,500

10. For pregnancy prevention grants on the condition that family planning services are funded:

..... \$ 965,034

Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2014, if the programs have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2014, if the programs are based on existing models that have demonstrated positive outcomes. Grants shall comply with the requirements provided in 1997 Iowa Acts, chapter 208, section 14, subsections 1 and 2, including the requirement that grant programs must emphasize sexual abstinence. Priority in the awarding of grants shall be given to programs that serve areas of the state which demonstrate the highest percentage of unplanned pregnancies of females of childbearing age within the geographic area to be served by the grant.

11. For technology needs and other resources necessary to meet federal welfare reform reporting, tracking, and case management requirements:

..... \$ 518,593

The department shall transfer TANF block grant funding appropriated and allocated in this subsection to the child care and development block grant appropriation in accordance with federal law as necessary to comply with the provisions of this subsection.

12. For the family investment program share of the costs to continue to develop and maintain a new, integrated eligibility determination system:

..... \$ 2,525,226

13. a. Notwithstanding any provision to the contrary, including but not limited to requirements in section 8.41 or provisions in 2013 or 2014 Iowa Acts regarding the receipt and appropriation of federal block grants, federal funds from the temporary assistance for needy families block grant received by the state not otherwise appropriated in this section and remaining available for the fiscal year beginning July 1, 2014, are appropriated to the department of human services to the extent as may be necessary to be used in the following priority order: the family investment program, for state child care assistance program payments for individuals enrolled in the family investment program who are employed, and for the family investment program share of costs to develop and maintain a new, integrated eligibility determination system. The federal funds appropriated in this paragraph "a" shall be expended only after all other funds appropriated in subsection 1 for the assistance under the family investment program, in subsection 6 for child care assistance, or in subsection 12 for the family investment program share of the costs to continue to develop and maintain a new, integrated eligibility determination system, as applicable, have been expended.

b. The department shall, on a quarterly basis, advise the legislative services agency and department of management of the amount of funds appropriated in this subsection that was expended in the prior quarter.

14. Of the amounts appropriated in this section, \$6,481,004 for the fiscal year beginning July 1, 2014, is transferred to the appropriation of the federal social services block grant made to the department of human services for that fiscal year.

15. For continuation of the program providing categorical eligibility for the food assistance program as specified for the program in the section of this division relating to the family investment program account:

..... \$ 12,500

16. The department may transfer funds allocated in this section to the appropriations made in this division of this Act for the same fiscal year for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

Sec. 137. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2014, and ending June 30, 2015, shall be used to provide assistance in accordance with chapter 239B.

2. The department may use a portion of the moneys credited to the FIP account under this section as necessary for salaries, support, maintenance, and miscellaneous purposes.

3. The department may transfer funds allocated in this section to the appropriations made in this division of this Act for the same fiscal year for general administration and field operations for resources necessary to implement and operate the services referred to in this section and those funded in the appropriation made in this division of this Act for the same fiscal year for the family investment program from the general fund of the state.

4. Moneys appropriated in this division of this Act and credited to the FIP account for the fiscal year beginning July 1, 2014, and ending June 30, 2015, are allocated as follows:

a. To be retained by the department of human services to be used for coordinating with the department of human rights to more effectively serve participants in FIP and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy families block grant:

..... \$ 10,000

b. To the department of human rights for staffing, administration, and implementation of the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 3,021,417

(1) Of the funds allocated for the family development and self-sufficiency grant program in this lettered paragraph, not more than 5 percent of the funds shall be used for the administration of the grant program.

(2) The department of human rights may continue to implement the family development and self-sufficiency grant program statewide during fiscal year 2014–2015.

c. For the diversion subaccount of the FIP account:

..... \$ 849,200

A portion of the moneys allocated for the subaccount may be used for field operations, salaries, data management system development, and implementation costs and support deemed necessary by the director of human services in order to administer the FIP diversion program. To the extent moneys allocated in this lettered paragraph are not deemed by the department to be necessary to support diversion activities, such moneys may be used for other efforts intended to increase engagement by family investment program participants in work, education, or training activities.

d. For the food assistance employment and training program:

..... \$ 33,294

(1) The department shall apply the federal supplemental nutrition assistance program (SNAP) employment and training state plan in order to maximize to the fullest extent permitted by federal law the use of the 50 percent federal reimbursement provisions for the claiming of allowable federal reimbursement funds from the United States department of agriculture pursuant to the federal SNAP employment and training program for providing education, employment, and training services for eligible food assistance program participants, including but not limited to related dependent care and transportation expenses.

(2) The department shall continue the categorical federal food assistance program eligibility at 160 percent of the federal poverty level and continue to eliminate the asset test from eligibility requirements, consistent with federal food assistance program requirements. The department shall include as many food assistance households as is allowed by federal law. The eligibility provisions shall conform to all federal requirements including requirements addressing individuals who are incarcerated or otherwise ineligible.

e. For the JOBS program:

..... \$ 9,845,408

5. Of the child support collections assigned under FIP, an amount equal to the federal share of support collections shall be credited to the child support recovery appropriation made in this division of this Act. Of the remainder of the assigned child support collections received by the child support recovery unit, a portion shall be credited to the FIP account, a portion may be used to increase recoveries, and a portion may be used to sustain cash flow in the child support payments account. If as a

consequence of the appropriations and allocations made in this section the resulting amounts are insufficient to sustain cash assistance payments and meet federal maintenance of effort requirements, the department shall seek supplemental funding. If child support collections assigned under FIP are greater than estimated or are otherwise determined not to be required for maintenance of effort, the state share of either amount may be transferred to or retained in the child support payment account.

6. The department may adopt emergency rules for the family investment, JOBS, food assistance, and medical assistance programs if necessary to comply with federal requirements.

Sec. 138. FAMILY INVESTMENT PROGRAM GENERAL FUND. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

To be credited to the family investment program (FIP) account and used for family investment program assistance under chapter 239B:

..... \$ 24,218,607

1. Of the funds appropriated in this section, \$3,912,189 is allocated for the JOBS program.

2. Of the funds appropriated in this section, \$1,581,927 is allocated for the family development and self-sufficiency grant program.

3. Notwithstanding section 8.39, for the fiscal year beginning July 1, 2014, if necessary to meet federal maintenance of effort requirements or to transfer federal temporary assistance for needy families block grant funding to be used for purposes of the federal social services block grant or to meet cash flow needs resulting from delays in receiving federal funding or to implement, in accordance with this division of this Act, activities currently funded with juvenile court services, county, or community moneys and state moneys used in combination with such moneys, the department of human services may transfer funds within or between any of the appropriations made in this division of this Act and appropriations in law for the federal social services block grant to the department for the following purposes, provided that the combined amount of state and federal temporary assistance for needy families block grant funding for each appropriation remains the same before and after the transfer:

a. For the family investment program.

b. For child care assistance.

c. For child and family services.

d. For field operations.

e. For general administration.

f. For distribution to counties or regions for services to persons with mental illness or an intellectual disability.

This subsection shall not be construed to prohibit the use of existing state transfer authority for other purposes. The department shall report any transfers made pursuant to this subsection to the legislative services agency.

4. Of the funds appropriated in this section, \$97,839 shall be used for continuation of a grant to an Iowa-based nonprofit organization with a history of providing tax preparation assistance to low-income Iowans in order to expand the usage of the earned income tax credit. The purpose of the grant is to supply this assistance to underserved areas of the state.

5. Of the funds appropriated in this section, \$20,000 shall be used for the continuation of an unfunded pilot project, as defined in 441 IAC 100.1, relating to parental obligations, in which the child support recovery unit participates, to support the efforts of a nonprofit organization committed to strengthening the community through youth development, healthy living, and social responsibility in a county with a

population over 350,000. The funds allocated in this subsection shall be used by the recipient organization to develop a larger community effort, through public and private partnerships, to support a broad-based fatherhood initiative that promotes payment of child support obligations, improved family relationships, and full-time employment.

6. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and field operations as necessary to administer this section and the overall family investment program.

Sec. 139. CHILD SUPPORT RECOVERY. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For child support recovery, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	7,086,885
.....	FTEs	464.00

1. The department shall expend up to \$12,165, including federal financial participation, for the fiscal year beginning July 1, 2014, for a child support public awareness campaign. The department and the office of the attorney general shall cooperate in continuation of the campaign. The public awareness campaign shall emphasize, through a variety of media activities, the importance of maximum involvement of both parents in the lives of their children as well as the importance of payment of child support obligations.

2. Federal access and visitation grant moneys shall be issued directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation sites and mediation services.

3. The appropriation made to the department for child support recovery may be used throughout the fiscal year in the manner necessary for purposes of cash flow management, and for cash flow management purposes the department may temporarily draw more than the amount appropriated, provided the amount appropriated is not exceeded at the close of the fiscal year.

4. With the exception of the funding amount specified, the requirements established under 2001 Iowa Acts, chapter 191, section 3, subsection 5, paragraph “c”, subparagraph (3), shall be applicable to parental obligation pilot projects for the fiscal year beginning July 1, 2014, and ending June 30, 2015. Notwithstanding 441 IAC 100.8, providing for termination of rules relating to the pilot projects, the rules shall remain in effect until June 30, 2015.

Sec. 140. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE — FY 2013–2014. Any funds remaining in the health care trust fund created in section 453A.35A for the fiscal year beginning July 1, 2014, and ending June 30, 2015, are appropriated to the department of human services to supplement the medical assistance program appropriations made in this division of this Act, for medical assistance reimbursement and associated costs, including program administration and costs associated with program implementation.

Sec. 141. MEDICAID FRAUD FUND — MEDICAL ASSISTANCE — FY 2014–2015. Any funds remaining in the Medicaid fraud fund created in section 249A.7 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, are appropriated to the department of human services to supplement the medical assistance appropriations

made in this division of this Act, for medical assistance reimbursement and associated costs, including program administration and costs associated with program implementation.

Sec. 142. MEDICAL ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical assistance program reimbursement and associated costs as specifically provided in the reimbursement methodologies in effect on June 30, 2014, except as otherwise expressly authorized by law, consistent with options under federal law and regulations, and contingent upon receipt of approval from the office of the governor of reimbursement for each abortion performed under the program:

..... \$ 1,143,810,311

1. a. Iowans support reducing the number of abortions performed in our state. For an abortion covered under the program, except in the case of a medical emergency, as defined in section 135L.1, for any woman, the physician shall certify both of the following:

(1) That the woman has been given the opportunity to view an ultrasound image of the fetus as part of the standard of care before an abortion is performed.

(2) That the woman has been provided information regarding the options relative to a pregnancy, including continuing the pregnancy to term and retaining parental rights following the child's birth, continuing the pregnancy to term and placing the child for adoption, and terminating the pregnancy.

b. Funds appropriated under this section shall not be used for abortions, unless otherwise authorized under this section.

c. The provisions of this section relating to abortions shall also apply to the Iowa health and wellness plan created pursuant to chapter 249N, as enacted in this Act.

2. The department shall utilize not more than \$60,000 of the funds appropriated in this section to continue the AIDS/HIV health insurance premium payment program as established in 1992 Iowa Acts, Second Extraordinary Session, chapter 1001, section 409, subsection 6. Of the funds allocated in this subsection, not more than \$5,000 may be expended for administrative purposes.

3. Of the funds appropriated in this Act to the department of public health for addictive disorders, \$950,000 for the fiscal year beginning July 1, 2014, is transferred to the department of human services for an integrated substance-related disorder managed care system. The department shall not assume management of the substance-related disorder system in place of the managed care contractor unless such a change in approach is specifically authorized in law. The departments of human services and public health shall work together to maintain the level of mental health and substance-related disorder treatment services provided by the managed care contractor through the Iowa plan for behavioral health. Each department shall take the steps necessary to continue the federal waivers as necessary to maintain the level of services.

4. a. The department shall aggressively pursue options for providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to policy provisions.

b. Of the funds appropriated in this section, \$100,000 shall be used for participation in one or more pilot projects operated by a private provider to allow the individual or individuals to receive service in the community in accordance with principles established in *Olmstead v. L.C.*, 527 U.S. 581 (1999), for the purpose of providing medical assistance or other assistance to individuals with special needs who become ineligible to continue receiving services under the early and periodic screening, diagnostic, and treatment program under the medical assistance program due to becoming 21 years of age who have been approved for additional assistance through the department's exception to policy provisions, but who have health care needs in excess of the funding available through the exception to the policy provisions.

5. Of the funds appropriated in this section, up to \$3,050,082 may be transferred to the field operations or general administration appropriations in this division of this Act for operational costs associated with Part D of the federal Medicare Prescription Drug Improvement and Modernization Act of 2003, Pub. L. No. 108-173.

6. Of the funds appropriated in this section, up to \$442,100 may be transferred to the appropriation in this division of this Act for medical contracts to be used for clinical assessment services and prior authorization of services.

7. A portion of the funds appropriated in this section may be transferred to the appropriations in this division of this Act for general administration, medical contracts, the children's health insurance program, or field operations to be used for the state match cost to comply with the payment error rate measurement (PERM) program for both the medical assistance and children's health insurance programs as developed by the centers for Medicare and Medicaid services of the United States department of health and human services to comply with the federal Improper Payments Information Act of 2002, Pub. L. No. 107-300.

8. It is the intent of the general assembly that the department continue to implement the recommendations of the assuring better child health and development initiative II (ABCDII) clinical panel to the Iowa early and periodic screening, diagnostic, and treatment services healthy mental development collaborative board regarding changes to billing procedures, codes, and eligible service providers.

9. Of the funds appropriated in this section, a sufficient amount is allocated to supplement the incomes of residents of nursing facilities, intermediate care facilities for persons with mental illness, and intermediate care facilities for persons with an intellectual disability, with incomes of less than \$50 in the amount necessary for the residents to receive a personal needs allowance of \$50 per month pursuant to section 249A.30A.

10. Of the funds appropriated in this section, the following amounts are transferred to the appropriations made in this division of this Act for the state mental health institutes:

a. Cherokee mental health institute.....	\$	9,098,425
b. Clarinda mental health institute.....	\$	1,977,305
c. Independence mental health institute.....	\$	9,045,894
d. Mount Pleasant mental health institute.....	\$	5,752,587

11. a. Of the funds appropriated in this section, \$7,969,074 is allocated for the state match for a disproportionate share hospital payment of \$19,133,430 to hospitals that meet both of the conditions specified in subparagraphs (1) and (2). In addition, the hospitals that meet the conditions specified shall either certify public expenditures or transfer to the medical assistance program an amount equal to provide the nonfederal share for a disproportionate share hospital payment of \$7,500,000. The hospitals that meet the conditions specified shall receive and retain 100 percent of the total disproportionate share hospital payment of \$26,633,430.

(1) The hospital qualifies for disproportionate share and graduate medical education payments.

(2) The hospital is an Iowa state-owned hospital with more than 500 beds and eight or more distinct residency specialty or subspecialty programs recognized by the American college of graduate medical education.

b. Distribution of the disproportionate share payments shall be made on a monthly basis. The total amount of disproportionate share payments including graduate medical education, enhanced disproportionate share, and Iowa state-owned teaching hospital payments shall not exceed the amount of the state's allotment under Pub. L. No. 102-234. In addition, the total amount of all disproportionate share payments shall not exceed the hospital-specific disproportionate share limits under Pub. L. No. 103-66.

12. The university of Iowa hospitals and clinics shall either certify public expenditures or transfer to the appropriations made in this division of this Act for medical assistance an amount equal to provide the nonfederal share for increased medical assistance payments for inpatient and outpatient hospital services of \$9,900,000. The university of Iowa hospitals and clinics shall receive and retain 100 percent of the total increase in medical assistance payments.

13. One hundred percent of the nonfederal share of payments to area education agencies that are medical assistance providers for medical assistance-covered services provided to medical assistance-covered children, shall be made from the appropriation made in this section.

14. Any new or renewed contract entered into by the department with a third party to administer behavioral health services under the medical assistance program shall provide that any interest earned on payments from the state during the state fiscal year shall be remitted to the department and treated as recoveries to offset the costs of the medical assistance program.

15. The department shall continue to implement the provisions in 2007 Iowa Acts, chapter 218, section 124 and section 126, as amended by 2008 Iowa Acts, chapter 1188, section 55, relating to eligibility for certain persons with disabilities under the medical assistance program in accordance with the federal Family Opportunity Act.

16. A portion of the funds appropriated in this section may be transferred to the appropriation in this division of this Act for medical contracts to be used for administrative activities associated with the money follows the person demonstration project.

17. Of the funds appropriated in this section, \$349,011 shall be used for the administration of the health insurance premium payment program, including salaries, support, maintenance, and miscellaneous purposes.

18. a. The department shall continue to implement the cost containment strategies for the medical assistance program in the fiscal year beginning July 1, 2014, that were recommended by the governor for the fiscal year beginning July 1, 2013, as specified in this Act and may adopt emergency rules for such implementation.

b. The department may increase the amounts allocated for salaries, support, maintenance, and miscellaneous purposes associated with the medical assistance program, as necessary, to implement the cost containment strategies. The department shall report any such increase to the legislative services agency and the department of management.

c. If the savings to the medical assistance program exceed the cost for the fiscal year beginning July 1, 2014, the department may transfer any savings generated for the fiscal year due to medical assistance program cost containment efforts to the appropriation made in this division of this Act for medical contracts or general administration to defray the increased contract costs associated with implementing such efforts.

d. The department shall report the implementation of any cost containment strategies under this subsection to the individuals specified in this division of this Act for submission of reports on a quarterly basis.

19. a. Of the funds appropriated in this section, \$900,000 shall be used to continue implementation of the children's mental health home project proposed by the department of human services and reported to the general assembly's mental health and disability services study committee in December 2011. Of this amount, up to \$50,000 may be transferred by the department to the appropriation made in this division of this Act to the department for the same fiscal year for general administration to be used for associated administrative expenses and for not more than one full-time equivalent position, in addition to those authorized for the same fiscal year, to be assigned to implementing the project.

b. Of the funds appropriated in this section, up to \$400,000 may be transferred by the department to the appropriation made to the department in this division of this Act for the same fiscal year for general administration to continue to support the redesign of mental health and disability services and the state balancing incentive payments program planning and implementation activities. The funds may be used for contracts or for personnel in addition to the amounts appropriated for and the positions authorized for general administration for the same fiscal year.

c. Of the funds appropriated in this section, up to \$3,000,000 may be transferred by the department to the appropriations made to the department in this division of this Act for the same fiscal year for general administration or medical contracts to be used to continue to support the development and implementation of standardized assessment tools for persons with mental illness, an intellectual disability, a developmental disability, or a brain injury.

d. For the fiscal year beginning July 1, 2014, and ending June 30, 2015, the replacement generation tax revenues required to be deposited in the property tax relief fund pursuant to section 437A.8, subsection 4, paragraph "d", and section 437A.15, subsection 3, paragraph "f", shall instead be credited to and supplement the appropriation made in this section and used for the allocations made in this subsection.

20. The department shall continue to administer the state balancing incentive payments program as specified in 2012 Iowa Acts, chapter 1133, section 14.

21. Of the funds appropriated in this section, \$250,000 shall be used for lodging expenses associated with care provided at the university of Iowa hospitals and clinics for patients with cancer whose travel distance is 30 miles or more and whose income is at or below 200 percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services. The department of human services shall establish the maximum number of overnight stays and the maximum rate reimbursed for overnight lodging, which may be based on the state employee rate established by the department of administrative services. The funds allocated in this subsection shall not be used as nonfederal share matching funds.

Sec. 143. MEDICAL CONTRACTS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

..... \$ 6,145,785

1. The department of inspections and appeals shall provide all state matching funds for survey and certification activities performed by the department of inspections and appeals. The department of human services is solely responsible for distributing the federal matching funds for such activities.

2. Of the funds appropriated in this section, \$25,000 shall be used for continuation of home and community-based services waiver quality assurance programs, including the review and streamlining of processes and policies related to oversight and quality management to meet state and federal requirements.

3. Of the amount appropriated in this section, up to \$100,000 may be transferred to the appropriation for general administration in this division of this Act to be used for additional full-time equivalent positions in the development of key health initiatives such as cost containment, development and oversight of managed care programs, and development of health strategies targeted toward improved quality and reduced costs in the Medicaid program.

4. Of the funds appropriated in this section, \$500,000 shall be used for planning and development, in cooperation with the department of public health, of a phased-in program to provide a dental home for children.

5. Of the funds appropriated in this section, \$37,500 shall be used for continued implementation of a uniform cost report.

6. Of the funds appropriated in this section, \$1,000,000 shall be used for the autism support program created in chapter 225D, as enacted in this Act.

7. Of the funds appropriated in this section, \$49,895 shall be used for continued implementation of an electronic medical records system.

Sec. 144. STATE SUPPLEMENTARY ASSISTANCE.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:

..... \$ 8,256,087

2. The department shall increase the personal needs allowance for residents of residential care facilities by the same percentage and at the same time as federal supplemental security income and federal social security benefits are increased due to a recognized increase in the cost of living. The department may adopt emergency rules to implement this subsection.

3. If during the fiscal year beginning July 1, 2014, the department projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-through requirement specified in Tit. XVI of the federal Social Security Act, section 1618, as codified in 42 U.S.C. § 1382g, the department may take actions including but not limited to increasing the personal needs allowance for residential care facility residents and making programmatic adjustments or upward adjustments of the residential care facility or in-home health-related care reimbursement rates prescribed in this division of this Act to ensure that federal requirements are met. In addition, the department may make other programmatic and rate adjustments necessary to remain within the amount appropriated in this section while ensuring compliance with federal requirements. The department may adopt emergency rules to implement the provisions of this subsection.

Sec. 145. CHILDREN'S HEALTH INSURANCE PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For maintenance of the healthy and well kids in Iowa (hawk-i) program pursuant to chapter 514I, including supplemental dental services, for receipt of federal financial participation under Tit. XXI of the federal Social Security Act, which creates the children's health insurance program:

..... \$ 18,403,051
 2. Of the funds appropriated in this section, \$70,725 is allocated for continuation of the contract for outreach with the department of public health.

Sec. 146. CHILD CARE ASSISTANCE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

..... \$ 31,354,897
 1. Of the funds appropriated in this section, \$27,377,595 shall be used for state child care assistance in accordance with section 237A.13.

2. Nothing in this section shall be construed or is intended as or shall imply a grant of entitlement for services to persons who are eligible for assistance due to an income level consistent with the waiting list requirements of section 237A.13. Any state obligation to provide services pursuant to this section is limited to the extent of the funds appropriated in this section.

3. Of the funds appropriated in this section, \$216,227 is allocated for the statewide program for child care resource and referral services under section 237A.26. A list of the registered and licensed child care facilities operating in the area served by a child care resource and referral service shall be made available to the families receiving state child care assistance in that area.

4. Of the funds appropriated in this section, \$468,487 is allocated for child care quality improvement initiatives including but not limited to the voluntary quality rating system in accordance with section 237A.30.

5. Of the funds appropriated in this section, \$67,589 shall be used to conduct fingerprint-based national criminal history record checks of home-based child care providers pursuant to section 237A.5, subsection 2, through the United States department of justice, federal bureau of investigation.

6. Of the amount appropriated in this section, up to \$12,500 shall be used to continue to implement a searchable internet-based application as part of the consumer information made available under section 237A.25. The application shall provide a listing of the child care providers in this state that have received a rating under the voluntary quality rating system implemented pursuant to section 237A.30 and information on whether a provider specializes in child care for infants, school-age children, children with special needs, or other populations or provides any other specialized services to support family needs.

7. Of the funds appropriated in this section, \$3,175,000 shall be credited to the early childhood programs grants account in the early childhood Iowa fund created in section 256I.11. The moneys shall be distributed for funding of community-based early childhood programs targeted to children from birth through five years of age developed by early childhood Iowa areas in accordance with approved community plans as provided in section 256I.8.

8. The department may use any of the funds appropriated in this section as a match to obtain federal funds for use in expanding child care assistance and related programs. For the purpose of expenditures of state and federal child care funding, funds shall be considered obligated at the time expenditures are projected or are allocated to the department's service areas. Projections shall be based on current and projected caseload growth, current and projected provider rates, staffing requirements for eligibility determination and management of program requirements including data systems management, staffing requirements for administration of the program, contractual and grant obligations and any transfers to other state agencies, and obligations for decategorization or innovation projects.

9. A portion of the state match for the federal child care and development block grant shall be provided as necessary to meet federal matching funds requirements through the state general fund appropriation made for child development grants and other programs for at-risk children in section 279.51.

10. If a uniform reduction ordered by the governor under section 8.31 or other operation of law, transfer, or federal funding reduction reduces the appropriation made in this section for the fiscal year, the percentage reduction in the amount paid out to or on behalf of the families participating in the state child care assistance program shall be equal to or less than the percentage reduction made for any other purpose payable from the appropriation made in this section and the federal funding relating to it. The percentage reduction to the other allocations made in this section shall be the same as the uniform reduction ordered by the governor or the percentage change of the federal funding reduction, as applicable. If there is an unanticipated increase in federal funding provided for state child care assistance, the entire amount of the increase shall be used for state child care assistance payments. If the appropriations made for purposes of the state child care assistance program for the fiscal year are determined to be insufficient, it is the intent of the general assembly to appropriate sufficient funding for the fiscal year in order to avoid establishment of waiting list requirements.

11. Notwithstanding section 8.33, moneys advanced for purposes of the programs developed by early childhood Iowa areas, advanced for purposes of wraparound child care, or received from the federal appropriations made for the purposes of this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 147. JUVENILE INSTITUTIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For operation of the Iowa juvenile home at Toledo and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,429,678
.....	FTEs	114.00

2. For operation of the state training school at Eldora and for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,628,485
.....	FTEs	164.30

Of the funds appropriated in this subsection, \$45,575 shall be used for distribution to licensed classroom teachers at this and other institutions under the control of the department of human services based upon the average student yearly enrollment at each institution as determined by the department.

3. A portion of the moneys appropriated in this section shall be used by the state training school and by the Iowa juvenile home for grants for adolescent pregnancy prevention activities at the institutions in the fiscal year beginning July 1, 2014.

Sec. 148. CHILD AND FAMILY SERVICES.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:

..... \$ 45,641,960

2. Up to \$2,600,000 of the amount of federal temporary assistance for needy families block grant funding appropriated in this division of this Act for child and family services shall be made available for purposes of juvenile delinquent graduated sanction services.

3. The department may transfer funds appropriated in this section as necessary to pay the nonfederal costs of services reimbursed under the medical assistance program, state child care assistance program, or the family investment program which are provided to children who would otherwise receive services paid under the appropriation in this section. The department may transfer funds appropriated in this section to the appropriations made in this division of this Act for general administration and for field operations for resources necessary to implement and operate the services funded in this section.

4. a. Of the funds appropriated in this section, up to \$16,121,163 is allocated as the statewide expenditure target under section 232.143 for group foster care maintenance and services. If the department projects that such expenditures for the fiscal year will be less than the target amount allocated in this lettered paragraph, the department may reallocate the excess to provide additional funding for shelter care or the child welfare emergency services addressed with the allocation for shelter care.

b. If at any time after September 30, 2014, annualization of a service area's current expenditures indicates a service area is at risk of exceeding its group foster care expenditure target under section 232.143 by more than 5 percent, the department and juvenile court services shall examine all group foster care placements in that service area in order to identify those which might be appropriate for termination. In addition, any aftercare services believed to be needed for the children whose placements may be terminated shall be identified. The department and juvenile court services shall initiate action to set dispositional review hearings for the placements identified. In such a dispositional review hearing, the juvenile court shall determine whether needed aftercare services are available and whether termination of the placement is in the best interest of the child and the community.

5. In accordance with the provisions of section 232.188, the department shall continue the child welfare and juvenile justice funding initiative during fiscal year 2014-2015. Of the funds appropriated in this section, \$858,877 is allocated specifically for expenditure for fiscal year 2014-2015 through the decategorization service funding pools and governance boards established pursuant to section 232.188.

6. A portion of the funds appropriated in this section may be used for emergency family assistance to provide other resources required for a family participating in a family preservation or reunification project or successor project to stay together or to be reunified.

7. Notwithstanding section 234.35 or any other provision of law to the contrary, state funding for shelter care and the child welfare emergency services contracting implemented to provide for or prevent the need for shelter care shall be limited to \$3,808,024.

8. Federal funds received by the state during the fiscal year beginning July 1, 2014, as the result of the expenditure of state funds appropriated during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for services and purposes provided for under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for the purposes designated until the close of the succeeding fiscal year.

9. a. Of the funds appropriated in this section, up to \$1,645,000 is allocated for the payment of the expenses of court-ordered services provided to juveniles who are under the supervision of juvenile court services, which expenses are a charge upon the state pursuant to section 232.141, subsection 4. Of the amount allocated in this lettered paragraph, up to \$778,144 shall be made available to provide school-based supervision of children adjudicated under chapter 232, of which not more than \$7,500 may be used for the purpose of training. A portion of the cost of each school-based liaison officer shall be paid by the school district or other funding source as approved by the chief juvenile court officer.

b. Of the funds appropriated in this section, up to \$374,493 is allocated for the payment of the expenses of court-ordered services provided to children who are under the supervision of the department, which expenses are a charge upon the state pursuant to section 232.141, subsection 4.

c. Notwithstanding section 232.141 or any other provision of law to the contrary, the amounts allocated in this subsection shall be distributed to the judicial districts as determined by the state court administrator and to the department's service areas as determined by the administrator of the department's division of child and family services. The state court administrator and the division administrator shall make the determination of the distribution amounts on or before June 15, 2014.

d. Notwithstanding chapter 232 or any other provision of law to the contrary, a district or juvenile court shall not order any service which is a charge upon the state pursuant to section 232.141 if there are insufficient court-ordered services funds available in the district court or departmental service area distribution amounts to pay for the service. The chief juvenile court officer and the departmental service area manager shall encourage use of the funds allocated in this subsection such that there are sufficient funds to pay for all court-related services during the entire year. The chief juvenile court officers and departmental service area managers shall attempt to anticipate potential surpluses and shortfalls in the distribution amounts and shall cooperatively request the state court administrator or division administrator to transfer funds between the judicial districts' or departmental service areas' distribution amounts as prudent.

e. Notwithstanding any provision of law to the contrary, a district or juvenile court shall not order a county to pay for any service provided to a juvenile pursuant to an order entered under chapter 232 which is a charge upon the state under section 232.141, subsection 4.

f. Of the funds allocated in this subsection, not more than \$41,500 may be used by the judicial branch for administration of the requirements under this subsection.

g. Of the funds allocated in this subsection, \$8,500 shall be used by the department of human services to support the interstate commission for juveniles in accordance with the interstate compact for juveniles as provided in section 232.173.

10. Of the funds appropriated in this section, \$4,026,613 is allocated for juvenile delinquent graduated sanctions services. Any state funds saved as a result of efforts by juvenile court services to earn federal Tit. IV-E match for juvenile court services administration may be used for the juvenile delinquent graduated sanctions services.

11. Of the funds appropriated in this section, \$804,143 is transferred to the department of public health to be used for the child protection center grant program in accordance with section 135.118. The grant amounts under the program shall be equalized so that each center receives a uniform amount of at least \$122,500.

12. If the department receives federal approval to implement a waiver under Tit. IV-E of the federal Social Security Act to enable providers to serve children who remain in the children's families and communities, for purposes of eligibility under the medical

assistance program through 25 years of age, children who participate in the waiver shall be considered to be placed in foster care.

13. Of the funds appropriated in this section, \$1,628,490 is allocated for the preparation for adult living program pursuant to section 234.46.

14. Of the funds appropriated in this section, \$260,075 shall be used for juvenile drug courts. The amount allocated in this subsection shall be distributed as follows:

To the judicial branch for salaries to assist with the operation of juvenile drug court programs operated in the following jurisdictions:

a. Marshall county:	\$	31,354
b. Woodbury county:	\$	62,841
c. Polk county:	\$	97,946
d. The third judicial district:	\$	33,967
e. The eighth judicial district:	\$	33,967

15. Of the funds appropriated in this section, \$113,669 shall be used for the public purpose of continuing a grant to a nonprofit human services organization providing services to individuals and families in multiple locations in southwest Iowa and Nebraska for support of a project providing immediate, sensitive support and forensic interviews, medical exams, needs assessments, and referrals for victims of child abuse and their nonoffending family members.

16. Of the funds appropriated in this section, \$100,295 is allocated for the foster care youth council approach of providing a support network to children placed in foster care.

17. Of the funds appropriated in this section, \$101,000 is allocated for use pursuant to section 235A.1 for continuation of the initiative to address child sexual abuse implemented pursuant to 2007 Iowa Acts, chapter 218, section 18, subsection 21.

18. Of the funds appropriated in this section, \$315,120 is allocated for the community partnership for child protection sites.

19. Of the funds appropriated in this section, \$185,625 is allocated for the department's minority youth and family projects under the redesign of the child welfare system.

20. Of the funds appropriated in this section, \$718,298 is allocated for funding of the community circle of care collaboration for children and youth in northeast Iowa.

21. Of the funds appropriated in this section, at least \$73,579 shall be used for the child welfare training academy.

22. Of the funds appropriated in this section, \$12,500 shall be used for the public purpose of continuation of a grant to a child welfare services provider headquartered in a county with a population between 205,000 and 215,000 in the latest certified federal census that provides multiple services including but not limited to a psychiatric medical institution for children, shelter, residential treatment, after school programs, school-based programming, and an Asperger's syndrome program, to be used for support services for children with autism spectrum disorder and their families.

23. Of the funds appropriated in this section, \$12,500 shall be used for the public purpose of continuing a grant to a hospital-based provider headquartered in a county with a population between 90,000 and 95,000 in the latest certified federal census that provides multiple services including but not limited to diagnostic, therapeutic, and behavioral services to individuals with autism spectrum disorder across the lifespan. The grant recipient shall utilize the funds to continue the pilot project to determine the

necessary support services for children with autism spectrum disorder and their families to be included in the children's disabilities services system. The grant recipient shall submit findings and recommendations based upon the results of the pilot project to the individuals specified in this division of this Act for submission of reports by December 31, 2014.

24. Of the funds appropriated in this section, \$163,974 shall be used for continuation of the central Iowa system of care program grant through June 30, 2015.

25. Of the funds appropriated in this section, \$80,000 shall be used for the public purpose of the continuation of a system of care grant implemented in Cerro Gordo and Linn counties.

26. Of the funds appropriated in this section, at least \$12,500 shall be used to continue and to expand the foster care respite pilot program in which postsecondary students in social work and other human services-related programs receive experience by assisting family foster care providers with respite and other support.

Sec. 149. ADOPTION SUBSIDY.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For adoption subsidy payments and services:

..... \$ 20,364,641

2. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for general administration for costs paid from the appropriation relating to adoption subsidy.

3. Federal funds received by the state during the fiscal year beginning July 1, 2014, as the result of the expenditure of state funds during a previous state fiscal year for a service or activity funded under this section are appropriated to the department to be used as additional funding for the services and activities funded under this section. Notwithstanding section 8.33, moneys received in accordance with this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any fund but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 150. JUVENILE DETENTION HOME FUND. Moneys deposited in the juvenile detention home fund created in section 232.142 during the fiscal year beginning July 1, 2014, and ending June 30, 2015, are appropriated to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, for distribution of an amount equal to a percentage of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2013. Moneys appropriated for distribution in accordance with this section shall be allocated among eligible detention homes, prorated on the basis of an eligible detention home's proportion of the costs of all eligible detention homes in the fiscal year beginning July 1, 2013. The percentage figure shall be determined by the department based on the amount available for distribution for the fund. Notwithstanding section 232.142, subsection 3, the financial aid payable by the state under that provision for the fiscal year beginning July 1, 2014, shall be limited to the amount appropriated for the purposes of this section.

Sec. 151. FAMILY SUPPORT SUBSIDY PROGRAM.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the family support subsidy program subject to the enrollment restrictions in section 225C.37, subsection 3:

..... \$ 546,478

2. The department shall use at least \$241,750 of the moneys appropriated in this section for the family support center component of the comprehensive family support program under section 225C.47. Not more than \$12,500 of the amount allocated in this subsection shall be used for administrative costs.

3. If at any time during the fiscal year, the amount of funding available for the family support subsidy program is reduced from the amount initially used to establish the figure for the number of family members for whom a subsidy is to be provided at any one time during the fiscal year, notwithstanding section 225C.38, subsection 2, the department shall revise the figure as necessary to conform to the amount of funding available.

Sec. 152. CONNER DECREE. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For building community capacity through the coordination and provision of training opportunities in accordance with the consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):

..... \$ 16,811

Sec. 153. MENTAL HEALTH INSTITUTES. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the state mental health institute at Cherokee for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,977,232

..... FTEs 169.20

2. For the state mental health institute at Clarinda for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,375,934

..... FTEs 86.10

3. For the state mental health institute at Independence for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,159,389

..... FTEs 233.00

4. For the state mental health institute at Mount Pleasant for salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 683,343

..... FTEs 97.92

Sec. 154. STATE RESOURCE CENTERS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the state resource center at Glenwood for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,137,236

b. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 7,110,232

2. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of ICFID services, in a manner which does not shift costs between the medical assistance program, counties, or other sources of funding for the state resource centers.

3. The state resource centers may expand the time-limited assessment and respite services during the fiscal year.

4. If the department's administration and the department of management concur with a finding by a state resource center's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new position or positions. If the vacant positions available to a resource center do not include the position classification desired to be filled, the state resource center's superintendent may reclassify any vacant position as necessary to fill the desired position. The superintendents of the state resource centers may, by mutual agreement, pool vacant positions and position classifications during the course of the fiscal year in order to assist one another in filling necessary positions.

5. If existing capacity limitations are reached in operating units, a waiting list is in effect for a service or a special need for which a payment source or other funding is available for the service or to address the special need, and facilities for the service or to address the special need can be provided within the available payment source or other funding, the superintendent of a state resource center may authorize opening not more than two units or other facilities and begin implementing the service or addressing the special need during fiscal year 2014–2015.

Sec. 155. SEXUALLY VIOLENT PREDATORS.

1. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For costs associated with the commitment and treatment of sexually violent predators in the unit located at the state mental health institute at Cherokee, including costs of legal services and other associated costs, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,708,485

..... FTEs 124.50

2. Unless specifically prohibited by law, if the amount charged provides for recoupment of at least the entire amount of direct and indirect costs, the department of human services may contract with other states to provide care and treatment of persons placed by the other states at the unit for sexually violent predators at Cherokee. The moneys received under such a contract shall be considered to be repayment receipts and used for the purposes of the appropriation made in this section.

Sec. 156. FIELD OPERATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For field operations, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	33,261,194
.....	FTEs	1,837.00

1. As a condition of this appropriation, the department shall make every possible effort to fill the entire number of positions authorized by this section and, unless specifically provided otherwise by an applicable collective bargaining agreement, the department is not subject to any approval requirement external to the department to fill a field operations vacancy within the number of full-time equivalent positions authorized by this section. The department shall report on the first of each month to the chairpersons and ranking members of the appropriations committees of the senate and house of representatives, and the persons designated by this Act for submission of reports concerning the status of filling the positions.

2. Priority in filling full-time equivalent positions shall be given to those positions related to child protection services and eligibility determination for low-income families.

Sec. 157. GENERAL ADMINISTRATION. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For general administration, including salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,152,386
.....	FTEs	309.00

1. Of the funds appropriated in this section, \$31,772 is allocated for the prevention of disabilities policy council established in section 225B.3.

2. The department shall report at least monthly to the legislative services agency concerning the department's operational and program expenditures.

3. Of the funds appropriated in this section, \$66,150 shall be used to continue the contract for the provision of a program to provide technical assistance, support, and consultation to providers of habilitation services and home and community-based services waiver services for adults with disabilities under the medical assistance program.

4. Of the funds appropriated in this section, \$25,000 is transferred to the Iowa finance authority to be used for administrative support of the council on homelessness established in section 16.100A and for the council to fulfill its duties in addressing and reducing homelessness in the state.

5. Of the funds appropriated in this section, \$125,000 is transferred to the department of inspections and appeals to be used to implement a new mental health advocate division in the department in accordance with 2013 Iowa Acts, Senate File 406, if enacted.

Sec. 158. VOLUNTEERS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For development and coordination of volunteer services:

.....	\$	42,330
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Sec. 159. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.

1. a. (1) For the fiscal year beginning July 1, 2014, the total state funding amount for the nursing facility budget shall not exceed \$268,712,511.

(2) The department, in cooperation with nursing facility representatives, shall review projections for state funding expenditures for reimbursement of nursing facilities on a quarterly basis and the department shall determine if an adjustment to the medical assistance reimbursement rate is necessary in order to provide reimbursement within the state funding amount for the fiscal year. Notwithstanding 2001 Iowa Acts, chapter 192, section 4, subsection 2, paragraph “c”, and subsection 3, paragraph “a”, subparagraph (2), if the state funding expenditures for the nursing facility budget for the fiscal year are projected to exceed the amount specified in subparagraph (1), the department shall adjust the reimbursement for nursing facilities reimbursed under the case-mix reimbursement system to maintain expenditures of the nursing facility budget within the specified amount for the fiscal year.

(3) For the fiscal year beginning July 1, 2014, special population nursing facilities shall be reimbursed in accordance with the methodology in effect on June 30, 2014.

b. (1) For the fiscal year beginning July 1, 2014, the department shall continue the pharmacy dispensing fee reimbursement at \$10.12 per prescription. The actual dispensing fee shall be determined by a cost of dispensing survey performed by the department and required to be completed by all medical assistance program participating pharmacies every two years beginning in FY 2014–2015.

(2) The department shall utilize an average acquisition cost reimbursement methodology for all drugs covered under the medical assistance program in accordance with 2012 Iowa Acts, chapter 1133, section 33.

c. (1) For the fiscal year beginning July 1, 2014, reimbursement rates for outpatient hospital services shall remain at the rates in effect on June 30, 2014.

(2) For the fiscal year beginning July 1, 2014, reimbursement rates for inpatient hospital services shall remain at the rates in effect on June 30, 2014.

(3) For the fiscal year beginning July 1, 2014, the graduate medical education and disproportionate share hospital fund shall remain at the amount in effect on June 30, 2014, except that the portion of the fund attributable to graduate medical education shall be reduced in an amount that reflects the elimination of graduate medical education payments made to out-of-state hospitals.

(4) In order to ensure the efficient use of limited state funds in procuring health care services for low-income Iowans, funds appropriated in this Act for hospital services shall not be used for activities which would be excluded from a determination of reasonable costs under the federal Medicare program pursuant to 42 U.S.C. § 1395X(v)(1)(N).

d. For the fiscal year beginning July 1, 2014, reimbursement rates for rural health clinics, hospices, and acute mental hospitals shall be increased in accordance with increases under the federal Medicare program or as supported by their Medicare audited costs.

e. For the fiscal year beginning July 1, 2014, independent laboratories and rehabilitation agencies shall be reimbursed using the same methodology in effect on June 30, 2014.

f. (1) For the fiscal year beginning July 1, 2014, reimbursement rates for home health agencies shall continue to be based on the methodology in effect on June 30, 2014, as adjusted to not exceed the reimbursement for the fiscal year beginning July 1, 2013.

(2) For the fiscal year beginning July 1, 2014, rates for private duty nursing and personal care services under the early and periodic screening, diagnostic, and treatment program benefit shall be calculated based on the methodology in effect on June 30, 2014.

g. For the fiscal year beginning July 1, 2014, federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs for the provision of services to recipients of medical assistance.

h. For the fiscal year beginning July 1, 2014, the reimbursement rates for dental services shall remain at the rates in effect on June 30, 2014.

i. (1) For the fiscal year beginning July 1, 2014, state-owned psychiatric medical institutions for children shall receive cost-based reimbursement for 100 percent of the actual and allowable costs for the provision of services to recipients of medical assistance.

(2) For the nonstate-owned psychiatric medical institutions for children, reimbursement rates shall be based on the reimbursement methodology developed by the department as required for federal compliance.

(3) As a condition of participation in the medical assistance program, enrolled providers shall accept the medical assistance reimbursement rate for any covered goods or services provided to recipients of medical assistance who are children under the custody of a psychiatric medical institution for children.

j. For the fiscal year beginning July 1, 2014, unless otherwise specified in this Act, all noninstitutional medical assistance provider reimbursement rates shall remain at the rates in effect on June 30, 2014, except for area education agencies, local education agencies, infant and toddler services providers, home and community-based services providers including consumer-directed attendant care providers under a section 1915(c) or 1915(i) waiver, targeted case management providers, and those providers whose rates are required to be determined pursuant to section 249A.20.

k. Notwithstanding any provision to the contrary, for the fiscal year beginning July 1, 2014, the reimbursement rate for anesthesiologists shall remain at the rate in effect on June 30, 2014.

l. For the fiscal year beginning July 1, 2014, the average reimbursement rate for health care providers eligible for use of the federal Medicare resource-based relative value scale reimbursement methodology under section 249A.20 shall remain at the rate in effect on June 30, 2014; however, this rate shall not exceed the maximum level authorized by the federal government.

m. For the fiscal year beginning July 1, 2014, the reimbursement rate for residential care facilities shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement. The flat reimbursement rate for facilities electing not to file annual cost reports shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

n. For the fiscal year beginning July 1, 2014, the reimbursement rates for inpatient mental health services provided at hospitals shall remain at the rates in effect on June 30, 2014, subject to Medicaid program upper payment limit rules; community mental health centers and providers of mental health services to county residents pursuant to a waiver approved under section 225C.7, subsection 3, shall be reimbursed at 100 percent of the reasonable costs for the provision of services to recipients of medical assistance; and psychiatrists shall be reimbursed at the medical assistance program fee for service rate.

o. For the fiscal year beginning July 1, 2014, the reimbursement rate for providers of family planning services that are eligible to receive a 90 percent federal match shall remain at the rates in effect on June 30, 2014.

p. For the fiscal year beginning July 1, 2014, the upper limits on reimbursement rates for providers of home and community-based services waiver services shall be the limits in effect on June 30, 2014.

q. For the fiscal year beginning July 1, 2014, the reimbursement rate for emergency medical service providers shall be the rate in effect on June 30, 2014.

2. For the fiscal year beginning July 1, 2014, the reimbursement rate for providers reimbursed under the in-home-related care program shall not be less than the minimum payment level as established by the federal government to meet the federally mandated maintenance of effort requirement.

3. Unless otherwise directed in this section, when the department's reimbursement methodology for any provider reimbursed in accordance with this section includes an inflation factor, this factor shall not exceed the amount by which the consumer price index for all urban consumers increased during the calendar year ending December 31, 2002.

4. a. For the fiscal year beginning July 1, 2014, the foster family basic daily maintenance rate and the maximum adoption subsidy rate for children ages 0 through 5 years shall be \$16.78, the rate for children ages 6 through 11 years shall be \$17.45, the rate for children ages 12 through 15 years shall be \$19.10, and the rate for children and young adults ages 16 and older shall be \$19.35. For youth ages 18 to 21 who have exited foster care, the preparation for adult living program maintenance rate shall be \$602.70 per month. The maximum payment for adoption subsidy nonrecurring expenses shall be limited to \$500 and the disallowance of additional amounts for court costs and other related legal expenses implemented pursuant to 2010 Iowa Acts, chapter 1031, section 408 shall be continued.

5. For the fiscal year beginning July 1, 2014, the maximum reimbursement rates under the supervised apartment living program and for social services providers under contract shall remain at the rates in effect on June 30, 2014, or the provider's actual and allowable cost plus inflation for each service, whichever is less. However, if a new service or service provider is added after June 30, 2014, the initial reimbursement rate for the service or provider shall be based upon a weighted average of provider rates for similar services.

6. For the fiscal year beginning July 1, 2014, the reimbursement rates for family-centered service providers, family foster care service providers, group foster care service providers, and the resource family recruitment and retention contractor shall remain at the rates in effect on June 30, 2014.

7. The group foster care reimbursement rates paid for placement of children out of state shall be calculated according to the same rate-setting principles as those used for in-state providers, unless the director of human services or the director's designee determines that appropriate care cannot be provided within the state. The payment of the daily rate shall be based on the number of days in the calendar month in which service is provided.

8. a. For the fiscal year beginning July 1, 2014, the reimbursement rate paid for shelter care and the child welfare emergency services implemented to provide or prevent the need for shelter care shall be established by contract.

b. For the fiscal year beginning July 1, 2014, the combined service and maintenance components of the reimbursement rate paid for shelter care services shall be based on the financial and statistical report submitted to the department. The maximum reimbursement rate shall be \$96.98 per day. The department shall reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.

c. Notwithstanding section 232.141, subsection 8, for the fiscal year beginning July 1, 2014, the amount of the statewide average of the actual and allowable rates for reimbursement of juvenile shelter care homes that is utilized for the limitation on recovery of unpaid costs shall remain at the amount in effect for this purpose in the fiscal year beginning July 1, 2013.

9. For the fiscal year beginning July 1, 2013, the department shall calculate reimbursement rates for intermediate care facilities for persons with intellectual disabilities at the 80th percentile. Beginning July 1, 2013, the rate calculation methodology shall utilize the consumer price index inflation factor applicable to the fiscal year beginning July 1, 2013.

10. For the fiscal year beginning July 1, 2014, for child care providers reimbursed under the state child care assistance program, the department shall set provider reimbursement rates based on the rate reimbursement survey completed in December 2004. The department shall set rates in a manner so as to provide incentives for a nonregistered provider to become registered by applying the increase only to registered and licensed providers.

11. The department may adopt emergency rules to implement this section.

Sec. 160. EMERGENCY RULES.

1. If specifically authorized by a provision of this division of this Act for the fiscal year beginning July 1, 2013, the department of human services or the mental health and disability services commission may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 7, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

2. If during the fiscal year beginning July 1, 2013, the department of human services is adopting rules in accordance with this section or as otherwise directed or authorized by state law, and the rules will result in an expenditure increase beyond the amount anticipated in the budget process or if the expenditure was not addressed in the budget process for the fiscal year, the department shall notify the persons designated by this division of this Act for submission of reports, the chairpersons and ranking members of the committees on appropriations, and the department of management concerning the rules and the expenditure increase. The notification shall be provided at least 30 calendar days prior to the date notice of the rules is submitted to the administrative rules coordinator and the administrative code editor.

Sec. 161. REPORTS. Any reports or other information required to be compiled and submitted under this Act during the fiscal year beginning July 1, 2013, shall be submitted to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the legislative services agency, and the legislative caucus staffs on or before the dates specified for submission of the reports or information.

DIVISION XXXII

HEALTH CARE ACCOUNTS AND FUNDS — FY 2014–2015

Sec. 162. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is appropriated from the pharmaceutical settlement account created in section 249A.33 to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

Notwithstanding any provision of law to the contrary, to supplement the appropriations made in this Act for medical contracts under the medical assistance program for the fiscal year beginning July 1, 2013, and ending June 30, 2014:

..... \$ 3,325,000
 Sec. 163. **QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF HUMAN SERVICES.** Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the quality assurance trust fund created in section 249L.4 to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, for the purposes designated:

To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ 28,788,917
 Sec. 164. **HOSPITAL HEALTH CARE ACCESS TRUST FUND — DEPARTMENT OF HUMAN SERVICES.** Notwithstanding any provision to the contrary and subject to the availability of funds, there is appropriated from the hospital health care access trust fund created in section 249M.4 to the department of human services for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, for the purposes designated:

To supplement the appropriation made in this Act from the general fund of the state to the department of human services for medical assistance for the same fiscal year:

..... \$ 34,700,000
 Sec. 165. **MEDICAL ASSISTANCE PROGRAM — NONREVERSION FOR FY 2014–2015.** Notwithstanding section 8.33, if moneys appropriated for purposes of the medical assistance program for the fiscal year beginning July 1, 2014, and ending June 30, 2015, from the general fund of the state, the quality assurance trust fund and the hospital health care access trust fund, are in excess of actual expenditures for the medical assistance program and remain unencumbered or unobligated at the close of the fiscal year, the excess moneys shall not revert but shall remain available for expenditure for the purposes of the medical assistance program until the close of the succeeding fiscal year.

DIVISION XXXIII

IOWA HEALTH AND WELLNESS PLAN

Sec. 166. **NEW SECTION. 249N.1 Title.**

This chapter shall be known and may be cited as the “*Iowa Health and Wellness Plan*”.

Sec. 167. **NEW SECTION. 249N.2 Definitions.**

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

1. “*Accountable care organization*” means a risk-bearing, integrated health care organization characterized by a payment and care delivery model that ties provider reimbursement to quality metrics and reductions in the total cost of care for an attributed population of patients.
2. “*Affordable Care Act*” means the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152.
3. “*Covered benefits*” means covered benefits as specified in section 249N.5.
4. “*Department*” means the department of human services.
5. “*Director*” means the director of human services.

6. “*Eligible individual*” means an individual eligible for medical assistance pursuant to section 249A.3, subsection 1, paragraph “v”.

7. “*Essential health benefits*” means essential health benefits as defined in section 1302 of the Affordable Care Act, that include at least the general categories and the items and services covered within the categories of ambulatory patient services; emergency services; hospitalization; maternity and newborn care; mental health and substance use disorder services, including behavioral health treatment; prescription drugs; rehabilitative and habilitative services and devices; laboratory services; preventive and wellness services and chronic disease management; and pediatric services, including oral and vision care.

8. “*Federal approval*” means approval by the centers for Medicare and Medicaid services of the United States department of health and human services.

9. “*Federal poverty level*” means the most recently revised poverty income guidelines published by the United States department of health and human services.

10. “*Household income*” means household income as determined using the modified adjusted gross income methodology pursuant to section 2002 of the Affordable Care Act.

11. “*Iowa health and wellness plan*” or “*plan*” means the Iowa health and wellness plan established under this chapter.

12. “*Iowa health and wellness plan provider*” means any provider enrolled in the medical assistance program or any participating accountable care organization.

13. “*Iowa health and wellness plan provider network*” means the health care delivery network approved by the department for Iowa health and wellness plan members.

14. “*Medical assistance program*” or “*Medicaid*” means the program paying all or part of the costs of care and services provided to an individual pursuant to chapter 249A and Tit. XIX of the federal Social Security Act.

15. “*Medical home*” means medical home as defined in section 135.157.

16. “*Member*” means an eligible individual who is enrolled in the Iowa health and wellness plan.

17. “*Participating accountable care organization*” means an accountable care organization approved by the department to participate in the Iowa health and wellness plan provider network.

18. “*Preventive care services*” means care that is provided to an individual to promote health, prevent disease, or diagnose disease.

19. “*Primary medical provider*” means the personal provider as defined in section 135.157 chosen by a member or to whom a member is assigned under the Iowa health and wellness plan.

20. “*Value-based reimbursement*” means a payment methodology that links provider reimbursement to improved performance by health care providers by holding health care providers accountable for both the cost and quality of care provided.

Sec. 168. **NEW SECTION. 249N.3 Purpose — establishment of Iowa health and wellness plan — limitation.**

1. The purpose of this chapter is to establish and provide for the administration of an Iowa health and wellness plan to promote all of the following:

a. Increased access to health care through a patient-centered, integrated health care system.

b. Improved quality health care outcomes.

c. Incentives to encourage personal responsibility, cost-conscious utilization of health care, and adoption of preventive practices and healthy behaviors.

d. Health care cost containment and minimization of administrative costs.

2. The Iowa health and wellness plan is established within the medical assistance program and shall be administered by the department. Except as otherwise specified in this chapter, provisions applicable to the medical assistance program pursuant to chapter 249A shall be applicable to the Iowa health and wellness plan.

3. The department may contract with a third-party administrator to provide eligibility determination support, and to administer enrollment, member outreach, and other components of the Iowa health and wellness plan.

4. The provisions of this chapter shall not be construed and are not intended to affect the provision of services to medical assistance program recipients existing on January 1, 2014.

5. *a.* If the methodology for calculating the federal medical assistance percentage for eligible individuals, as provided in 42 U.S.C. § 1396d(y), is modified through federal law or regulation, in a manner that reduces the percentage of federal assistance to the state in a manner inconsistent with 42 U.S.C. § 1396d(y), or if federal law or regulation affecting eligibility or benefits for the Iowa health and wellness plan is modified, the department may implement an alternative plan as specified in the medical assistance state plan or waiver for coverage of the affected population, subject to prior, statutory approval of implementation of the alternative plan.

b. If the methodology for calculating the federal medical assistance percentage for eligible individuals, as provided in 42 U.S.C. § 1396d(y), is modified through federal law or regulation resulting in a reduction of the percentage of federal assistance to the state below ninety percent but not below eighty-five percent, the medical assistance program reimbursement rates for inpatient and outpatient hospital services shall be reduced by a like percentage in the succeeding fiscal year, subject to prior, statutory approval of implementation of the reduction.

Sec. 169. NEW SECTION. 249N.4 Iowa health and wellness plan — eligibility.

1. Except as otherwise provided in this chapter, an individual may participate in the Iowa health and wellness plan if the individual meets all of the following criteria:

a. Is an eligible individual.

b. Meets the citizenship or alienage requirements of the medical assistance program, is a resident of Iowa, and provides a social security number upon application for the plan.

c. Fulfills all other conditions of participation in the Iowa health and wellness plan, including member financial participation pursuant to section 249N.7.

2. An individual who has access to affordable employer-sponsored health care coverage, as defined by rule of the department to align with regulations adopted by the federal internal revenue service under the Affordable Care Act, shall not be eligible for participation in the Iowa health and wellness plan.

3. Each applicant for the Iowa health and wellness plan shall provide to the department all insurance information required by the health insurance premium payment program in accordance with rules adopted by the department.

a. The department may elect to pay the cost of premiums for applicants with access to employer-sponsored health care coverage if the department determines such payment to be cost-effective.

b. Eligibility for the Iowa health and wellness plan is a qualifying event under the federal Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191.

c. If premium payment is provided under this subsection for employer-sponsored health care coverage, the Iowa health and wellness plan shall supplement such coverage as necessary to provide the covered benefits specified under section 249N.5.

4. The department shall implement the Iowa health and wellness plan in a manner that ensures that the Iowa health and wellness plan is the payor of last resort.

5. A member is eligible for coverage effective the first day of the month following the month of application for enrollment.

6. Following initial enrollment, a member is eligible for covered benefits for twelve months, subject to program termination and other limitations otherwise specified in this chapter. The department shall review the member's eligibility on at least an annual basis.

Sec. 170. NEW SECTION. 249N.5 Iowa health and wellness plan — covered benefits — administration.

1. Iowa health and wellness plan members shall receive coverage for benefits as specified in section 249A.3, subsection 1, paragraph “v”.

2. *a.* For members whose household income is at or below one hundred percent of the federal poverty level, the plan shall be administered by the Iowa Medicaid enterprise consistent with program administration applicable to individuals under section 249A.3, subsection 1.

b. For members whose household income is above one hundred percent but not in excess of one hundred thirty-three percent of the federal poverty level, the plan shall be administered through provision of premium assistance for the purchase of the covered benefits through the American health benefits exchange created pursuant to the Affordable Care Act. The department may pay premiums and supplemental cost-sharing subsidies directly to qualified health plans participating in the American health benefits exchange created pursuant to the Affordable Care Act on behalf of the member.

Sec. 171. NEW SECTION. 249N.6 Iowa health and wellness plan provider network.

1. The Iowa health and wellness plan provider network shall include all providers enrolled in the medical assistance program and all participating accountable care organizations. Reimbursement under this chapter shall only be made to such Iowa health and wellness plan providers for covered benefits.

2. *a.* Upon enrollment, a member shall choose a primary medical provider and, to the extent feasible, shall also choose a medical home within the Iowa health and wellness plan provider network.

b. If the member does not choose a primary medical provider or a medical home, the department shall assign the member to a primary medical provider or a medical home in accordance with the Medicaid managed health care, mandatory enrollment provisions specified in rules adopted by the department pursuant to chapter 249A and in accordance with quality data available to the department.

c. The department shall develop a mechanism for primary medical providers, medical homes, and participating accountable care organizations to jointly facilitate member care coordination. The Iowa health and wellness plan shall provide for reimbursement of care coordination services provided under the plan consistent with the reimbursement methodology developed pursuant to section 135.159.

3. *a.* The department shall provide procedures for accountable care organizations that emerge through local markets to participate in the Iowa health and wellness plan provider network. Such accountable care organizations shall incorporate the medical home as defined and specified in chapter 135, division XXII, as a foundation and shall emphasize whole-person orientation and coordination and integration of both clinical services and nonclinical community and social supports that address social determinants of health. A participating accountable care organization shall enter into

a contract with the department to ensure the coordination and management of the health of attributed members, to produce quality health care outcomes, and to control overall cost.

b. The department shall establish by rule in accordance with chapter 17A the qualifications, contracting processes, and contract terms for a participating accountable care organization. The rules shall also establish a methodology for attribution of a member to a participating accountable care organization.

c. A participating accountable care organization contract shall establish accountability based on quality performance and total cost-of-care metrics for the attributed population. In developing quality performance standards the department shall consider those utilized by state accountable care organization models including but not limited to the quality index score and the Medicare shared savings program quality reporting metrics. The payment models shall include but are not limited to risk sharing, including both shared savings and shared costs, between the state and the participating accountable care organization, and bonus payments for improved quality. The contract terms shall require that a participating accountable care organization is subject to shared savings beginning with the initial year of the contract, must have quality metrics in place within three years of the initial year of the contract, and must participate in risk sharing within five years of the initial year of the contract.

4. To the greatest extent possible, members shall have a choice of providers within the Iowa health and wellness plan provider network to facilitate access to locally-based health care providers and services. However, member choice may be limited by the results of attribution under this section and by the participating accountable care organization, with prior approval of the department, if the member's health condition would benefit from limiting the member's choice of an Iowa health and wellness plan provider to ensure coordination of services, or due to overutilization of covered benefits. The participating accountable care organization shall provide thirty days' notice to the member prior to limitation of such choice.

5. a. An Iowa health and wellness plan provider shall be reimbursed for covered benefits under the Iowa health and wellness plan utilizing the same reimbursement methodology as that applicable to individuals eligible for medical assistance under section 249A.3, subsection 1.

b. Notwithstanding paragraph "a", a participating accountable care organization under contract with the department shall be reimbursed utilizing a value-based reimbursement methodology.

6. a. Iowa health and wellness plan providers shall exchange member health information as provided by rule to facilitate coordination and management of members' health, quality health care outcomes, and containment of and reduction in costs.

b. The department shall provide the health care claims data of attributed members to a member's participating accountable care organization on a timeframe established by rule of the department.

Sec. 172. NEW SECTION. 249N.7 Member financial participation.

1. Membership in the Iowa health and wellness plan shall require payment of monthly contributions for members whose household income is at or above fifty percent of the federal poverty level. Members shall be subject to copayment amounts applicable only to nonemergency use of a hospital emergency department. Total member cost-sharing, annually, shall align with the cost-sharing limitations requirements for the American health benefits exchanges under the Affordable Care Act. Contributions and copayment amounts shall be established by rule of the department.

2. Contributions shall be waived for a member during the initial year of membership. If a member completes all required preventive care services and wellness activities as specified by rule of the department during the initial year of membership

contributions shall be waived during the subsequent year of membership and each year thereafter until such time as the member fails to complete required preventive care services and wellness activities specified during the prior annual membership period.

Sec. 173. NEW SECTION. 249N.8 Mental health services reports.

The department shall submit all of the following to the governor and the general assembly:

1. Biennially, a report of the results of a review, by county and region, of mental health services previously funded through taxes levied by counties pursuant to section 331.424A, that are funded during the reporting period under the Iowa health and wellness plan.

2. Annually, a report of the results of a review of the outcomes and effectiveness of mental health services provided under the Iowa health and wellness plan.

Sec. 174. Section 135.157, subsections 4 and 6, Code 2013, are amended to read as follows:

4. *“Medical home”* means a team approach to providing health care that originates in a primary care setting; fosters a partnership among the patient, the personal provider, and other health care professionals, and where appropriate, the patient’s family; utilizes the partnership to access and integrate all medical and nonmedical health-related services across all elements of the health care system and the patient’s community as needed by the patient and the patient’s family to achieve maximum health potential; maintains a centralized, comprehensive record of all health-related services to promote continuity of care; and has all of the characteristics specified in section 135.158.

6. *“Personal provider”* means the patient’s first point of contact in the health care system with a primary care provider who identifies the patient’s ~~health~~ health-related needs and, working with a team of health care professionals and providers of medical and nonmedical health-related services, provides for and coordinates appropriate care to address the ~~health~~ health-related needs identified.

Sec. 175. Section 135.158, subsection 2, paragraphs b, c, and d, Code 2013, are amended to read as follows:

b. A provider-directed team-based medical practice. The personal provider leads a team of individuals at the practice level who collectively take responsibility for the ongoing ~~health-care~~ health-related needs of patients.

c. Whole person orientation. The personal provider is responsible for providing for all of a patient’s ~~health-care~~ health-related needs or taking responsibility for appropriately arranging ~~health-care~~ for health-related services provided by other qualified health care professionals and providers of medical and nonmedical health-related services. This responsibility includes ~~health~~ health-related care at all stages of life including provision of preventive care, acute care, chronic care, ~~preventive services~~ long-term care, transitional care between providers and settings, and end-of-life care. This responsibility includes whole-person care consisting of physical health care including but not limited to oral, vision, and other specialty care, pharmacy management, and behavioral health care.

d. Coordination and integration of care. Care is coordinated and integrated across all elements of the complex health care system and the patient’s community. Care coordination and integration provides linkages to community and social supports to address social determinants of health, to engage and support patients in managing their own health, and to track the progress of these community and social supports in providing whole-person care. Care is facilitated by registries, information technology, health information exchanges, and other means to assure that patients receive the indicated care when and where they need and want the care in a culturally and linguistically appropriate manner.

Sec. 176. Section 135.159, subsections 1, 9, and 11, Code 2013, are amended to read as follows:

1. The department shall administer the medical home system. The department shall collaborate with the department of human services in administering medical homes under the medical assistance program. The department shall adopt rules pursuant to chapter 17A necessary to administer the medical home system, and shall collaborate with the department of human services in adopting rules for medical homes under the medical assistance program.

9. The department shall coordinate the requirements and activities of the medical home system with the requirements and activities of ~~the a dental home for children as described in section 249J.14, and.~~ The department shall recommend financial incentives for dentists and nondental providers to promote oral health care coordination through preventive dental intervention, early identification of oral disease risk, health care coordination and data tracking, treatment, chronic care management, education and training, parental guidance, and oral health promotions for children. Additionally, the department shall establish requirements for the medical home system to provide linkages to accessible dental homes for adults and older individuals.

11. ~~Implementation phases.~~

a. ~~Initial implementation shall require participation in the medical home system of children. The department shall collaborate with the department of human services to make medical homes accessible to the greatest extent possible to all of the following no later than January 1, 2015:~~

(1) Children who are recipients of full benefits under the medical assistance program. ~~The department shall work with the department of human services and shall recommend to the general assembly a reimbursement methodology to compensate providers participating under the medical assistance program for participation in the medical home system.~~

b. ~~The department shall work with the department of human services to expand the medical home system to adults~~

(2) Adults who are recipients of full benefits under the medical assistance program ~~and the expansion population under the IowaCare program. The department shall work with pursuant to section 249A.3, subsection 1.~~

(3) Medicare and dually eligible Medicare and medical assistance program recipients, to the extent approved by the centers for Medicare and Medicaid services of the United States department of health and human services to allow Medicare recipients to utilize the medical home system.

e. b. The department shall work with the department of administrative services to allow state employees to utilize the medical home system.

~~c.~~ c. The department shall work with insurers and self-insured companies, if requested, to make the medical home system available to individuals with private health care coverage.

d. The department shall assist the department of human services in developing a reimbursement methodology to compensate providers participating under the medical assistance program as a medical home.

e. Any integrated care model implemented on or after July 1, 2013, that delivers health care to medical assistance program recipients shall incorporate medical homes as its foundation. The medical home shall act as the catalyst in any such integrated care model to ensure compliance with the purposes, characteristics, and implementation plan requirements specified in section 135.158 and this section, including an emphasis on whole-person orientation and coordination and integration of both clinical services and nonclinical community and social supports that address social determinants of health.

Sec. 177. Section 249A.3, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. v. (1) Beginning January 1, 2014, in accordance with section 1902(a)(10)(A)(i)(VIII) of the federal Social Security Act, as codified in 42 U.S.C. § 1396a(a)(10)(A)(i)(VIII), is an individual who is nineteen years of age or older and under sixty-five years of age; is not pregnant; is not entitled to or enrolled for Medicare benefits under part A, or enrolled for Medicare benefits under part B, of Tit. XVIII of the federal Social Security Act; is not otherwise described in section 1902(a)(10)(A)(i) of the federal Social Security Act; is not exempt pursuant to section 1902(k)(3), as codified in 42 U.S.C. § 1396a(k)(3), and whose income as determined under 1902(e)(14) of the federal Social Security Act, as codified in 42 U.S.C. § 1396a(e)(14), does not exceed one hundred thirty-three percent of the poverty line as defined in section 2110(c)(5) of the federal Social Security Act, as codified in 42 U.S.C. § 1397jj(c)(5) for the applicable family size.

(2) Notwithstanding any provision to the contrary, individuals eligible for medical assistance under this paragraph “v” shall receive coverage for benefits pursuant to 42 U.S.C. § 1396u-7(b)(1)(B); adjusted as necessary to provide the essential health benefits as required pursuant to section 1302 of the federal Patient Protection and Affordable Care Act, Pub. L. No. 111-148; adjusted to provide prescription drugs and dental services consistent with the medical assistance state plan benefits package for individuals otherwise eligible under this subsection; and adjusted to provide habilitation services consistent with the state medical assistance program section 1915(i) waiver.

(3) (a) For individuals whose income as determined under this paragraph “v” is at or below one hundred percent of the federal poverty level, covered benefits under subparagraph (2) shall be administered consistent with program administration under this subsection.

(b) For individuals whose income as determined under this paragraph “v” is above one hundred percent but not in excess of one hundred thirty-three percent of the federal poverty level, covered benefits shall be administered through provision of premium assistance for the purchase of covered benefits through the American health benefits exchange created pursuant to the Affordable Care Act, as defined in section 249N.2.

Sec. 178. Section 249A.3, subsection 2, paragraph a, subparagraph (7), Code 2013, is amended to read as follows:

(7) Individuals who are receiving state supplementary assistance as defined by section 249.1 ~~or other persons whose needs are considered in computing the recipient's assistance grant.~~

Sec. 179. Section 249J.26, subsection 2, Code 2013, is amended to read as follows:

2. This chapter is repealed ~~October~~ December 31, 2013.

Sec. 180. Section 426B.3, as enacted by 2012 Iowa Acts, chapter 1120, section 137, is amended by adding the following new subsection:

NEW SUBSECTION. 5. a. For the purposes of this subsection, “*Medicaid offset amount*” means the projected amount for a fiscal year that would have been paid from a county’s services fund for those services for persons eligible under the county’s approved service management plan that would be non-Medicaid services, but due to the persons’ enrollment in the Iowa health and wellness plan established under chapter 249N, those services are instead covered under chapter 249N.

b. For the fiscal year beginning July 1, 2013, and succeeding fiscal years, the department of human services shall calculate a Medicaid offset amount for each county for the fiscal year. The department shall adopt rules in consultation with the county finance committee specifying the information to be used in calculating a Medicaid

offset amount. The information shall include but is not limited to identification of specific services and supports that would otherwise be payable by the county for persons eligible under a county's approved service management plan but are instead paid by the Iowa health and wellness plan. The amount calculated for a county shall be subject to review by the auditor of that county or subject to independent audit. The Medicaid offset amounts calculated by the department for a county for a fiscal year are not official until certified by the director of human services and submitted to the governor and general assembly by October 15 immediately following the end of the fiscal year for which the offset amounts were calculated.

c. The Medicaid offset amounts certified for each county by the director of human services for the fiscal year beginning July 1, 2013, shall be annualized by doubling the amounts. For the fiscal year beginning July 1, 2014, a county shall repay the state from any equalization payment due the county for the fiscal year, eighty percent of the county's annualized Medicaid offset amount for the fiscal year beginning July 1, 2013. To the extent a county's repayment obligation for the fiscal year beginning July 1, 2014, exceeds the amount of any equalization payment due the county for the fiscal year, the county shall, for the following fiscal year, reduce the dollar amount of the county's services fund levy by the amount of the excess.

d. For the fiscal year beginning July 1, 2015, and succeeding fiscal years, a county shall repay the state from any equalization payment due the county for the fiscal year, eighty percent of the county's Medicaid offset amount certified for the previous fiscal year. To the extent a county's repayment obligation for a fiscal year exceeds the amount of any equalization payment due the county for that fiscal year, the county shall, for the following fiscal year, reduce the dollar amount of the county's services fund levy by the amount of the excess.

e. A county's repayment pursuant to this subsection shall be remitted on or before January 1 of the fiscal year in which repayment is due and shall be credited to the property tax relief fund. Moneys credited to the property tax relief fund in accordance with this paragraph are subject to appropriation by the general assembly to support mental health and disability services administered by the regional system.

Sec. 181. MEDICAID OFFSET STUDY. The legislative council is requested to direct a new or existing legislative interim committee to study the provisions for implementing a Medicaid offset amount and repayments under section 426B.3, subsection 5, as enacted by this division of this Act during the 2013 legislative interim. The interim committee shall be directed to consider the potential effects of the repayment provisions on the ability of the mental health and disability service regions to adequately fund the initial core services and additional core services under section 331.397, and to make recommendations to address funding insufficiencies.

Sec. 182. ADVISORY COUNCIL FOR STATE INNOVATION MODELS INITIATIVE.

1. No later than thirty days after the effective date of this division of this Act, the legislative council shall establish a legislative advisory council to guide the development of the design model and implementation plan for the state innovation models initiative grant awarded by the Centers for Medicare and Medicaid of the United States department of health and human services. The legislative advisory council shall consist of members of the general assembly, members of the governor's advisory committee who developed the grant proposal, and representatives of consumers and health care providers, appointed by the legislative council as necessary to ensure that the process is comprehensive and provides ample opportunity for the variety of stakeholders to participate in the process.

2. The legislative advisory council shall provide oversight throughout the development process, shall receive periodic progress reports from the department of human services, and shall make recommendations regarding integrated care models and implementation strategies for the medical assistance program presented by the department of human services.

3. The department of human services shall develop the integrated care model based on the goals and strategies and model designs included in the state innovation models initiative grant application to improve patient outcomes and satisfaction, while lowering costs, as follows:

a. Goals.

(1) Ensure the coordination of health care delivery for medical assistance program recipients to address the entire spectrum of an individual's physical, behavioral, and mental health needs by targeting at a minimum population health, prevention, health promotion, chronic disease management, disability, and long-term care.

(2) Emphasize whole-person orientation and coordination and integration of both clinical and nonclinical care and supports, to provide individuals with the necessary tools to address determinants of health and to empower individuals to be full participants in their own health. The health care delivery model shall focus on addressing population health through primary and team-based care that incorporates the attributes of a medical home as specified in chapter 135, division XXII.

(3) Ensure accessibility of medical assistance program recipients to an adequate and qualified workforce by most efficiently utilizing the skills of the available workforce.

(4) Incorporate appropriate incentives that focus on quality outcomes and patient satisfaction, to move from volume-based to value-based purchasing.

(5) Provide for alignment of payment methods and quality across health care payers to ensure a unified set of outcomes and to recognize, through reimbursement, all provider participants in the integrated system of care.

b. Strategies and model design.

(1) A strategy to implement a multipayer integrated care model methodology across primary health care payers in the state, by aligning performance measures, utilizing a shared savings or other accountable payment methodology, and integrating an information technology platform to support the integrated care model. The strategy shall ensure statewide adoption of integrated care for the medical assistance population; explore the role of managed care plans and expansion of managed care in the medical assistance program as part of the integrated care model; address the special circumstances of areas of the state that are rural, underserved, or have higher rates of health disparities; and seek the participation of the Medicare population in the integrated care model.

(2) A strategy to incorporate long-term care and behavioral health services for the medical assistance population into the integrated care model, through integration of community health and community prevention activities.

(3) A strategy to address population health and health promotion, by investing in approaches to influence modifiable determinants of health such as access to health care, healthy behaviors, socioeconomic factors, and the physical environment that collectively impact the health of the community. The strategy shall address the underlying, pervasive, and multifaceted socioeconomic impediments that medical assistance recipients face in being full participants in their own health.

(4) A multiphase strategy to implement a statewide integrated care model to maximize access to health care for medical assistance program recipients in all areas of the state. The strategy shall incorporate flexible integrated care model options and accountable payment methodologies for participation by various types of providers

including individual providers, safety net providers, and nonprofit and public providers that have long experience in caring for vulnerable populations, into the integrated system.

(5) Implementation of a stakeholder process. In addition to the oversight and input provided by the legislative advisory council, the department shall hold public, local listening sessions throughout the state, collaborate with consumer groups and provider groups, and partner with other state agencies such as the department on aging and the department of public health to elicit input and feedback on the model design.

(6) Development of a multipayer approach including the medical assistance and children's health insurance programs, private payers, and Medicare.

(7) Oversight of the administration of the model design project.

(8) Engagement of providers beyond the large, integrated health systems to maximize access to all levels of care within an integrated model program by medical assistance recipients.

4. The department shall submit proposed legislation specifying the model design and implementation plan to the advisory council no later than December 15, 2013.

Sec. 183. LEGISLATIVE INTERIM COMMITTEE ON INTEGRATED CARE MODELS.

1. a. A legislative interim committee on integrated care models is created for the 2013 legislative interim. The legislative services agency shall provide staffing assistance to the committee.

b. The interim committee shall include at least ten members of the general assembly and may include members of the public appointed by the legislative council who represent consumers, health care providers, hospitals and health systems, and other entities with interest or expertise related to integrated care models. The interim committee may also include the director of human services, the commissioner of insurance, the director of public health, and the attorney general, or each individual's designee.

2. The interim committee shall do all of the following:

a. Review and make recommendations relating to the formation and operation of integrated care models in the state. The models shall include any care delivery model that integrates providers and incorporates a financial incentive to improve patient health outcomes, improve care, and reduce costs.

b. Review integrated care models created in other states that integrate both clinical services and nonclinical community and social supports utilizing patient-centered medical homes and community care teams as basic components to determine the feasibility of adapting any of these models as a statewide system in Iowa.

c. Recommend the best means of providing care through integrated delivery models throughout the state including to vulnerable populations and how best to incorporate safety net providers, including but not limited to federally qualified health centers, rural health clinics, community mental health centers, public hospitals, and other nonprofit and public providers that have long experience in caring for vulnerable populations, into the integrated system.

d. Review the progress of the development of medical homes as specified in chapter 135, division XXII, in the state and make recommendations for development of a statewide infrastructure of actual and virtual medical homes to act as the foundation for integrated care models.

e. Review opportunities under the federal Patient Protection and Affordable Care Act (Affordable Care Act), Pub. L. No. 111-148, as amended, for the development of integrated care models including the Medicare Shared Savings Program for accountable care organizations, community-based collaborative care networks that include safety net providers, and consumer-operated and oriented plans. The interim

committee shall also review existing and proposed integrated care models in the state including commercial models and those developed or proposed under the Affordable Care Act including the Medicare Shared Savings Program and the Pioneer ACO to determine the opportunities for expansion or replication.

f. Address the issues relative to integrated care models including those relating to consumer protection; payment and financing issues; organizational, management, and governing structures; performance standards; patient attribution or assignment models; health information exchange, data reporting, and infrastructure standards; and regulatory issues.

3. The interim committee shall present a summary of its review and recommendations in a report to the 2014 session of the general assembly.

Sec. 184. MALPRACTICE CERTIFICATE-OF-MERIT AFFIDAVITS STUDY. The legislative council is requested to establish an interim study committee, composed of members of the senate and the house of representatives, to meet during the 2013 interim, to study the submission of certificate-of-merit affidavits by plaintiffs and defendants in malpractice actions and limitations on the number of expert witnesses that may be called by both plaintiffs and defendants involving health care providers. The study committee shall present its conclusions and recommendations in a report to the 2014 session of the general assembly.

Sec. 185. EMERGENCY RULES. The department of human services may adopt administrative rules under section 17A.4, subsection 3, and section 17A.5, subsection 2, paragraph "b", to implement the provisions of this division of this Act and the rules shall become effective immediately upon filing or on a later effective date specified in the rules, unless the effective date is delayed by the administrative rules review committee. Any rules adopted in accordance with this section shall not take effect before the rules are reviewed by the administrative rules review committee. The delay authority provided to the administrative rules review committee under section 17A.4, subsection 7, and section 17A.8, subsection 9, shall be applicable to a delay imposed under this section, notwithstanding a provision in those sections making them inapplicable to section 17A.5, subsection 2, paragraph "b". Any rules adopted in accordance with the provisions of this section shall also be published as notice of intended action as provided in section 17A.4.

Sec. 186. DIRECTIVES TO DEPARTMENT OF HUMAN SERVICES.

1. Upon enactment of this division of this Act, the department of human services shall request federal approval of a medical assistance state plan amendment or section 1115 demonstration waiver, as necessary, to implement this division of this Act effective January 1, 2014. The state plan or waiver shall include a provision specifying that if the methodology for calculating the federal medical assistance percentage for eligible individuals as defined in section 249N.1, as provided in 42 U.S.C. § 1396d(y), is modified through federal law or regulation, in a manner that reduces the percentage of federal assistance to the state in a manner inconsistent with 42 U.S.C. § 1396d(y), or if federal law or regulation affecting eligibility or benefits for the Iowa health and wellness plan is modified, the department of human services shall implement an alternative plan for coverage of the affected population, subject to prior, statutory approval of the implementation.

The state plan or waiver shall also include a provision that if the methodology for calculating the federal medical assistance percentage for eligible individuals, as provided in 42 U.S.C. § 1396d(y), is modified through federal law or regulation resulting in a reduction of the percentage of federal assistance to the state below ninety percent but not below eighty-five percent, the medical assistance program

reimbursement rates for inpatient and outpatient hospital services shall be reduced by a like percentage in the succeeding fiscal year, subject to prior, statutory approval of implementation of the reduction.

2. The director of human services shall report at least monthly, and upon request of a chairperson of the joint appropriations subcommittee on health and human services, to the chairpersons and ranking members of the joint appropriations subcommittee on health and human services, the legislative services agency, and the legislative caucus staffs on the progress of the request for federal approval.

3. The department shall prepare a plan for the transition of expansion population members under chapter 249J to other health care coverage options beginning January 1, 2014. To the greatest extent possible, the plan shall maintain and incorporate the existing medical home and service delivery structure developed under chapter 249J, including the utilization of federally qualified health centers, public hospitals, and other safety net providers, in providing access to care. The department shall submit the plan to the governor and the general assembly no later than September 1, 2013.

4. The provisions in appropriations made in this Act to the medical assistance program relating to abortion shall also apply to the Iowa health and wellness plan created in chapter 249N as enacted in this Act.

Sec. 187. EFFECTIVE UPON ENACTMENT AND CONTINGENT IMPLEMENTATION. This division of this Act, being deemed of immediate importance, takes effect upon enactment. However, the department of human services shall implement the sections of this division of this Act enacting chapter 249N, and section 249A.3, subsection 1, paragraph “v”, and amending section 426B.3, effective January 1, 2014, contingent and only upon receipt of federal approval of the state plan amendment or waiver request submitted under this division of this Act.>

ON THE PART OF THE SENATE:

JACK HATCH, Chair
JOE BOLKCOM
AMANDA RAGAN

ON THE PART OF THE HOUSE:

DAVE HEATON, Chair
MARK COSTELLO
JOEL FRY

SENATE FILE 447

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 447, a bill for an Act relating to appropriations to the justice system and including effective dates, respectfully make the following report:

1. That the House recedes from its amendment, S-3179.
2. That Senate File 447, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, before line 1 by inserting:

<DIVISION I

FY 2013-2014

APPROPRIATIONS>

2. Page 1, line 22, by striking <8,876,400> and inserting <6,734,400>

3. By striking page 1, line 29, through page 2, line 2.

4. Page 2, line 17, by striking <2,400,000> and inserting <2,180,562>

5. Page 3, line 27, by striking <51,645,396> and inserting <43,107,133>

6. Page 3, by striking lines 28 through 32.

7. Page 4, line 9, by striking <32,183,850> and inserting <32,920,521>

8. Page 4, by striking lines 10 and 11 and inserting:

<It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.>

9. Page 4, line 19, by striking <27,348,450> and inserting <27,127,290>

10. Page 4, line 23, by striking <25,573,157> and inserting <24,811,427>

11. Page 4, line 27, by striking <9,836,698> and inserting <9,671,148>

12. Page 4, line 31, by striking <25,982,680> and inserting <25,241,616>

13. Page 5, line 5, by striking <20,088,953> and inserting <21,604,035>

14. Page 5, line 9, by striking <30,157,258> and inserting <29,865,232>

15. Page 5, line 32, by striking <4,831,582> and inserting <5,081,582>

16. Page 6, line 33, by striking <2,858,109> and inserting <2,608,109>

17. By striking page 6, line 34, through page 7, line 3, and inserting:

<a. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.>

18. Page 7, after line 34 by inserting:

<6A. For operations, costs, and miscellaneous purposes:

..... \$ 2,571,309>

19. Page 8, line 30, by striking <11,099,457> and inserting <10,870,425>

20. Page 9, line 1, by striking <5,552,458> and inserting <5,459,309>

21. Page 9, line 5, by striking <20,367,463> and inserting <19,375,428>

22. Page 9, line 8, by striking <16,461,170> and inserting <14,638,537>

23. Page 10, by striking lines 11 through 13 and inserting <notice to the legislative services agency, the department of corrections shall>

24. Page 10, after line 35 by inserting:

<3. The department of corrections, in cooperation with the attorney general's office, shall submit a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, and the legislative agency, by January 15, 2014. The report shall detail the results of the central pharmacy pilot project that utilizes the Iowa prescription drug corporation's voucher program for indigent offenders. The report shall include but is not limited to the number of offenders annually served by the pilot project, funding sources, and the recidivism rates of offenders in the pilot project.>

25. Page 14, line 6, by striking <33.40> and inserting <37.40>

26. Page 14, line 7, before <The> by inserting <a.>

27. Page 14, after line 13 by inserting:

<b. It is the intent of the general assembly that the homeland security and emergency management division or successor agency work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.>

28. Page 14, line 23, by striking <38.00> and inserting <39.00>

29. Page 14, by striking lines 34 and 35.

30. Page 16, line 1, by striking <57,036,208> and inserting <55,536,208>

31. Page 16, line 2, by striking <506.22> and inserting <494.47>

32. Page 16, after line 2 by inserting:

<___. For operations, costs, and miscellaneous purposes:

..... \$ 1,700,000>

33. Page 16, after line 2 by inserting:

<It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.>

34. Page 16, by striking lines 22 and 23 and inserting <agency, and the>

35. By striking page 18, line 30, through page 23, line 23, and inserting:

<DIVISION ____

FY 2014–2015

APPROPRIATIONS

Sec. ____ DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

.....	\$	3,983,965
.....	FTEs	214.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

.....	\$	3,367,200
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The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice shall transfer at least \$150,000 from the victim compensation fund established in section 915.94 to the victim assistance grant program.

Notwithstanding section 8.33, moneys appropriated in this lettered paragraph that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

c. For legal services for persons in poverty grants as provided in section 13.34:

.....	\$	1,090,281
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2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2015, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of justice shall also report actual reimbursements for the fiscal year commencing July 1, 2013, and actual and expected reimbursements for the fiscal year commencing July 1, 2014.

b. The department of justice shall include the report required under paragraph “a”, as well as information regarding any revisions occurring as a result of reimbursements

actually received or expected at a later date, in a report to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency. The department of justice shall submit the report on or before January 15, 2015.

Sec. ____ OFFICE OF CONSUMER ADVOCATE. There is appropriated from the department of commerce revolving fund created in section 546.12 to the office of consumer advocate of the department of justice for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	1,568,082
.....	FTEs	22.00

Sec. ____ DEPARTMENT OF CORRECTIONS — FACILITIES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the operation of adult correctional institutions, reimbursement of counties for certain confinement costs, and federal prison reimbursement, to be allocated as follows:

a. For the operation of the Fort Madison correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	21,553,567
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The department of corrections shall submit, to the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system by January 15, 2015, the plans for the integration of the John Bennett facility and the clinical care unit into the new Fort Madison maximum security correctional facility and the future plans for the use of the current Fort Madison maximum security correctional facility after the inmates are transferred to the new facility.

b. For the operation of the Anamosa correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	16,460,261
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It is the intent of the general assembly that the department of corrections maintain and operate the Luster Heights prison camp.

c. For the operation of the Oakdale correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	29,275,062
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d. For the operation of the Newton correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	13,563,645
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e. For the operation of the Mt. Pleasant correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	12,405,714
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f. For the operation of the Rockwell City correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	4,835,574
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g. For the operation of the Clarinda correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

.....	\$	12,620,808
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Moneys received by the department of corrections as reimbursement for services provided to the Clarinda youth corporation are appropriated to the department and shall be used for the purpose of operating the Clarinda correctional facility.

h. For the operation of the Mitchellville correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 10,802,018

i. For the operation of the Fort Dodge correctional facility, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 14,932,616

j. For reimbursement of counties for temporary confinement of work release and parole violators, as provided in sections 901.7, 904.908, and 906.17, and for offenders confined pursuant to section 904.513:

..... \$ 537,546

k. For federal prison reimbursement, reimbursements for out-of-state placements, and miscellaneous contracts:

..... \$ 242,206

2. The department of corrections shall use moneys appropriated in subsection 1 to continue to contract for the services of a Muslim imam and a Native American spiritual leader.

Sec. ____ DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For general administration, including salaries, support, maintenance, employment of an education director to administer a centralized education program for the correctional system, and miscellaneous purposes:

..... \$ 2,540,791

a. It is the intent of the general assembly that each lease negotiated by the department of corrections with a private corporation for the purpose of providing private industry employment of inmates in a correctional institution shall prohibit the private corporation from utilizing inmate labor for partisan political purposes for any person seeking election to public office in this state and that a violation of this requirement shall result in a termination of the lease agreement.

b. It is the intent of the general assembly that as a condition of receiving the appropriation provided in this subsection the department of corrections shall not enter into a lease or contractual agreement pursuant to section 904.809 with a private corporation for the use of building space for the purpose of providing inmate employment without providing that the terms of the lease or contract establish safeguards to restrict, to the greatest extent feasible, access by inmates working for the private corporation to personal identifying information of citizens.

2. For educational programs for inmates at state penal institutions:

..... \$ 1,304,055

a. To maximize the funding for educational programs, the department shall establish guidelines and procedures to prioritize the availability of educational and vocational training for inmates based upon the goal of facilitating an inmate's successful release from the correctional institution.

b. The director of the department of corrections may transfer moneys from Iowa prison industries and the canteen operating funds established pursuant to section 904.310, for use in educational programs for inmates.

c. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unobligated or unexpended at the close of the fiscal year shall not revert but shall remain available to be used only for the purposes designated in this subsection until the close of the succeeding fiscal year.

3. For the development of the Iowa corrections offender network (ICON) data system:

.....	\$	1,000,000
4. For offender mental health and substance abuse treatment:		
.....	\$	11,160
5. For viral hepatitis prevention and treatment:		
.....	\$	83,941
6. For operations costs and miscellaneous purposes:		
.....	\$	1,285,655

7. It is the intent of the general assembly that for the fiscal year addressed by this section the department of corrections shall continue to operate the correctional farms under the control of the department at the same or greater level of participation and involvement as existed as of January 1, 2011; shall not enter into any rental agreement or contract concerning any farmland under the control of the department that is not subject to a rental agreement or contract as of January 1, 2011, without prior legislative approval; and shall further attempt to provide job opportunities at the farms for inmates. The department shall attempt to provide job opportunities at the farms for inmates by encouraging labor-intensive farming or gardening where appropriate; using inmates to grow produce and meat for institutional consumption; researching the possibility of instituting food canning and cook-and-chill operations; and exploring opportunities for organic farming and gardening, livestock ventures, horticulture, and specialized crops.

Sec. ____ JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL SERVICES.

1. There is appropriated from the general fund of the state to the department of corrections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, for salaries, support, maintenance, and miscellaneous purposes, the following amounts, or so much thereof as is necessary, to be allocated as follows:

a. For the first judicial district department of correctional services:		
.....	\$	7,049,543
b. For the second judicial district department of correctional services:		
.....	\$	5,435,213
c. For the third judicial district department of correctional services:		
.....	\$	3,552,933
d. For the fourth judicial district department of correctional services:		
.....	\$	2,747,655
e. For the fifth judicial district department of correctional services, including funding for electronic monitoring devices for use on a statewide basis:		
.....	\$	9,687,714
f. For the sixth judicial district department of correctional services:		
.....	\$	7,319,269
g. For the seventh judicial district department of correctional services:		
.....	\$	3,804,891
h. For the eighth judicial district department of correctional services:		
.....	\$	4,103,307

2. Each judicial district department of correctional services, within the funding available, shall continue programs and plans established within that district to provide for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate criminal sanctions.

3. Each judicial district department of correctional services shall provide alternatives to prison consistent with chapter 901B. The alternatives to prison shall ensure public safety while providing maximum rehabilitation to the offender. A judicial district department of correctional services may also establish a day program.

4. The governor's office of drug control policy shall consider federal grants made to the department of corrections for the benefit of each of the eight judicial district departments of correctional services as local government grants, as defined pursuant to federal regulations.

5. The department of corrections shall continue to contract with a judicial district department of correctional services to provide for the rental of electronic monitoring equipment which shall be available statewide.

Sec. ____ DEPARTMENT OF CORRECTIONS — REALLOCATION OF APPROPRIATIONS. Notwithstanding section 8.39, within the moneys appropriated in this division of this Act to the department of corrections, the department may reallocate the moneys appropriated and allocated as necessary to best fulfill the needs of the correctional institutions, administration of the department, and the judicial district departments of correctional services. However, in addition to complying with the requirements of sections 904.116 and 905.8 and providing notice to the legislative services agency, the department of corrections shall also provide notice to the department of management, prior to the effective date of the revision or reallocation of an appropriation made pursuant to this section. The department of corrections shall not reallocate an appropriation or allocation for the purpose of eliminating any program.

Sec. ____ INTENT — REPORTS.

1. The department of corrections in cooperation with townships, the Iowa cemetery associations, and other nonprofit or governmental entities may use inmate labor during the fiscal year beginning July 1, 2014, to restore or preserve rural cemeteries and historical landmarks. The department in cooperation with the counties may also use inmate labor to clean up roads, major water sources, and other water sources around the state.

2. On a quarterly basis the department shall provide a status report regarding private-sector employment to the legislative services agency beginning on July 1, 2014. The report shall include the number of offenders employed in the private sector, the combined number of hours worked by the offenders, the total amount of allowances, and the distribution of allowances pursuant to section 904.702, including any moneys deposited in the general fund of the state.

Sec. ____ ELECTRONIC MONITORING REPORT. The department of corrections shall submit a report on electronic monitoring to the general assembly, to the co-chairpersons and the ranking members of the joint appropriations subcommittee on the justice system, and to the legislative services agency by January 15, 2015. The report shall specifically address the number of persons being electronically monitored and break down the number of persons being electronically monitored by offense committed. The report shall also include a comparison of any data from the prior fiscal year with the current year.

Sec. ____ STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

1. As used in this section, unless the context otherwise requires, "state agency" means the government of the state of Iowa, including but not limited to all executive branch departments, agencies, boards, bureaus, and commissions, the judicial branch, the general assembly and all legislative agencies, institutions within the purview of the state board of regents, and any corporation whose primary function is to act as an instrumentality of the state.

2. State agencies are hereby encouraged to purchase products from Iowa state industries, as defined in section 904.802, when purchases are required and the products are available from Iowa state industries. State agencies shall obtain bids from Iowa state industries for purchases of office furniture during the fiscal year beginning July 1, 2014, exceeding \$5,000 or in accordance with applicable administrative rules related to purchases for the agency.

Sec. ____ IOWA LAW ENFORCEMENT ACADEMY.

1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, miscellaneous purposes, including jailer training and technical assistance, and for not more than the following full-time equivalent positions:

.....	\$	500,849
.....	FTEs	23.88

It is the intent of the general assembly that the Iowa law enforcement academy may provide training of state and local law enforcement personnel concerning the recognition of and response to persons with Alzheimer's disease.

The Iowa law enforcement academy may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. The Iowa law enforcement academy may select at least five automobiles of the department of public safety, division of state patrol, prior to turning over the automobiles to the department of administrative services to be disposed of by public auction, and the Iowa law enforcement academy may exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy. However, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of state patrol.

Sec. ____ STATE PUBLIC DEFENDER. There is appropriated from the general fund of the state to the office of the state public defender of the department of inspections and appeals for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be allocated as follows for the purposes designated:

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

.....	\$	12,931,091
.....	FTEs	219.00

2. For payments on behalf of eligible adults and juveniles from the indigent defense fund, in accordance with section 815.11:

.....	\$	14,950,965
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Sec. ____ BOARD OF PAROLE. There is appropriated from the general fund of the state to the board of parole for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	601,918
.....	FTEs	11.00

Sec. ____ DEPARTMENT OF PUBLIC DEFENSE. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. MILITARY DIVISION

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

.....	\$	3,263,521
.....	FTEs	293.61

The military division may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION OR SUCCESSOR AGENCY

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

.....	\$	1,087,139
.....	FTEs	37.40

a. The homeland security and emergency management division or successor agency may temporarily exceed and draw more than the amount appropriated in this subsection and incur a negative cash balance as long as there are receivables of federal funds equal to or greater than the negative balance and the amount appropriated in this subsection is not exceeded at the close of the fiscal year.

b. It is the intent of the general assembly that the homeland security and emergency management division or successor agency work in conjunction with the department of public safety, to the extent possible, when gathering and analyzing information related to potential domestic or foreign security threats, and when monitoring such threats.

Sec. ____ DEPARTMENT OF PUBLIC SAFETY. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the department's administrative functions, including the criminal justice information system, and for not more than the following full-time equivalent positions:

.....	\$	2,033,527
.....	FTEs	39.00

2. For the division of criminal investigation, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	6,466,707
.....	FTEs	149.60

1. For the criminalistics laboratory fund created in section 691.9:

.....	\$	151,173
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4. a. For the division of narcotics enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8,

multiplied by the salaries for which the moneys are appropriated, to meet federal fund matching requirements, and for not more than the following full-time equivalent positions:

.....	\$	3,377,928
.....	FTEs	66.00

b. For the division of narcotics enforcement for undercover purchases:

.....	\$	54,521
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5. For the division of state fire marshal, for fire protection services as provided through the state fire service and emergency response council as created in the department, and for the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	2,235,278
.....	FTEs	53.00

6. For the division of state patrol, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of the state's normal contribution rate, as defined in section 97A.8, multiplied by the salaries for which the moneys are appropriated, and for not more than the following full-time equivalent positions:

.....	\$	27,768,104
.....	FTEs	494.47

It is the intent of the general assembly that members of the state patrol be assigned to patrol the highways and roads in lieu of assignments for inspecting school buses for the school districts.

7. For operations costs, and miscellaneous purposes:

.....	\$	850,000
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8. For deposit in the sick leave benefits fund established under section 80.42 for all departmental employees eligible to receive benefits for accrued sick leave under the collective bargaining agreement:

.....	\$	139,759
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9. For costs associated with the training and equipment needs of volunteer fire fighters:

.....	\$	362,760
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a. Notwithstanding section 8.33, moneys appropriated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure only for the purpose designated in this subsection until the close of the succeeding fiscal year.

b. Notwithstanding section 8.39, the department of public safety may reallocate moneys appropriated in this section as necessary to best fulfill the needs provided for in the appropriation. However, the department shall not reallocate moneys appropriated to the department in this section unless notice of the reallocation is given to the legislative services agency and the department of management prior to the effective date of the reallocation. The notice shall include information regarding the rationale for reallocating the moneys. The department shall not reallocate moneys appropriated in this section for the purpose of eliminating any program.

Sec. ____ GAMING ENFORCEMENT.

1. There is appropriated from the gaming enforcement revolving fund created in section 80.43 to the department of public safety for the fiscal year beginning July 1,

2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For any direct support costs for agents and officers of the division of criminal investigation's excursion gambling boat, gambling structure, and racetrack enclosure enforcement activities, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,449,004
.....	FTEs	115.00

2. For each additional license to conduct gambling games on an excursion gambling boat, gambling structure, or racetrack enclosure issued during the fiscal year beginning July 1, 2014, there is appropriated from the gaming enforcement fund to the department of public safety for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an additional amount of not more than \$300,000 to be used for not more than 3.00 additional full-time equivalent positions.

3. The department of public safety, with the approval of the department of management, may employ no more than three special agents for each additional riverboat or gambling structure regulated after July 1, 2014, and three special agents for each racing facility which becomes operational during the fiscal year which begins July 1, 2014. Positions authorized in this subsection are in addition to the full-time equivalent positions otherwise authorized in this section.

Sec. ____ CIVIL RIGHTS COMMISSION. There is appropriated from the general fund of the state to the Iowa state civil rights commission for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	648,535
.....	FTEs	28.00

The Iowa state civil rights commission may enter into a contract with a nonprofit organization to provide legal assistance to resolve civil rights complaints.

Sec. ____ CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	630,053
.....	FTEs	10.81

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. ____ HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION. There is appropriated from the wireless E911 emergency communications fund created in section 34A.7A to the homeland security and emergency management division or successor agency for the fiscal year beginning July 1, 2014, and ending June 30, 2015, an amount not exceeding \$250,000 to be used for implementation, support, and maintenance of the functions of the administrator and program manager under chapter 34A and to employ the auditor of the state to perform an annual audit of the wireless E911 emergency communications fund.

DIVISION ____

PUBLIC SAFETY INTEROPERABLE AND BROADBAND COMMUNICATIONS
FUND

Sec. ____ NEW SECTION. **80.44 Public safety interoperable and broadband communications fund.**

1. A statewide public safety interoperable and broadband communications fund is established in the office of the treasurer of state under the control of the department of public safety. Any moneys annually appropriated, granted, or credited to the fund, including any federal moneys, are appropriated to the department of public safety for the planning and development of a statewide public safety interoperable and broadband communications system.

2. Notwithstanding section 12C.7, subsection 2, interest and earnings on moneys deposited in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys remaining in the fund at the end of the fiscal year shall not revert to any other fund but shall remain available to be used for the purposes specified in subsection 1.

Sec. ____ 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10, is amended to read as follows:

9. For costs associated with the training and operation of the statewide interoperable communications system board ~~excluding salaries and contracts or deposit in the statewide public safety interoperable and broadband communications fund established in section 80.44, as determined by the department:~~

..... \$ 48,000

Sec. ____ **EFFECTIVE UPON ENACTMENT.** The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this division amending 2011 Iowa Acts, chapter 134, section 43, subsection 9, as amended by 2012 Iowa Acts, chapter 1134, section 10.

2. The section of this division enacting the section tentatively numbered 80.44.

DIVISION ____

PUBLIC SAFETY AND TRAINING TASK FORCE

Sec. ____ **PUBLIC SAFETY TRAINING AND FACILITIES TASK FORCE.**

1. A public safety training and facilities task force is established. The department of public safety shall provide administrative support for the task force.

2. The task force shall consist of the following members:

a. One member appointed by the Iowa state sheriffs' and deputies' association.

b. One member appointed by the Iowa police chiefs association.

c. One member who is a fire fighter appointed by the Iowa professional fire fighters association.

d. One member who is the administrator of the Iowa fire service training bureau or the administrator's designee.

e. One member who is a representative of the fire service who is not a fire chief appointed by the Iowa firefighters association.

f. The director of the Iowa law enforcement academy or the director's designee.

g. The commissioner of public safety or the training coordinator of the department of public safety, as designated by the commissioner.

h. The state fire marshal or the state fire marshal's designee.

i. One member appointed by the Iowa state police association.

j. One member who is a fire chief appointed by the Iowa fire chiefs association.

k. One member appointed by the Iowa emergency medical services association.

l. One member appointed by the Iowa emergency management association.

m. One member who is a fire chief appointed by the Iowa association of professional fire chiefs.

n. One member who is a member of the office of motor vehicle enforcement of the department of transportation appointed by the director of the department of transportation.

o. Four members of the general assembly serving as ex officio, nonvoting members, one representative to be appointed by the speaker of the house of representatives, one representative to be appointed by the minority leader of the house of representatives, one senator to be appointed by the majority leader of the senate, and one senator to be appointed by the minority leader of the senate.

3. The members of the task force shall select one chairperson and one vice chairperson. The vice chairperson shall preside in the absence of the chairperson. Section 69.16A shall apply to the voting members of the task force.

4. It is the intent of the general assembly in establishing this task force that the task force develop a coordinated plan amongst all public safety disciplines that would oversee the construction of a consolidated fire and police public safety training facility, provide for the establishment of a governance board for the public safety disciplines and the consolidated facility, and to establish a consistent and steady funding mechanism to defray public safety training costs on an ongoing basis.

5. The task force shall seek and consider input from all interested stakeholders and members of the public and shall include an emphasis on receiving input from fire service, law enforcement, and emergency medical services personnel. The task force shall consider and develop strategies relating to public safety training facility governance with the goal of all public safety disciplines being represented. Each public safety discipline shall advise the task force by developing individual training policies as determined by the discipline's governing bodies. The task force shall also develop a proposal for a joint public safety training facility, a budget for construction and future operation of the facility, financing options, including possible public-private partnerships, for construction and operation of the facility, and potential locations for the facility that are centrally located in this state.

6. a. The task force shall provide interim reports to the general assembly by December 31 of each year concerning the activities of the task force and shall submit its final report, including its findings and recommendations, to the general assembly by December 31, 2016.

b. The final report shall include but not be limited to recommendations concerning the following:

(1) Consolidation of public safety governance within a single board and the membership of the board. Board duties would include overseeing the construction and maintenance of a consolidated fire and police public safety training facility.

(2) Development of a consolidated fire and police public safety training facility, including possible locations, building recommendations, and financing options.

(3) Any other recommendations relating to public safety training and facilities requirements.

DIVISION ____

CIGARETTE FIRE SAFETY STANDARD FUND — APPROPRIATION

Sec. ____ Section 101B.5, subsection 5, Code 2013, is amended to read as follows:

5. For each cigarette listed in a certification, a manufacturer shall pay a fee of one hundred dollars to the department. The department shall deposit all fees received pursuant to this subsection with the treasurer of state for credit to the general fund of the state.

Sec. ____ Section 101B.8, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall deposit any moneys received from civil penalties assessed pursuant to this section with the treasurer of state for credit to the general fund of the state.

Sec. ____ Section 101B.9, Code 2013, is amended to read as follows:

101B.9 Cigarette fire safety standard fund.

A cigarette fire safety standard fund is created as a special fund in the state treasury under the control of the department of public safety. The fund shall consist of all moneys recovered from the assessment of civil penalties or certification fees under this chapter. ~~The moneys in the fund shall, in~~ In addition to any moneys made available for such purpose, ~~be available, subject to appropriation, moneys in the fund are appropriated~~ to the department of public safety for the purpose of fire safety and prevention programs, including for entry level fire fighter training, equipment, and operations.

Sec. ____ REPEAL. Section 101B.9, Code 2013, is repealed.

Sec. ____ CIGARETTE FIRE SAFETY STANDARD FUND. Any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012, is transferred to the department of justice and is appropriated for use during the fiscal year beginning July 1, 2013, and ending June 30, 2014, for victim assistance grants.

Sec. ____ EFFECTIVE UPON ENACTMENT. The following provision or provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section amending section 101B.9.

2. The section providing for transfer of any remaining balance of the cigarette fire safety standard fund at the close of the fiscal year beginning July 1, 2012.

3. The section providing for retroactive applicability.

Sec. ____ RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 1, 2007:

1. The section of this division amending section 101B.9.

DIVISION ____
SPECIAL AGENTS ____ GAMING

Sec. ____ Section 99D.14, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. (1) A licensee shall pay a regulatory fee to be charged as provided in this section. In determining the regulatory fee to be charged as provided under this section, the commission shall use the amount appropriated to the commission plus the cost of salaries for no more than ~~two~~ three special agents for each racetrack that has not been issued a table games license under chapter 99F or no more than three special agents for each racetrack that has been issued a table games license under chapter 99F, plus any direct and indirect support costs for the agents, for the division of criminal investigation's racetrack activities, as the basis for determining the amount of revenue to be raised from the regulatory fee.

(2) Indirect support costs under this section shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

Sec. ____ Section 99D.14, subsection 2, Code 2013, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The aggregate amount of the regulatory fee assessed under paragraph "a" during each fiscal year shall be reduced by an amount equal to the

unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 and 99F.20 during that previous fiscal year.

NEW PARAGRAPH. e. By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each racetrack enclosure.

NEW PARAGRAPH. f. The division of criminal investigation shall conduct a review relating to the number of special agents permitted for each racetrack under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99F.10, subsection 4, paragraph "g". The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. ____ Section 99F.10, subsection 4, Code 2013, is amended to read as follows:

4. a. In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus the following as applicable:

(1) Prior to July 1, 2016, the cost of salaries for no more than two special agents for each excursion gambling boat or gambling structure and no more than four gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat or gambling structure with a patron capacity of at least two thousand persons, plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities. However, the division of criminal investigation may add one additional special agent to the number of special agents specified in this subparagraph for each excursion gambling boat or gambling structure if at least two gaming enforcement officer full-time equivalent positions are vacant. Otherwise, the division of criminal investigation shall not fill vacant gaming enforcement officer positions.

(2) On or after July 1, 2016, the cost of salaries for no more than three special agents for each excursion gambling boat or gambling structure, plus any direct and indirect support costs for the agents, for the division of criminal investigation's excursion gambling boat or gambling structure activities.

b. Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of special agents and officers plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat or gambling structure activities, shall be deposited into the gaming enforcement revolving fund established in section 80.43. However, the department of public safety shall transfer, on an annual basis, the portion of the regulatory fee attributable to the indirect support costs of the special agents and gaming enforcement officers to the general fund of the state.

c. Notwithstanding sections 8.60 and 99F.4, the portion of the fee paid pursuant to paragraph "a" relating to the costs of the commission shall not be deposited in the general fund of the state but instead shall be deposited into the gaming regulatory revolving fund established in section 99F.20.

d. Indirect support costs under paragraph “a” shall be calculated at the same rate used in accordance with the federal office of management and budget cost principles for state, local, and Indian tribal governments that receive a federally approved indirect cost rate.

e. The aggregate amount of the regulatory fee assessed under paragraph “a” during each fiscal year shall be reduced by an amount equal to the unexpended moneys from the previous fiscal year that were deposited into the revolving funds established in sections 80.43 or 99F.20 during that previous fiscal year.

f. By January 1, 2015, and by January 1 of every year thereafter, the division of criminal investigation shall provide the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system, the legislative services agency, and the commission with a report detailing the activities of the division during the previous fiscal year for each excursion gambling boat and gambling structure.

g. The division of criminal investigation shall review the number of special agents permitted for each excursion gambling boat or gambling structure under this subsection and the activities of such agents. The review shall also include comments from the commission and licensees and be combined with the review conducted under section 99D.14, subsection 2, paragraph “f”. The division of criminal investigation shall file a report detailing the review conducted pursuant to this paragraph with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by July 1, 2020.

Sec. ____ GAMING ENFORCEMENT STUDY. The division of criminal investigation of the department of public safety and the Iowa gaming association shall jointly or separately file a report with the co-chairpersons and ranking members of the joint appropriations subcommittee on the justice system and the legislative services agency by December 15, 2013, detailing the activities of gaming enforcement officers and special agents working at excursion gambling boats, gambling structures, and racetrack enclosures. The report shall include the number of incidences the gaming enforcement officers handle versus private security, the number of fraud investigations and background checks performed by the special agents, and the percentage of time gaming enforcement officers and special agents work on gaming-related and nongaming-related cases. The report shall also include the time periods each excursion gambling boat, gambling structure, and racetrack enclosure are not staffed by at least one gaming enforcement officer or special agent.

DIVISION ____

JUDICIAL COMPENSATION — STUDY

Sec. ____ JUDICIAL COMPENSATION — INTERIM STUDY COMMITTEE.

1. The legislative council is requested to authorize an interim committee to study judicial compensation during the 2013 legislative interim.

2. The committee shall be composed of the following:

- a. Three members of the senate.
- b. Three members of the house of representatives.
- c. A member appointed by the governor.
- d. A supreme court justice.
- e. A district judge.
- f. A district associate judge.
- g. A magistrate.
- h. The state court administrator.

DIVISION ____

MISCELLANEOUS CODE CHANGES

Sec. ____ Section 85.67, Code 2013, is amended to read as follows:

85.67 Administration of fund — special counsel — payment of award.

The attorney general shall appoint a staff member to represent the treasurer of state and the fund in all proceedings and matters arising under this division. The attorney general shall be reimbursed up to ~~one hundred fifty~~ two hundred fifteen thousand dollars annually from the fund for services provided related to the fund. The commissioner of insurance shall consider the reimbursement to the attorney general as an outstanding liability when making a determination of funding availability under section 85.65A, subsection 2. In making an award under this division, the workers' compensation commissioner shall specifically find the amount the injured employee shall be paid weekly, the number of weeks of compensation which shall be paid by the employer, the date upon which payments out of the fund shall begin, and, if possible, the length of time the payments shall continue.

Sec. ____ Section 654.4B, subsection 2, paragraph b, Code 2013, is amended by striking the paragraph.

Sec. ____ Section 714.16C, subsection 2, Code 2013, is amended to read as follows:

2. For each fiscal year, not more than one million ~~one hundred twenty five~~ eight hundred seventy-five thousand dollars is appropriated from the fund to the department of justice to be used for public education relating to consumer fraud and for enforcement of section 714.16 and federal consumer laws, and not more than ~~seventy-five~~ one hundred twenty-five thousand dollars is appropriated from the fund to the department of justice to be used for investigation, prosecution, and consumer education relating to consumer and criminal fraud committed against older Iowans.

Sec. ____ IOWA CORRECTIONS OFFENDER NETWORK — FUND. Notwithstanding any provision of law to the contrary, the unencumbered or unobligated balance of the Iowa corrections offender network fund at the close of the fiscal year beginning July 1, 2012, or the close of any succeeding fiscal year that would otherwise be required by law to revert to, be deposited in, or to be credited to the Iowa offender network fund shall instead be credited to the general fund of the state.

Sec. ____ REPEAL. Section 904.118, Code 2013, is repealed.>

ON THE PART OF THE SENATE:

THOMAS G. COURTNEY, Chair
ROBERT M. HOGG
RICH TAYLOR

ON THE PART OF THE HOUSE:

GARY WORTHAN, Chair
MARTI ANDERSON
JULIAN GARRETT
TODD TAYLOR

SENATE FILE 452

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 452, a bill for an Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-1446.
2. That the House recedes from its amendment, S-3218.
3. That Senate File 452, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<DIVISION I

STANDING APPROPRIATIONS AND RELATED MATTERS

Section 1. BUDGET PROCESS FOR FISCAL YEAR 2014–2015.

1. For the budget process applicable to the fiscal year beginning July 1, 2014, on or before October 1, 2013, in lieu of the information specified in section 8.23, subsection 1, unnumbered paragraph 1, and paragraph “a”, all departments and establishments of the government shall transmit to the director of the department of management, on blanks to be furnished by the director, estimates of their expenditure requirements, including every proposed expenditure, for the ensuing fiscal year, together with supporting data and explanations as called for by the director of the department of management after consultation with the legislative services agency.

2. The estimates of expenditure requirements shall be in a form specified by the director of the department of management, and the expenditure requirements shall include all proposed expenditures and shall be prioritized by program or the results to be achieved. The estimates shall be accompanied by performance measures for evaluating the effectiveness of the programs or results.

Sec. 2. INSTRUCTIONAL SUPPORT STATE AID — FY 2013–2014 — FY 2014–2015. In lieu of the appropriation provided in section 257.20, subsection 2, the appropriation for the fiscal years beginning July 1, 2013, and July 1, 2014, for paying instructional support state aid under section 257.20 for fiscal years 2013–2014 and 2014–2015 is zero.

Sec. 3. GENERAL ASSEMBLY.

1. The appropriations made pursuant to section 2.12 for the expenses of the general assembly and legislative agencies for the fiscal year beginning July 1, 2013, and ending June 30, 2014, are reduced by the following amount:

..... \$ 3,000,000

2. The budgeted amounts for the general assembly for the fiscal year beginning July 1, 2013, may be adjusted to reflect unexpended budgeted amounts from the previous fiscal year.

Sec. 4. CLAIMS AGAINST THE STATE. The appropriations made pursuant to section 25.2 for paying claims against the state for the fiscal year beginning July 1, 2013, and ending June 30, 2014, are reduced by the following amount:

..... \$ 4,086,307

Sec. 5. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2013–2014. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the amounts appropriated from the general fund of the state pursuant to these sections for the following designated purposes shall not exceed the following amounts:

1. For operational support grants and community cultural grants under section 99F.11, subsection 3, paragraph “d”, subparagraph (1):

..... \$ 416,702

2. For payment for nonpublic school transportation under section 285.2:

..... \$ 8,560,931

If total approved claims for reimbursement for nonpublic school pupil transportation exceed the amount appropriated in accordance with this subsection, the department of education shall prorate the amount of each approved claim.

3. For the enforcement of chapter 453D relating to tobacco product manufacturers under section 453D.8:

..... \$ 18,416

Sec. 6. LIMITATIONS OF STANDING APPROPRIATIONS — FY 2014–2015. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the amounts appropriated from the general fund of the state pursuant to these sections for the following designated purposes shall not exceed the following amounts:

1. For operational support grants and community cultural grants under section 99F.11, subsection 3, paragraph “d”, subparagraph (1):
\$208,351

2. For regional tourism marketing under section 99F.11, subsection 3, paragraph “d”, subparagraph (2):

..... \$ 582,000

3. For payment for nonpublic school transportation under section 285.2:

..... \$ 8,560,931

If total approved claims for reimbursement for nonpublic school pupil transportation exceed the amount appropriated in accordance with this subsection, the department of education shall prorate the amount of each approved claim.

4. For the enforcement of chapter 453D relating to tobacco product manufacturers under section 453D.8:

..... \$ 9,208

Sec. 7. Section 8.8, Code 2013, is amended to read as follows:

8.8 Special olympics fund — appropriation.

A special olympics fund is created in the office of the treasurer of state under the control of the department of management. There is appropriated annually from the general fund of the state to the special olympics fund ~~fifty~~ one hundred thousand dollars for distribution to one or more organizations which administer special olympics programs benefiting the citizens of Iowa with disabilities.

Sec. 8. Section 257.35, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 7A. Notwithstanding subsection 1, and in addition to the reduction applicable pursuant to subsection 2, the state aid for area education agencies and the portion of the combined district cost calculated for these agencies for the fiscal year beginning July 1, 2013, and ending June 30, 2014, shall be reduced by the department of management by fifteen million dollars. The reduction for each area education agency shall be prorated based on the reduction that the agency received in the fiscal year beginning July 1, 2003.

DIVISION II

MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

Sec. 9. IOWA PUBLIC INFORMATION BOARD. There is appropriated from the general fund of the state to the Iowa public information board for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes, and in addition to moneys appropriated to the board in 2013 Iowa Acts, House File 603, if enacted:

..... \$ 75,000

Sec. 10. IOWA TUITION GRANTS. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For Iowa tuition grants under section 261.25:

..... \$ 500,000

Sec. 11. FTE AUTHORIZATION.

1. For purposes of the offices of the governor and lieutenant governor, there is authorized an additional 3.00 full-time equivalent positions above those otherwise authorized pursuant to 2013 Iowa Acts, House File 603, if enacted.

2. For purposes of the department of management, there is authorized an additional 1.00 full-time equivalent position above those otherwise authorized pursuant to 2013 Iowa Acts, House File 603, if enacted.

Sec. 12. HOME AND COMMUNITY-BASED SERVICES PROVIDERS — REASONABLE COSTS OF STAFF TRAINING — REIMBURSEMENT AS DIRECT COSTS. The department of human services shall adopt rules pursuant to chapter 17A to provide that reasonable costs of staff training incurred by providers of home and community-based services under the medical assistance program are reimbursable as direct costs. Such reimbursement shall include reimbursement of the reasonable costs associated with the learning management system utilized under the college of direct support training program.

Sec. 13. ADMINISTRATIVE RULES REVIEW COMMITTEE. The administrative rules review committee shall consider the scope, impact, and long-term consequences of legislation requiring delegations of authority to state agencies be construed narrowly. The committee shall submit a report of the committee findings to the speaker of the house and the majority leader of the senate by January 12, 2015. The legislative services agency shall provide necessary staff support for the committee consideration.

Sec. 14. Section 49.77, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. At the discretion of the commissioner, an electronic election register may be used to produce the declaration required in this subsection. The person desiring to vote shall sign the declaration produced by the electronic election register prior to receiving a ballot.

Sec. 15. NONREVERSION — CONSERVATION RESERVE ENHANCEMENT PROGRAM APPROPRIATIONS.

1. Notwithstanding section 8.33, and if enacted pursuant to 2013 Iowa Acts, Senate File 435, moneys appropriated from the environment first fund to the department of agriculture and land stewardship for purposes of the conservation reserve enhancement program for the fiscal year beginning July 1, 2013, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2016.

2. Notwithstanding section 8.33, and if enacted pursuant to 2013 Iowa Acts, Senate File 435, moneys appropriated from the environment first fund to the department of agriculture and land stewardship for purposes of the conservation reserve enhancement program for the fiscal year beginning July 1, 2014, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2017.

Sec. 16. Section 135C.7, Code 2013, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. In addition to the license fees listed in this section, there shall be an annual assessment assessed to each licensee in an amount to cover the cost of independent reviewers provided pursuant to section 135C.42. The department shall, in consultation with licensees, establish the assessment amount by rule based on the award of a request for proposals. The assessment shall be retained by the department as a repayment receipt as defined in section 8.2 and used for the purpose of paying the cost of the independent reviewers.

Sec. 17. Section 144.26, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 5. Upon the activation of an electronic death record system, each person with a duty related to death certificates shall participate in the electronic death record system. A person with a duty related to a death certificate includes but is not limited to a physician as defined in section 135.1, a physician assistant, an advanced registered nurse practitioner, a funeral director, and a county recorder.

Sec. 18. Section 216A.3, subsection 3, Code 2013, is amended to read as follows:

3. A majority of the voting members of the board shall constitute a quorum, and the affirmative vote of two-thirds of the voting members present is necessary for any substantive action taken by the board. The board shall select a chairperson from the voting members of the board. The board shall meet not less than four times a year.

Sec. 19. Section 231.64, subsection 1, unnumbered paragraph 1, Code 2013, is amended to read as follows:

The aging and disability resource center program shall be administered by the department consistent with the federal Act. The department shall designate ~~participating entities~~ area agencies on aging to establish, in consultation with other stakeholders including organizations representing the disability community, a coordinated system for providing all of the following:

Sec. 20. Section 257.11, subsection 6A, paragraph a, subparagraph (1), as enacted by 2013 Iowa Acts, House File 472, section 1, is amended to read as follows:

(1) In order to provide additional funding to increase student opportunities and redirect more resources to student programming for school districts that share operational functions, a supplementary weighting of two hundredths per pupil shall be assigned to pupils enrolled in a district that shares with a political subdivision one or more operational functions of a curriculum director, school administration manager, ~~mental health therapist, social worker,~~ school nurse, school counselor, or school librarian, or one or more operational functions in the areas of superintendent management, business management, human resources, transportation, or operation and maintenance for at least twenty percent of the school year. The additional weighting shall be assigned for each discrete operational function shared. The operational function sharing arrangement does not need to be a newly implemented sharing arrangement to receive supplementary weighting under this subsection. However, to receive supplementary weighting under this subsection for an ongoing operational function sharing arrangement that began before July 1, 2014, the district shall submit information to the department documenting the cost savings directly attributable to the shared operational functions and describe the district's consideration of additional shared operational functions.

Sec. 21. Section 261.93, subsection 2, paragraph b, subparagraph (4), Code 2013, is amended to read as follows:

(4) Is the child of a fire fighter or police officer included under section 97B.49B, who was killed in the line of duty as determined by the Iowa public employees' retirement system in accordance with section 97B.52, subsection 2.

Sec. 22. Section 306D.4, Code 2013, is amended to read as follows:

306D.4 Scenic highway advertising.

1. The state department of transportation shall have the authority to adopt rules to control the erection of new advertising devices on a highway designated as a scenic highway or scenic byway in order to comply with federal requirements concerning the implementation of a scenic byways program.

2. Notwithstanding subsection 1, if an advertising device was lawfully erected along an interstate highway within the corporate limits of a city prior to designation of the highway as a scenic byway and, after such designation occurs, the advertising device is displaced due to the reconstruction, improvement, or relocation of the highway, the advertising device may be relocated to a location determined by the department to be substantially the same location, subject to approval by the federal highway administration, and shall not be considered an erection of a new advertising device, if all of the following apply:

a. The location conforms to the requirements of chapters 306B and 306C.

b. The materials, number and type of supports, lighting, face size, and height of the advertising device remain the same.

Sec. 23. Section 692A.113, subsection 3, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. Operate, manage, be employed by, or act as a contractor or volunteer at a business that operates a motor vehicle primarily marketing, from or near the motor vehicle, the sale and dispensing of ice cream or other food products to minors.

Sec. 24. 2008 Iowa Acts, chapter 1189, is amended by adding the following new section:

NEW SECTION. SEC. 31A. NONREVERSION.

Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the conservation reserve enhancement program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2016.

Sec. 25. 2009 Iowa Acts, chapter 175, is amended by adding the following new section:

NEW SECTION. SEC. 17A. NONREVERSION.

Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the conservation reserve enhancement program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2016.

Sec. 26. 2010 Iowa Acts, chapter 1191, is amended by adding the following new section:

NEW SECTION. SEC. 19A. NONREVERSION.

Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the conservation reserve enhancement program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2016.

Sec. 27. 2011 Iowa Acts, chapter 128, is amended by adding the following new section:

NEW SECTION. SEC. 14A. NONREVERSION.

Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the conservation reserve enhancement program that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2016.

Sec. 28. 2011 Iowa Acts, chapter 128, is amended by adding the following new section:

NEW SECTION. SEC. 59A. NONREVERSION.

Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the conservation reserve enhancement program, as amended by 2012 Iowa Acts, chapter 1135, section 18, that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2016.

Sec. 29. 2013 Iowa Acts, House File 649, if enacted, is amended by adding the following new section:

NEW SECTION. SEC. 9. EFFECTIVE UPON ENACTMENT. This Act, being

deemed of immediate importance, takes effect upon enactment of 2013 Iowa Acts, Senate File 452, if enacted.

Sec. 30. 2013 Iowa Acts, Senate File 446, if enacted, is amended by adding the following section:

NEW SECTION. SEC. 11A. CHRONIC CARE CONSORTIUM. Of the funds appropriated in this Act from the general fund of the state to the department of human services for the medical assistance program for the fiscal year beginning July 1, 2013, and ending June 30, 2014, \$200,000 shall be used for the Iowa chronic care consortium pursuant to 2003 Iowa Acts, chapter 112, section 12, as amended by 2003 Iowa Acts, chapter 179, section 166 and 167.

Sec. 31. 2013 Iowa Acts, Senate File 447, the following section subsection relating to the department of public safety, if enacted, is amended to read as follows:

____. For operations, costs, and miscellaneous purposes:

..... \$ 1,700,000

As a condition of the appropriation made to the department of public safety in this subsection, the moneys appropriated shall be used to retain nonsupervisory personnel in the department and shall not be used for administrative purposes.

Sec. 32. 2013 Iowa Acts, Senate File 447, the following section subsection relating to the department of public safety, if enacted, is amended to read as follows:

7. For operations, costs, and miscellaneous purposes:

..... \$ 850,000

As a condition of the appropriation made to the department of public safety in this subsection, the moneys appropriated shall be used to retain nonsupervisory personnel in the department and shall not be used for administrative purposes.

Sec. 33. 2013 Iowa Acts, Senate File 447, the following section subsection relating to the department of corrections, if enacted, is amended to read as follows:

~~6A. 5A.~~ For operations, costs, and miscellaneous purposes:

..... \$ 2,571,309

As a condition of the appropriation made to the department of corrections in this subsection, the moneys appropriated shall be used to retain nonsupervisory personnel at departmental institutions and shall not be used for administrative purposes.

Sec. 34. 2013 Iowa Acts, Senate File 447, the following section subsection relating to the department of corrections, if enacted, is amended to read as follows:

6. For operations, costs, and miscellaneous purposes:

..... \$ 1,285,655

As a condition of the appropriation made to the department of corrections in this subsection, the moneys appropriated shall be used to retain nonsupervisory personnel at departmental institutions and shall not be used for administrative purposes.

Sec. 35. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to May 13, 2008:

1. The section of this Act amending 2008 Iowa Acts, chapter 1189.

Sec. 36. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to May 26, 2009:

1. The section of this Act amending 2009 Iowa Acts, chapter 175.

Sec. 37. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to April 29, 2010:

1. The section of this Act amending 2010 Iowa Acts, chapter 1191.

Sec. 38. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to July 21, 2011:

1. The sections of this Act amending 2011 Iowa Acts, chapter 128.

Sec. 39. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to the date of enactment of 2013 Iowa

Acts, House File 649:

1. The section of this Act amending 2013 Iowa Acts, House File 649.

DIVISION III

SALARIES, COMPENSATION, AND RELATED MATTERS

Sec. 40. STATE COURT — JUSTICES, JUDGES, AND MAGISTRATES.

1. The salary rates specified in subsection 2 are for the fiscal year beginning July 1, 2013, effective for the pay period beginning January 3, 2014, and for subsequent fiscal years until otherwise provided by the general assembly. The salaries provided for in this section shall be paid from funds allocated to the judicial branch from the salary adjustment fund, or if the allocation is not sufficient, from funds appropriated to the judicial branch pursuant to this Act or any other Act of the general assembly.

2. The following annual salary rates shall be paid to the persons holding the judicial positions indicated during the fiscal year beginning July 1, 2013, effective with the pay period beginning January 3, 2014, and for subsequent pay periods.

a. Chief justice of the supreme court:

..... \$ 178,538

b. Each justice of the supreme court:

..... \$ 170,544

c. Chief judge of the court of appeals:

..... \$ 159,885

d. Each associate judge of the court of appeals:

..... \$ 154,556

e. Each chief judge of a judicial district:

..... \$ 149,226

f. Each district judge except the chief judge of a judicial district:

..... \$ 143,897

g. Each district associate judge:

..... \$ 127,908

h. Each associate juvenile judge:

..... \$ 127,908

i. Each associate probate judge:

..... \$ 127,908

j. Each judicial magistrate:

..... \$ 39,438

k. Each senior judge:

..... \$ 8,527

3. Persons receiving the salary rates established under this section shall not receive any additional salary adjustments provided by this Act.

Sec. 41. JUDICIAL BRANCH — APPROPRIATION. There is appropriated from the general fund of the state to the judicial branch for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For salaries for justices, judges, and magistrates:

..... \$ 850,000

Sec. 42. SPECIAL FUNDS. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, and for the fiscal year beginning July 1, 2014, and ending June 30, 2015, salary adjustments may be funded using departmental revolving, trust, or special funds for which the general assembly has established an operating budget, provided doing so does not exceed the operating budget established by the general assembly.

Sec. 43. SALARY MODEL ADMINISTRATOR. The salary model administrator shall work in conjunction with the legislative services agency to maintain the state's

salary model used for analyzing, comparing, and projecting state employee salary and benefit information, including information relating to employees of the state board of regents. The department of revenue, the department of administrative services, the five institutions under the jurisdiction of the state board of regents, the judicial district departments of correctional services, and the state department of transportation shall provide salary data to the department of management and the legislative services agency to operate the state's salary model. The format and frequency of provision of the salary data shall be determined by the department of management and the legislative services agency. The information shall be used in collective bargaining processes under chapter 20 and in calculating the funding needs contained within the annual salary adjustment legislation. A state employee organization as defined in section 20.3, subsection 4, may request information produced by the model, but the information provided shall not contain information attributable to individual employees.

Sec. 44. 2008 Iowa Acts, chapter 1191, section 14, subsection 4, is amended to read as follows:

4. The following are range 4 positions: director of the department of human rights, director of the Iowa state civil rights commission, executive director of the college student aid commission, director of the department for the blind, executive director of the ethics and campaign disclosure board, executive director of the Iowa public information board, members of the public employment relations board, and chairperson, vice chairperson, and members of the board of parole.

DIVISION IV

CORRECTIVE PROVISIONS

Sec. 45. Section 2.12, unnumbered paragraph 4, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 1, is amended to read as follows:

There is appropriated out of any funds in the state treasury not otherwise appropriated such sums as may be necessary for the fiscal year budgets of the legislative services agency and the ~~ombudsman~~ office of ombudsman for salaries, support, maintenance, and miscellaneous purposes to carry out their statutory responsibilities. The legislative services agency and the ~~ombudsman~~ office of ombudsman shall submit their proposed budgets to the legislative council not later than September 1 of each year. The legislative council shall review and approve the proposed budgets not later than December 1 of each year. The budget approved by the legislative council for each of its statutory legislative agencies shall be transmitted by the legislative council to the department of management on or before December 1 of each year for the fiscal year beginning July 1 of the following year. The department of management shall submit the approved budgets received from the legislative council to the governor for inclusion in the governor's proposed budget for the succeeding fiscal year. The approved budgets shall also be submitted to the chairpersons of the committees on appropriations. The committees on appropriations may allocate from the funds appropriated by this section the funds contained in the approved budgets, or such other amounts as specified, pursuant to a concurrent resolution to be approved by both houses of the general assembly. The director of the department of administrative services shall issue warrants for salaries, support, maintenance, and miscellaneous purposes upon requisition by the administrative head of each statutory legislative agency. If the legislative council elects to change the approved budget for a legislative agency prior to July 1, the legislative council shall transmit the amount of the budget revision to the department of management prior to July 1 of the fiscal year, however, if the general assembly approved the budget it cannot be changed except pursuant to a concurrent resolution approved by the general assembly.

Sec. 46. Section 2.42, subsection 14, Code 2013, as amended by 2013 Iowa Acts,

House File 185, section 2, is amended to read as follows:

14. To hear and act upon appeals of aggrieved employees of the legislative services agency and the office of ~~the~~ ombudsman pursuant to rules of procedure established by the council.

Sec. 47. Section 2C.3, subsection 2, Code 2013, as enacted by 2013 Iowa Acts, House File 185, section 4, is amended to read as follows:

2. The ombudsman shall employ and supervise all employees under the ombudsman's direction in such positions and at such salaries as shall be authorized by the legislative council. The legislative council shall hear and act upon appeals of aggrieved employees of the office of ~~the~~ ombudsman.

Sec. 48. Section 2C.9, subsection 6, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 10, is amended to read as follows:

6. Establish rules relating to the operation, organization, and procedure of the office of ~~the~~ ombudsman. The rules are exempt from chapter 17A and shall be published in the Iowa administrative code.

Sec. 49. Section 2C.11, subsection 1, unnumbered paragraph 1, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 12, is amended to read as follows:

An appropriate subject for investigation by the office of ~~the~~ ombudsman is an administrative action that might be:

Sec. 50. Section 2C.18, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 20, is amended to read as follows:

2C.18 Report to general assembly.

The ombudsman shall by April 1 of each year submit an economically designed and reproduced report to the general assembly and to the governor concerning the exercise of the ~~ombudsman~~ ombudsman's functions during the preceding calendar year. In discussing matters with which the ombudsman has been concerned, the ombudsman shall not identify specific persons if to do so would cause needless hardship. If the annual report criticizes a named agency or official, it shall also include unedited replies made by the agency or official to the criticism, unless excused by the agency or official affected.

Sec. 51. Section 8B.21, subsection 5, paragraph e, if enacted by 2013 Iowa Acts, Senate File 396, section 3, is amended to read as follows:

e. The department of public defense shall not be required to obtain any information technology services pursuant to this chapter for the department of public defense that ~~is~~ are provided by the office pursuant to this chapter without the consent of the adjutant general.

Sec. 52. Section 23A.4, subsection 3, Code 2013, as enacted by 2013 Iowa Acts, House File 185, section 27, is amended to read as follows:

3. Chapter 17A and this section are the exclusive remedy for violations of this chapter. However, the office of ~~the~~ ombudsman may review violations of this chapter and make recommendations as provided in chapter 2C.

Sec. 53. Section 29.1, Code 2013, as amended by 2013 Iowa Acts, House File 307, section 9, is amended to read as follows:

29.1 Department of public defense.

The department of public defense is composed of the office of the adjutant general and the military forces of the state of Iowa. The adjutant general is the director of the department of public defense and shall perform all functions, responsibilities, powers, and duties ~~over~~ concerning the military forces of the state of Iowa as provided in the laws of the state.

Sec. 54. Section 35A.13, subsection 6A, paragraph b, subparagraph (1), if enacted by 2013 Iowa Acts, House File 613, section 2, is amended to read as follows:

(1) The commission may provide educational assistance funds to any child who has

lived in the state of Iowa for two years preceding application for state educational assistance, and who is the child of a person who died prior to September 11, 2001, during active federal military service while serving in the armed forces or during active federal military service in the Iowa national guard or other military component of the United States, to defray the expenses of tuition, matriculation, laboratory and similar fees, books and supplies, board, lodging, and any other reasonably necessary expense for the child or children incident to attendance in this state at an educational or training institution of college grade, or in a business or vocational training school with standards approved by the department. The commission shall not expend more than six hundred dollars per year for educational assistance for any one child under this paragraph "b".

Sec. 55. Section 70A.28, subsection 6, Code 2013, as amended by 2013 Iowa Acts, House File 185, section 28, is amended to read as follows:

6. Subsection 2 may also be enforced by an employee through an administrative action pursuant to the requirements of this subsection if the employee is not a merit system employee or an employee covered by a collective bargaining agreement. An employee eligible to pursue an administrative action pursuant to this subsection who is discharged, suspended, demoted, or otherwise receives a reduction in pay and who believes the adverse employment action was taken as a result of the employee's disclosure of information that was authorized pursuant to subsection 2, may file an appeal of the adverse employment action with the public employment relations board within thirty calendar days following the later of the effective date of the action or the date a finding is issued to the employee by the office of ~~the~~ the ombudsman pursuant to section 2C.11A. The findings issued by the ombudsman may be introduced as evidence before the public employment relations board. The employee has the right to a hearing closed to the public, but may request a public hearing. The hearing shall otherwise be conducted in accordance with the rules of the public employment relations board and the Iowa administrative procedure Act, chapter 17A. If the public employment relations board finds that the action taken in regard to the employee was in violation of subsection 2, the employee may be reinstated without loss of pay or benefits for the elapsed period, or the public employment relations board may provide other appropriate remedies. Decisions by the public employment relations board constitute final agency action.

Sec. 56. Section 105.10, subsection 3, Code 2013, as amended by 2013 Iowa Acts, Senate File 427, section 10, is amended to read as follows:

3. An individual holding a master mechanical license shall not be required to get an HVAC-refrigeration, sheet metal, or hydronic license in order to design, install, or repair the work defined in this chapter as mechanical, HVAC-refrigeration, sheet metal, or hydronic work. An individual holding a ~~journey~~ journeyperson mechanical license shall not be required to get an HVAC-refrigeration, sheet metal, or hydronic license in order to install and repair the work defined in this chapter as mechanical, HVAC-refrigeration, sheet metal, or hydronic work. An individual holding a master or ~~journey~~ journeyperson mechanical license shall also not be required to obtain a special, restricted license that is designated as a sublicense of the mechanical, HVAC-refrigeration, sheet metal, or hydronic licenses.

Sec. 57. Section 105.32, as enacted by 2013 Iowa Acts, Senate File 427, section 32, Code 2013, is amended to read as follows:

105.32 Transition provisions.

A licensee whose license expires between June 30, 2014, and July 1, 2017, may voluntarily renew ~~their~~ the license early so ~~they may have~~ the license has an expiration date of June 30, 2017. This voluntary early renewal may happen at any time on or after July 1, 2014. The department shall promulgate rules that allow for this one-time

early renewal process, including fees and continuing education requirements.

Sec. 58. Section 126.11, subsection 3, paragraph b, Code 2013, as amended by 2013 Iowa Acts, House File 417, section 26, is amended to read as follows:

b. A drug dispensed by filling or refilling a written, electronic, facsimile, or oral prescription of a practitioner licensed by law to administer the drug is exempt from section 126.10, except section 126.10, subsection 1, paragraph “a”, section 126.10, subsection 1, paragraph “i”, subparagraphs (2) and (3), and section 126.10, subsection 1, paragraphs “k” and “l”, and the packaging requirements of section 126.10, subsection 1, paragraphs “g”, “h”, and “p”, if the drug bears a label containing the name and address of the dispenser, the date of the prescription or of its filling, the name of the prescriber, and, if stated in the prescription, the name of the patient, and the directions for use and cautionary statements, if any, contained in the prescription. This exemption does not apply to a drug dispensed in the course of the conduct of the business of dispensing drugs pursuant to diagnosis by mail, or to a drug dispensed in violation of paragraph “a” of this subsection.

Sec. 59. Section 249A.43, subsection 3, as enacted by 2013 Iowa Acts, Senate File 357, section 7, is amended to read as follows:

3. An affidavit of service of a notice of entry of judgment shall be made by first class mail at the address where the debtor was served with the notice of overpayment. Service is completed upon mailing as specified in this ~~paragraph~~ subsection.

Sec. 60. Section 252D.17, subsection 1, paragraph m, as enacted by 2013 Iowa Acts, House File 417, section 55, Code 2013, is amended to read as follows:

~~m.~~ 2. The department shall establish criteria and a phased-in schedule to require, no later than June 30, 2015, payors of income to electronically transmit the amounts withheld under an income withholding order. The department shall assist payors of income in complying with the required electronic transmission, and shall adopt rules setting forth procedures for use in electronic transmission of funds, and exemption from use of electronic transmission taking into consideration any undue hardship electronic transmission creates for payors of income.

Sec. 61. Section 263B.3, Code 2013, as amended by 2013 Iowa Acts, House File 417, section 63, is amended to read as follows:

263B.3 Agreements with federal departments.

The state archaeologist is authorized to enter into agreements and cooperative efforts with the federal highway administrator, the United States departments of commerce, interior, agriculture, and defense, and any other federal or state agencies concerned with archaeological salvage or the preservation of antiquities.

Sec. 62. Section 321.463, subsection 12A, paragraphs a and c, as enacted by 2013 Iowa Acts, House File 14, section 1, are amended to read as follows:

a. A person operating a vehicle or combination of vehicles equipped with a retractable axle may raise the axle when necessary to negotiate a turn, provided that the retractable axle is lowered within one thousand feet following completion of the turn. This paragraph does not apply to a vehicle or combination of vehicles operated on an interstate highway, including a ramp to or from an interstate highway, or on a bridge.

c. This subsection does not prohibit the operation of a vehicle or combination of vehicles equipped with a retractable axle ~~from operating~~ with the retractable axle raised when the vehicle or combination of vehicles is in compliance with the weight limitations of this section with the retractable axle raised.

Sec. 63. Section 321E.9A, subsection 1, Code 2013, as amended by 2013 Iowa Acts, Senate File 355, section 7, is amended to read as follows:

1. Vehicles with indivisible loads having an overall length not to exceed one hundred twenty feet, an overall width not to exceed sixteen feet, and a height not to

exceed fifteen feet five inches may be moved on highways specified by the ~~permitting~~ permit-issuing authority, provided the gross weight on any one axle shall not exceed the maximum prescribed in section 321.463 and the total gross weight is not greater than one hundred fifty-six thousand pounds.

Sec. 64. Section 327F.39, subsection 6, paragraph b, if enacted by 2013 Iowa Acts, Senate File 340, section 4, is amended to read as follows:

b. A violation of subsection 4A or rules adopted pursuant to subsection 4A by a railroad worker transportation company or a railroad ~~corporation~~ company is punishable as a schedule “one” penalty under section 327C.5.

Sec. 65. Section 418.5, subsection 1, Code 2013, as amended by 2013 Iowa Acts, House File 307, section 51, is amended to read as follows:

1. The flood mitigation board is established consisting of nine voting members and four ex officio, nonvoting members, and is located for administrative purposes within the ~~division~~ department. The director of the department shall provide office space, staff assistance, and necessary supplies and equipment for the board. The director shall budget funds to pay the necessary expenses of the board. In performing its functions, the board is performing a public function on behalf of the state and is a public instrumentality of the state.

Sec. 66. Section 426A.11, subsection 1, Code 2013, as amended by 2013 Iowa Acts, House File 417, section 97, is amended to read as follows:

1. The property, not to exceed two thousand seven hundred seventy-eight dollars in taxable value of any veteran, as defined in section 35.1, of ~~the~~ World War I.

Sec. 67. Section 437B.2, subsection 8, paragraph a, subparagraph (2), if enacted by 2013 Iowa Acts, Senate File 451, section 11, is amended to read as follows:

(2) A water treatment plant where the acquisition cost of all interests acquired exceeds ten million dollars. For purposes of this ~~paragraph~~ subparagraph, “*water treatment plant*” means buildings and equipment used in that portion of the potable water supply system which in some way alters the physical, chemical, or bacteriological quality of the water.

Sec. 68. Section 437B.2, subsection 10, if enacted by 2013 Iowa Acts, Senate File 451, section 11, is amended to read as follows:

10. “*Operating property*” means all property owned by or leased to a water utility, not otherwise taxed separately, which is necessary to and without which the ~~company~~ water utility could not perform the activities of a water utility.

Sec. 69. Section 437B.10, subsection 2, paragraph b, if enacted by 2013 Iowa Acts, Senate File 451, section 19, is amended to read as follows:

b. Local taxing authority employees are deemed to be officers and employees of the state for purposes ~~this of of this~~ subsection.

Sec. 70. Section 455B.275, subsection 3A, paragraphs a and b, if enacted by 2013 Iowa Acts, House File 541, section 1, are amended to read as follows:

a. The person reconstructing the dam is only required to possess the flooding easements or ownership which ~~were~~ was held prior to the reconstruction as long as the former normal pool elevation is not exceeded and the spillway capacity is increased by at least fifty percent.

b. Flooding easements or ownership ~~are~~ is only required to the top of the reconstructed spillway elevation.

Sec. 71. Section 490.863, subsection 3, paragraph a, as enacted by 2013 Iowa Acts, House File 469, section 43, is amended to read as follows:

a. “*Holder*” means and “*held by*” refers to shares held by both a record shareholder, as defined in section 490.1301, subsection 7, and a beneficial shareholder, as defined in section 490.1301, subsection 2.

Sec. 72. Section 490.1302, subsection 2, paragraph d, Code 2013, as amended by

2013 Iowa Acts, House File 469, section 53, is amended to read as follows:

d. Paragraph “a”; shall not be applicable and appraisal rights shall be available pursuant to subsection 1 for the holders of any class or series of shares where the corporate action is an interested transaction.

Sec. 73. Section 522.6, subsection 2, if enacted by 2013 Iowa Acts, Senate File 189, section 6, is amended to read as follows:

2. If an insurer qualifies for exemption from the requirements of this chapter pursuant to paragraph “a” of subsection 1, but the insurance group of which the insurer is a member does not qualify for exemption pursuant to paragraph “b” of subsection 1, then the own risk and solvency assessment summary report that is required pursuant to section ~~521H.5~~ 522.5 shall include information concerning every insurer in the insurance group. This requirement may be satisfied by the submission of more than one summary report for any combination of insurers in the insurance group provided that the combination of reports submitted includes every insurer in the insurance group.

Sec. 74. Section 533.405, subsection 4A, paragraph b, subparagraphs (1) and (2), as enacted by 2013 Iowa Acts, Senate File 183, section 8, are amended to read as follows:

(1) State credit unions with assets in excess of ~~\$5~~ five million dollars as of the month ending immediately prior to the date of the conclusion of the vote by the membership approving the dissolution shall publish the notice once a week for two successive weeks in a newspaper of general circulation in each county in which the state credit union maintains an office or branch for the transaction of business.

(2) State credit unions with assets of ~~\$5~~ five million dollars or less as of the month ending immediately prior to the date of the conclusion of the vote by the membership approving the dissolution shall publish the notice once in a newspaper of general circulation in each county in which the state credit union maintains an office or branch.

Sec. 75. Section 543C.2, subsection 1, paragraph j, if enacted by 2013 Iowa Acts, House File 556, section 167, is amended to read as follows:

j. The subdivider, if a corporation, must register to do business in the state of Iowa as a foreign corporation with the secretary of state and furnish a copy of the certificate of authority to do business in the state of Iowa. If not a corporation, the subdivider must comply with the provisions of chapter 547, by filing a proper trade name with the Polk county recorder. The provisions of this ~~subsection~~ paragraph shall also apply to any person, partnership, firm, company, corporation, or association, other than the subdivider, which is engaged by or through the subdivider for the purpose of advertising or selling the land involved in the filing.

Sec. 76. Section 556.2, subsection 5, paragraph a, unnumbered paragraph 1, as enacted by 2013 Iowa Acts, House File 417, section 174, is amended to read as follows:

A banking organization or financial organization shall send to the owner of each account, to which none of the actions specified in subsection ~~2~~ 1, paragraphs “a” through “e” or subsection 2, paragraphs “a” through “e” have occurred during the preceding three calendar years, a notice by certified mail stating in substance the following:

Sec. 77. Section 716.7, subsection 1, as amended by 2013 Iowa Acts, House File 556, section 234, if enacted, is amended to read as follows:

1. For purposes of this section:

a. “*Property*” shall include any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure whether publicly or privately owned.

b. “*Public utility*” is a public utility as defined in section 476.1 or an electric transmission line as provided in chapter 478.

~~b. c.~~ *“Public utility property”* means any land, dwelling, building, conveyance, vehicle, or other temporary or permanent structure owned, leased, or operated by a public utility and that is completely enclosed by a physical barrier of any kind. ~~For the purposes of this section, a “public utility” is a public utility as defined in section 476.1 or an electric transmission line as provided in chapter 478.~~

~~e. d.~~ *“Railway corporation”* means a corporation, company, or person owning, leasing, or operating any railroad in whole or in part within this state.

~~d. e.~~ *“Railway property”* means all tangible real and personal property owned, leased, or operated by a railway corporation with the exception of any administrative building or offices of the railway corporation.

Sec. 78. Section 724.2, subsection 1, paragraph i, if enacted by 2013 Iowa Acts, House File 556, section 206, is amended to read as follows:

i. A nonresident who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. ch. 44, solely for use in official functions in this state of a historical reenactment organization of which the person is a member, if the offensive weapon is legally possessed by the person in the person's state of residence and the offensive weapon is at all times while in this state rendered incapable of firing live ammunition. A nonresident who possesses an offensive weapon under this ~~subsection~~ paragraph while in this state shall not have in the person's possession live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.

Sec. 79. 2013 Iowa Acts, House File 556, section 257, subsection 3, if enacted, is amended by adding the following new subsection:

NEW SUBSECTION. 12. The Code editor is directed to change any terminology that references a web site, websites, the internet, and internet site, or internet sites in any Act enacted during the 2013 regular session of the Eighty-fifth General Assembly in the same manner as that terminology is changed in this section of this Act.

Sec. 80. 2013 Iowa Acts, House File 607, section 29, subsection 3, if enacted, is amended to read as follows:

3. The department of agriculture and land stewardship or the office of attorney general acting on behalf of the agricultural development authority in an administrative or judicial proceeding shall not be affected as a result of this Act. Any ~~statue~~ statute of limitation shall apply to the parties as if this Act had not been enacted.

Sec. 81. 2013 Iowa Acts, House File 607, section 34, if enacted, is amended to read as follows:

SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The Iowa finance authority shall complete the administration of ongoing programs of the agricultural development authority as provided in chapter 175, to the extent that the administration of those programs ~~are~~ is in progress on the effective date of this division of this Act. The Iowa finance authority shall assume all rights and obligations of the agricultural development authority to the extent that moneys have been committed, obligations incurred, or rights accrued prior to the effective date of this division of this Act. Moneys owing due to the rights and obligations of the agricultural development authority and assumed by the Iowa finance authority shall be paid as directed by the Iowa finance authority.

Sec. 82. 2013 Iowa Acts, House File 607, section 35, subsection 1, if enacted, is amended to read as follows:

1. The assets and liabilities of the former Iowa rural rehabilitation corporation assumed by the agricultural development authority pursuant to section 175.28 shall be transferred to the Iowa finance authority on the effective date of this division of this Act. On such effective date, the Iowa finance authority shall be the successor in

interest to the agreements in effect between the United States government and the agricultural development authority on behalf of this state.

Sec. 83. 2013 Iowa Acts, Senate File 427, section 35, is amended to read as follows:

SEC. 35. ADMINISTRATIVE RULES. The department of public health shall adopt all initial rules, and amendments to existing rules, necessary for the implementation of this Act.

Sec. 84. 2013 Iowa Acts, Senate File 436, section 5, if enacted, is amended to read as follows:

SEC. 5. APPLICABILITY. The following provision or provisions of this Act apply to eligible property to be placed in service on or after ~~the effective date of this Act~~ July 1, 2013:

1. The section of this Act amending section 404A.3.

Sec. 85. 2013 Iowa Acts, Senate File 447, the following section, if enacted, is amended to read as follows:

SEC. ____ CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION. There is appropriated from the general fund of the state to the criminal and juvenile justice planning division of the department of human rights for the fiscal year beginning July 1, ~~2013~~ 2014, and ending June 30, ~~2014~~ 2015, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

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

.....	\$	630,053
.....	FTEs	10.81

The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall coordinate their efforts in carrying out their respective duties relative to juvenile justice.

Sec. 86. REPEAL. 2013 Iowa Acts, House File 417, section 34, and 2013 Iowa Acts, House File 556, section 27, if enacted, are repealed.

Sec. 87. REPEAL. 2013 Iowa Acts, House File 469, sections 83 and 84, are repealed.

Sec. 88. CONTINGENT REPEAL. If 2013 Iowa Acts, House File 575, section 12, is enacted, 2013 Iowa Acts, House File 417, section 93, is repealed.

DIVISION V SUPPLEMENTARY WEIGHTING FOR LIMITED ENGLISH PROFICIENT STUDENTS

Sec. 89. Section 257.31, subsection 5, paragraph j, Code 2013, is amended to read as follows:

j. Unusual need to continue providing a program or other special assistance to non-English speaking pupils after the expiration of the ~~four-year~~ five-year period specified in section 280.4.

Sec. 90. Section 280.4, subsection 3, Code 2013, is amended to read as follows:

3. a. In order to provide funds for the excess costs of instruction of limited English proficient students specified in paragraph "b" above the costs of instruction of pupils in a regular curriculum, students identified as limited English proficient shall be assigned an additional weighting of twenty-two hundredths, and that weighting shall be included in the weighted enrollment of the school district of residence for a period not exceeding ~~four~~ five years. However, the school budget review committee may grant supplemental aid or modified allowable growth to a school district to continue funding a program for students after the expiration of the ~~four-year~~ five-year period.

b. For students first determined to be limited English proficient for a budget year beginning on or after July 1, 2010, the additional weighting provided under paragraph "a" shall be included in the weighted enrollment of the school district of residence for a

period not exceeding five years beginning with the budget year for which the student was first determined to be limited English proficient.

DIVISION VI

NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

Sec. 91. **NEW SECTION. 136A.5A Newborn critical congenital heart disease screening.**

1. Each newborn born in this state shall receive a critical congenital heart disease screening by pulse oximetry or other means as determined by rule, in conjunction with the metabolic screening required pursuant to section 136A.5.

2. An attending health care provider shall ensure that every newborn under the provider's care receives the critical congenital heart disease screening.

3. This section does not apply if a parent objects to the screening. If a parent objects to the screening of a newborn, the attending health care provider shall document the refusal in the newborn's medical record and shall obtain a written refusal from the parent and report the refusal to the department.

4. Notwithstanding any provision to the contrary, the results of each newborn's critical congenital heart disease screening shall only be reported in a manner consistent with the reporting of the results of metabolic screenings pursuant to section 136A.5 if funding is available for implementation of the reporting requirement.

5. This section shall be administered in accordance with rules adopted pursuant to section 136A.8.

Sec. 92. **NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING.** Notwithstanding any provision to the contrary relating to the newborn screening policy pursuant to 641 IAC 4.3(1), critical congenital heart disease screening shall be included in the state's newborn screening panel as included in the recommended uniform screening panel as approved by the United States secretary of health and human services. The center for congenital and inherited disorders advisory committee shall make recommendations regarding implementation of the screening and the center for congenital and inherited disorders shall adopt rules as necessary to implement the screening. However, reporting of the results of each newborn's critical congenital heart disease screening shall not be required unless funding is available for implementation of the reporting requirement.

DIVISION VII

RIGHT TO CURE — CLOSED CREDIT CARD ACCOUNTS

Sec. 93. Section 537.5110, subsection 4, paragraph c, Code 2013, is amended to read as follows:

c. Until the expiration of the minimum applicable period after the notice is given, the consumer may cure the default by tendering either the amount of all unpaid installments due at the time of the tender, without acceleration, plus any unpaid delinquency or deferral charges, or the amount stated in the notice of right to cure, whichever is less, or by tendering any performance necessary to cure any default other than nonpayment of amounts due, which is described in the notice of right to cure. The act of curing a default restores to the consumer the consumer's rights under the agreement as though no default had occurred, except as provided in subsection 3. However, where the obligation in default is a credit card account that has been closed, the act of curing a default does not restore to the consumer the consumer's rights under the agreement as though no default had occurred.

Sec. 94. Section 537.5111, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. If the consumer credit transaction is a credit card account that has been closed, the notice shall conform to the requirements of subsection 2, and a notice in substantially the form specified in that subsection

complies with this subsection except that the statement relating to continuation of the contract upon correction of the default as though the consumer did not default shall not be contained in the notice.

DIVISION VIII NOTARY PUBLIC

Sec. 95. Section 9B.15, subsection 3, unnumbered paragraph 1, Code 2013, is amended to read as follows:

A certificate of a notarial act is sufficient if it meets the requirements of subsections 1 and 2 and ~~all~~ any of the following apply:

Sec. 96. Section 9B.17, subsection 1, paragraph a, Code 2013, is amended to read as follows:

a. Include the notary public's name, the words "Notarial Seal" and "Iowa", the words "Commission Number" followed by a number assigned to the notary public by the secretary of state, the words "My Commission Expires" followed either by the date that the notary public's term would ordinarily expire as provided in section 9B.21 or a blank line on which the notary public shall indicate the date of expiration, if any, of the notary public's commission, as required by and in satisfaction of section 9B.15, subsection 1, paragraph "e", and other information required by the secretary of state.

Sec. 97. Section 321I.31, subsection 3, Code 2013, is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application shall be signed and sworn to before a ~~notary public~~ notarial officer as provided in chapter 9B or other person who administers oaths, or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the all-terrain vehicle or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for an all-terrain vehicle last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. 98. Section 462A.77, subsection 4, Code 2013, is amended to read as follows:

4. Every owner of a vessel subject to titling under this chapter shall apply to the county recorder for issuance of a certificate of title for the vessel within thirty days after acquisition. The application shall be on forms the department prescribes, and accompanied by the required fee. The application shall be signed and sworn to before a ~~notary public~~ notarial officer as provided in chapter 9B or other person who administers oaths, or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the vessel or the fair market value if no sale immediately preceded the transfer, and any additional information the department requires. If the application is made for a vessel last previously registered or titled in another state or foreign country, it shall contain this information and any other information the department requires.

Sec. 99. Section 554.3505, subsection 2, Code 2013, is amended to read as follows:

2. A protest is a certificate of dishonor made by a United States consul or vice consul, or a ~~notary public~~ notarial officer as provided in chapter 9B or other person authorized to administer oaths by the law of the place where dishonor occurs. It may be made upon information satisfactory to that person. The protest must identify the instrument and certify either that presentment has been made or, if not made, the

reason why it was not made, and that the instrument has been dishonored by nonacceptance or nonpayment. The protest may also certify that notice of dishonor has been given to some or all parties.

Sec. 100. Section 589.4, Code 2013, is amended to read as follows:

589.4 Acknowledgments by corporation officers.

The acknowledgments of all deeds, mortgages, or other instruments in writing taken or certified more than ten years earlier, which instruments have been recorded in the recorder's office of any county of this state, including acknowledgments of instruments made by a corporation, or to which the corporation was a party, or under which the corporation was a beneficiary, and which have been acknowledged before or certified by a ~~notary public~~ notarial officer as provided in chapter 9B who was at the time of the acknowledgment or certifying a stockholder or officer in the corporation, are legal and valid official acts of the notaries public, and entitle the instruments to be recorded, anything in the laws of the state of Iowa in regard to acknowledgments to the contrary notwithstanding. This section does not affect pending litigation.

Sec. 101. Section 589.5, Code 2013, is amended to read as follows:

589.5 Acknowledgments by stockholders.

All deeds and conveyances of lands within this state executed more than ten years earlier, but which have been acknowledged or proved according to and in compliance with the laws of this state before a ~~notary public~~ notarial officer as provided in chapter 9B or other official authorized by law to take acknowledgments who was, at the time of the acknowledgment, an officer or stockholder of a corporation interested in the deed or conveyance, or otherwise interested in the deeds or conveyances, are, if otherwise valid, valid in law as though acknowledged or proved before an officer not interested in the deeds or conveyances; and if recorded more than ten years earlier, in the respective counties in which the lands are, the records are valid in law as though the deeds and conveyances, so acknowledged or proved and recorded, had, prior to being recorded, been acknowledged or proved before an officer having no interest in the deeds or conveyances.

Sec. 102. Section 622.86, Code 2013, is amended to read as follows:

622.86 Foreign affidavits.

Those taken out of the state before any judge or clerk of a court of record, or before a ~~notary public~~ notarial officer as provided in chapter 9B, or a commissioner appointed by the governor of this state to take acknowledgment of deeds in the state where such affidavit is taken, are of the same credibility as if taken within the state.

DIVISION IX

CORN PROMOTION BOARD

Sec. 103. Section 185C.1, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. "*Director*" means a district elected director or a board elected director as provided in section 185C.6.

Sec. 104. Section 185C.1, subsection 5, Code 2013, is amended to read as follows:

5. "*District*" means an official crop reporting district formed by the United States department of agriculture for use on January 1, 2013, and set out in the annual farm census published in that year by the ~~Iowa~~ department of agriculture and land stewardship.

Sec. 105. Section 185C.3, Code 2013, is amended to read as follows:

185C.3 Establishment of corn promotion board.

If a majority of the producers voting in the referendum election approve the passage of the promotional order, an Iowa corn promotion board shall be established. ~~The board shall consist of one director elected from each district in the state, except that a district~~

~~producing more than an average of one hundred million bushels of corn in the three previous marketing years is entitled to two directors.~~

Sec. 106. Section 185C.6, Code 2013, is amended by striking the section and inserting in lieu thereof the following:

185C.6 Number and election of directors.

The Iowa corn promotion board established pursuant to section 185C.3 shall be composed of directors elected as provided in this chapter. The directors shall include all of the following:

1. Nine district elected directors. Each such director shall be elected from a district as provided in section 185C.5, this section, and sections 185C.7 and 185C.8. A candidate receiving the highest number of votes in each district shall be elected to represent that district.

2. Three board elected directors. Each such director shall be elected by the board. The candidate receiving the highest number of votes by the board shall be elected to represent the state on at-large basis.

Sec. 107. Section 185C.7, Code 2013, is amended to read as follows:

185C.7 Terms of directors.

1. ~~Director terms~~ A director's term of office shall be for three years ~~and no. A district elected director of the board shall not serve for more than three complete consecutive terms. A board elected director shall not serve for more than one complete term of office. A district elected director who is elected as board elected director shall not serve more than a total of four terms of office, regardless of whether any of the terms of office are complete or consecutive.~~

2. If the board is reconstituted pursuant to section 185C.8, the terms of the directors shall be controlled by this section. However, the initial terms of the reconstituted board shall be staggered. To the extent practicable, one-third of the elected directors shall serve an initial term of one year, one-third of the elected directors shall serve an initial term of two years, and one-third of the elected directors shall serve an initial term of three years. The initial terms of board elected directors shall be determined by board ~~members~~ directors drawing lots. ~~The board elected under this paragraph shall not contain two directors from the same district serving the same term.~~

Sec. 108. Section 185C.8, Code 2013, is amended to read as follows:

185C.8 Elections ~~Administration~~ of elections for directors.

1. The Iowa corn promotion board shall administer elections for district elected directors of the board with the assistance of the secretary. Prior to the expiration of a director's term of office, the board shall appoint a nominating committee for the district represented by that director. The nominating committee shall consist of five producers who are residents of the district from which a director must be elected. The nominating committee shall nominate two resident producers as candidates for each director position for which an election is to be held. Additional candidates may be nominated by a written petition of twenty-five producers. Procedures governing the time and place of filing shall be adopted and publicized by the board.

Following commencement of the promotional order, or termination of the promotional order's suspension as provided in section 185C.24, the secretary shall order the reconstitution of the board. An election of district elected directors shall be held within thirty days from the date of the order. The secretary shall call for, provide for notice of, conduct, and certify the results of the election in a manner consistent with section 185C.5 through 185C.7. Directors shall serve terms as provided in section 185C.7. Rules or procedures adopted by the board and in effect at the date of suspension shall continue in effect upon reconstitution of the board. The Iowa corn growers association may nominate two resident producers as candidates for each

director position. Additional candidates may be nominated by a written petition of at least twenty-five producers.

2. The Iowa corn promotion board shall administer elections for board elected directors. Prior to the expiration of a board elected director's term of office, the board may appoint a nominating committee. In order to be eligible for nomination and election, a candidate must have previously served on the board as an elected director. An officer of the board shall certify the results of the election.

Sec. 109. Section 185C.10, subsection 3, Code 2013, is amended by striking the subsection.

Sec. 110. Section 185C.14, subsection 3, Code 2013, is amended to read as follows:

3. The board shall meet at least ~~once every three months~~ times each year, and at such other times as deemed necessary by the board.

Sec. 111. IMPLEMENTATION. The Iowa corn promotion board established pursuant to section 185C.3 shall implement this division of this Act.

1. During the implementation period all of the following shall apply:

a. The board shall provide for staggered terms of directors in the same manner as required for the initial terms of office of a reconstituted board pursuant to section 185C.7. However, the board is not required to draw lots as otherwise provided in that section.

b. The board is not required to fill a vacancy for an unexpired term as required in section 185C.9.

c. The board may reduce the number of years of a director's term in order to comply with this section.

2. The board shall complete implementation of this Act not later than July 1, 2014.

Sec. 112. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION X

APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

Sec. 113. Section 312.3, subsection 2, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *d.* For purposes of apportioning among the cities of the state the percentage of the road use tax fund to be credited to the street construction fund of the cities for each month beginning March 2011 and ending March 2021 pursuant to this subsection, the population of each city shall be determined by the greater of the population of the city as of the last preceding certified federal census or as of the April 1, 2010, population estimates base as determined by the United States census bureau.

Sec. 114. STREET CONSTRUCTION FUND — APPROPRIATION.

1. In a written application to the treasurer of state submitted by October 1, 2013, a city may request an additional distribution of moneys to be credited to the street construction fund of the city equal to that additional amount, calculated by the treasurer, that the city would have received if the funds were apportioned based upon the population of the city as determined by section 312.3, subsection 2, paragraph "d", as enacted in this division of this Act, for the months prior to the effective date of this division of this Act.

2. Upon determination by the treasurer of state that an additional amount should be credited to a city as provided by this section, there is appropriated from the general fund of the state to the department of transportation, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, an amount sufficient to pay the additional amount which shall be distributed to the city for deposit in the street construction fund of the city.

Sec. 115. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 116. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to March 2011.

DIVISION XI HISTORIC PRESERVATION AND CULTURAL AND ENTERTAINMENT DISTRICT TAX CREDITS

Sec. 117. Section 404A.4, subsection 2, paragraph d, Code 2013, is amended to read as follows:

~~d. For the a fiscal year beginning on or after July 1, 2012, and for each fiscal year thereafter but before July 1, 2014, the office shall reserve not more than forty-five million dollars worth of tax credits for any one taxable year.~~

Sec. 118. Section 404A.4, subsection 2, Code 2013, is amended by adding the following new paragraphs:

NEW PARAGRAPH. e. For the fiscal years beginning July 1, 2014, July 1, 2015, and July 1, 2016, the office shall reserve not more than fifty-five million dollars of tax credits for any one taxable year.

NEW PARAGRAPH. f. For the fiscal year beginning July 1, 2017, and for each fiscal year thereafter, the office shall reserve not more than fifty million dollars of tax credits for any one taxable year.

Sec. 119. Section 404A.4, subsection 4, paragraph a, Code 2013, is amended to read as follows:

a. The total amount of tax credits that may be approved for a fiscal year prior to the fiscal year beginning July 1, 2012, under this chapter shall not exceed fifty million dollars. The total amount of tax credits that may be approved for a fiscal year beginning on or after July 1, 2012, but before July 1, 2014, shall not exceed forty-five million dollars. The total amount of tax credits that may be approved for a fiscal year beginning on or after July 1, 2014, but before July 1, 2017, shall not exceed fifty-five million dollars. The total amount of tax credits that may be approved for a fiscal year beginning on or after July 1, 2017, shall not exceed fifty million dollars.

DIVISION XII INCOME TAXES

Sec. 120. Section 422.5, subsection 1, paragraph j, subparagraph (2), subparagraph division (a), Code 2013, is amended to read as follows:

(a) The tax imposed upon the taxable income of a resident shareholder in an S corporation or of an estate or trust with a situs in Iowa that is a shareholder in an S corporation, which S corporation has in effect for the tax year an election under subchapter S of the Internal Revenue Code and carries on business within and without the state, may be computed by reducing the amount determined pursuant to paragraphs "a" through "i" by the amounts of nonrefundable credits under this division and by multiplying this resulting amount by a fraction of which the resident's or estate's or trust's net income allocated to Iowa, as determined in section 422.8, subsection 2, paragraph "b", is the numerator and the resident's or estate's or trust's total net income computed under section 422.7 is the denominator. If a resident shareholder, or an estate or trust with a situs in Iowa that is a shareholder, has elected to take advantage of this subparagraph (2), and for the next tax year elects not to take advantage of this subparagraph, the resident or estate or trust shareholder shall not reelect to take advantage of this subparagraph for the three tax years immediately following the first tax year for which the shareholder elected not to take advantage of this subparagraph, unless the director consents to the reelection. This subparagraph also applies to individuals who are residents of Iowa for less than the entire tax year.

Sec. 121. Section 422.8, subsection 2, paragraph b, unnumbered paragraph 1, Code 2013, is amended to read as follows:

A resident's income, or the income of an estate or trust with a situs in Iowa,

allocable to Iowa is the income determined under section 422.7 reduced by items of income and expenses from an S corporation that carries on business within and without the state when those items of income and expenses pass directly to the shareholders under provisions of the Internal Revenue Code. These items of income and expenses are increased by the greater of the following:

Sec. 122. Section 422.15, subsection 2, Code 2013, is amended to read as follows:

2. Every partnership, including limited partnerships ~~organized under chapter 488, having a place of business in the state, doing business in this state, or deriving income from sources within this state as defined in section 422.33, subsection 1,~~ shall make a return, stating specifically the net income and capital gains (or losses) reported on the federal partnership return, the names and addresses of the partners, and their respective shares in said amounts.

Sec. 123. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 124. RETROACTIVE APPLICABILITY. The following provision or provisions of this division of this Act apply retroactively to January 1, 2013, for tax years beginning on or after that date:

1. The section amending section 422.5.
2. The section amending section 422.8.
3. The section amending section 422.15.

DIVISION XIII SALES AND USE TAXES

Sec. 125. Section 423.1, subsection 5, Code 2013, is amended to read as follows:

5. *“Agricultural production”* includes the production of flowering, ornamental, or vegetable plants in commercial greenhouses or otherwise, and production from aquaculture, and production from silvicultural activities. *“Agricultural products”* includes flowering, ornamental, or vegetable plants and those products of aquaculture and silviculture.

Sec. 126. Section 423.2, subsection 6, paragraph a, Code 2013, is amended to read as follows:

a. The sales price of any of the following enumerated services is subject to the tax imposed by subsection 5: alteration and garment repair; armored car; vehicle repair; battery, tire, and allied; investment counseling; service charges of all financial institutions; barber and beauty; boat repair; vehicle wash and wax; campgrounds; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dating services; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; excavating and grading; farm implement repair of all kinds; flying service; furniture, rug, carpet, and upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; gun and camera repair; house and building moving; household appliance, television, and radio repair; janitorial and building maintenance or cleaning; jewelry and watch repair; lawn care, landscaping, and tree trimming and removal; limousine service, including driver; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oils and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pay television; pet grooming; pipe fitting and plumbing; wood preparation; executive search agencies; private employment agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; reflexology; security and detective services, excluding private security and detective services furnished by a peace officer with the knowledge and consent of the chief executive officer of the peace officer's law enforcement agency; sewage services for nonresidential commercial operations; sewing and stitching; shoe repair and shoeshine; sign

construction and installation; storage of household goods, mini-storage, and warehousing of raw agricultural products; swimming pool cleaning and maintenance; tanning beds or salons; taxidermy services; telephone answering service; test laboratories, including mobile testing laboratories and field testing by testing laboratories, and excluding tests on humans or animals; termite, bug, roach, and pest eradicators; tin and sheet metal repair; transportation service consisting of the rental of recreational vehicles or recreational boats, or the rental of motor vehicles subject to registration which are registered for a gross weight of thirteen tons or less for a period of sixty days or less, or the rental of aircraft for a period of sixty days or less; Turkish baths, massage, and reducing salons, excluding services provided by massage therapists licensed under chapter 152C; water conditioning and softening; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl, and vegetables; wrecking service; wrecker and towing.

Sec. 127. Section 423.3, subsection 47, paragraph d, subparagraph (4), Code 2013, is amended to read as follows:

(4) *"Manufacturer"* means as defined in section 428.20 a person who purchases, receives, or holds personal property of any description for the purpose of adding to its value by a process of manufacturing, refining, purifying, combining of different materials, or by the packing of meats, with a view to selling the property for gain or profit, but also includes contract manufacturers. A contract manufacturer is a manufacturer that otherwise falls within the definition of manufacturer under section 428.20, except that a contract manufacturer does not sell the tangible personal property the contract manufacturer processes on behalf of other manufacturers. A business engaged in activities subsequent to the extractive process of quarrying or mining, such as crushing, washing, sizing, or blending of aggregate materials, is a manufacturer with respect to these activities. This subparagraph (4) shall not be construed to require that a person be primarily engaged in an activity listed in this subparagraph in order to qualify as a manufacturer for purposes of this subsection.

Sec. 128. Section 423.3, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 99. The sales price from services furnished by forestry consultants and forestry vendors engaged in forestry practices on private or public land.

DIVISION XIV IOWA FUND OF FUNDS

Sec. 129. Section 15E.62, Code 2013, is amended by adding the following new subsections:

NEW SUBSECTION. 03. *"Creditor"* means a person, including an assignee of or successor to such person, who extends credit or makes a loan to the Iowa fund of funds or to a designated investor, and includes any person who refinances such credit or loan.

NEW SUBSECTION. 04. *"Fund documents"* means all agreements relating to matters under the purview of this division VII entered into prior to the effective date of this division of this Act between or among the state, the Iowa fund of funds, a fund allocation manager or similar manager, the Iowa capital investment corporation, the board, a creditor, a designated investor, and a private seed or venture capital partnership, and includes other documents having the same force and effect between or among such parties, as any of the foregoing may be amended, modified, restated, or replaced from time to time.

Sec. 130. Section 15E.65, subsection 2, paragraph h, Code 2013, is amended to read as follows:

h. Fifty years after the organization of the Iowa fund of funds As soon as

practicable after the effective date of this division of this Act, the Iowa capital investment corporation, in conjunction with the department of revenue, the board, and the attorney general, shall wind up the Iowa fund of funds pursuant to section 15E.72 and shall cause the Iowa fund of funds to be liquidated with all of its assets distributed to its owners in accordance with the provisions of its organizational documents and in accordance with the fund documents. In liquidating such assets, the capital investment corporation, the department of revenue, the board, and the attorney general shall act with prudence and caution in order to minimize costs and fees and to preserve investment assets to the extent reasonably possible.

Sec. 131. **NEW SECTION. 15E.72 Program wind-up and future repeal.**

1. *Organization of additional funds prohibited.*

Notwithstanding section 15E.65, an Iowa fund of funds shall not be organized on or after the effective date of this division of this Act.

2. *New investments by the fund of funds prohibited.*

Notwithstanding section 15E.65, the Iowa fund of funds shall not make new investments in private seed and venture capital partnerships or entities on or after the effective date of this division of this Act except as required by the fund documents.

3. *New investments by designated investors prohibited.*

a. Except as provided in paragraph “b”, and notwithstanding any other provision in this division VII, a designated investor shall not invest in the Iowa fund of funds on or after the effective date of this division of this Act.

b. Notwithstanding the prohibition in paragraph “a”, a designated investor may invest in the Iowa fund of funds on or after the effective date of this division of this Act to the extent such investment is required by the fund documents. In addition, the director of revenue, with the approval of the attorney general, may authorize additional investment in the Iowa fund of funds but only if such an investment is necessary to preserve fund assets, repay creditors, pay taxes, or otherwise effectuate an orderly wind-up of the program pursuant to this section.

4. *Issuance, verification, and redemption of new certificates prohibited.*

a. Except as provided in paragraph “b”, and notwithstanding any other provision in this division VII, the board shall not issue, verify, or redeem a certificate or a related tax credit on or after the effective date of this division of this Act.

b. Notwithstanding the prohibition in paragraph “a”, the board may issue, redeem, or verify a certificate or a related tax credit under any of the following conditions:

(1) The board is required to do so under the terms of the fund documents.

(2) The issuance, redemption, or verification is deemed necessary by the director of revenue and the attorney general in order to arrange new financing terms with a creditor.

(3) The issuance, redemption, or verification is deemed necessary by the director of revenue and the attorney general to preserve fund assets, repay creditors, or otherwise effectuate an orderly wind-up of the program pursuant to this section.

5. *New fund allocation managers prohibited.*

a. Notwithstanding any other provision in this division VII, the Iowa capital investment corporation shall not have authority to solicit, select, terminate, or change a fund allocation manager or similar manager on or after the effective date of this division of this Act.

b. On or after the effective date of this division of this Act, all decisions pertaining to relationships with a fund allocation manager or similar manager selected prior to the effective date of this division of this Act shall be made by the director of revenue with the approval of the attorney general. This subsection shall not be construed to impair the terms of the fund documents.

6. *Pledging of certificates prohibited.*

a. Except as provided in paragraph “b”, and notwithstanding any other provision of law to the contrary, a certificate and a related tax credit or verified tax credit issued by the board shall not be pledged by a designated investor as security for a loan or an extension of credit on or after the effective date of this division of this Act.

b. Notwithstanding the prohibition in paragraph “a”, a certificate and related tax credit or verified tax credit issued by the board may be pledged by a designated investor as security for a loan or an extension of credit to the extent such pledge is required by the fund documents. In addition, the board, with the approval of the director of revenue and the attorney general, may authorize a certificate and related tax credit to be pledged as security for a loan or an extension of credit, but only if such a pledge is necessary to arrange new financing terms with a creditor or to repay creditors for moneys loaned or credit extended to a designated investor.

7. *Rural and small business loan guarantees prohibited.* Notwithstanding any other provision in this division VII to the contrary, the Iowa capital investment corporation shall not make rural and small business loan guarantees or otherwise administer a program to provide loan guarantees and other related credit enhancements on loans to rural and small business borrowers within the state of Iowa on or after the effective date of this division of this Act.

8. *Iowa capital investment corporation purposes amended.* Notwithstanding section 15E.64, on or after the effective date of this division of this Act, the purposes of the Iowa capital investment corporation shall be to comply with its obligations under the fund documents and to assist the board, the director of revenue, and the attorney general in effectuating the orderly wind-up of the Iowa fund of funds. In effectuating such a wind-up, the Iowa capital investment corporation shall comply with all reasonable requests by the board, the director of revenue, the attorney general, or the auditor of state.

9. *Use of revolving fund prohibited.*

a. Notwithstanding section 15E.65, subsection 2, paragraph “a”, on or after the effective date of this division of this Act, all investment returns received by the Iowa capital investment corporation that are in excess of those payable to designated investors shall be deposited in the general fund of the state.

b. This subsection shall not be construed to impair the terms of the fund documents. It is the intent of the general assembly that this subsection only applies in the event that there are investment returns in excess of those necessary to repay creditors and designated investors under the terms of the fund documents.

10. *Preservation of existing rights.* This section is not intended to and shall not limit, modify, or otherwise adversely affect the fund documents, including any certificate, verified tax credit, or related tax credit issued before the effective date of this division of this Act or limit, modify, or otherwise adversely affect the redemption of any tax credit, verified tax credit, or certificate.

11. *Future repeal.* This division VII is repealed upon the occurrence of one of the following, whichever is earlier:

a. The expiration or termination of all fund documents. The director of revenue shall notify the Iowa Code editor upon the occurrence of this condition.

b. December 31, 2027.

Sec. 132. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XV STUDY REPORT

Sec. 133. ADMINISTRATIVE APPEALS PROCESS FOR TAX MATTERS AND NEW TAX APPEAL BOARD — REPORT. The department of revenue, in consultation with the department of management and other interested stakeholders, shall study the

independence, effectiveness, and fairness of the state's current administrative appeals processes for tax matters and shall make recommendations for changes, if necessary, and shall additionally study the desirability, practicality, and feasibility of replacing components of these processes with a new consolidated and independent administrative appeals board for tax matters within the executive branch to resolve disputes between the department of revenue and taxpayers. The department of revenue shall prepare and file a report detailing its findings and recommendations with the chairpersons and ranking members of the ways and means committees of the senate and the house of representatives and with the legislative services agency by January 8, 2014. This section of this Act shall not be construed to provide the department of revenue with the power or authority to eliminate or in any way modify the property assessment appeals board created pursuant to section 421.1A.

DIVISION XVI

SECURE AN ADVANCED VISION FOR EDUCATION FUND

Sec. 134. Section 423F.2, subsection 1, paragraph b, Code 2013, is amended to read as follows:

b. The increase in the state sales, services, and use taxes under chapter 423, subchapters II and III, from five percent to six percent shall replace the repeal of the county's local sales and services tax for school infrastructure purposes. The distribution of moneys in the secure an advanced vision for education fund and the use of the moneys for infrastructure purposes or property tax relief shall be as provided in this chapter. ~~However, the formula for the distribution of the moneys in the fund shall be based upon amounts that would have been received if the local sales and services taxes under former chapter 423E, Code and Code Supplement 2007, continued in existence.~~

Sec. 135. Section 423F.2, subsection 3, Code 2013, is amended to read as follows:

3. The moneys available in a fiscal year in the secure an advanced vision for education fund shall be distributed by the department of revenue to each school district ~~in an amount equal to the amount the school district would have received pursuant to the formula in section 423E.4 as if the local sales and services tax for school infrastructure purposes was imposed on a per pupil basis calculated using each school district's budget enrollment, as defined in section 257.6, for that fiscal year. Moneys in a fiscal year that are in excess of that needed to provide each school district with its formula amount~~ Prior to distribution of moneys in the secure an advanced vision for education fund to school districts, two and one-tenths percent of the moneys available in a fiscal year shall be distributed and credited to the property tax equity and relief fund created in section 257.16A.

Sec. 136. **APPLICABILITY.** This division of this Act applies to fiscal years beginning on or after July 1, 2014.

DIVISION XVII

SCHOOL EMPLOYEES — BACKGROUND INVESTIGATIONS

Sec. 137. **NEW SECTION. 279.69 School employees — background investigations.**

1. Prior to hiring an applicant for a school employee position, a school district shall have access to and shall review the information in the Iowa court information system available to the general public, the sex offender registry information under section 692A.121 available to the general public, the central registry for child abuse information established under section 235A.14, and the central registry for dependent adult abuse information established under section 235B.5 for information regarding the applicant. A school district shall follow the same procedure by June 30, 2014, for each school employee employed by the school district as of July 1, 2013. A school district shall implement a consistent policy to follow the same procedure for each school

employee employed by the school district on or after July 1, 2013, at least every five years after the school employee's initial date of hire. A school district shall not charge an employee for the cost of the registry checks conducted pursuant to this subsection. A school district shall maintain documentation demonstrating compliance with this subsection.

2. Being listed in the sex offender registry established under chapter 692A, the central registry for child abuse information established under section 235A.14, or the central registry for dependent adult abuse information established under section 235B.5 shall constitute grounds for the immediate suspension from duties of a school employee, pending a termination hearing by the board of directors of a school district. A termination hearing conducted pursuant to this subsection shall be limited to the question of whether the school employee was incorrectly listed in the registry.

3. For purposes of this section, “*school employee*” means an individual employed by a school district, including a part-time, substitute, or contract employee. “*School employee*” does not include an individual subject to a background investigation pursuant to section 272.2, subsection 17, section 279.13, subsection 1, paragraph “b”, or section 321.375, subsection 2.

Sec. 138. **STATE MANDATE FUNDING SPECIFIED.** In accordance with section 25B.2, subsection 3, the state cost of requiring compliance with any state mandate included in this division of this Act shall be paid by a school district from state school foundation aid received by the school district under section 257.16. This specification of the payment of the state cost shall be deemed to meet all of the state funding-related requirements of section 25B.2, subsection 3, and no additional state funding shall be necessary for the full implementation of this division of this Act by and enforcement of this division of this Act against all affected school districts.

DIVISION XVIII

FROM FARM TO FOOD DONATION TAX CREDIT

Sec. 139. **NEW SECTION. 190B.301 Definitions.**

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

1. “*Department*” means the department of revenue.
2. “*Tax credit*” means the from farm to food donation tax credit as established in this chapter.

Sec. 140. **NEW SECTION. 190B.302 Department of revenue — cooperation with other departments.**

1. This chapter shall be administered by the department of revenue.
2. The department shall adopt all rules necessary to administer this chapter.
3. The department of agriculture and land stewardship, the department of public health, the department of human services, and the department of inspections and appeals shall cooperate with the department of revenue to administer this chapter.

Sec. 141. **NEW SECTION. 190B.303 From farm to food donation tax credit.**

A from farm to food donation tax credit is allowed against the taxes imposed in chapter 422, divisions II and III, as provided in this chapter.

Sec. 142. **NEW SECTION. 190B.304 From farm to food donation tax credit — eligibility.**

In order to qualify for a from farm to food donation tax credit, all of the following must apply:

1. The taxpayer must produce the donated food commodity.
2. The taxpayer must transfer title to the donated food commodity to an Iowa food bank, or an Iowa emergency feeding organization, recognized by the department. The taxpayer shall not receive remuneration for the transfer.
3. The donated food commodity cannot be damaged or out-of-condition and declared to be unfit for human consumption by a federal, state, or local health official. A food

commodity that meets the requirements for donated foods pursuant to the federal emergency food assistance program satisfies this requirement.

4. A taxpayer claiming the tax credit shall provide documentation supporting the tax credit claim in a form and manner prescribed by the department by rule.

Sec. 143. NEW SECTION. 190B.305 From farm to food donation tax credit — claims filed by individuals who belong to business entities.

An individual may claim a from farm to food donation tax credit of a partnership, limited liability company, S corporation, estate, or trust electing to have income taxed directly to the individual. The amount claimed by the individual shall be based upon the pro rata share of the individual's earnings from the partnership, limited liability company, S corporation, estate, or trust.

Sec. 144. NEW SECTION. 190B.306 From farm to food donation tax credit — limits on claims.

A from farm to food donation tax credit is subject to all of the following limitations:

1. The tax credit shall not exceed a qualifying amount for the tax year that the tax credit is claimed. The qualifying amount is the lesser of the following:

a. Fifteen percent of the value of the commodities donated during the tax year for which the credit is claimed. The value of the commodities shall be determined in the same manner as a charitable contribution of food for federal tax purposes under section 170(e)(3)(C) of the Internal Revenue Code.

b. Five thousand dollars.

2. A tax credit in excess of the taxpayer's liability for the tax year is not refundable but may be credited to the tax liability for the following five years or until depleted, whichever is earlier.

3. If a tax credit is allowed, the amount of the contribution for which the tax credit is claimed shall not be deductible in determining taxable income for state tax purposes.

4. A tax credit shall not be carried back to a tax year prior to the tax year in which the taxpayer claims the tax credit.

Sec. 145. NEW SECTION. 422.11E From farm to food donation tax credit.

The taxes imposed under this division, less the credits allowed under section 422.12, shall be reduced by a from farm to food donation tax credit as allowed under chapter 190B.

Sec. 146. Section 422.33, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 30. The taxes imposed under this division shall be reduced by a from farm to food donation tax credit as allowed under chapter 190B.

Sec. 147. **APPLICABILITY.** The provisions of this division of this Act providing for a from farm to food donation tax credit applies to tax years beginning on or after January 1, 2014.

DIVISION XIX CITY FRANCHISE FEES

Sec. 148. Section 364.2, subsection 4, paragraph f, Code 2013, is amended to read as follows:

f. (1) (a) A franchise fee assessed by a city may be based upon a percentage of gross revenues generated from sales of the franchisee within the city not to exceed five percent except as provided in subparagraph division (b), without regard to the city's cost of inspecting, supervising, and otherwise regulating the franchise.

(b) For franchise fees assessed and collected during fiscal years beginning on or after July 1, 2013, but before July 1, 2030, by a city that is the subject of a judgment, court-approved settlement, or court-approved compromise providing for payment of restitution, a refund, or a return described in section 384.3A, subsection 3, paragraph "7", the rate of the franchise fee shall not exceed seven and one-half percent of gross

revenues generated from sales of the franchisee in the city, and franchise fee amounts assessed and collected during such fiscal years in excess of five percent of gross revenues generated from sales shall be used solely for the purpose specified in section 384.3A, subsection 3, paragraph “j”. A city may assess and collect a franchise fee in excess of five percent of gross revenues generated from the sales of the franchisee pursuant to this subparagraph division (b) for a period not to exceed seven consecutive fiscal years once the franchise fee is first imposed at a rate in excess of five percent. An ordinance increasing the franchise fee rate to greater than five percent pursuant to this subparagraph division (b) shall not become effective unless approved at an election. After passage of the ordinance, the council shall submit the proposal at a special election held on a date specified in section 39.2, subsection 4, paragraph “b”. If a majority of those voting on the proposal approves the proposal, the city may proceed as proposed. The complete text of the ordinance shall be included on the ballot and the full text of the ordinance posted for the voters pursuant to section 52.25. All absentee voters shall receive the full text of the ordinance along with the absentee ballot. This subparagraph division (b) is repealed July 1, 2030.

(2) Franchise fees collected pursuant to an ordinance in effect on May 26, 2009, shall be deposited in the city’s general fund and such fees collected in excess of the amounts necessary to inspect, supervise, and otherwise regulate the franchise may be used by the city for any other purpose authorized by law. Franchise fees collected pursuant to an ordinance that is adopted or amended on or after May 26, 2009, to increase the percentage rate at which franchise fees are assessed shall be credited to the franchise fee account within the city’s general fund and used pursuant to section 384.3A. If a city franchise fee is assessed to customers of a franchise, the fee shall not be assessed to the city as a customer. Before a city adopts or amends a franchise fee rate ordinance or franchise ordinance to increase the percentage rate at which franchise fees are assessed, a revenue purpose statement shall be prepared specifying the purpose or purposes for which the revenue collected from the increased rate will be expended. If property tax relief is listed as a purpose, the revenue purpose statement shall also include information regarding the amount of the property tax relief to be provided with revenue collected from the increased rate. The revenue purpose statement shall be published as provided in section 362.3.

☞ (3) If a city adopts, amends, or repeals an ordinance imposing a franchise fee, the city shall promptly notify the director of revenue of such action.

Sec. 149. Section 384.3A, subsection 3, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. For franchise fees assessed and collected by a city in excess of five percent of gross revenues generated from sales of the franchisee within the city pursuant to section 364.2, subsection 4, paragraph “f”, subparagraph (1), subparagraph division (b), during fiscal years beginning on or after July 1, 2013, but before July 1, 2030, the adjustment, renewal, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, court-approved settlements, court-approved compromises, or judgments, or the funding or refunding of the same, if such legal indebtedness relates to restitution, a refund, or a return ordered by a court of competent jurisdiction for franchise fees assessed and collected by the city before the effective date of this division of this Act. This paragraph “j” is repealed July 1, 2030.

Sec. 150. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XX TUITION GRANT AMOUNTS

Sec. 151. Section 261.12, subsection 1, paragraph b, Code 2013, is amended by

striking the paragraph and inserting in lieu thereof the following:

b. For the fiscal year beginning July 1, 2013, and for each following fiscal year, five thousand dollars.

DIVISION XXI

GENERAL AND SPECIAL EDUCATION

Sec. 152. GENERAL AND SPECIAL EDUCATION INSTRUCTIONAL PROGRAMS — PRIVATE AGENCY RESIDENTIAL SERVICES.

1. For purposes of this section, “private agency” means a residential facility licensed under chapter 135H or 237. “Private agency” does not include an institution listed in section 218.1.

2. If a private agency contracted with a school district on or before July 1, 2010, to provide general education or special education instructional programs, for the school years beginning July 1, 2012, and July 1, 2013, the private agency may bill the school district for the subsequent costs of such programs, in accordance with billing practices in place on July 1, 2010. Such school district may in turn bill a child’s school district of residence for such costs. Such costs include, if necessary to meet the special needs of children requiring general education or special education, the costs of general administration, health service, attendance officers, plant operation, and plant maintenance, instructional costs, and the costs of purchase of equipment, transportation, and property, casualty, and liability insurance. Such costs do not include the costs of services otherwise funded pursuant to chapter 135H or 237.

3. An auditor conducting an annual audit of a school district pursuant to section 11.6 shall review and verify the information contained in any cost reports submitted to the school district by a private agency contracting with the school district as described in this section.

Sec. 153. GENERAL AND SPECIAL EDUCATION COSTS — LEGISLATIVE STUDY.

1. For purposes of this section, “private agency” means a residential facility licensed under chapter 135H or 237. “Private agency” does not include an institution listed in section 218.1.

2. The legislative council is requested to establish an interim study committee during the 2013 interim to examine the payment of general education and special education costs associated with student services provided by private agencies and whether the planning for and costs of such services would be more appropriately administered by the department of education or the department of human services. The study committee shall consist of legislator members of both political parties from both houses of the general assembly and representatives of the office of the governor, the department of education, the department of human services, and private agencies.

Sec. 154. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXII

PRACTICE BY BUSINESS ENTITIES

Sec. 155. REPEAL. 2013 Iowa Acts, Senate File 181, section 29, is repealed.

Sec. 156. RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to March 28, 2013.

Sec. 157. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXIII

SPEED DETECTION JAMMING DEVICES

Sec. 158. Section 321.232, Code 2013, is amended to read as follows:

321.232 ~~Radar~~ Speed detection jamming devices — penalty.

1. A person shall not sell, operate, or possess a ~~radar~~ speed detection jamming

device, except as otherwise provided in this section, when the device is in a vehicle operated on the highways of this state or the device is held for sale in this state.

2. This section does not apply to ~~radar~~ speed measuring devices purchased by, held for purchase for, or operated by peace officers using the devices in performance of their official duties.

3. A ~~radar~~ speed detection jamming device sold, operated, or possessed in violation of subsection 1 may be seized by a peace officer and is subject to forfeiture as provided by chapter 809 or 809A.

4. For the purposes of this section ~~“radar jamming device”~~:

a. “Speed detection jamming device” means any mechanism designed or used to transmit radio waves in the electromagnetic wave spectrum to interfere with the reception of those emitted from a device used by peace officers of this state to measure the speed of motor vehicles on the highways of this state and which is not designed for two-way transmission and cannot transmit in plain language active or passive device, instrument, mechanism, or equipment that is designed or intended to interfere with, disrupt, or scramble the radar or laser that is used by a peace officer to measure the speed of motor vehicles. “Speed detection jamming device” does not include equipment that is legal under federal communications commission regulations, such as a citizens’ band radio, a ham radio, or other similar electronic equipment.

b. “Speed measuring device” includes but is not limited to devices commonly known as radar speed meters or laser speed meters.

Sec. 159. Section 805.8A, subsection 14, paragraph g, Code 2013, is amended to read as follows:

g. Radar jamming Speed detection jamming devices. For a violation under section 321.232, the scheduled fine is one hundred dollars.

DIVISION XXIV

MOTOR VEHICLE REGISTRATION FEE EQUITY

Sec. 160. Section 321.55, Code 2013, is amended to read as follows:

321.55 Registration and financial liability coverage required for certain vehicles owned or operated by nonresidents.

1. A nonresident owner or operator engaged in remunerative employment within ~~the this~~ state or carrying on business within ~~the this~~ state and owning or operating a motor vehicle, trailer, or semitrailer within ~~the this~~ state shall register and maintain financial liability coverage as required under section 321.20B for each vehicle and pay the same fees for registration as are paid for like vehicles owned by residents of this state. However, this ~~paragraph subsection~~ does not apply to a person commuting from the person’s residence in another state or whose employment is seasonal or temporary, not exceeding ninety days.

2. a. A nonresident owner of a motor vehicle operated within the this state by a resident of the this state shall register the vehicle and shall maintain financial liability coverage as required under section 321.20B for the vehicle. The nonresident owner shall pay the same fees for registration as are paid for like vehicles owned by residents of this state. However, registration under this paragraph is not required for vehicles being operated by residents temporarily, not exceeding for not more than ninety days. For purposes of this paragraph, a vehicle is not operated in the state temporarily, and is therefore subject to registration and the owner is required to pay the applicable fees, if the vehicle is located in Iowa for more than ninety consecutive or nonconsecutive days and is operated on an Iowa highway by an Iowa resident during that time. It is unlawful for a resident to operate within the state an unregistered motor vehicle required to be registered under this paragraph. The ninety-day temporary period of operation provided for under this paragraph does not apply to a vehicle owned by a shell business as provided in paragraph “b”.

b. On or after July 1, 2013, if the department, in consultation with the department of revenue, determines that the nonresident owner of a vehicle is a partnership, limited liability company, or corporation that is a shell business, it shall be rebuttably presumed that the Iowa resident in control of the vehicle is the actual owner of the vehicle, that the vehicle is subject to registration in this state, and that payment of the fee for new registration for the vehicle is owed by the Iowa resident.

(1) Factors which indicate that a partnership, limited liability company, or corporation is a shell business include but are not limited to the following:

(a) The partnership, limited liability company, or corporation lacks a specific business activity or purpose.

(b) The partnership, limited liability company, or corporation fails to maintain a physical location in the foreign state.

(c) The partnership, limited liability company, or corporation fails to employ individual persons and provide those persons with internal revenue service form W-2 wage and tax statements.

(d) The partnership, limited liability company, or corporation fails to file federal tax returns, or fails to file a required state tax return in the foreign state.

(2) Factors which indicate that a person is in control of a vehicle include but are not limited to the following:

(a) The person was the initial purchaser of the vehicle.

(b) The person operated or stored the vehicle in Iowa for any period of time.

(c) The person is a partner, member, or shareholder of the nonresident partnership, limited liability company, or corporation that purports to be the owner of the vehicle.

(d) The person is insured to drive the vehicle.

(3) If the department determines that the nonresident owner of a vehicle is a shell business, the department shall notify the Iowa resident in control of the vehicle in writing that the Iowa resident is required to obtain an Iowa certificate of title and registration for the vehicle and pay the fee for new registration owed for the vehicle not later than thirty days from the date of the notice.

Sec. 161. Section 321.105A, subsection 7, Code 2013, is amended to read as follows:

7. Penalty for false statement or evasion of fee.

a. A person who willfully makes a false statement in regard to the purchase price of a vehicle subject to a fee for new registration or willfully attempts in any manner to evade payment of the fee required by this section is guilty of a fraudulent practice. A person who willfully makes a false statement in regard to the purchase price of such a vehicle with the intent to evade payment of the fee for new registration or willfully attempts in any manner to evade payment of the fee required by this section shall be assessed a penalty of seventy-five percent of the amount of the fee unpaid and required to be paid on the actual purchase price less trade-in allowance.

b. An Iowa resident found to be in control of a vehicle which is owned by a shell business and for which the fee for new registration has not been paid, as provided in section 321.55, subsection 2, is guilty of a fraudulent practice. An Iowa resident found to be in control of a vehicle which is owned by a shell business and for which the fee for new registration has not been paid, as provided in section 321.55, subsection 2, shall be assessed a penalty of seventy-five percent of the amount of the fee unpaid and required to be paid on the actual purchase price less trade-in allowance.

Sec. 162. REPEAL. Section 321.116, Code 2013, is repealed.

Sec. 163. APPLICABILITY — PRIOR ELECTRIC VEHICLE REGISTRATIONS.

1. Except as provided in subsection 2, the section of this division of this Act that repeals section 321.116 applies to the registration of electric motor vehicles for registration years beginning on or after January 1, 2014.

2. For an annual renewal of registration for an electric motor vehicle which was registered to the same owner for a registration year beginning prior to January 1, 2014, the annual registration fee shall be according to the terms of section 321.116, Code 2013.

DIVISION XXV
IOWACARE
IOWACARE ACCOUNT APPROPRIATIONS —
UNIVERSITY OF IOWA HOSPITALS AND CLINICS

Sec. 164. 2011 Iowa Acts, chapter 129, section 146, subsection 1, paragraph c, as amended by 2012 Iowa Acts, chapter 1133, section 40, is amended to read as follows:

c. The university of Iowa hospitals and clinics shall certify public expenditures in an amount equal to provide the nonfederal share on total expenditures not to exceed ~~\$32,000,000~~ \$26,000,000.

Sec. 165. 2011 Iowa Acts, chapter 129, section 146, subsection 2, unnumbered paragraph 2, as amended by 2012 Iowa Acts, chapter 1133, section 41, is amended to read as follows:

For salaries, support, maintenance, equipment, and miscellaneous purposes, for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:

..... \$ 45,654,133
52,569,199

Sec. 166. 2011 Iowa Acts, chapter 129, section 146, subsection 3, is amended to read as follows:

3. There is appropriated from the IowaCare account created in section 249J.24, to the state board of regents for distribution to university of Iowa physicians for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary to be used for the purposes designated:

For salaries, support, maintenance, equipment, and miscellaneous purposes for the provision of medical and surgical treatment of indigent patients, for provision of services to members of the expansion population pursuant to chapter 249J, and for medical education:

..... \$ 16,277,753
19,806,365

Notwithstanding any provision of law to the contrary, the amount appropriated in this subsection shall be distributed based on claims submitted, adjudicated, and paid by the Iowa Medicaid enterprise. Once the entire amount appropriated in this subsection has been distributed, claims shall continue to be submitted and adjudicated by the Iowa Medicaid enterprise; however, no payment shall be made based upon such claims.

Sec. 167. 2011 Iowa Acts, chapter 129, section 146, subsection 6, unnumbered paragraphs 1 and 2, are amended to read as follows:

There is appropriated from the IowaCare account created in section 249J.24 to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary to be used for the purposes designated:

For a care coordination pool to pay the expansion population providers consisting of the university of Iowa hospitals and clinics, the publicly owned acute care teaching hospital as specified in section 249J.7, and current medical assistance program providers that are not expansion population network providers pursuant to section 249J.7, for services covered by the full benefit medical assistance program but not

under the IowaCare program pursuant to section 249J.6, that are provided to expansion population members:

.....	\$	1,500,000
		<u>2,500,000</u>

Sec. 168. 2011 Iowa Acts, chapter 129, section 146, is amended by adding the following new subsection:

NEW SUBSECTION. 8. For the fiscal year beginning July 1, 2012, and ending June 30, 2013, the state board of regents shall transfer \$1,275,577 to the IowaCare account created in section 249J.24, to provide the nonfederal share for distribution to university of Iowa physicians under the IowaCare program.

Sec. 169. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXVI
MH/DS SYSTEM REDESIGN — IMPLEMENTATION
REGIONAL FORMATION REQUIREMENTS

Sec. 170. Section 331.389, subsection 3, paragraph a, Code 2013, is amended to read as follows:

a. The counties comprising the region are contiguous except that a region may include a county that is not contiguous with any of the other counties in the region, if the county that is not contiguous has had a formal relationship for two years or longer with one or more of the other counties in the region for the provision of mental health and disability services.

ELIGIBILITY MAINTENANCE

Sec. 171. Section 331.396, subsection 1, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *Od.* Notwithstanding paragraphs “a” through “c”, if funds are available without limiting or reducing core services and it is approved as part of the regional service system management plan, eligibility may be provided for a person who is less than eighteen years of age and a resident of this state for those mental health services made available to all or a portion of the residents of the region of the same age and eligibility class under the county management plan of one or more counties of the region applicable prior to formation of the region.

Sec. 172. Section 331.396, subsection 2, Code 2013, is amended by adding the following new paragraph:

NEW PARAGRAPH. *Od.* Notwithstanding paragraphs “a” through “c”, if funds are available without limiting or reducing core services and it is approved as part of the regional service system management plan, eligibility may be provided for a person who is less than eighteen years of age and a resident of this state for those intellectual disability services made available to all or a portion of the residents of the region of the same age and eligibility class under the county management plan of one or more counties of the region applicable prior to formation of the region.

Sec. 173. Section 331.397, subsection 2, paragraph b, Code 2013, is amended to read as follows:

b. Until funding is designated for other service populations, eligibility for the service domains listed in this section shall be limited to such persons who are in need of mental health or intellectual disability services. However, if a county in a region was providing services to an ~~individual person~~ eligibility class of persons with a developmental disability other than intellectual disability or a brain injury prior to formation of the region, the ~~individual person~~ class of persons shall remain eligible for the services provided when the region is formed, provided that funds are available to continue such services without limiting or reducing core services.

RESEARCH-BASED PRACTICES

Sec. 174. Section 331.397, subsection 7, unnumbered paragraph 1, Code 2013, is amended to read as follows:

A regional service system may provide funding for other appropriate services or other support and may implement demonstration projects for an initial period of up to three years to model the use of research-based practices. In considering whether to provide such funding, a region may consider the following criteria for research-based practices:

CRISIS STABILIZATION PILOT

Sec. 175. 2012 Iowa Acts, chapter 1120, section 60, is amended to read as follows:

SEC. 60. CRISIS STABILIZATION PROGRAM PILOT PROJECT.

1. The department of human services shall authorize a facility-based, crisis stabilization program pilot project implemented by the regional service network initiated pursuant to 2008 Iowa Acts, chapter 1187, section 59, subsection 9. The facility operated by the program shall not be required to be licensed under chapter 135B, 135C, or 231C. The purpose of the pilot project is to provide a prototype for the departments of human services, inspections and appeals, and public health to develop regulatory standards for such programs and facilities. The pilot project shall comply with appropriate standards associated with funding of the services provided by the project that are identified by the department of human services. The facility shall be limited to not more than 10 beds and shall be authorized to operate through June 30, 2013 2014.

2. The network, in cooperation with the departments of human services, inspections and appeals, and public health, shall report to the governor, the general assembly, and the legislative services agency concerning the pilot project on or before December 14, 2012, and shall submit a report update on or before December 16, 2013, providing findings and recommendations. The report and report update shall include recommendations for criteria concerning admissions, staff qualifications, staffing levels, exclusion and inclusion of service recipients, lengths of stays, transition between services, and facility requirements, and for goals and objectives for such programs and facilities.

REDESIGN TECHNICAL ASSISTANCE CARRYFORWARD

Sec. 176. 2012 Iowa Acts, chapter 1133, section 50, subsection 1, is amended to read as follows:

1. For mental health and disability services redesign technical assistance services:

..... \$ 500,000

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

STATE PAYMENTS TO REGION

Sec. 177. Section 426B.3, subsection 4, as enacted by 2012 Iowa Acts, chapter 1120, section 137, is amended to read as follows:

4. a. For the fiscal years beginning July 1, 2013, and July 1, 2014, a county with a county population expenditure target amount that exceeds the amount of the county's base year expenditures for mental health and disabilities services shall receive an equalization payment for the difference.

b. The equalization payments determined in accordance with this subsection shall be made by the department of human services for each fiscal year as provided in appropriations made from the property tax relief fund for this purpose. If the county is part of a region that has been approved by the department in accordance with section 331.389, to commence partial or full operations, the county's equalization payment

shall be remitted to the region or the county, as appropriate, for expenditure as approved by the region's governing board or in accordance with the county's service management plan, as appropriate. The payment for a county that has been approved by the department to operate as an individual county region shall be remitted to the county for expenditure as approved by the county board of supervisors. For the fiscal year beginning July 1, 2013, and succeeding fiscal years, the payment shall be remitted on or before December 31 only for those counties approved to operate as an individual county region or to be part of a region. Remittance of the payment for a county without such approval shall be deferred until such approval is granted.

STRATEGIC PLAN REQUIREMENT FOR FY 2013–2014

Sec. 178. 2012 Iowa Acts, chapter 1128, section 8, is amended to read as follows:

SEC. 8. COUNTY MENTAL HEALTH, ~~MENTAL RETARDATION INTELLECTUAL DISABILITY,~~ AND DEVELOPMENTAL DISABILITIES SERVICES MANAGEMENT PLAN — STRATEGIC PLAN. Notwithstanding section 331.439, subsection 1, paragraph “b”, subparagraph (3), counties are not required to submit a three-year strategic plan by April 1, 2012, to the department of human services. A county's strategic plan in effect as of the effective date of this section shall remain in effect until the regional service system management plan for the region to which the county belongs is approved in accordance with section 331.393, subject to modification before that date as necessary to conform with statutory changes affecting the plan and any amendments to the plan that are adopted in accordance with law.

TRANSITION FUND — SERVICES MAINTENANCE

Sec. 179. TRANSITION FUND — SERVICES MAINTENANCE. A county receiving an allocation of funding from the mental health and disability services redesign transition fund created in 2012 Iowa Acts, chapter 1120, section 23, shall utilize the funding received by the county as necessary for the services covered in accordance with the county's approved management plan in effect as of June 30, 2012, for the fiscal year beginning July 1, 2012, and ending June 30, 2013.

REDESIGN EQUALIZATION PAYMENT APPROPRIATION

Sec. 180. MENTAL HEALTH AND DISABILITY SERVICES — EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.

1. There is transferred from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the property tax relief fund created in section 426B.1, for distribution as provided in this section:

..... \$ 29,820,478

2. The moneys credited to the property tax relief fund in accordance with this section are appropriated to the department of human services for distribution of equalization payments for counties in the amounts specified in section 426B.3, subsection 4, as enacted by 2012 Iowa Acts, chapter 1120, section 137, for the fiscal year beginning July 1, 2013. If the county is part of a region that has been approved by the department in accordance with section 331.389, to commence partial or full operations, the county's equalization payment shall be remitted to the region for expenditure as approved by the region's governing board.

3. a. For the purposes of this subsection, “payment obligation” means an outstanding obligation for payment to the department of human services for the undisputed cost of services provided under the medical assistance program prior to July 1, 2012, or for the undisputed cost of non-Medicaid services provided prior to July 1, 2013.

b. Unless a county has entered into an agreement as provided in paragraph “c”, if a

county receiving an equalization payment under this section has a payment obligation, the county shall remit to the department any unpaid portion of the payment obligation prior to June 30, 2013, from moneys available to the county that meet federal match requirements for the medical assistance program and for the child enrollment contingency fund under the federal Children's Health Insurance Program Reauthorization Act of 2009.

c. A county that has not paid the county's payment obligation in full as provided in paragraph "b" shall enter into an agreement with the department for remittance of any unpaid portion of the county's payment obligation. An agreement entered into under this lettered paragraph shall provide for remittance of any unpaid portion by the end of the fiscal year beginning July 1, 2013. The equalization payment for a county subject to this lettered paragraph shall be remitted as provided by the county's agreement with the department.

d. The equalization payment for a county that is not subject to paragraph "c" shall be remitted on or before July 15, 2013.

MEDICAID OBLIGATION COST SETTLEMENT

Sec. 181. COUNTY MEDICAL ASSISTANCE NONFEDERAL SHARE — COST SETTLEMENT. Any county obligation for payment to the department of human services of the nonfederal share of the cost of services provided under the medical assistance program prior to July 1, 2012, pursuant to sections 249A.12 and 249A.26, shall remain at the amount billed through the period ending June 30, 2013. The final monthly billings for the obligations shall be remitted to counties on or before August 1, 2013. Any adjustments to the final amounts billed for such services that occur on or after July 1, 2013, shall be applied to the appropriation made to the department of human services from the general fund of the state for the medical assistance program for the fiscal year beginning July 1, 2013.

STATE PAYMENT PROGRAM

Sec. 182. STATE PAYMENT PROGRAM REMITTANCE. The moneys transferred to the property tax relief fund for the fiscal year beginning July 1, 2013, from the federal social services block grant pursuant to 2013 Iowa Acts, House File 614, or any other 2013 Iowa Acts, if enacted, and from the federal temporary assistance for needy families block grant, totaling at least \$11,774,275, are appropriated to the department of human services for the fiscal year beginning July 1, 2013, to be used for distribution of state payment program remittances to counties for the fiscal year in accordance with this section. The state payment program remittance shall be an amount equal to the amount paid to a county of residence under the program for state case services known as the state payment program, implemented pursuant to section 331.440, subsection 5, during the most recently available twelve-month period. The department shall draw upon the appropriation made from the general fund of the state for the medical assistance program for the fiscal year as necessary for cash flow purposes in order to distribute the state payment program remittances to counties on or before July 15, 2013, and to distribute at least the amount specified in this section. If the procedure for reduced federal funds specified in 2013 Iowa Acts, House File 614, or any other 2013 Iowa Acts, if enacted, reduces the amount of block grant funding available for the purposes of this section, the amount drawn from the medical assistance appropriation shall be increased to replace the amount of the reduction.

COUNTY MENTAL HEALTH AND DISABILITY

SERVICES FUND — FY 2013–2014

Sec. 183. SERVICES FUND — MANAGEMENT PLAN. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, the appropriations made by the county board of supervisors for payment for mental health and disability services pursuant to section 331.424A, subsection 3, as enacted by 2012 Iowa Acts, chapter

1120, section 132, shall be made in accordance with the county's service management plan approved under section 331.439, Code 2013, until the county management plan is replaced by a regional service system management plan approved under section 331.393.

Sec. 184. CONTINUATION OF MENTAL HEALTH AND DISABILITY SERVICES REDESIGN FISCAL VIABILITY STUDY COMMITTEE. The legislative council is requested to continue for the 2013 legislative interim the mental health and disability services redesign fiscal viability study committee initially created by the legislative council in 2012. In addition to monitoring implementation of the mental health and disability services redesign and receiving reports from stakeholder groups engaged in implementation of the redesign, the study committee shall be directed to propose a permanent approach for state, county, and regional financing of the redesign and to identify potential cost savings and service improvements that may be realized by working with community-based corrections services and other programs and services that address common needs or populations.

CHILDREN'S SERVICES

Sec. 185. CHILDREN'S SERVICES. The department of human services shall reconvene the children's services workgroup initially created by the department of human services pursuant to 2011 Iowa Acts, chapter 121, section 1, and continued pursuant to 2012 Iowa Acts, chapter 1120, section 26. The workgroup shall complete its deliberations to develop a proposal for publicly funded children's disability services and make a report with recommendations and findings to the general assembly on or before November 15, 2013. The workgroup, in consultation with affected stakeholders, shall consider options for appropriately consolidating or eliminating state councils or bodies that oversee, monitor, or provide input into policy involving publicly funded children's services.

Sec. 186. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION XXVII

DATA AND STATISTICAL INFORMATION AND OUTCOME AND PERFORMANCE MEASURES

Sec. 187. Section 225C.4, subsection 1, paragraph j, Code 2013, is amended to read as follows:

j. Establish and maintain a data collection and management information system oriented to the needs of patients, providers, the department, and other programs or facilities in accordance with section 225C.6A. The system shall be used to identify, collect, and analyze service outcome and performance measures data in order to assess the effects of the services on the persons utilizing the services. The administrator shall annually submit to the commission information collected by the department indicating the changes and trends in the disability services system. The administrator shall make the outcome data available to the public.

Sec. 188. Section 225C.6A, Code 2013, is amended to read as follows:

225C.6A Disability services system ~~redesign~~ central data repository.

1. The ~~commission~~ department shall do the following relating to ~~redesign of data concerning the~~ disability services system in the state:

1. ~~Identify sources of revenue to support statewide delivery of core disability services to eligible disability populations.~~

2. ~~Ensure there is a continuous improvement process for development and maintenance of the disability services system for adults and children. The process shall include but is not limited to data collection and reporting provisions.~~

3. a. Plan, collect, and analyze data as necessary to issue cost estimates for serving additional populations and providing core disability services statewide. The

department shall maintain compliance with applicable federal and state privacy laws to ensure the confidentiality and integrity of individually identifiable disability services data. The department ~~shall regularly~~ may periodically assess the status of the compliance in order to assure that data security is protected.

~~b. In implementing~~ Implement a system ~~central data repository~~ under this ~~subsection~~ section for collecting and analyzing state, county and region, and private contractor data; ~~the~~. The department shall establish a client identifier for the individuals receiving services. ~~The client identifier shall be used in lieu of the individual's name or social security number. The client identifier shall consist of the last four digits of an individual's social security number, the first three letters of the individual's last name, the individual's date of birth, and the individual's gender in an order determined by the department.~~

c. Consult on an ongoing basis with regional administrators, service providers, and other stakeholders in implementing the central data repository and operations of the repository. The consultation shall focus on minimizing the state and local costs associated with operating the repository.

d. Engage with other state and local government and nongovernmental entities operating the Iowa health information network under chapter 135 and other data systems that maintain information relating to individuals with information in the central data repository in order to integrate data concerning individuals.

e. 2. A county or region shall not be required to utilize a uniform data operational or transactional system. However, the system utilized shall have the capacity to exchange information with the department, counties and regions, contractors, and others involved with services to persons with a disability who have authorized access to the central data repository. The information exchanged shall be labeled consistently and share the same definitions. Each county regional administrator shall regularly report to the department annually on or before December 1, for the preceding fiscal year the following information for each individual served: demographic information, expenditure data, and data concerning the services and other support provided to each individual, as specified in administrative rule adopted by the commission by the department.

~~4. Work with county representatives and other qualified persons to develop an implementation plan for replacing the county of legal settlement approach to determining service system funding responsibilities with an approach based upon residency. The plan shall address a statewide standard for proof of residency, outline a plan for establishing a data system for identifying residency of eligible individuals, address residency issues for individuals who began residing in a county due to a court order or criminal sentence or to obtain services in that county, recommend an approach for contesting a residency determination, and address other implementation issues.~~

3. The outcome and performance measures applied to the regional service system shall utilize measurement domains. The department may identify other measurement domains in consultation with system stakeholders to be utilized in addition to the following initial set of measurement domains:

a. Access to services.

b. Life in the community.

c. Person-centeredness.

d. Health and wellness.

e. Quality of life and safety.

f. Family and natural supports.

4. a. The processes used for collecting outcome and performance measures data shall include but are not limited to direct surveys of the individuals and families receiving services and the providers of the services. The department shall involve a

workgroup of persons who are knowledgeable about both the regional service system and survey techniques to implement and maintain the processes. The workgroup shall conduct an ongoing evaluation for the purpose of eliminating the collection of information that is not utilized. The surveys shall be conducted with a conflict-free approach in which someone other than a provider of services surveys an individual receiving the services.

b. The outcome and performance measures data shall encompass and provide a means to evaluate both the regional services and the services funded by the medical assistance program provided to the same service populations.

c. The department shall develop and implement an internet-based approach with graphical display of information to provide outcome and performance measures data to the public and those engaged with the regional service system.

d. The department shall include any significant costs for collecting and interpreting outcome and performance measures and other data in the department's operating budget.

Sec. 189. REPEAL. The amendment to section 225C.4, subsection 1, paragraph j, in 2012 Iowa Acts, chapter 1120, section 2, is repealed.

Sec. 190. REPEAL. The amendments to section 225C.6A, in 2012 Iowa Acts, chapter 1120, sections 6, 7, and 95, are repealed.>

2. Title page, by striking line 4 and inserting <and providing for regulatory, taxation, and properly related matters, and including penalties and>

3. By renumbering as necessary.

ON THE PART OF THE SENATE:

ROBERT E. DVORSKY, Chair
MICHAEL E. GRONSTAL
PAM JOCHUM

ON THE PART OF THE HOUSE:

CHUCK SODERBERG, Chair
CHRIS HALL
DANIEL LUNDBY
KRAIG PAULSEN
LINDA UPMEYER

RESOLUTIONS ADOPTED

EIGHTY-FIFTH GENERAL ASSEMBLY 2013 REGULAR SESSION

SENATE JOINT RESOLUTIONS

Senate Joint Resolution 9: filed March 6, 2013; adopted by the Senate on March 18, 2013.

A joint resolution to extend the time for offerors to respond to the Iowa telecommunications and technology commission's request for proposals for the sale or lease of the Iowa communications network, and including effective date and retroactive applicability provisions.

WHEREAS, the Iowa telecommunications and technology commission is required to implement a request for proposals process to sell or lease the Iowa communications network; and

WHEREAS, the sale is required to be concluded or the lease commenced during the fiscal year beginning July 1, 2012; and WHEREAS, the commission has determined that additional time is necessary for receiving responses to the request for proposals; NOW THEREFORE, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. IOWA COMMUNICATIONS NETWORK SALE OR LEASE — EXTENSION OF REQUEST FOR PROPOSALS DEADLINE. Notwithstanding 2011 Iowa Acts, chapter 122, section 8, as amended by 2011 Iowa Acts, chapter 127, section 55, the Iowa telecommunications and technology commission shall extend the April 30, 2013, deadline for receiving offeror responses to the request for proposals issued on February 6, 2013, for the sale or lease of the Iowa communications network to July 31, 2013. The commission shall adjust and extend all other established deadlines associated with the request for proposals in a manner consistent with this extension.

Sec. 2. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. This joint resolution, being deemed of immediate importance, takes effect upon enactment and, if approved by the governor on or after April 30, 2013, shall apply retroactively to that date.

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution 4: filed February 11, 2013; adopted by the Senate on February 14, 2013; adopted by the House on March 11, 2013.

SENATE CONCURRENT RESOLUTION 4 BY COMMITTEE ON RULES AND ADMINISTRATION

- 1 A concurrent resolution relating to the compensation
- 2 of chaplains, officers, and employees of the
- 3 eighty-fifth general assembly.
- 4 WHEREAS, section 2.11 of the Code provides that "The

5 compensation of the chaplains, officers, and employees
 6 of the general assembly shall be fixed by joint action
 7 of the house and senate by resolution at the opening of
 8 each session, or as soon thereafter as conveniently can
 9 be done.”; NOW THEREFORE,
 10 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
 11 REPRESENTATIVES CONCURRING, That the compensation of
 12 the employees of the eighty-fifth general assembly is
 13 set, effective from January 14, 2013, until January 12,
 14 2015, in accordance with the following salary schedule:
 15 #9
 16 \$18,179.20
 17 8.74
 18 #10 #11 #12 #13 #14
 19 \$19,177.60 \$20,196.80 \$21,174.40 \$22,235.20 \$23,400.00
 20 9.22 9.71 10.18 10.69 11.25
 21 #15 #16 #17 #18 #19
 22 \$24,648.00 \$25,916.80 \$27,019.20 \$28,392.00 \$29,660.80
 23 11.85 12.46 12.99 13.65 14.26
 24 #20 #21 #22 #23 #24
 25 \$31,200.00 \$32,572.80 \$34,195.20 \$35,880.00 \$37,481.60
 26 15.00 15.66 16.44 17.25 18.02
 27 #25 #26 #27 #28 #29
 28 \$39,395.20 \$41,225.60 \$43,222.40 \$45,344.00 47,486.40

Page 2

1 18.94	19.82	20.78	2.80	22.83
2 #30	#31	#32	#33	#34
3 \$49,774.40	\$52,249.60	\$54,662.40	\$7,324.80	\$59,987.20
4 23.93	25.12	26.28	2.56	28.84
5 #35	#36	#37	#38	#39
6 \$62,878.40	\$65,873.60	\$69,097.60	\$2,363.20	\$75,920.00
7 30.23	31.67	33.22	3.79	36.50
8 #40	#41	#42	#43	#44
9 \$79,560	\$83,387.20	\$87,464.00	\$91,520.00	\$96,012.80
10 38.25	40.09	42.05	44.00	46.16
11 #45	#46	#47	#48	#49
12 \$100,609.60	\$105,393.60	\$110,427.20	\$115,731.20	\$121,284.80
13 48.37	50.67	53.09	55.64	58.31
14 #50	#51			
15 \$127,192.00	\$133,265.60			
16 61.15	64.07			

17 In this schedule, each numbered block shall be
 18 the yearly and hourly compensation for the pay grade
 19 of the number heading the block. Within each grade
 20 there shall be eight steps numbered “1” through “8”.
 21 In the above schedule the steps for all grades are
 22 determined in the following manner. Each numbered
 23 block is counted as the “1” step for that grade. The

24 next higher block is counted as the “2” step; the next
25 higher block is the “3” step; the next higher block is
26 the “4” step; the next higher block is the “5” step;
27 the next higher block is the “6” step; the next higher
28 block is the “7” step; and the next higher block plus
29 2.5% is the “8” step.

30 Alternatively, the senate rules and administration

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1 committee for senate employees, and the house
2 administration and rules committee for house employees
3 may allow their employees’ compensation to be flexibly
4 set anywhere between steps “1” through “8” for an
5 employee’s prescribed pay grade.

6 All employees shall be available to work daily
7 until completion of the senate’s and house of
8 representatives’ business. The employee’s division
9 supervisor shall schedule all employees’ working hours
10 to, as far as possible, maintain regular working hours.

11 All employees, other than those designated “part-
12 time”, shall be compensated for 40 hours of work in
13 a one-week pay period. Secretaries to senators and
14 representatives are presumed to have 32 hours of work
15 each week the legislature is in session and shall
16 be paid only on that basis. Full-time employees
17 who are required to work in excess of 80 hours in a
18 two-week pay period shall be allowed compensatory time
19 off at a rate of one hour for each hour of overtime
20 up to a maximum of 120 hours of compensatory time.
21 Joint security employees of the senate and house of
22 representatives may be compensated for each hour of
23 overtime at a rate of pay equal to one-and-one-half
24 times the hourly pay provided.

25 BE IT FURTHER RESOLVED, That part-time employees
26 shall be compensated at the scheduled hourly rate for
27 their pay grade and step.

28 BE IT FURTHER RESOLVED, That in the event the
29 salary schedule for employees of the State of Iowa
30 as promulgated by the department of administrative

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1 services pursuant to section 8A.413, subsection 3, is
2 revised upward at any time during the eighty-fifth
3 general assembly, such revised schedule shall
4 simultaneously be adopted for the compensation of the
5 employees of the eighty-fifth general assembly assigned
6 a grade by this resolution, unless otherwise provided
7 by the senate and house of representatives.

8 BE IT FURTHER RESOLVED, That adjustments in
9 the positions and compensation listed in this

10 resolution may be made through an interim review of
11 all legislative employees for internal equity and to
12 assure compliance with appropriate legal standards
13 for granting of overtime and compensatory time off.
14 Such review shall be conducted by a legislative
15 committee made up of members of the service committee
16 of legislative council and the appropriate salary
17 subcommittees of the senate and house. Only one such
18 review may be done in any fiscal year and adjustments
19 suggested must be approved by the appropriate hiring
20 body.

21 BE IT FURTHER RESOLVED, That the employees of
22 the eighty-fifth general assembly be placed in the
23 following pay grades:

24 EMPLOYEES OF THE HOUSE

25 Chief Clerk of the House	Grade 44
26 Sr. Assistant Chief Clerk of the House.....	Grade 41
27 Assistant Chief Clerk of the House III.....	Grade 38
28 Assistant Chief Clerk of the House II.....	Grade 35
29 Assistant Chief Clerk of the House I.....	Grade 32
30 Legal Counsel II.....	Grade 35

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1 Legal Counsel I.....	Grade 32
2 Legal Counsel.....	Grade 30
3 Sr. Caucus Staff Director	Grade 41
4 Caucus Staff Director	Grade 38
5 Sr. Deputy Caucus Staff Director	Grade 39
6 Deputy Caucus Staff Director.....	Grade 36
7 Administrative Assistant to Leader or	
8 Speaker.....	Grade 27
9 Administrative Assistant I to Leader or	
10 Speaker.....	Grade 29
11 Administrative Assistant II to Leader or	
12 Speaker.....	Grade 32
13 Administrative Assistant III to Leader or	
14 Speaker.....	Grade 35
15 Sr. Administrative Assistant to Leader or	
16 Speaker I	Grade 38
17 Sr. Administrative Assistant to Leader or	
18 Speaker II.....	Grade 41
19 Research Assistant	Grade 24
20 Legislative Research Analyst.....	Grade 27
21 Legislative Research Analyst I	Grade 29
22 Legislative Research Analyst II.....	Grade 32
23 Legislative Research Analyst III	Grade 35
24 Sr. Legislative Research Analyst.....	Grade 38
25 Assistant Secretary to Leader or Speaker.....	Grade 18
26 Secretary to Leader or Speaker	Grade 19
27 Caucus Secretary	Grade 21

28 Senior Caucus Secretary	Grade 24
29 Administrative Secretary to Leader, Speaker, 30 or Chief Clerk	Grade 21

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1 Executive Secretary to Leader, Speaker or 2 Chief Clerk	Grade 24
3 Confidential Secretary to Leader, Speaker, 4 or Chief Clerk	Grade 27
5 Clerk to Chief Clerk	Grade 16
6 Supervisor of Secretaries	Grade 21
7 Supervisor of Secretaries I	Grade 24
8 Supervisor of Secretaries II	Grade 27
9 Sr. Administrative Services Officer	Grade 35
10 Administrative Services Officer III	Grade 32
11 Administrative Services Officer II	Grade 29
12 Administrative Services Officer I	Grade 26
13 Administrative Services Officer	Grade 23
14 Administrative Services Assistant	Grade 20
15 Senior Editor	Grade 30
16 Editor II	Grade 25
17 Editor I	Grade 22
18 Assistant Editor	Grade 19
19 Compositor/Desk Top Specialist	Grade 17
20 Sr. Text Processor	Grade 25
21 Text Processor II	Grade 22
22 Text Processor I	Grade 19
23 Senior Finance Officer III	Grade 38
24 Senior Finance Officer II	Grade 35
25 Senior Finance Officer I	Grade 31
26 Finance Officer II	Grade 27
27 Finance Officer I	Grade 24
28 Assistant Finance Officer	Grade 21
29 Recording Clerk II	Grade 24
30 Recording Clerk I	Grade 21

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1 Assistant Legal Counsel I	Grade 30
2 Assistant Legal Counsel	Grade 27
3 Engrossing & Enrolling Processor	Grade 27
4 Assistant to the Legal Counsel	Grade 19
5 Senior Indexer	Grade 28
6 Indexer II	Grade 25
7 Indexer I	Grade 22
8 Indexing Assistant	Grade 19
9 Supply Clerk	Grade 16
10 Switchboard Operator	Grade 14
11 Legislative Secretary	Grade 15
12 Legislative Committee Secretary	Grade 17
13 Bill Clerk	Grade 14

14 Assistant Bill Clerk	Grade 12
15 Postmaster	Grade 12
16 Sergeant-at-Arms II	Grade 20
17 Sergeant-at-Arms I	Grade 17
18 Assistant Sergeant-at-Arms.....	Grade 14
19 Chief Doorkeeper	Grade 12
20 Doorkeepers	Grade 11
21 Pages	Grade 9
22	
EMPLOYEES OF THE SENATE	
23 Secretary of the Senate	Grade 44
24 Sr. Assistant Secretary of the Senate.....	Grade 41
25 Assistant Secretary of the Senate III	Grade 38
26 Assistant Secretary of the Senate II.....	Grade 35
27 Assistant Secretary of the Senate I.....	Grade 32
28 Legal Counsel II.....	Grade 35
29 Legal Counsel I.....	Grade 32
30 Legal Counsel.....	Grade 30

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1 Sr. Caucus Staff Director	Grade 41
2 Caucus Staff Director	Grade 38
3 Sr. Deputy Caucus Staff Director	Grade 39
4 Deputy Caucus Staff Director.....	Grade 36
5 Administrative Assistant to Leader	
6 or President.....	Grade 27
7 Administrative Assistant I to Leader	
8 or President.....	Grade 29
9 Administrative Assistant II to Leader	
10 or President.....	Grade 32
11 Administrative Assistant III to Leader	
12 or President.....	Grade 35
13 Sr. Administrative Assistant to Leader	
14 or President I.....	Grade 38
15 Sr. Administrative Assistant to Leader	
16 or President II.....	Grade 41
17 Research Assistant	Grade 24
18 Legislative Research Analyst.....	Grade 27
19 Legislative Research Analyst I.....	Grade 29
20 Legislative Research Analyst II.....	Grade 32
21 Legislative Research Analyst III	Grade 35
22 Sr. Legislative Research Analyst.....	Grade 38
23 Caucus Secretary II.....	Grade 21
24 Senior Caucus Secretary	Grade 24
25 Secretary to Leader, President, or	
26 Caucus	Grade 18
27 Administrative Secretary to Leader,	
28 President, or Secretary of the Senate	Grade 21
29 Executive Secretary to Leader, President,	
30 or Secretary of the Senate	Grade 24

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1 Confidential Secretary to Leader, President, 2 or Secretary of the Senate	Grade 27
3 Supervisor of Secretaries.....	Grade 21
4 Supervisor of Secretaries I.....	Grade 24
5 Supervisor of Secretaries II.....	Grade 27
6 Sr. Administrative Services Officer	Grade 35
7 Administrative Services Officer III	Grade 32
8 Administrative Services Officer II.....	Grade 29
9 Administrative Services Officer I	Grade 26
10 Administrative Services Officer.....	Grade 23
11 Administrative Services Assistant	Grade 20
12 Senior Editor.....	Grade 30
13 Editor II.....	Grade 25
14 Editor I	Grade 22
15 Assistant Editor.....	Grade 19
16 Compositor/Desktop Top Specialist	Grade 17
17 Assistant Legal Counsel I	Grade 30
18 Assistant Legal Counsel.....	Grade 27
19 Assistant to the Legal Counsel	Grade 19
20 Proofreader.....	Grade 16
21 Senior Finance Officer III	Grade 38
22 Senior Finance Officer II.....	Grade 35
23 Senior Finance Officer I	Grade 13
24 Finance Officer II.....	Grade 27
25 Finance Officer I	Grade 24
26 Assistant Finance Officer	Grade 21
27 Recording Clerk II	Grade 24
28 Recording Clerk I.....	Grade 21
29 Senior Indexer.....	Grade 28
30 Indexer II	Grade 25

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1 Indexer I.....	Grade 22
2 Indexing Assistant.....	Grade 19
3 Records and Supply Clerk	Grade 18
4 Switchboard Operator	Grade 14
5 Legislative Secretary.....	Grade 15
6 Legislative Committee Secretary.....	Grade 17
7 Bill Clerk	Grade 14
8 Assistant Bill Clerk	Grade 12
9 Postmaster	Grade 12
10 Sergeant-at-Arms II	Grade 20
11 Sergeant-at-Arms I.....	Grade 17
12 Assistant Sergeant-at-Arms.....	Grade 14
13 Chief Doorkeeper	Grade 12
14 Doorkeepers	Grade 11
15 Pages	Grade 9

16	JOINT SENATE/HOUSE EMPLOYEES	
17	Facilities Manager I	Grade 35
18	Facilities Manager II	Grade 38
19	Sr. Facilities Manager	Grade 41
20	Legislative Security Coordinator I	Grade 23
21	Legislative Security Coordinator II	Grade 26
22	Legislative Security Officer I	Grade 20
23	Legislative Security Officer II	Grade 23
24	Conservation/Restoration Specialist I	Grade 28
25	Conservation/Restoration Specialist II	Grade 31
26	Sr. Legislative Lobbyist Clerk	Grade 24
27	Legislative Lobbyist Clerk	Grade 21
28	Sr. Copy Center Operator	Grade 21
29	Copy Center Operator	Grade 18
30	BE IT FURTHER RESOLVED, That there shall be four	

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1 classes of appointments as employees of the general
2 assembly:
3 A “permanent full-time” or “permanent part-time”
4 employee is one who is employed the year around and
5 eligible to receive state benefits.
6 An “exempt full-time” employee is one who is
7 employed for only a portion of the year, usually the
8 period of the legislative sessions with extensions
9 post-session and pre-session as scheduled. This class
10 is eligible to receive state benefits with the cost of
11 benefits to the state to be paid, using accrued leave
12 if authorized, by the employee when not on the payroll.
13 A “session-only” employee is one who is employed for
14 only a portion of the year, usually the legislative
15 session. This class is not eligible for state
16 benefits, except IPERS, and insurance as provided in
17 section 2.40.
18 A “part-time” employee is one who is employed to
19 work less than 40 hours per week. This class is not
20 eligible for state benefits, except IPERS if eligible.
21 BE IT FURTHER RESOLVED, That the exact
22 classification for individuals in a job series
23 created by this resolution shall be set or changed for
24 senate employees by the senate rules and administration
25 committee and for the house employees by the house
26 administration and rules committee. The committees
27 shall base the classification upon the following
28 factors:
29 1. The extent of formal education required of the
30 position; and,

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1 2. The extent of the responsibilities to be
2 assigned to the position; and,
3 3. The amount of supervision placed over the
4 position; and,
5 4. The number of persons the position is assigned
6 to supervise and skills and responsibilities of those
7 positions supervised.
8 The committees shall report the exact
9 classifications assigned to each individual on the
10 next legislative day, or, if such action is during
11 the interim, on the first day the senate or house
12 shall convene. Any action by the senate or house to
13 disapprove a report or a portion of a report shall be
14 effective the day after the action.
15 Recommendations for a pay grade for a new position
16 shall be developed in accordance with the factor scores
17 in the comparable worth report. Every four years the
18 senate rules and administration committee, the house
19 administration and rules committee, and the legislative
20 council may review all positions in the legislative
21 branch to assure conformity to comparable worth.
22 BE IT FURTHER RESOLVED, That a senator or
23 representative may employ a secretary who in the
24 judgment of the senator or representative employing
25 such person, possesses the necessary skills to perform
26 the duties such senator or representative shall
27 designate, under the administrative direction, as
28 appropriate, of the secretary of the senate or the
29 chief clerk of the house.
30 Each standing committee chairperson, ethics

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1 committee chairperson, and each appropriations
2 subcommittee chairperson shall designate a secretary
3 who is competent to perform the following duties:
4 prepare committee minutes, committee reports, type
5 committee correspondence, maintain committee records,
6 and otherwise assist the committee. Such duties
7 shall be performed in accordance with standards which
8 shall be provided by the secretary of the senate and
9 chief clerk of the house. In making the designation,
10 chairpersons shall consider persons for possible
11 designation as the secretary to the committee in the
12 following order:
13 First: The secretary to the chairperson.
14 Second: The secretary to the committee's
15 vice-chairperson.
16 Third: The secretary to any other member of the
17 committee.

18 Fourth: The secretary to any other member in the
19 same house as the committee.

20 BE IT FURTHER RESOLVED, That a Legal Counsel II
21 shall be a person who has graduated from an accredited
22 school of law and is admitted to practice in Iowa as
23 an Attorney and Counselor at Law and possesses either
24 a Masters of Law degree or has at least two years of
25 legal experience after admission to practice.

26 A Legal Counsel I shall be a person who has
27 graduated from an accredited school of law and is
28 admitted to practice in Iowa as an Attorney and
29 Counselor at Law.

30 BE IT FURTHER RESOLVED, That employees of the

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1 general assembly may be eligible for either:

2 1. Increases in salary grade or step based on
3 evaluation of their job performance and recommendations
4 of their administrative officers, subject to approval
5 of the senate committee on rules and administration
6 or the house committee on administration and rules, as
7 appropriate or

8 2. Mobility within a pay grade at the discretion
9 of the chief clerk of the house upon recommendation by
10 the employee's division supervisor on the part of the
11 house, and the discretion of the employee's division
12 supervisor on the part of the senate, subject to the
13 approval of the house committee on administration
14 and rules or the senate committee on rules and
15 administration, as appropriate — either in accord with
16 a flexible pay plan approved by the senate rules and
17 administration committee or the house administration
18 and rules committee, or in accord with the following
19 schedule:

20 (a) Progression from step "1" to "2" for a newly
21 hired employee — six months of actual employment.

22 (b) Progression from step "1" to "2" following
23 promotion within a job series — twelve months of
24 actual employment in that position.

25 (c) Progression from step "2" to "3", and step "3"
26 to "4", and step "4" to "5", and step "5" to "6", and
27 step "6" to "7", and step "7" to "8" — twelve months
28 of actual employment at the lower step.

29 BE IT FURTHER RESOLVED, That in addition to the
30 steps provided in the preceding paragraph, that

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1 secretaries to senators and representatives who were
2 employees of the senate or house of representatives
3 during any general assembly prior to January 9, 1989,
4 and who have received certification for passing a
5 typing and shorthand performance examination shall be
6 eligible for two additional steps.

7 BE IT FURTHER RESOLVED, That in addition to the
8 steps provided in the preceding paragraph, that
9 secretaries to senators and representatives shall
10 be eligible for a maximum of three additional grades
11 beyond grade 15, in any combination, as provided in
12 this paragraph:

13 1. One additional grade for a secretary to a
14 standing committee chair, ethics committee chair
15 or appropriations subcommittee chair who is not the
16 designated committee secretary.

17 2. One additional grade for a secretary to a vice-
18 chairperson or ranking member of a standing committee,
19 ethics committee or appropriations subcommittee.

20 3. One additional grade for a secretary to the
21 chairperson of the chaplain's committee.

22 4. Two additional grades for a secretary to an
23 assistant floor leader or speaker pro tempore or
24 president pro tempore.

25 5. One additional grade for a designated committee
26 secretary who is also the designated committee
27 secretary for an additional standing committee, ethics
28 committee, or appropriations subcommittee.

29 BE IT FURTHER RESOLVED, That in the event the
30 secretary to the chairperson of the chaplain's

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1 committee is the secretary to the president, president
2 pro tempore, speaker, speaker pro tempore, or the
3 majority or minority leader, such secretary shall
4 receive one additional step.

5 BE IT FURTHER RESOLVED, That the entrance salary for
6 employees of the general assembly shall be at step 1 in
7 the grade of the position held. Such employee may be
8 hired above the entrance step if possessing outstanding
9 and unusual experience for the position. Such employee
10 who is hired above the entrance step shall be mobile
11 above that step in the same period of time as other
12 employees in that same step. An officer or employee
13 who is moved to another position may be considered for
14 partial or full credit for their experience in the
15 former position in determining the step in the new
16 grade.

17 The entry level for the position of research

18 analyst shall be Legislative Research Analyst, unless
19 extraordinary conditions justify increasing that entry
20 level.

21 BE IT FURTHER RESOLVED, That a pay increase for
22 employees of one step within the pay grade for the
23 position may be made for exceptionally meritorious
24 service in addition to step increases provided
25 for in this resolution, at the discretion of the
26 chief clerk upon recommendation by the employee's
27 division supervisor on the part of the house, and upon
28 recommendation by the employee's division supervisor on
29 the part of the senate, and the approval of the senate
30 committee on rules and administration or the house

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1 committee on administration and rules. Exceptionally
2 meritorious service pay increases shall be governed by
3 the following:

4 a. The employee must have served in the position
5 for at least twelve months;

6 b. Written justification, setting forth in detail
7 the nature of the exceptionally meritorious service
8 rendered, must be submitted to the senate rules and
9 administration committee or house administration and
10 rules committee and approved in advance of granting the
11 pay increase;

12 c. No more than one exceptionally meritorious
13 service pay increase may be granted in any twelve-
14 month period.

15 d. Such meritorious service pay increase shall
16 not be granted beyond the eight-step maximum for that
17 position.

18 BE IT FURTHER RESOLVED, That the senate rules and
19 administration committee and the house administration
20 and rules committee shall both hire officers and
21 employees for their respective bodies and fill any
22 vacancies which may occur, to be effective at such time
23 as they shall set. The committee shall report the
24 names of those it has hired for the positions specified
25 in this resolution or the filling of any vacancies on
26 the next legislative day or, if such action is during
27 the interim, on the first day the senate or house shall
28 convene. Any action by the senate or house to amend or
29 disapprove a report or a portion of a report shall be
30 effective the day after the action.

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1 The chief clerk of the house shall submit to the
2 house committee on administration and rules and
3 the secretary of the senate shall submit to the

4 senate committee on rules and administration the
5 list of names, or amendments thereto, of employee
6 classifications and recommended pay step for each
7 officer and employee. Such list shall include
8 recommendations for the pay step for all employees.
9 Each respective committee shall approve or amend the
10 list of recommended classifications and pay steps and
11 publish said list in the journal.

12 BE IT FURTHER RESOLVED, That permanent employees of
13 the general assembly shall receive vacation allowances,
14 sick leave, health and accident insurance, life
15 insurance, and disability income insurance as are
16 comparably provided for full-time permanent state
17 employees. The computations shall be maintained by the
18 finance officers in each house and coordinated with the
19 department of administrative services.

20 BE IT FURTHER RESOLVED, That should any employee
21 have a grievance, the grievance shall be resolved as
22 provided by procedures determined by the senate rules
23 and administration committee for senate employees or
24 the house administration and rules committee for house
25 employees.

26 BE IT FURTHER RESOLVED, That the legislative
27 council take action to provide the same compensation
28 and benefits to all legislative central staff agency
29 employees for the eighty-fifth general assembly as
30 is provided by this resolution. The director of

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1 each legislative central staff agency shall report
2 to the chief clerk of the house and the secretary
3 of the senate the list of approved positions for
4 their agencies and the names, grades and steps of
5 each employee. Such lists shall be published in the
6 journals of the house and the senate within two weeks
7 after the adoption of this resolution by both houses.

8 BE IT FURTHER RESOLVED, That the compensation of
9 chaplains officiating at the opening of the daily
10 sessions of the house of representatives and the
11 senate of the eighty-fifth general assembly be fixed
12 at ten dollars for each house of the general assembly,
13 and that mileage to and from the State Capitol for
14 chaplains be fixed at the rate established for members
15 of the general assembly.

Senate Concurrent Resolution 5: filed March 21, 2013;
adopted by the Senate on April 16, 2013.

SENATE CONCURRENT RESOLUTION 5

BY BEALL, ZUMBACH, HART, HOUSER, SODDERS, BOETTGER,
COURTNEY, BREITBACH, DEARDEN, SEGBART, HORN, JOHNSON,
TAYLOR, KAPUCIAN, BRASE, GREINER, BOWMAN, ANDERSON,
WILHELM, ERNST, PETERSEN, BERTRAND, SENG, DIX,
DOTZLER, ROZENBOOM, DVORSKY, SINCLAIR, QUIRMBACH,
CHAPMAN, RAGAN, WHITVER, MATHIS, FEENSTRA, SCHOENJAHN,
BOLKCOM, DANIELSON, HATCH, McCOY, JOCHUM, GRONSTAL,
BLACK, and HOGG

1 A concurrent resolution urging the United States
2 government to renew its commitment to this nation's
3 energy security.
4 WHEREAS, in accordance with the federal Energy
5 Policy Act of 2005, Pub. L. No. 109-58, as amended
6 by the federal Energy Independence and Security Act
7 of 2007, Pub. L. No. 110-140, the United States has
8 demonstrated its commitment to the long-term policy
9 of increasing the production of clean renewable fuels
10 according to a renewable fuel standard, sometimes
11 referred to as "RFS2," by requiring the increased
12 domestic production and use of renewable fuels, which
13 include total renewable biofuels such as ethanol,
14 advanced biofuels, cellulosic and agricultural
15 waste-based biofuels, and biomass-based biodiesel; and
16 WHEREAS, RFS2 provides the foundation for
17 reducing dependence on foreign sources of crude oil,
18 reducing the price of domestic transportation fuels,
19 reducing greenhouse gases, increasing farm income,
20 and encouraging the development and expansion of a
21 new industry, and consequently promoting economic

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1 growth; and
2 WHEREAS, the rising price of petroleum hampers
3 this nation's economic recovery and contributes to
4 increasing retail prices, including increased costs
5 attributable to the transportation of food and other
6 goods, that drain the finances of both consumers and
7 business; and
8 WHEREAS, the United States Environmental Protection
9 Agency is responsible for establishing and implementing
10 RFS2, including by requiring that certain volumes of
11 various types of biofuels be blended in transportation
12 fuels each year with authority to adjust those volumes
13 due to availability; NOW THEREFORE,
14 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
15 REPRESENTATIVES CONCURRING, That the United States

16 government is urged to renew its commitment to this
17 nation's energy security, move the United States toward
18 greater energy independence and security as required
19 by the federal Energy Independence and Security Act,
20 and use all efforts to meet the highest possible
21 renewable fuel volume requirements set forth in RFS2
22 in order to ensure that this nation achieves energy
23 independence; and
24 BE IT FURTHER RESOLVED, That copies of this
25 resolution be delivered to the Honorable Bob
26 Perciasepe, Acting Administrator of the United States
27 Environmental Protection Agency; and
28 BE IT FURTHER RESOLVED, That copies of this
29 resolution be delivered to the Honorable Tom Vilsack,
30 United States Secretary of Agriculture; and

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1 BE IT FURTHER RESOLVED, That copies of this
2 resolution be delivered to all members of Iowa's
3 congressional delegation.

SENATE RESOLUTIONS

Senate Resolution 3: filed February 6, 2013; adopted by the Senate on February 20, 2013.

SENATE RESOLUTION 3 BY COMMITTEE ON ETHICS

1 A resolution relating to the Senate Code of Ethics
2 governing the conduct of members of the Senate in
3 relation to their senatorial duties during the
4 Eighty-fifth General Assembly.
5 BE IT RESOLVED BY THE SENATE, That the Senate Code
6 of Ethics for the ~~Eighty-fourth~~ Eighty-fifth General
7 Assembly shall be amended to read as follows:
8 SENATE CODE OF ETHICS
9 PREAMBLE. Every legislator owes a duty to uphold
10 the integrity and honor of the general assembly, to
11 encourage respect for the law and for the general
12 assembly and the members thereof, and to observe the
13 legislative code of ethics.
14 In doing so, members of the senate have a duty to
15 conduct themselves so as to reflect credit on the
16 general assembly, and to inspire the confidence,
17 respect, and trust of the public, and to strive to
18 avoid both unethical and illegal conduct and the
19 appearance of unethical and illegal conduct.
20 Recognizing that service in the Iowa general
21 assembly is a part-time endeavor and that members of

22 the general assembly are honorable individuals who
23 are active in the affairs of their localities and
24 elsewhere and that it is necessary that they maintain
25 a livelihood and source of income apart from their
26 legislative compensation, the following rules are
27 adopted pursuant to section 68B.31, to assist the

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1 members in the conduct of their legislative affairs.
2 1. ECONOMIC INTEREST OF SENATOR. Taking into
3 account that legislative service is part-time, a
4 senator shall not accept economic or investment
5 opportunity, under circumstances where the senator
6 knows, or should know, that there is a reasonable
7 possibility that the opportunity is being afforded the
8 senator with intent to influence the senator's conduct
9 in the performance of official duties.
10 2. DIVESTITURE. Where a senator learns that
11 an economic or investment opportunity previously
12 accepted was offered with the intent of influencing
13 the senator's conduct in the performance of official
14 duties, the senator shall take steps to divest that
15 senator of that investment or economic opportunity, and
16 shall report the facts of the situation to the senate
17 ethics committee.
18 3. CHARGES FOR SERVICES. A senator shall not
19 charge to or accept from a person, corporation,
20 partnership, or association known to have a legislative
21 interest a price, fee, compensation, or other
22 consideration for the sale or lease of any property or
23 the furnishing of services which is in excess of that
24 which the senator would charge another.
25 4. USE OF CONFIDENTIAL INFORMATION. A senator in
26 order to further the senator's own economic or other
27 interests, or those of any other person, shall not
28 disclose or use confidential information acquired in
29 the course of official duties.
30 5. HONORARIA. A senator shall not accept an

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1 honorarium from a restricted donor for a speech,
2 writing for publication, or other similar activity,
3 except as otherwise provided in section 68B.23.
4 6. EMPLOYMENT. A senator shall not accept
5 employment, either directly or indirectly, from a
6 political action committee or from an organization
7 exempt from taxation under section 501(c)(4),
8 501(c)(6), or 527 of the Internal Revenue Code that
9 engages in activities related to the nomination,
10 election, or defeat of a candidate for public office.

11 A senator may accept employment from a political
12 party, but shall disclose the employment relationship
13 in writing to the secretary of the senate within ten
14 days after the beginning of each legislative session.
15 If a senator accepts employment from a political
16 party during a legislative session, the senator shall
17 disclose the employment relationship within ten days
18 after acceptance of the employment.
19 For the purpose of this rule, a political action
20 committee means a committee, but not a candidate's
21 committee, which accepts contributions, makes
22 expenditures, or incurs indebtedness in the aggregate
23 of more than seven hundred fifty dollars in any one
24 calendar year to expressly advocate the nomination,
25 election, or defeat of a candidate for public office
26 or to expressly advocate the passage or defeat of
27 a ballot issue or influencing legislative action,
28 or an association, lodge, society, cooperative,
29 union, fraternity, sorority, educational institution,
30 civic organization, labor organization, religious

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1 organization, or professional organization which makes
2 contributions in the aggregate of more than seven
3 hundred fifty dollars in any one calendar year to
4 expressly advocate the nomination, election, or defeat
5 of a candidate for public office or ballot issue or
6 influencing legislative action.
7 7. ECONOMIC INTERESTS OF LOBBYIST. With the
8 exception of exercising unfettered discretion in
9 supporting or refusing to support proposed legislation,
10 a senator shall not take action intended to affect the
11 economic interests of a lobbyist or citizen supporting
12 or opposing proposed legislation.
13 8. APPEARANCE BEFORE GOVERNMENTAL AGENCY. A
14 senator may appear before a governmental agency or
15 board in any representation case, except that the
16 senator shall not act as a lobbyist. Whenever a
17 senator appears before a governmental agency or board,
18 the senator shall carefully avoid all conduct which
19 might in any way lead members of the general public
20 to conclude that the senator is using the senator's
21 official position to further the senator's professional
22 success or personal financial interest.
23 9. CONFLICTS OF INTERESTS. In order to permit the
24 general assembly to function effectively, a senator
25 will sometimes be required to vote on bills and
26 participate in committee work which will affect the
27 senator's employment and other monetary interests. In
28 making a decision relative to the senator's activity on
29 given bills or committee work which are subject to the

30 code, the following factors shall be considered:

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1 a. Whether a substantial threat to the senator's
2 independence of judgment has been created by the
3 conflict situation.
4 b. The effect of the senator's participation on
5 public confidence in the integrity of the legislature.
6 c. The need for the senator's particular
7 contribution, such as special knowledge of the
8 subject matter, to the effective functioning of the
9 legislature.
10 A senator with a conflict of interest may
11 participate in floor debate if prior to debate the
12 senator indicates the conflict of interest.
13 10. GIFTS. Except as otherwise provided in section
14 68B.22, a senator, or that person's immediate family
15 member, shall not, directly or indirectly, accept or
16 receive any gift or series of gifts from a restricted
17 donor.
18 11. DISCLOSURE REQUIRED. Each senator shall file
19 with the secretary of the senate within ten days after
20 the adoption of the code of ethics by the senate, and
21 within ten days after the convening of the second
22 session of the general assembly, a statement under
23 section 68B.35 on forms provided by the secretary of
24 the senate setting forth the following information:
25 The nature of each business in which the senator
26 is engaged and the nature of the business of each
27 company in which the senator has a financial interest.
28 A senator shall not be required to file a report or
29 be assumed to have a financial interest if the annual
30 income derived from the investment in stocks, bonds,

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1 bills, notes, mortgages, or other securities offered
2 for sale through recognized financial brokers is less
3 than one thousand dollars.
4 Disclosures required under this rule shall be as
5 of the date filed unless provided to the contrary,
6 and shall be amended to include interests and changes
7 encompassed by this rule that occur while the general
8 assembly is in session. All filings under this rule
9 shall be open to public inspection in the office of the
10 secretary of the senate at all reasonable times.
11 The secretary of the senate shall inform the
12 ethics committee of the statements which are filed
13 and shall report to the ethics committee the names of
14 any senators who appear not to have filed complete
15 statements. The chairperson of the ethics committee

16 shall request in writing that a senator who has failed
17 to complete the report or appears to have filed an
18 incomplete report do so within five days, and, upon
19 the failure of the senator to comply, the ethics
20 committee shall require the senator to appear before
21 the committee.

22 12. STATUTORY VIOLATIONS. Members of the general
23 assembly are urged to familiarize themselves with
24 chapters 68B, 721, and 722.

25 13. CHARGE ACCOUNTS. Senators shall not charge any
26 amount or item to any charge account to be paid for by
27 any lobbyist or any client the lobbyist represents.

28 14. TRAVEL EXPENSES. A senator shall not charge
29 to the state of Iowa amounts for travel and expenses
30 unless the senator actually has incurred those mileage

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1 and expense costs. Senators shall not file the
2 vouchers for weekly mileage reimbursement required
3 by section 2.10, subsection 1, unless the travel
4 was actually incurred at commensurate expense to the
5 senator.

6 15. COMPLAINTS. Complaints or charges against
7 any senator or any lobbyist shall be in writing, made
8 under oath, and filed with the secretary of the senate
9 or the chairperson of the ethics committee. If filed
10 with the secretary of the senate, the secretary shall
11 immediately advise the chairperson of the ethics
12 committee of the receipt of the complaint.

13 Complaint forms shall be available from the
14 secretary of the senate, or the chairperson of the
15 ethics committee, but a complaint shall not be rejected
16 for failure to use an approved form if the complaint
17 substantially complies with senate requirements.

18 A complainant may submit exhibits and affidavits
19 attached to the complaint.

20 16. FILING OF COMPLAINTS.

21 a. Persons entitled. Complaints may be filed by any
22 person believing that a senator, lobbyist, or client
23 of a lobbyist has violated the senate ethics code, the
24 ~~senate joint~~ rules governing lobbyists, or chapter 68B
25 of the Iowa Code. A violation of the criminal law may
26 be considered to be a violation of this code of ethics
27 if the violation constitutes a serious misdemeanor or
28 greater, or a repetitive and flagrant violation of the
29 law.

30 b. Committee complaint. The ethics committee

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1 may, upon its own motion, initiate a complaint,
2 investigation, or disciplinary action.
3 c. Timeliness of filing. A complaint will be
4 considered to be timely filed if it is filed within
5 three years of the occurrence of the alleged violation
6 of the ethics code.
7 17. PERMANENT RECORD. The secretary of the senate
8 shall maintain a permanent record of all complaints
9 filed, evidence received by the committee, and any
10 transcripts or other recordings made of committee
11 proceedings, including a separate card file containing
12 the date filed, name and address of the complainant,
13 name and address of the respondent, a brief statement
14 of the charges made, and ultimate disposition of
15 the complaint. The secretary shall keep each such
16 complaint confidential until public disclosure is made
17 by the ethics committee.
18 18. PREHEARING PROCEDURE.
19 a. Defective complaint. Upon receipt of a
20 complaint, the chairperson and ranking member of the
21 ethics committee shall determine whether the complaint
22 substantially complies with the requirements of this
23 code of ethics and section 68B.31, subsection 6. If
24 the complaint does not substantially comply with
25 the requirements for formal sufficiency under the
26 code of ethics, the complaint may be returned to the
27 complainant with a statement that the complaint is not
28 in compliance with the code and a copy of the code.
29 If the complainant fails to amend the complaint to
30 comply with the code within a reasonable time, the

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1 ~~chair~~ chairperson and ranking member may dismiss the
2 complaint with prejudice for failure to prosecute.
3 b. Service of complaint on respondent. Upon
4 receipt of any complaint substantially complying
5 with the requirements of this code of ethics, the
6 chairperson of the ethics committee shall cause a copy
7 of the complaint and any supporting information to
8 be delivered promptly to the respondent, requesting
9 a written response to be filed within ten days. The
10 response may do any of the following:
11 (1) Admit or deny the allegation or allegations.
12 (2) Object that the allegation fails to allege a
13 violation of chapter 68B or the code of ethics.
14 (3) Object to the jurisdiction of the committee.
15 (4) Request a more specific statement of the
16 allegation or allegations.
17 c. Objection to member. In addition to the

18 items which may be included in a response pursuant
19 to paragraph "b", the response may also include an
20 objection to the participation of any member of the
21 committee in the consideration of the allegation or
22 allegations on the grounds that the member cannot
23 render an impartial and unbiased decision.
24 d. Extension of time. At the request of the
25 respondent and upon a showing of good cause, the
26 committee, or the chairperson and ranking member,
27 may extend the time for response, not to exceed ten
28 additional days.
29 e. Confidentiality. If a complaint is not
30 otherwise made public, the members of the committee

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1 shall treat the complaint and all supporting
2 information as confidential until the written response
3 is received from the respondent.
4 f. Communications with ethics committee. After a
5 complaint has been filed or an investigation has been
6 initiated, a party to the complaint or investigation
7 shall not communicate, or cause another to communicate,
8 as to the merits of the complaint or investigation with
9 a member of the committee, except under the following
10 circumstances:
11 (1) During the course of any meetings or other
12 official proceedings of the committee regarding the
13 complaint or investigation.
14 (2) In writing, if a copy of the writing is
15 delivered to the adverse party or the designated
16 representative for the adverse party.
17 (3) Orally, if adequate prior notice of the
18 communication is given to the adverse party or the
19 designated representative for the adverse party.
20 (4) As otherwise authorized by statute, the senate
21 code of ethics, the ~~senate~~ joint rules governing
22 lobbyists, or vote of the committee.
23 g. Scheduling hearing. Upon receipt of the
24 response, the committee shall schedule a public meeting
25 to review the complaint and available information, and
26 shall do one of the following:
27 (1) Notify the complainant that no further
28 action will be taken, unless further substantiating
29 information is produced.
30 (2) Dismiss the complaint for failure to meet the

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1 statutory and code of ethics requirements for valid
2 complaints.
3 (3) Take action on the complaint without requesting

4 the appointment of an independent special counsel
5 if the committee determines the complaint is valid
6 and determines no dispute exists between the parties
7 regarding the material facts that establish a
8 violation. The committee may do any of the following:
9 (a) Issue an admonishment to advise against the
10 conduct that formed the basis for the complaint and to
11 exercise care in the future.
12 (b) Issue an order to cease and desist the conduct
13 that formed the basis for the complaint.
14 (c) Make a recommendation to the senate that
15 the person subject to the complaint be censured or
16 reprimanded.
17 (4) Request that the chief justice of the supreme
18 court appoint an independent special counsel to conduct
19 an investigation of the complaint and supporting
20 information, to make a determination of probable cause,
21 and to report the findings to the committee, which
22 shall be received within a reasonable time.
23 h. Public hearing. If independent special counsel
24 is appointed, upon receipt of the report of independent
25 special counsel's findings, the committee shall
26 schedule a public meeting to review the report and
27 shall do either of the following:
28 (1) Cause the complaint to be scheduled for a
29 public hearing.
30 (2) Dismiss the complaint based upon a

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1 determination by independent special counsel and the
2 committee that insufficient evidence exists to support
3 a finding of probable cause.
4 19. HEARING PROCEDURE.
5 a. Notice of hearing. If the committee causes a
6 complaint to be scheduled for a public hearing, notice
7 of the hearing date and time shall be given to the
8 complainant and respondent in writing, and of the
9 respondent's right to appear in person, be represented
10 by legal counsel, present statements and evidence, and
11 examine and cross-examine witnesses. The committee
12 shall not be bound by formal rules of evidence, but
13 shall receive relevant evidence, subject to limitations
14 on repetitiveness. Any evidence taken shall be under
15 oath.
16 b. Subpoena power. The committee may require, by
17 subpoena or otherwise, the attendance and testimony of
18 witnesses and the production of such books, records,
19 correspondence, memoranda, papers, documents, and any
20 other things it deems necessary to the conduct of the
21 inquiry.
22 c. Ex post facto. An investigation shall not be

23 undertaken by the committee of a violation of a law,
24 rule, or standard of conduct that is not in effect at
25 the time of violation.

26 d. Disqualification of member. Members of the
27 committee may disqualify themselves from participating
28 in any investigation of the conduct of another person
29 upon submission of a written statement that the member
30 cannot render an impartial and unbiased decision

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1 in a case. A member may also be disqualified by a
2 unanimous vote of the remaining eligible members of the
3 committee.

4 A member of the committee is ineligible to
5 participate in committee meetings, as a member of the
6 committee, in any proceeding relating to the member's
7 own official conduct.

8 If a member of the committee is disqualified or
9 ineligible to act, the majority or minority leader who
10 appointed the member shall appoint a replacement member
11 to serve as a member of the committee during the period
12 of disqualification or ineligibility.

13 e. Hearing. At the hearing, the chairperson shall
14 open the hearing by stating the charges, the purpose of
15 the hearing, and its scope. The burden of proof rests
16 upon the complainant to establish the facts as alleged,
17 by clear and convincing evidence. However, questioning
18 of witnesses shall be conducted by the members of the
19 committee, by independent special counsel, or by a
20 senator. The chairperson shall also permit questioning
21 by legal counsel representing the complainant or
22 respondent.

23 The chairperson or other member of the committee
24 presiding at a hearing shall rule upon procedural
25 questions or any question of admissibility of evidence
26 presented to the committee. Rulings may be reversed by
27 a majority vote of the committee members present.
28 The committee may continue the hearing to a future
29 date if necessary for appropriate reasons or purposes.

30 f. Committee action. Upon receipt of all relevant

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1 evidence and arguments, the committee shall consider
2 the same and recommend to the senate any of the
3 following:

4 (1) That the complaint be dismissed.

5 (2) That the senator, lobbyist, or client of a
6 lobbyist be censured or reprimanded, and recommend the
7 appropriate form of censure or reprimand.

8 (3) Any other appropriate sanction, including

9 suspension or expulsion from membership in the senate,
10 or suspension of lobbying privileges.

11 g. Disposition resolution. By appropriate
12 resolution, the senate may amend, adopt, or reject
13 the report of the ethics committee, including the
14 committee's recommendations regarding disciplinary
15 action.

16 20. COMMITTEE AUTHORIZED TO MEET. The senate
17 ethics committee is authorized to meet at the
18 discretion of the chairperson to conduct hearings and
19 other business that properly may come before it. If
20 the committee submits a report seeking senate action
21 against a senator, lobbyist, or client of a lobbyist
22 after the second regular session of a general assembly
23 has adjourned sine die, the report shall be submitted
24 to and considered by the subsequent general assembly.
25 However, the report may be submitted to and considered
26 during any special session which may take place after
27 the second regular session of a general assembly has
28 adjourned sine die, but before the convening of the
29 next general assembly.

30 21. ADVISORY OPINIONS.

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1 a. Requests for formal opinions. A request for a
2 formal advisory opinion may be filed by any person who
3 is subject to the authority of the ethics committee.
4 The ethics committee may also issue a formal advisory
5 opinion on its own motion, without having previously
6 received a formal request for an opinion, on any issue
7 that is within the jurisdiction of the committee.
8 Requests shall be filed with either the secretary of
9 the senate or the chairperson of the ethics committee.

10 b. Form and contents of requests. A request for
11 a formal advisory opinion shall be in writing and may
12 pertain to any subject matter that is related to the
13 application of the senate code of ethics, the ~~senate~~
14 joint rules governing lobbyists, or chapter 68B of the
15 Code to any person who is subject to the authority of
16 the ethics committee. Requests shall contain one or
17 more specific questions and shall relate either to
18 future conduct or be stated in the hypothetical. A
19 request for an advisory opinion shall not specifically
20 name any individual or contain any other specific
21 identifying information, unless the request relates
22 to the requester's own conduct. However, any request
23 may contain information which identifies the kind
24 of individual who may be affected by the subject
25 matter of the request. Examples of this latter kind
26 of identifying information may include references to
27 conduct of a category of individuals, such as but not

28 limited to conduct of legislators, legislative staff,
29 lobbyists, or clients of lobbyists.
30 c. Confidentiality of formal requests and opinions.

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1 Requests for formal opinions are not confidential and
2 any deliberations of the committee regarding a request
3 for a formal opinion shall be public. Opinions issued
4 in response to requests for formal opinions are not
5 confidential, shall be in writing, and shall be placed
6 on file in the office of the secretary of the senate.
7 Persons requesting formal opinions shall personally
8 receive a copy of the written formal opinion that is
9 issued in response to the request.
10 22. CALCULATION OF TIME — DAYS. For purposes of
11 these rules, unless the context otherwise requires,
12 the word “day” or “days” shall mean a calendar day
13 except that if the day is the last day of a specific
14 time period and falls upon a Saturday, Sunday, or legal
15 holiday, the time prescribed shall be extended so as to
16 include the whole of the next day in which the offices
17 of the senate and the general assembly are open for
18 official business.
19 23. COMPLAINT FILING FORM. The following form
20 shall be used to file a complaint under these rules:
21 THE SENATE
22 Ethics Complaint Form
23 Re: _____
24 (Senator/Lobbyist /Client of Lobbyist), of
25 _____, Iowa.
26 I, _____ (Complainant),
27 residing at _____, in the City of
28 _____, State of _____,
29 hereby complain that _____
30 (Senator/Lobbyist /Client of Lobbyist), whose address

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1 is _____, has
2 violated the Senate Code of Ethics or ~~Senate Joint~~
3 Rules Governing Lobbyists in that:
4 (Explain the basis for the complaint here. Use
5 additional pages, if necessary.)
6 Under penalty of perjury, I certify that the above
7 complaint is true and correct as I verily believe.
8 _____
9 Signature of Complainant
10 SUBSCRIBED AND AFFIRMED to before me this _____
11 day of _____, _____.
12 _____
13 Notary Public in and for the

14 State of _____

15 24. COMPLAINT NOTICE FORM. The following form
16 shall be used for notice of a complaint under these
17 rules:

18		STATE OF IOWA	
19		THE SENATE	
20	COMMITTEE ON ETHICS)	
21	IOWA STATE SENATE)	
22)	
23	On The Complaint Of)	NOTICE OF COMPLAINT
24)	
25	_____)	
26)	
27	And Involving)	
28)	
29	_____)	
30)	

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1 TO _____,
2 Senator or Lobbyist or Client of Lobbyist named
3 above:
4 You are hereby notified that there is now on file
5 with the Secretary of the Senate, State Capitol, Des
6 Moines, Iowa, a complaint which alleges that you have
7 committed a violation of the Senate's Code of Ethics or
8 ~~Senate Joint~~ Rules Governing Lobbyists.
9 A copy of the complaint and the Senate rules for
10 processing the same are attached hereto and made a part
11 of this notice.

12 You are further notified and requested to file your
13 written answer to the complaint within ten days of the
14 date upon which the notice was caused to be delivered
15 to you, (date) _____, _____.

16 Your answer is to be filed with the Secretary of the
17 Senate, State Capitol, Des Moines, Iowa.

18 Dated this _____ day of _____, _____.
19 _____

20 Chair, Senate Ethics Committee,
21 or Secretary of the Senate

22 25. HEARING NOTICE FORM. The following form shall
23 be used for notice of a hearing under these rules:

24		STATE OF IOWA	
25		THE SENATE	
26	COMMITTEE ON ETHICS)	
27	IOWA STATE SENATE)	
28)	
29	On The Complaint Of)	NOTICE OF HEARING
30)	

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1 _____)
 2 _____)
 3 And Involving)
 4 _____)
 5 _____)
 6 _____)
 7 TO _____,
 8 Senator or Lobbyist or Client of Lobbyist named
 9 above:
 10 You are hereby notified that there is now on file
 11 with the Secretary of the Senate, State Capitol, Des
 12 Moines, Iowa, a complaint which alleges that you have
 13 committed a violation of the Senate's Code of Ethics or
 14 Senate Joint Rules Governing Lobbyists.
 15 A copy of the complaint and the Senate rules for
 16 processing the same are attached hereto and made a part
 17 of this notice.
 18 You are further notified that, after preliminary
 19 review, the committee has caused a public hearing to be
 20 scheduled on (date) _____, _____, at
 21 (hour) _____ (a.m.) (p.m.), in Room _____, State
 22 Capitol, Des Moines, Iowa.
 23 At the hearing, you will have the right to appear
 24 in person, be represented by legal counsel at your own
 25 expense, present statements and evidence, and examine
 26 and cross-examine witnesses. The committee shall
 27 not be bound by formal rules of evidence, but shall
 28 receive relevant evidence, subject to limitations on
 29 repetitiveness. Any evidence taken shall be under
 30 oath.

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1 The committee may continue the hearing to a future
 2 date if necessary for appropriate reasons or purposes.
 3 You are further notified that the committee will
 4 receive such evidence and take such action as warranted
 5 by the evidence.
 6 Dated this _____ day of _____,
 7 _____
 8 Chair, Senate Ethics Committee,
 9 or Secretary of the Senate
 10 26. PERSONAL FINANCIAL DISCLOSURE FORM. The
 11 following form shall be used for disclosure of economic
 12 interests under these rules and section 68B.35:
 13 STATEMENT OF ECONOMIC INTERESTS
 14 Name: _____
 15 (Last) (First) (Middle Initial)
 16 Address: _____
 17 (Street Address, Apt.#/P.O. Box)

18 _____
19 (City) (State) (Zip)
20 Phone:(Home) ____/____-____(Business) ____/____-____
21 *****
22 a. Please list each business, occupation, or
23 profession in which you are engaged. In listing
24 the business, occupation, or profession, it is
25 not necessary that your employer or the name of
26 the business be listed, although all businesses,
27 occupations, or professions must be listed, regardless
28 of the amount of income derived or time spent
29 participating in the activity. (Examples of types
30 of businesses, occupations, or professions that may

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1 be listed: teacher, lawyer, legislator, real estate
2 agent, insurance adjuster, salesperson....)
3 (1) _____
4 (2) _____
5 (3) _____
6 (4) _____
7 (5) _____
8 b. Please list the nature of each of the
9 businesses, occupations, or professions which you
10 listed in paragraph "a", above, unless the nature of
11 the business, occupation, or profession is already
12 apparent from the information indicated above. The
13 descriptions in this paragraph should correspond by
14 number to the numbers for each of the businesses,
15 occupations, or professions listed in paragraph "a".
16 (Examples: If you indicated, for example, that you
17 were a salesperson in subparagraph (1) of paragraph
18 "a", you should list in subparagraph (1) of this
19 paragraph the types of goods or services sold in this
20 item. If you indicated that you were a teacher in
21 subparagraph (2) of paragraph "a", you should indicate
22 in subparagraph (2) of this paragraph the type of
23 school or institution in which you provide instruction
24 or whether the instruction is provided on a private
25 basis. If you indicated that you were a lawyer in
26 subparagraph (3) of paragraph "a", you should indicate
27 your areas of practice and whether you are in private,
28 corporate, or government practice in subparagraph (3)
29 of this paragraph. If you indicated in subparagraph
30 (4) of paragraph "a" that you were a consultant, in

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1 subparagraph (4) of this paragraph you should indicate
2 the kind of services provided and types of clients
3 served.)

- 4 (1) _____
 5 (2) _____
 6 (3) _____
 7 (4) _____
 8 (5) _____
 9 c. Please list each source, by general description,
 10 from which you receive, or which generates, more than
 11 one thousand dollars in gross annual income in the
 12 categories listed below. For purposes of this item,
 13 a source produces gross annual income if the revenue
 14 produced by the source is subject to federal or state
 15 income taxes. In completing this item, it is not
 16 necessary to list the name of the company, business,
 17 financial institution, corporation, partnership, or
 18 other entity which constitutes the source of the income
 19 and the amount or value of the holding should not be
 20 listed.
 21 (1) Securities (Here for example, you need not
 22 state that you own X number of shares of any specific
 23 company by brand or corporate name, or that the stock
 24 is of a certain value, but may instead state that you
 25 possess stock in a company and indicate the nature of
 26 the company's business.):
 27 _____
 28 _____
 29 _____
 30 _____

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- 1 _____
 2 (2) Instruments of Financial Institutions (You
 3 need not indicate, for example, in which institutions
 4 you hold certificates of deposit that produce annual
 5 income over the one thousand dollar threshold, but
 6 simply listing the nature of the institution will
 7 suffice, e.g., bank, credit union, or savings and loan
 8 association.):
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 (3) Trusts (The name of the particular trust need
 15 not be listed. However, if the income is received
 16 from a charitable trust/foundation, such as the Pugh
 17 Charitable Trust, in the form of a grant, the fact that
 18 the trust is a charitable trust should be noted here.):
 19 _____
 20 _____
 21 _____
 22 _____

23 _____
24 (4) Real Estate (When listing real estate, it is
25 not necessary to list the location of the property, but
26 the general nature of the real estate interest should
27 be indicated, e.g., residential leasehold interest or
28 farm leasehold interest.):
29 _____
30 _____

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1 _____
2 _____
3 _____
4 (5) Retirement Systems (When listing retirement
5 benefits, it is not necessary to list the name of
6 the particular pension system or company, but rather
7 the type of benefit should be listed, e.g., health
8 benefits, life insurance benefits, private pension, or
9 government pension.):
10 _____
11 _____
12 _____
13 _____
14 _____
15 (6) Other Income Categories Specified in State or
16 Federal Income Tax Regulations (List description of
17 other sources of income producing over one thousand
18 dollars in annual income not previously reported above,
19 but which must be reported for income tax purposes.):
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____
27 (Signature of filer) (Date)

Senate Resolution 4: filed February 6, 2013; adopted by the Senate on February 7, 2013.

SENATE RESOLUTION 4
BY BEALL and KAPUCIAN

1 A resolution congratulating the Republic of China
2 (Taiwan) on its inclusion in the United States Visa
3 Waiver Program; supporting Taiwan's efforts to
4 secure entry into the Trans-Pacific Partnership; and
5 reaffirming support for Taiwan's participation in
6 the International Civil Aviation Organization, and
7 for strengthening sister-state ties between Iowa and

8 Taiwan.
9 WHEREAS, the Republic of China (Taiwan), marking
10 its centennial in 2011 and entering into its second
11 century in 2012 as the world's 19th-largest economy,
12 has achieved economic and social stability, has been
13 lauded in the last two decades as a beacon of democracy
14 for Asia, has dramatically improved its record on human
15 rights, and has taken great steps forward to enter the
16 world arena as a trusted partner; and
17 WHEREAS, Taiwan gained membership in the United
18 States Visa Waiver Program, and is the 37th country
19 to receive visa-free travel privileges to the United
20 States and only the 5th Asian country with visa-free
21 status, behind Japan, South Korea, Singapore, and
22 Brunei; and as a result, more Taiwanese will travel to
23 the United States for business and tourism, increasing
24 the spending of tourist dollars and facilitating
25 business, trade, and investment in the United States,
26 thus contributing to the national and local economies
27 and strengthening bilateral ties with the individual
28 states, including Iowa; and

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1 WHEREAS, Taiwan in 2011 ranks as the United States'
2 10th-largest trading partner in the world, serving as
3 the United States' 15th-largest export market overall,
4 and the 6th-largest market for U.S. agricultural goods,
5 as well as the 14th-largest market for Iowa goods,
6 worth \$125.1 million in 2011, an increase of 18 percent
7 above Iowa's exports to Taiwan in 2010; and
8 WHEREAS, Taiwan's imports of goods continue to
9 contribute to Iowa's economy since the September 2011
10 visit of the Taiwan Agricultural Goodwill Mission to
11 the United States, which included a delegation visit
12 to Des Moines and signing of Letters of Intent for
13 Iowa-grown corn and soybeans through 2013; and
14 WHEREAS, Taiwan, seeking greater regional
15 integration in the Asia-Pacific region and promotion
16 of bilateral investment and trade relations with the
17 United States, welcomes the opportunity presented
18 by the United States' announcement at the 2011
19 Asia-Pacific Economic Cooperation leaders meeting
20 of the United States' intent to not only join the
21 Trans-Pacific Partnership, the proposed 21st-century
22 trade agreement between the United States and eight
23 other Asia-Pacific Rim countries, but to expand the
24 membership in the future to include other countries,
25 such as Taiwan; and
26 WHEREAS, aviation safety has become a major global
27 concern since 2001, and even though Taiwan is a key
28 air transport hub in the Asia-Pacific region, with

29 more than one million flights passing through the
30 Taipei Flight Information Region, and with one of

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1 the world's largest airport cargo volumes passing
2 through the Taoyuan International Airport, yet Taiwan
3 is not a member of the International Civil Aviation
4 Organization; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, That the Senate
6 congratulates the Republic of China (Taiwan) on gaining
7 inclusion in the United States Visa Waiver Program;
8 supports Taiwan's efforts to secure entry into the
9 Trans-Pacific Partnership, along with the United States
10 and other friendly Asia-Pacific Rim countries, and
11 to promote bilateral investment and trade relations
12 with the United States; reaffirms its support for the
13 participation of Taiwan in the International Civil
14 Aviation Organization; and supports strengthening
15 Taiwan-Iowa sister-state relations, friendship, and
16 exchanges; and
17 BE IT FURTHER RESOLVED, That the Secretary of
18 the Senate is hereby directed to send a copy of this
19 Resolution to United States Secretary of State John
20 Kerry; Secretary General Raymond Benjamin of the
21 International Civil Aviation Organization; President
22 Ma Ying-jeou of the Republic of China (Taiwan); and
23 the Taipei Economic and Cultural Office in Chicago,
24 Illinois.

Senate Resolution 5: filed February 11, 2013; adopted by the
Senate on February 14, 2013.

SENATE RESOLUTION 5

BY COMMITTEE ON RULES AND ADMINISTRATION

1 A resolution relating to permanent rules of the senate
2 for the ~~eighty-fourth~~ eighty-fifth general assembly.
3 BE IT RESOLVED BY THE SENATE, That the permanent
4 rules of the senate for the ~~eighty-fourth~~ eighty-fifth
5 general assembly be as follows:
6 RULES OF THE SENATE
7 Rule 1
8 Quorum
9 A constitutional majority shall constitute a quorum
10 of the senate. Any senator may insist a quorum be
11 present.
12 Rule 2
13 Adoption and Amendment of Rules
14 Whenever the senate is operating under temporary
15 rules, the rules may be amended or repealed, or
16 permanent rules may be adopted, by a constitutional

17 majority of the senators. After adoption of permanent
18 rules of the senate during any general assembly, the
19 rules may be amended or repealed by a constitutional
20 majority of the senators voting on a simple resolution.
21 Rule 3
22 Rules of Parliamentary Procedure
23 In cases not covered by senate rules or joint rules,
24 Mason's Manual of Legislative Procedure shall govern.
25 Rule 4
26 Sessions of the General Assembly
27 The election of officers, organization, hiring and
28 compensation of employees, and committees of the senate

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1 shall carry over from the first to the second regular
2 sessions and to any extraordinary sessions of the same
3 general assembly.
4 All bills and resolutions introduced in the first
5 regular session of a general assembly which are not
6 withdrawn, lost, or indefinitely postponed shall
7 carry over into the second regular session and to any
8 extraordinary session of the same general assembly.
9 Appointments received from the governor for senate
10 confirmation during any session of a general assembly
11 shall be acted upon prior to adjournment of that
12 session as provided by section 2.32 of the Code.
13 Except as provided by this rule, upon the adjournment
14 of the first regular session and any extraordinary
15 session, each bill or resolution shall be automatically
16 referred back to the committee to which it was
17 originally assigned. The secretary of the senate shall
18 publish in the Journal a list of the bills returned to
19 committee under this rule. Within seven days after
20 the first committee meeting after the convening of
21 the second regular session, committees shall either
22 authorize the chair to refer such bills and resolutions
23 to a subcommittee for consideration, indefinitely
24 postpone further consideration of such bills, or report
25 them out to the floor and place them on the calendar.
26 If the subcommittee is different than that appointed
27 during the first session, the committee chair shall
28 report to the senate the bill or resolution number and
29 the names of the subcommittee members.
30 Bills and resolutions which have been voted upon

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1 on final passage by either house in any session
2 shall remain on the calendar in the same status as at
3 the end of the session at any subsequent regular or
4 extraordinary session.

- 5 Rule 5
6 Regular Order of Daily Business
7 The following order shall govern, subject to any
8 special order:
9 1. Correction of the journal.
10 2. Senators to be excused.
11 3. Communications to the Senate.
12 4. Introduction of bills and resolutions.
13 5. Consideration of senate calendar.
14 Rule 6
15 Senate Calendar
16 1. Each legislative day the secretary of the senate
17 shall prepare a listing of bills to be known as the
18 "Senate Calendar".
19 2. The senate calendar may contain a listing under
20 the category "Special Order" which shall be placed at
21 the head of the calendar. Bills in such category shall
22 be those which are specifically set for debate by the
23 majority leader with the consent of the senate on a
24 certain date and time. Bills shall be listed by the
25 secretary in numerical order.
26 3. The senate calendar shall include separate
27 listings for any bills and resolutions in the following
28 categories:
29 a. Conference Committee Report
30 b. Bills in Conference Committee

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- 1 c. House Amendment to Senate Amendment to House
2 File
3 d. House Refuses to Concur in Senate Amendment to
4 House File
5 e. Senate Files Amended by the House
6 f. Unfinished Business
7 g. Motions to Reconsider
8 h. Administrative Rules Nullification Resolutions
9 i. Veto Messages from the Governor
10 4. The secretary shall list bills and resolutions
11 in the above categories in numerical order. Upon
12 their first publication in the calendar, bills and
13 resolutions in the above categories may be called up
14 for debate at any time by the majority leader. Motions
15 to reconsider shall be called up as provided by Rule
16 24.
17 5. The senate calendar shall include a listing
18 of senate appropriations committee bills and bills
19 reported out by the senate appropriations committee.
20 The list shall be known as the "Appropriations
21 Calendar". The secretary shall list the bills in
22 numerical order. Upon their first publication in the
23 calendar, bills on the appropriations calendar may be

24 called up for debate at any time by the majority leader
25 provided they are eligible under Rule 8.
26 6. The senate calendar shall include a listing
27 of bills which pertain to the levy, assessment or
28 collection of taxes sponsored by or initially assigned
29 to and reported out by the senate ways and means
30 committee. The list shall be known as the "Ways and

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1 Means Calendar". The secretary shall list the bills in
2 numerical order. Upon their first publication in the
3 calendar, bills on the ways and means calendar may be
4 called up for debate at any time by the majority leader
5 provided they are eligible under Rule 8.
6 7. The senate calendar shall include a list of
7 bills and resolutions, known as the "Regular Calendar",
8 which shall consist of bills and resolutions reported
9 out by a senate committee. The bills and resolutions
10 reported out each day shall be listed in numerical
11 order. Priority shall be given to senate over house
12 bills and resolutions. Upon their first publication
13 in the calendar, bills on the regular calendar may
14 be called up for debate at any time by the majority
15 leader, provided they are eligible under Rule 8.
16 A bill reported out of committee which is
17 subsequently referred to the ways and means or
18 appropriations committee and then reported out of that
19 committee, shall be returned to the regular calendar in
20 numerical order.
21 8. The senate calendar shall include a listing of
22 the governor's appointees to state boards, commissions,
23 and other offices requiring senate confirmation. This
24 listing shall be known as the "Confirmation Calendar".
25 Names on the confirmation calendar may be called up
26 for confirmation at any time by the majority leader
27 provided they are eligible under rule 59.
28 9. The majority leader, or in the absence of the
29 majority leader the assistant majority leaders, may
30 select from among the bills on the previous legislative

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1 day's Senate calendar and from the bills selected
2 create a new listing which shall be known as the
3 "Debate Calendar". The debate calendar shall list
4 bills as the majority leader expects to take them up.
5 A bill or resolution on the debate calendar may be
6 debated only when eligible under Rule 8.
7 10. The majority leader, or in the absence of the
8 majority leader the assistant majority leaders, may
9 create a list of bills or resolutions about which

10 no controversy is believed to exist which shall be
11 known as the "Proposed Noncontroversial Calendar".
12 Bills or resolutions included on this listing may be
13 debated at any time upon being called up for debate
14 by the majority leader. Any bill or resolution which
15 appeared on the previous day's Senate calendar may be
16 placed by any senator on the proposed noncontroversial
17 calendar, which shall be published. Any bill or
18 resolution on the proposed noncontroversial calendar
19 shall be stricken from the list if any senator files
20 a written objection with the secretary of the senate
21 on the first or second legislative day after it
22 appears on the proposed noncontroversial calendar.
23 Any bill stricken from the proposed noncontroversial
24 calendar shall be returned to its former place on
25 the Senate calendar. The secretary shall prepare the
26 noncontroversial calendar which shall consist of all
27 bills or resolutions on the proposed noncontroversial
28 calendar to which no objection was received.
29 11. If the senate shall not be in session on a day
30 assigned in paragraphs nine and ten for action upon a

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1 calendar, such assigned action shall occur on the next
2 succeeding legislative day.
3 12. On any bill called up for debate from any
4 calendar, debate may continue from day to day until
5 it is adopted, fails, or is postponed or deferred.
6 If further debate is postponed or deferred without a
7 time to continue being set, except for bills on the
8 debate calendar, the bill shall be listed as unfinished
9 business. Bills which are returned to the committee of
10 first referral or to a different committee after being
11 considered by the senate and classified as unfinished
12 business shall be returned to the unfinished business
13 calendar by that committee when the bill is reported
14 out of committee. The unfinished business date on
15 the calendar shall be the date on which the bill was
16 returned to committee. Bills on the debate calendar
17 upon which further debate is postponed or deferred
18 without a time to continue being set shall return to
19 the regular calendar.
20 Rule 7
21 Reserved.
22 Rule 8
23 When Eligible for Consideration
24 Bills, resolutions, and appointments shall be
25 eligible for consideration by the senate as follows:
26 1. An appointment by the governor which requires
27 senate confirmation shall be eligible on the second
28 legislative day ~~after it is first~~ printed in the senate

29 calendar as provided by Rule 59.

30 2. A house or individually sponsored bill or

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1 resolution reported out by a committee shall be
2 eligible on the second legislative day ~~after~~ it is
3 ~~first~~ printed in the senate calendar.

4 3. A committee bill or resolution sponsored by
5 the appropriations committee shall be eligible on the
6 second legislative day ~~after~~ it is ~~first~~ printed in the
7 senate calendar.

8 4. Any committee bill or resolution, other than
9 a bill or resolution sponsored by the appropriations
10 committee, shall be eligible on the third legislative
11 day it is printed in the senate calendar.

12 5. A bill that has been reported out to the
13 senate calendar, referred to a different committee
14 and reported out by that committee is eligible for
15 consideration by the senate on the day it would have
16 been eligible under subsection 2, 3, or 4, whichever
17 is applicable, as if the bill had been printed in the
18 calendar after having been reported out by the first
19 committee.

20 Rule 9

21 Debate and Decorum

22 Before addressing the senate, the senator shall
23 request recognition by depressing the "speak" device
24 and, when recognized, rise and respectfully address the
25 chair.

26 The senator shall confine all remarks to the
27 question under debate and shall avoid discussing
28 personalities or implication of improper motives. No
29 questions except by the senator recognized shall be
30 entertained after a senator is recognized to give final

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1 remarks.

2 Rule 10

3 Point of Personal Privilege

4 A point of personal privilege shall only be
5 recognized when there is no motion pending or other
6 business being considered by the senate. Points of
7 personal privilege shall not be in order during the
8 time when appropriation subcommittees are scheduled
9 to meet. Senators speaking on a point of personal
10 privilege shall be limited to ten minutes.

11 Rule 11

12 Introduction and Presentation of Guests

13 Only former members of the senate and former and
14 present members of Congress shall be presented to

15 the senate, except that the president of the senate
16 may present a visitor whose presence is of special
17 significance to the senate. The presence of school
18 groups accompanied by school officials shall be
19 announced by the president of the senate and shall
20 be recorded in the journal upon written request of a
21 member of the senate. Senators may be recognized to
22 introduce guests in the galleries when there is no
23 motion pending or other business being considered by
24 the senate. Introductions shall be limited to one
25 minute.

26 Rule 12

27 Form and Withdrawal of Motions, Amendments and
28 Signatures

29 Motions need not be in writing unless required by
30 the president or by the senate. No motion requires

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1 a second. Any amendment, motion (including a motion
2 to reconsider), or resolution may be withdrawn by the
3 mover if it has not been amended by the senate and if
4 no amendment is pending. All amendments to bills,
5 resolutions, and reports shall be in writing and filed
6 before being acted upon by the senate.

7 No amendment, resolution, bill, or conference
8 committee report shall be considered by the senate
9 without a copy of the amendment, resolution, bill, or
10 conference committee report being on the desks of the
11 entire membership of the senate prior to consideration.
12 However, after the fourteenth week of the first session
13 and the twelfth week of the second session, amendments
14 and senate resolutions may be considered by the senate
15 without a copy of the amendment or senate resolution
16 being on the desks of the entire membership of the
17 senate if a copy of the amendment or senate resolution
18 is made available to the entire membership of the
19 senate electronically. Such consideration shall
20 be deferred until a copy of the amendment or senate
21 resolution is on the desks of the entire membership of
22 the senate upon the request of any senator.

23 All amendments, reports, petitions or other
24 documents requiring a signature shall have the name
25 printed under the place for the signature. Once a
26 signature is affixed and the document containing the
27 signature filed with the recording clerk in the well,
28 that signature shall not be removed.

29 When an amendment to a main amendment is filed that
30 would negate the effect of the main amendment and

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1 thereby leave the bill unchanged, the presiding officer
2 shall have the authority to declare the amendment to
3 the main amendment out of order, subject to an appeal
4 to the full senate.

5 When a house amendment to a senate file is before
6 the senate, an amendment to the house amendment shall
7 be considered an amendment in the first degree.

8 Regardless of its origin, an amendment in the third
9 degree shall be ruled out of order.

10 When a ruling on germaneness is issued by the
11 presiding officer, it shall be accompanied by an
12 explanation of the ruling.

13 Rule 13

14 Order and Precedence of Motions and Amendments

15 When a question is under debate, no motion shall
16 be received but to adjourn, to recess, questions
17 of privilege, to lay on the table, for the previous
18 question, to postpone to a day certain, to refer,
19 to amend, to postpone indefinitely, to defer, or
20 incidental motions. A substitute is not in order
21 unless it is in the form of a motion to substitute.
22 Such motions shall have precedence in the order in
23 which they are named. No motion to postpone to a
24 day certain, to refer, or postpone indefinitely,
25 being decided, shall be again allowed on the same
26 day with regard to the same question. A motion to
27 strike out the enacting clause of a bill shall have
28 precedence over all amendments and, if carried, shall
29 be considered equivalent to the rejection of the bill.

30 A motion to strike everything after the enacting

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1 clause has precedence over a committee amendment and
2 all other amendments except one to strike the enacting
3 clause. A committee amendment has precedence over all
4 other amendments except as provided in this rule.

5 A motion to rerefer a bill to committee may specify
6 when the committee shall report the bill to the senate.
7 If the motion is adopted in such form, the committee
8 must report the bill by the date and time specified
9 with or without recommendation or the bill shall
10 automatically be returned to the calendar. When the
11 bill is returned to the calendar, it shall occupy
12 the same position it occupied at the time the bill
13 was rereferred to the committee. If the committee
14 to which the bill is rereferred submits an amendment
15 in its report, that committee amendment shall take
16 precedence over other amendments except if that
17 committee amendment is in conflict with amendments

18 previously adopted, the committee amendment shall
19 not be considered until consideration of motions to
20 reconsider the previously adopted amendments result
21 in removing the conflict. A committee may not file
22 an amendment to a bill unless the bill is in the
23 committee's possession.

24 Rule 14

25 Motions Before the Senate

26 Motions before the senate shall be displayed on the
27 electronic voting system display boards.

28 Rule 15

29 Nondebatable Motions

30 The following motions are not debatable:

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1 Adjourn

2 Recess

3 Call of the Senate

4 Lay on Table or Take from Table

5 Previous Question

6 Reconsider vote by which bill was placed on last
7 reading.

8 A Motion to Reconsider and Lay the Motion to
9 Reconsider on the Table (Double-barreled Motion).

10 Rule 16

11 Division of the Question

12 Any senator may call for a division of a question,
13 which shall be divided if it includes propositions
14 so distinct that if one is taken away, a substantive
15 proposition shall remain in a technically proper form
16 for the decision of the senate. A motion to strike out
17 and insert is indivisible; but a motion to strike out,
18 if lost, shall not preclude amendments to the matter
19 attempted to be stricken or a motion to strike out and
20 insert.

21 Rule 17

22 The Previous Question

23 The previous question shall be in this form: "Shall
24 debate be closed on the pending question?" A motion
25 for the previous question may be adopted by a majority
26 of the senators present and voting. Its effect shall
27 be to put an end to debate and bring the senate to a
28 direct vote upon the pending question. However, any
29 senator who has not previously spoken on the pending
30 question and who, after the main question is taken up

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1 and before the motion for the previous question has
2 been made, requested recognition by depressing the
3 "speak" device may speak no longer than five minutes

4 on the pending question. If action on the pending
5 question continues into another legislative day or is
6 deferred, the previous question shall apply and the
7 requests to be recognized shall be honored.
8 When the motion applies to an amendment, the senator
9 proposing the amendment shall have five minutes to
10 close debate on the amendment.
11 The senator handling the measure under consideration
12 shall have ten minutes to close debate on the main
13 question.
14 Rule 18
15 Call of the Senate
16 Ten senators may file in writing a call of the
17 senate on any single item of legislative business.
18 A call of the senate requires the presence of every
19 senator and is in order at any time prior to the vote
20 being announced by the president. The sergeant-at-arms
21 shall return promptly all absent senators. Debate
22 on the item may continue while absent senators are
23 returning, but no vote on the item is in order on it
24 until all have returned. Adoption of a motion to
25 recess or adjourn to a specific time will not lift
26 the call. The call may be lifted, or a senator may
27 be excused from the call without lifting the call, by
28 a vote of a constitutional majority of the senators.
29 Those senators excused prior to the filing of the call
30 are excused from the call.

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1 Rule 19
2 Committee of the Whole
3 The senate may resolve itself into a committee of
4 the whole senate when it wishes to permit more free and
5 informal discussion. Persons other than senators may
6 appear and present information.
7 Any senator may move "that the senate now resolve
8 itself into a committee of the whole to consider" a
9 stated subject.
10 The president of the senate shall be chair of the
11 committee of the whole unless otherwise ordered by the
12 senate.
13 The procedure in committee of the whole is subject
14 to the rules of the senate. The previous question and
15 the motion to reconsider shall be in order.
16 The committee of the whole cannot take any final
17 action and its power is limited to recommendation to
18 the senate. The proceedings of the committee of the
19 whole, including any roll call vote, shall be printed
20 in the journal.
21 Any senator may at any time, except while voting or
22 while a senator has the floor, move that "the committee

23 rise” which is equivalent to a motion to adjourn.
24 After adoption of the motion to rise, the chair
25 may report to the senate in the same manner as other
26 committee reports are given.
27 Rule 20
28 Last Reading and Passage of Bills
29 When a motion to place a bill on its last reading is
30 lost, the same motion shall be in order at any later

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1 time. After the last reading of a bill, no amendment
2 shall be received. The vote on final passage shall be
3 taken immediately without debate.
4 Rule 21
5 Engrossment of Bills
6 An engrossment is a proofreading and verification
7 in order to be certain that a bill before the senate is
8 identical with the original bill as introduced with all
9 amendments which have been adopted correctly inserted.
10 In an engrossed bill, all obvious typographical,
11 spelling or other clerical errors are corrected and
12 section or paragraph numbers and internal references
13 are changed as required to conform the original bill
14 to any amendments which have been adopted. All such
15 corrections or changes shall be reported in the journal
16 by the secretary of the senate. The engrossed bill
17 shall be placed in the bill file with the original bill
18 and amendments.
19 Rule 22
20 Manner of Voting
21 On voice vote, the question shall be distinctly put
22 in this form: “Those in favor of (the question) say
23 “aye.” “Those opposed to (the question) say “no.”
24 A non-record or record roll call vote may be
25 requested by any senator or ordered by the president
26 any time before the results are announced. A
27 non-record roll call shall be requested by asking for a
28 “division”. A record roll call shall be requested by
29 asking for a “record”. Upon request for a non-record
30 or record roll call vote, the president shall announce

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1 that such a non-record or record roll call vote has
2 been requested and shall state the question to be put
3 to the senate. The president then shall direct the
4 secretary of the senate to receive the votes.
5 Senators present may cast their votes, either
6 by operating the voting mechanism located at their
7 assigned desk or by signaling the president if they are
8 unable to vote at their assigned desk. The president

9 shall enter the votes of senators signaling their
10 votes.
11 After sufficient time has elapsed for all senators
12 present to record their votes, the president shall
13 direct the secretary of the senate to close the voting
14 system. The president shall still enter the senators'
15 votes at any time prior to directing the secretary of
16 the senate to lock the voting system. The president
17 shall then immediately announce the vote.
18 During a ~~non-record~~ or record roll call vote, both
19 individual votes and vote totals shall be indicated
20 ~~openly~~ on the display boards and printed in the
21 journal. On non-record roll calls, only vote totals
22 shall be indicated on the display boards and printed in
23 the journal.
24 In the event the electronic voting system is not
25 in operating order, the president shall direct the
26 secretary of the senate to take the non-record or
27 record roll call by calling the names of the senators
28 in alphabetical order.
29 Rule 23
30 Duty of Voting

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1 Every senator present when a question is put shall
2 vote "aye", "no" or "present" unless previously excused
3 by the senate. Upon demand being made by any senator,
4 the secretary of the senate shall call in alphabetical
5 order the names of the senators not voting or voting
6 "present". Those senators called shall vote "aye" or
7 "no" unless the senator states a personal interest in
8 the question or concludes that he or she should not
9 vote under the senate code of ethics.
10 Rule 24
11 Reconsideration
12 When a main motion has been decided by the senate,
13 any senator having voted on the prevailing side
14 may move to reconsider the vote on the same or next
15 legislative day. Motions to reconsider the vote on a
16 bill or resolution shall be in writing and filed with
17 the secretary of the senate.
18 Notwithstanding any time limitations applicable
19 to motions to reconsider main motions, a motion to
20 reconsider the vote on an amendment may be made at
21 any time before final disposition of the motion to
22 be amended. Such motion shall be in writing and
23 filed with the secretary of the senate. A motion to
24 reconsider an amendment to a main motion shall be taken
25 up for consideration only prior to the disposition of
26 the main motion or upon reconsideration of the main
27 motion.

28 A constitutional majority by a record roll call is
29 necessary to reconsider a bill or joint resolution.
30 During three legislative days from the date the motion

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1 to reconsider a bill or resolution is filed, only the
2 mover may call it up. Thereafter, any senator may call
3 up the motion. If a date for adjournment has been set
4 by resolution of the senate, any senator may call up
5 a motion to reconsider at any time within three days
6 prior to the date set for adjournment.
7 If the motion to reconsider a bill or resolution
8 prevails, motions to reconsider amendments thereto
9 shall be in order and shall be disposed of without
10 delay.
11 A motion that any action taken by the senate be
12 reconsidered and the motion to reconsider be laid upon
13 the table shall be a single and indivisible motion,
14 known as the double-barreled motion, which, if carried,
15 shall have the effect of preventing reconsideration
16 unless a motion to take from the table prevails.
17 A constitutional majority is necessary for the
18 double-barreled motion to prevail on a bill or joint
19 resolution. The double-barreled motion can only be
20 made from the floor after the vote is announced and the
21 member who moved the final reading shall have priority
22 in making it.
23 A motion to reconsider and lay on the table shall
24 have priority over a motion to reconsider if they are
25 both filed on the same legislative day.
26 In the event that a motion to reconsider is pending
27 at the end of the first session or any extraordinary
28 session of any general assembly, or the general
29 assembly adjourns sine die, and the motion has not been
30 voted upon by the senate, it shall be determined to

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1 have failed.
2 Rule 25
3 Suspension of Rules
4 No standing rule, rules incorporated by reference
5 under Rule 3, or order of the senate shall be rescinded
6 or suspended, except by unanimous consent of the senate
7 or by an affirmative vote of a constitutional majority
8 of the senate voting on a simple resolution.
9 INTRODUCTION AND FORM OF BILLS
10 Rule 26
11 Time and Method of Introducing Bills and Amendments
12 All bills to be introduced in the senate shall be
13 typed in proper form by the legislative services agency

14 and shall be filed with the recording clerk.

15 All amendments shall be typed in proper form and
16 filed with the recording clerk not later than 4:30
17 p.m., or adjournment, whichever is later, in order to
18 be listed in the following day's clip sheet.

19 An "impact amendment" is an amendment which
20 reasonably could have an annual effect of at least one
21 hundred thousand dollars or a combined total effect
22 within five years after enactment of five hundred
23 thousand dollars or more on the aggregate revenues,
24 expenditures or fiscal liability of the state or its
25 subdivisions.

26 An impact amendment to a bill which has been on
27 the ~~special order~~ calendar for at least three full
28 legislative days prior to its consideration shall not
29 be taken up by the senate unless:

30 1) a fiscal note is attached, and the amendment is

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1 filed at least one legislative day prior to the date
2 set for consideration of the bill; or

3 2) the amendment is an appropriation or other
4 measure where the total effect is stated in dollar
5 amounts.

6 Rule 27

7 Limit on Introduction of Bills

8 No bill or joint resolution, except bills and
9 joint resolutions cosponsored by the majority and
10 minority floor leaders, or companion bills and joint
11 resolutions sponsored by the majority floor leaders of
12 both houses, shall be introduced in the senate after
13 4:30 p.m. on Friday of the fifth week of the first
14 regular session of a general assembly unless a formal
15 request for drafting the bill has been filed with the
16 legislative services agency before that time. After
17 adjournment of the first regular session, bills may
18 be prefiled at any time before the convening of the
19 second regular session. No bill shall be introduced
20 after 4:30 p.m. on Friday of the second week of the
21 second regular session of a general assembly unless a
22 formal request for drafting the bill has been filed
23 with the legislative services agency before that time.
24 However, standing committees may introduce bills and
25 joint resolutions at any time. A bill which relates
26 to departmental rules sponsored by the administrative
27 rules review committee and approved by a majority
28 of the members of the committee in each house may
29 be introduced at any time and must be referred to a
30 standing committee which must take action on the bill

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1 within three weeks. Senate and concurrent resolutions
2 may be introduced at any time.

3 No bill, joint resolution, concurrent resolution
4 or senate resolution shall be introduced at any
5 extraordinary session unless sponsored by a standing
6 committee, the majority and minority floor leaders, or
7 the committee of the whole.

8 Rule 28

9 Introduction, Reading, and Form of Bills and
10 Resolutions

11 Every senate bill and resolution shall be introduced
12 by one or more senators or by any standing committee
13 of the senate and shall at once be given its first
14 reading.

15 If the senate is in session when a bill or
16 resolution is introduced, the first reading shall
17 consist of reading its file number, the title and
18 sponsor of the bill. If the senate is not in session
19 but a journal is published for the day, the first
20 reading shall consist of a journal entry of the bill's
21 file number, title, sponsor and the notation "Read
22 first time under Rule 28?".

23 Any bill or resolution approved for introduction by
24 a standing committee during an interim period between
25 sessions of one General Assembly shall be introduced
26 without further action by the committee at the next
27 succeeding regular session of the same General Assembly
28 and placed immediately upon the regular calendar.

29 Every bill and resolution referred to committee
30 shall have received two readings before its passage.

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1 The subject of every bill shall be expressed in its
2 title.

3 Rule 29

4 Explanations

5 No bill, except appropriation committee bills and
6 simple or concurrent resolutions, shall be introduced
7 unless a concise and accurate explanation is attached.
8 The chief sponsor or a committee to which the bill has
9 been referred may add a revised explanation at any time
10 before the last reading, and it shall be included in
11 the daily clip sheet.

12 Rule 30

13 Resolutions

14 A "senate resolution" is A resolution acted upon
15 only by the senate which relates to an accomplishment
16 of national or international status; the dedication
17 of a day by a statewide or national group; the

18 one hundredth, one hundred twenty-fifth, or one
19 hundred fiftieth anniversary of a local government
20 or organization; the recognition of state ties to
21 other governments; the retirement of a senator
22 or long-time senate employee; or to rules and
23 administrative matters, including the appointment
24 of special committees, within the senate. A senate
25 resolution requires the affirmative vote of a majority
26 of the senators present and voting, unless otherwise
27 required in these rules. A senate resolution shall
28 be filed with the secretary of the senate. A senate
29 resolution shall be printed in the bound journal after
30 its adoption and in the daily journal upon written

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1 request to the secretary of the senate by the sponsor
2 of the resolution. Other expressions of sentiment
3 or recognition may be made with the issuance of a
4 certificate of recognition.
5 Rule 31
6 Nullification Resolutions
7 A nullification resolution may be introduced
8 by a standing committee, the administrative rules
9 review committee, or any member of the senate.
10 A nullification resolution introduced by the
11 administrative rules review committee or a member
12 of the senate shall be referred to the same standing
13 committee it would be referred to if it was a bill.
14 Any nullification resolution may be referred to the
15 administrative rules review committee by a majority
16 vote of the standing committee which introduced it
17 or to which it was referred. The administrative
18 rules review committee may seek an agreement with the
19 affected administrative agency wherein the agency
20 agrees to voluntarily rescind or modify a rule or rules
21 relating to the subject matter of the nullification
22 resolution. An agreement to voluntarily rescind
23 or modify an administrative agency rule shall be in
24 writing and signed by the chief administrative officer
25 of the administrative agency and a majority of the
26 administrative rules review committee members of each
27 house and shall be placed on file in the offices of
28 the chief clerk of the house, the secretary of the
29 senate and the secretary of state. If an agreement is
30 not reached, or the nullification resolution is not

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1 approved by a majority of the administrative rules
2 review committee members of each house, within two
3 weeks of the date the resolution is referred to the

4 administrative rules review committee, the resolution
5 shall be placed on the calendar. If the nullification
6 resolution is approved by the administrative rules
7 review committee it shall be placed on the calendar.
8 A nullification resolution is subject to a motion to
9 withdraw the nullification resolution as provided in
10 rule 42.

11 A nullification resolution is debatable, but cannot
12 be amended on the floor of the senate.

13 Rule 32

14 Resolutions, Applicable Rules

15 All rules applicable to bills shall apply to
16 resolutions, except as otherwise provided in the rules.

17 Rule 33

18 Study Bills

19 1. A study bill is any matter which a senator
20 wishes to have considered by a standing committee or
21 appropriations subcommittee for introduction as a
22 committee bill or resolution. The term "study bill"
23 includes "proposed bills" provided for in Rule 37 and
24 departmental requests prefiled in the manner specified
25 in section 2.16 of the Code.

26 2. A study bill shall bear the name of the member
27 who wishes to have the bill considered. A study bill
28 proposed by a state agency shall bear the name of the
29 agency. A committee chair may submit a study bill in
30 the name of that committee.

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1 3. Upon first receiving a study bill from a
2 senator, a committee chairperson shall submit three
3 copies to the secretary of the senate. Study bills
4 received in the secretary of the senate's office before
5 3:00 p.m. shall be filed, numbered, and reported in
6 the journal for that day. Study bills received in the
7 secretary of the senate's office after 3:00 p.m. shall
8 be filed, numbered, and reported in the journal for the
9 subsequent day. The secretary shall number such bills
10 in consecutive order. The secretary shall maintain a
11 record of all study bills and their assigned number.
12 Committee records shall refer to study bills by the
13 number assigned by the secretary.

14 4. The secretary shall file a report in the journal
15 of each study bill received. The report shall show
16 the study bill number, its title or subject matter
17 and the committee which is considering it. If a study
18 bill is referred to a subcommittee, then the committee
19 chairperson shall report in the journal the names of
20 the subcommittee members to which it is assigned.

21 5. If a committee bill or resolution is introduced
22 which was not previously the subject of a study bill

23 in the sponsoring committee, the majority leader may
 24 re-refer the bill back to the committee.
 25 6. A study bill not prepared by the legislative
 26 services agency may be submitted to a standing
 27 committee, but shall not be considered by the full
 28 committee unless reviewed and typed in proper form by
 29 the legislative services agency.
 30 COMMITTEES AND COMMITMENT

Page 27

1 Rule 34
 2 Committee Appointments
 3 Committee appointments shall be made by the majority
 4 leader for majority party members, after consultation
 5 with the president, and by the minority leader for
 6 minority party members, after consultation with the
 7 president. No senator shall serve on more than six
 8 standing committees. The majority leader, after
 9 consultation with the president, shall designate the
 10 chairperson and vice-chairperson of each standing
 11 committee. The minority leader, after consultation
 12 with the president, shall designate the ranking member
 13 of each standing committee from the minority membership
 14 of that committee.
 15 Rule 35
 16 Standing Committees
 17 The names of the standing committees of the senate
 18 shall be:
 19 Agriculture
 20 Appropriations
 21 Commerce
 22 Economic Growth ~~/Rebuild Iowa~~
 23 Education
 24 Government Oversight
 25 Human Resources
 26 Judiciary
 27 Labor and Business Relations
 28 Local Government
 29 Natural Resources and Environment
 30 Rules and Administration

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1 State Government
 2 Transportation
 3 Veterans Affairs
 4 Ways and Means
 5 Rule 36
 6 Committee on Rules and Administration
 7 The committee on rules and administration shall
 8 recommend rules and rule changes to the senate, shall

9 hire senate employees, shall recommend salary scales
10 for all senate employees, and shall oversee senate
11 budget and administration matters.

12 The committee on rules and administration will
13 select, for senate approval, an individual to serve as
14 secretary of the senate.

15 The committee shall have the following standing
16 subcommittees:

- 17 1. Joint Rules
- 18 2. Senate Rules
- 19 3. Administrative Services
- 20 4. Caucus Services

21 The majority leader shall serve as chair of the
22 rules and administration committee and as chair of
23 the standing subcommittee on caucus services. The
24 president of the senate shall serve as vice-chair of
25 the rules and administration committee, and as chair of
26 the subcommittee on administrative services.

27 Rule 37

28 Appropriations Committee

29 The appropriations committee shall receive bills
30 committed to it and shall assign each to one of the

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1 appropriations subcommittees.

2 The appropriations subcommittees shall be named:

- 3 Administration and Regulation
- 4 Agriculture and Natural Resources
- 5 Economic Development
- 6 Education
- 7 Health and Human Services
- 8 Justice System
- 9 Transportation, Infrastructure, and Capitals

10 The appropriations subcommittees shall receive
11 bills assigned to them or may originate proposed bills
12 within the subcommittee's jurisdiction as defined by
13 the appropriations committee for consideration by the
14 appropriations committee. Each subcommittee may submit
15 amendments to bills together with the subcommittee's
16 recommended action to the appropriations committee.

17 If a bill or proposed bill is submitted to the
18 appropriations committee by an appropriations
19 subcommittee the appropriations committee may:

- 20 1. report the bill or approve the proposed bill for
21 introduction by the appropriations committee;
- 22 2. report the bill with any appropriations
23 committee-approved amendments incorporated;
- 24 3. draft a new bill for sponsorship by the
25 appropriations committee and report it; or
- 26 4. re-refer it together with the appropriations
27 committee's objections to the appropriations

28 subcommittee from which it was originally referred or
29 which originated the draft bill.
30 The appropriations committee and subcommittees may

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1 meet jointly with the appropriations committee of the
2 house of representatives.

3 Rule 38

4 First Reading and Commitment

5 Upon the first reading of an individual bill or
6 resolution, or a house committee bill or resolution,
7 the president shall refer the bill or resolution to
8 an appropriate standing committee. If the bill or
9 resolution is a senate committee bill or resolution,
10 the president shall place it on the calendar after
11 its first reading. If the subject of the bill or
12 resolution is not germane to the title of the committee
13 presenting it, the president of the senate may refer it
14 to a committee deemed appropriate.

15 All bills carrying an appropriation for any purpose
16 or involving the expenditure of state funds shall be
17 referred to the committee on appropriations.

18 All bills pertaining to the levy, assessment or
19 collection of taxes or fees shall be referred to the
20 committee on ways and means.

21 Any bill which provides for a new state board,
22 commission, agency or department or makes separate or
23 autonomous an existing state board, commission, agency
24 or department, shall be referred to the committee
25 on state government. If the bill or resolution is
26 so referred after being sponsored or reported out
27 by another committee, and if the committee on state
28 government does not report out the bill or resolution
29 within ten legislative days after referral, the bill
30 or resolution shall automatically be restored to the

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1 calendar with the same priority it had immediately
2 before referral.

3 This rule shall also apply when such provisions are
4 added to a bill or resolution by amendment adopted by
5 the senate.

6 Rule 39

7 Rules for Standing Committees

8 The following rules shall govern all standing
9 committees of the senate. Any committee may adopt
10 additional rules which are consistent with these rules:
11 1. A majority of the members shall constitute a
12 quorum.

13 2. The chair of a committee shall refer each bill

14 and resolution to a subcommittee within seven days
15 after the bill or resolution has been referred to
16 the committee. The chair may appoint subcommittees
17 for study of bills and resolutions without calling a
18 meeting of the committee, but the subcommittee must
19 be announced at the next meeting of the committee. No
20 bill or resolution shall be reported out of a committee
21 until the next meeting after the subcommittee is
22 announced, except that the chair of the appropriations
23 committee may make the announcement of the assignment
24 to a subcommittee by placing a notice in the journal.
25 Any bill so assigned by the appropriations committee
26 chair shall be eligible for consideration by the
27 committee upon report of the subcommittee but not
28 sooner than three legislative days following the
29 publication of the announcement in the journal.
30 When a bill or resolution has been assigned to a

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1 subcommittee, the chair shall report to the senate
2 the bill or resolution number and the names of the
3 subcommittee members and such reports shall be reported
4 in the journal. Subcommittee assignments shall be
5 reported to the journal daily. Reports filed before
6 3:00 p.m. shall be printed in the journal for that
7 day; reports filed after 3:00 p.m. shall be printed in
8 the journal for the subsequent day.
9 Where standing subcommittees of any committee have
10 been named, the names of the members and the title of
11 the subcommittee shall be published once and thereafter
12 publication of assignments may be made by indicating
13 the title of the subcommittee.
14 3. No bill or resolution shall be considered by a
15 committee until it has been referred to a subcommittee
16 and the subcommittee has made its report unless
17 otherwise ordered by a majority of the members.
18 4. The rules adopted by a committee, including
19 subsections 2, 3, 9, 10, 11, and 12 of this rule, may
20 be suspended by an affirmative vote of a majority of
21 the members of the committee.
22 5. The affirmative vote of a majority of the
23 members of a committee is needed to sponsor a committee
24 bill or resolution or to report a bill or resolution
25 out for passage.
26 6. The vote on all bills and resolutions shall be
27 by roll call unless a short-form vote is unanimously
28 agreed to by the committee. A record shall be kept by
29 the secretary.
30 7. No committee, except a conference committee, is

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1 authorized to meet when the senate is in session.
2 8. A subcommittee shall not report a bill to the
3 committee unless the bill has been typed into proper
4 form by the legislative services agency.
5 9. A bill or resolution shall not be voted upon the
6 same day a public hearing called under subsection 10 is
7 held on that bill or resolution.
8 10. Public hearings may be called at the discretion
9 of the chair. The chair shall call a public hearing
10 upon the written request of one-half the membership of
11 the committee. The chair shall set the time and place
12 of the public hearing.
13 11. A subcommittee chair must notify the committee
14 chair not later than one legislative day prior to
15 bringing the bill or resolution before the committee.
16 The committee cannot vote on a bill or resolution for
17 at least one full day following the receipt of the
18 subcommittee report by the chairperson.
19 12. A motion proposing action on a bill or
20 resolution that has been defeated by a committee shall
21 not be voted upon again at the same meeting of the
22 committee.
23 13. Committee meetings shall be open.
24 Rule 40
25 Voting in Committee
26 All committee meetings shall be open at all times.
27 Voting by secret ballot is prohibited. Roll call votes
28 shall be taken in each committee when final action on
29 any bill or resolution is voted, unless a short-form
30 vote is unanimously agreed to by the committee. A roll

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1 call vote also shall be taken in each committee at the
2 request of a member upon any amendment or motion. All
3 results shall be entered in the minutes which shall be
4 public records. Records of these votes shall be made
5 available by the chair or the committee secretary at
6 any time. This rule also applies to the appropriations
7 subcommittees.
8 The committee shall not authorize the introduction
9 of a committee bill or resolution until the members
10 have received final copies of the bill or resolution
11 with amendments or changes incorporated, and typed
12 into proper form by the legislative services agency.
13 The committee may, by unanimous consent, dispense with
14 this requirement and instruct the legislative services
15 agency to file a report with the committee members
16 detailing the amendments or changes and this report
17 shall become a part of the committee report.

18 Rule 41

19 Announcement of Committee Meetings

20 It shall be in order for the chair of any committee
21 to announce to the senate the time and place of
22 committee meetings. The announcement shall include a
23 proposed agenda for the meeting. The sergeant-at-arms
24 shall post at the rear of the chamber the daily
25 schedule of committee meetings.

26 Rule 42

27 Withdrawal of Bills and Resolutions from Committee

28 The secretary of the senate shall note on each bill
29 and resolution the date of its reference to committee.
30 No bill or resolution shall be withdrawn from any

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1 committee within fifteen legislative days after the
2 bill or resolution has been referred to the committee
3 and thereafter only upon written petition for the
4 withdrawal of such bill or resolution signed by a
5 constitutional majority of the senators, except as
6 provided in Rule 38. Only senators may circulate such
7 a petition.

8 Rule 43

9 Committee Reports

10 All committees shall file a report of committee
11 meetings. Such reports shall contain the following
12 information:

- 13 a. The time the meeting convened;
- 14 b. Those senators who were present and absent at
15 the time the meeting convened, as well as the time any
16 senator, who was not present at the time the meeting
17 convened, arrives for the meeting;
- 18 c. The vote on any bill or resolution reported out
19 of the committee for floor action;
- 20 d. The title of the bill;
- 21 e. The file number of the bill or resolution (if
22 known);
- 23 f. Whether the committee recommends that the
24 bill or resolution be passed, amended and passed,
25 indefinitely postponed, or considered without committee
26 recommendation;
- 27 g. An indication of other bills or matters
28 discussed;
- 29 h. Such other matters as the committee chair shall
30 direct; and

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- 1 i. The time the meeting adjourned.
- 2 No committee report shall be read, but all committee
3 reports shall be printed in the journal. Upon

4 printing, all committee reports shall then stand
5 approved unless the senate directs otherwise.
6 Rule 44
7 Bills or Resolutions Recommended for Indefinite
8 Postponement
9 No senate bill or resolution recommended for
10 indefinite postponement shall be considered in the
11 absence of the chief sponsor or, if a house bill or
12 resolution, in the absence of the senator representing
13 the district in which the sponsor resides. When a
14 question is postponed indefinitely, it shall not be
15 again acted upon during that session of the general
16 assembly.

17 GENERAL RULES

18 Rule 45

19 Access to Senate Chamber and Decorum

20 The persons who shall have access to the senate
21 chamber, and the times access shall be available, and
22 the rules governing activities in the chamber and other
23 areas controlled by the senate shall be as prescribed
24 by the rules and administration committee pursuant to a
25 written policy adopted by the committee and filed with
26 the secretary of the senate.

27 Rule 46

28 Legislative Interns and Aides

29 Legislative interns for senators shall be allowed
30 on the floor of the senate in accordance with Rule 45;

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1 provided that each intern first has obtained a name
2 badge from the secretary of the senate. The secretary
3 of the senate shall issue an appropriate badge to all
4 interns for senators.

5 Rule 47

6 Clearing of Lobby and Gallery

7 In case of disturbance or disorderly conduct in the
8 lobby or gallery, the presiding officer may order it
9 cleared.

10 Rule 48

11 Presentation of Petitions

12 Each petition shall contain a brief statement of its
13 subject matter and the name of the senator presenting
14 it. Petitions shall be filed with the secretary of the
15 senate and noted in the journal.

16 Rule 49

17 Distribution of Printed Material

18 No general distribution of printed material in
19 the senate shall be allowed unless authorized by the
20 secretary of the senate or by a senator.

21 Rule 50

22 Concerning the Printing of Papers

23 Any paper, other than that contemplated by Section
24 10, Article III of the Constitution of the State of
25 Iowa, presented to the senate may, with the consent of
26 a constitutional majority, be printed in the journal.
27 Rule 51
28 Reprinting of Documents
29 When any bill has been substantially amended by the
30 senate, the secretary of the senate shall order the

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1 bill reprinted on paper of a different color. All
2 adopted amendments inserting new material shall be
3 distinguishable.
4 The secretary of the senate may order the printing
5 of a reasonable number of additional copies of bills,
6 resolutions, amendments or journals.
7 OFFICERS AND EMPLOYEES
8 Rule 52
9 Duties of the President
10 The senate shall elect, from its membership, a
11 president. The president shall call the senate to
12 order at the hour to which the senate is adjourned and
13 shall proceed with the regular order of daily business.
14 The president shall preserve order and decorum and
15 decide all questions of order and corrections to the
16 journal. The president shall direct voting as provided
17 in rule 22. When a ruling on germaneness is issued by
18 the presiding officer, it shall be accompanied by an
19 explanation of the ruling. The president of the senate
20 shall be the chair of the committee of the whole unless
21 otherwise ordered by the senate, under rule 19.
22 Upon the first reading of an individual bill or
23 resolution, or a house committee bill or resolution,
24 the president shall refer the bill or resolution to
25 the appropriate standing committee. If the bill or
26 resolution is a senate committee bill or resolution,
27 the president shall place it on the calendar after
28 its first reading. If the subject of the bill or
29 resolution is not germane to the title of the committee
30 presenting it, the president of the senate may refer it

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1 to the appropriate committee.
2 The president shall sign legislative enactments upon
3 their enrolling.
4 The president of the senate shall serve as a member
5 of the legislative council and the senate rules and
6 administration committee. The president shall serve
7 on the rules and administration committee as chair of
8 the standing subcommittee designated to supervise the

9 secretary of the senate and other employees of the
10 administrative services division of the senate.

11 Rule 53

12 The President Pro Tempore

13 The senate shall elect, from its membership, a
14 president pro tempore. When the president is absent,
15 the president pro tempore shall preside, except when
16 the chair is filled by temporary appointment by the
17 president or the majority leader.

18 The president pro tempore, when presiding, shall
19 perform duties as prescribed in rule 52, paragraphs 1
20 and 2.

21 The president pro tempore shall serve as a member of
22 the legislative council and as a member of the senate
23 committee on rules and administration.

24 Rule 54

25 Secretary of the Senate

26 The secretary of the senate shall be a nonpartisan
27 officer of the senate and shall:

28 1. Serve as chief administrative officer of the
29 senate.

30 2. Have charge of the secretary's desk.

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1 3. Be responsible for the custody and safekeeping
2 of all bills, resolutions, and amendments filed, except
3 while they are in the custody of a committee.

4 4. Have charge of the daily journal.

5 5. Have control of all rooms assigned for the use
6 of the senate.

7 6. Keep a detailed record of senate action on all
8 bills and resolutions.

9 7. Insert adopted amendments into bills before
10 transmittal to the house of representatives and prior
11 to final enrollment.

12 8. Prescribe the duties of and supervise all senate
13 employees.

14 9. Authorize all expenditures of funds within the
15 senate budget.

16 The secretary of the senate shall also act as senate
17 parliamentarian and shall:

18 1. Advise the presiding officer of the senate about
19 parliamentary procedures during deliberations of the
20 senate.

21 2. Perform other duties as prescribed by the
22 committee on rules and administration.

23 3. Process the handling of amendments when filed
24 and during the floor consideration of bills.

25 Rule 55

26 Legal Counsel

27 The legal counsel shall be the secretary of the

28 senate or a contractual employee of the senate and
29 shall:
30 1. Serve as attorney and counselor for the senate.

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1 2. At the request of the majority or minority
2 leaders, research any legal issue in which the senate
3 has an interest. However, the legal counsel shall not
4 issue nor venture any opinions on unresolved questions
5 of law unless permitted by both the majority and
6 minority leaders.
7 Rule 56
8 Sergeant-at-Arms
9 The sergeant-at-arms shall be an employee of the
10 senate and shall:
11 1. Wear the appropriate badge of his or her office.
12 2. Attend the senate during its sessions.
13 3. Aid in the enforcement of order under the
14 direction of the president of the senate and the
15 secretary of the senate.
16 4. Execute the commands of the senate.
17 5. See that no unauthorized person disturbs the
18 contents of the senators' desks.
19 6. Supervise the doorkeepers, the assistant
20 sergeant-at-arms, and pages.
21 7. Announce all delegations from the governor or
22 house.
23 8. Supervise the seating of visitors and press
24 representatives.
25 Rule 57
26 Senate Secretaries
27 Every senator shall be permitted to employ for each
28 session of a general assembly a personally selected
29 secretary.
30 Rule 58

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1 Use of Electronic Voting System
2 Any officer or employee of the senate, other than
3 a duly elected member of the senate, who operates the
4 electronic voting machine mechanism located at the
5 desk of said member of the senate shall be subject to
6 immediate termination from employment. The provisions
7 of this paragraph only shall apply during the taking
8 of a record or non-record roll call vote utilizing the
9 electronic voting system.
10 CONFIRMATION OF APPOINTMENTS
11 Rule 59
12 Appointments
13 The secretary of the senate shall:

14 a. send, to each appointee submitted by the
15 governor for senate confirmation, a copy of a
16 senate questionnaire as approved by the rules and
17 administration committee;
18 b. receive completed questionnaires from appointees
19 and forward copies of the completed questionnaires to
20 appropriate committee members;
21 c. maintain "Confirmation Calendar" categories
22 on the senate calendar as directed under this rule,
23 senate rule 6, and by the committee on rules and
24 administration. No appointee shall be listed as
25 eligible on the confirmation calendar until the
26 secretary has received the appointee's completed senate
27 questionnaire.
28 As soon as possible after the convening of a
29 session, and again within one week following March
30 1, the secretary of the senate shall publish in the

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1 senate journal the names of all nominees submitted
2 for confirmation. The secretary of the senate shall
3 maintain a file of all appointments received from the
4 governor for confirmation. The file shall contain
5 a description of the duties and the compensation
6 for each nominee. The file shall show the date an
7 appointment was received from the governor, the date
8 the appointment was published in the journal, whether
9 the nominee has been introduced, whether a committee
10 report has been filed, when the senate questionnaire
11 was sent to the appointee, and shall include a copy of
12 the appointee's completed senate questionnaire, upon
13 receipt.
14 INVESTIGATING COMMITTEES. All appointments received
15 from the governor shall be referred to the rules
16 and administration committee by the secretary of
17 the senate on the same day they are published in
18 the senate journal. The rules and administration
19 committee shall establish an en bloc confirmation
20 calendar which must be filed with the secretary of
21 the senate. Within three (3) legislative days after
22 receiving an appointment, the committee shall either
23 place a nominee on the en bloc confirmation calendar
24 or assign the nominee to an appropriate standing
25 committee for further investigation, publishing notice
26 of such assignment in the senate journal for the next
27 legislative day. If the rules and administration
28 committee fails to take action on a nominee within the
29 three days, the nominee shall automatically be placed
30 on the en bloc confirmation calendar.

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1 Within the three (3) legislative days after an
2 appointment has been referred to the rules and
3 administration committee, any ten senators may
4 require that the nominee be assigned to an appropriate
5 standing committee by filing a written, signed
6 request therefor with the chairperson of the rules and
7 administration committee. The committee chair shall
8 refer the appointment to a subcommittee within one (1)
9 legislative day after a standing committee receives
10 an appointment for further investigation, publishing
11 notice of such assignment in the senate journal for the
12 next legislative day. Within ten (10) legislative days
13 after a standing committee receives an appointment for
14 further investigation the subcommittee shall file its
15 report with the standing committee.

16 Within fourteen (14) legislative days after a
17 standing committee receives an appointment for
18 further investigation, the committee shall conduct
19 an investigation of the nominee and file its report
20 thereon with the secretary of the senate, who shall
21 then place the nominee on the en bloc calendar or
22 individual confirmation calendar as directed by
23 the committee. The failure of a committee to file
24 its report within the prescribed time means that
25 the nominee is to be automatically placed, without
26 recommendation, upon the individual confirmation
27 calendar.

28 Any individual nominated to head a department or
29 agency of state government, whose appointment is
30 subject to senate confirmation, must be introduced

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1 to the full senate prior to a vote on confirmation
2 of the nominee. Additionally, any five (5) senators
3 may request that any nominee be introduced to the
4 senate by filing a written request with the secretary
5 of the senate within ten (10) legislative days of
6 the nominee's name appearing in the journal. Any
7 individual nominated to a position requiring senate
8 confirmation may request to be introduced to the
9 full senate by notifying the secretary of the senate
10 at least one (1) legislative day in advance of the
11 nominee's appearance. If an individual is nominated
12 both to fill a vacancy for an unexpired term and is
13 also nominated for reappointment to that position
14 during the same session, a single introduction is
15 sufficient for eligibility for confirmation to both
16 terms.

17 HEARINGS. Any member of a committee investigating

18 an appointment may, within five (5) legislative days
19 after the committee receives the appointment, obtain
20 a hearing with the nominee by filing a written request
21 with the secretary of the senate who shall forward it
22 to the chair of the standing committee and the chair
23 of the subcommittee. Notice of the hearing shall be
24 published in the journal at least two (2) legislative
25 days prior to the hearing. At the hearing, which
26 shall be before the subcommittee, the nominee may be
27 questioned as to his or her qualifications to fulfill
28 the office to which nominated and further questioned
29 as to his or her viewpoints on issues facing the office
30 to which nominated. Any senator may at the discretion

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1 of the chair of the subcommittee be permitted to submit
2 oral questions. The public may, at the discretion of
3 the investigating committee, be permitted to submit
4 oral or written statements as to the qualifications of
5 the nominee.
6 Also, within five (5) legislative days after the
7 subcommittee receives an appointment for investigation,
8 any senator may submit written questions to be answered
9 by the nominee prior to consideration of the nominee's
10 confirmation by the senate.
11 INFORMATIONAL MEETINGS. After a nominee has been
12 placed on the calendar and prior to the vote on
13 confirmation, any senator may request an informational
14 meeting on the nomination which shall be held before
15 the subcommittee.
16 VOTING ON CONFIRMATIONS. Upon the motion of the
17 majority leader or his or her designee, the nominees on
18 the en bloc confirmation calendar shall be confirmed
19 en bloc by the affirmative vote of two-thirds of the
20 members elected to the senate. The journal shall
21 reflect a single roll call accompanied by a statement
22 of the names of those individuals subject to the en
23 bloc confirmation vote.
24 Prior to an en bloc vote, any senator may request,
25 either in writing or from the floor, an individual vote
26 on any nominee on the en bloc confirmation calendar.
27 The senate shall vote separately on the nominee.
28 Nominees on the individual confirmation calendar
29 shall be confirmed by a two-thirds vote; however, the
30 senate shall take a separate roll call on each nominee,

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1 unless by unanimous consent, it determines to take one
2 vote on all nominees under consideration. In any case,
3 the journal shall reflect a single roll call vote for

4 each nominee.
5 If an individual is nominated both to fill a vacancy
6 for an unexpired term and is also nominated for
7 reappointment to that position, and such appointment
8 and reappointment appear on the senate calendar as
9 eligible at the same time, a single vote is sufficient
10 for confirmation to both terms.
11 Rule 60
12 Time of Committee Passage and Consideration of Bills
13 1. This rule does not apply to concurrent or
14 simple resolutions, joint resolutions nullifying
15 administrative rules, senate confirmations, bills
16 embodying redistricting plans prepared by the
17 legislative services agency pursuant to chapter
18 42, or bills passed by both houses in different
19 forms. Subsection 2 of this rule does not apply to
20 appropriations bills, ways and means bills, government
21 oversight bills, legalizing acts, administrative
22 rules review committee bills, bills sponsored by
23 standing committees in response to a referral from
24 the president of the senate or the speaker of the
25 house of representatives relating to an administrative
26 rule whose effective date has been delayed until the
27 adjournment of the next regular session of the general
28 assembly by the administrative rules review committee,
29 bills cosponsored by the majority and minority floor
30 leaders of the senate, bills in conference committee,

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1 and companion bills sponsored by the majority floor
2 leaders of both houses after consultation with the
3 respective minority floor leaders. For the purposes of
4 this rule, a joint resolution is considered as a bill.
5 To be considered an appropriations or ways and means
6 bill for the purposes of this rule, the appropriations
7 committee or the ways and means committee must either
8 be the sponsor of the bill or the committee of first
9 referral in the senate.
10 2. To be placed on the calendar in the senate a
11 senate bill must be first reported out of a standing
12 committee by Friday of the 8th week of the first
13 session and the 8th week of the second session. A
14 house bill must be first reported out of a standing
15 committee by Friday of the 12th week of the first
16 session and the 11th week of the second session to be
17 placed on the senate calendar.
18 3. During the 10th week of the first session and
19 the 9th week of the second session, the senate shall
20 consider only bills originating in the senate and
21 unfinished business. During the 13th week of the first
22 session and the 12th week of the second session, the

23 senate shall consider only bills originating in the
24 house and unfinished business. Beginning with the
25 14th week of the first session and the 13th week of the
26 second session, the senate shall consider only bills
27 passed by both houses, bills exempt from subsection 2,
28 and unfinished business.
29 4. A motion to reconsider filed and not disposed
30 of on an action taken on a bill or resolution which is

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1 subject to a deadline under this rule may be called up
2 at any time before or after the day of the deadline by
3 the person filing the motion or after the deadline by
4 the majority floor leader, notwithstanding any other
5 rule to the contrary.
6 BE IT FURTHER RESOLVED, That should a system
7 of deadlines for the time of committee passage and
8 consideration of bills be adopted by joint action
9 of the senate and house at any time during the
10 ~~eighty-fourth~~ eighty-fifth general assembly, those
11 provisions shall supersede the provisions of rule 60.

Senate Resolution 9: filed March 13, 2013; adopted by the
Senate on March 14, 2013.

SENATE RESOLUTION 9

BY HART, QUIRMBACH, and WHITVER

1 A resolution recognizing March 2013 as Iowa Women's
2 History Month.
3 WHEREAS, Iowa women of every race, class, and
4 ethnic background have made historic contributions
5 to the growth and strength of our state and nation
6 in countless recorded and unrecorded ways, including
7 through the struggle for women's rights; and
8 WHEREAS, Iowa women have played and continue to
9 play a critical economic, cultural, and social role by
10 constituting a significant portion of the labor force
11 working inside and outside of the home despite being
12 underpaid; and
13 WHEREAS, Iowa women were particularly important in
14 the establishment of early charitable, philanthropic,
15 and cultural institutions in our state and nation; and
16 WHEREAS, Iowa women and men amended the Constitution
17 of the State of Iowa to read that "All men and women
18 are, by nature, free and equal, and have certain
19 inalienable rights..."; and
20 WHEREAS, Iowa women have been leaders in business,
21 industry, labor, agriculture, and academia as well
22 as in the abolitionist movement, the emancipation
23 movement, the industrial labor movement, the civil

24 rights movement, the peace movement, and the woman
 25 suffrage movement, which have helped to create a more
 26 fair and just society for all; and
 27 WHEREAS, despite these contributions, and those
 28 of women throughout the world, the role of women has

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1 been consistently overlooked and undervalued, in
 2 the literature, teaching, and study of history; NOW
 3 THEREFORE,
 4 BE IT RESOLVED BY THE SENATE, That the Senate
 5 recognizes the month of March 2013 as Iowa Women's
 6 History Month and invites the citizens of Iowa to
 7 continue to uncover the roles women have played
 8 throughout history.

Senate Resolution 11: filed March 19, 2013; adopted by the
 Senate on March 21, 2013.

SENATE RESOLUTION 11

BY BOWMAN, ZAUN, SODDERS, HART, WILHELM, HOGG, HORN,
 DEARDEN, BRASE, SENG, HATCH, RAGAN, DVORSKY, BEALL,
 DOTZLER, DIX, CHELGREN, SEGEBAUT, FEENSTRA, WHITVER,
 ERNST, ZUMBACH, BREITBACH, HOUSER, BEHN, BOETTGER,
 KAPUCIAN, GUTH, ROZENBOOM, SMITH, SINCLAIR, BOLKCOM,
 MCCOY, SCHOENJAHN, MATHIS, TAYLOR, BLACK, PETERSEN,
 DANIELSON, JOCHUM, SCHNEIDER, CHAPMAN, JOHNSON,
 QUIRMBACH, SORENSON, BERTRAND, ANDERSON, GREINER,
 COURTNEY, and GRONSTAL

1 A resolution opposing the decision of the International
 2 Olympic Committee to end wrestling as an Olympic
 3 event.
 4 WHEREAS, the sport of wrestling, which combines both
 5 freestyle and Greco-Roman events, goes back to the
 6 first modern Olympics in Athens in 1896; and
 7 WHEREAS, over the last century, wrestling expanded
 8 to feature 344 athletes competing in 11 medal events
 9 in freestyle and seven in Greco-Roman at the London
 10 Olympics, and women's wrestling was added at the 2004
 11 Athens Games; and
 12 WHEREAS, Iowa has a rich heritage in the sport
 13 of wrestling at all levels, including a premier high
 14 school program and the world-class collegiate programs
 15 at Iowa State University, the University of Iowa, and
 16 the University of Northern Iowa; and
 17 WHEREAS, Dan Gable won three state championships at
 18 Waterloo West High School and then wrestled at Iowa
 19 State where he won multiple national championships and
 20 later won Olympic gold, thereafter becoming a coaching

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1 legend at the University of Iowa and at the 1980, 1984,
2 and 2000 Olympics; and
3 WHEREAS, Jake Varner, a former Iowa State wrestler,
4 won gold at the 2012 London Olympics; and
5 WHEREAS, the action of the International Olympic
6 Committee threatens the future of a sport practiced
7 for three millennia and threatens the future of Iowa's
8 college and high school wrestling programs, which have
9 been carefully developed over the last 50 years; NOW
10 THEREFORE,
11 BE IT RESOLVED BY THE SENATE, That the Senate
12 opposes the action of the International Olympic
13 Committee to end wrestling as an Olympic event and
14 urges that body to reconsider its action.

MEMORIALS

IN MEMORIAM

SENATORS

John J. Brown	April 27, 1913 – February 28, 2013
Clarence S. Carney.	June 21, 1925 – March 27, 2012
Donald Gettings	November 23, 1923 – June 13, 2011
John W. Jensen	March 28, 1926 – October 26, 2012
Robert Rigler.	January 5, 1923 – February 27, 2013
Tom Riley.	January 9, 1929 – July 21, 2011
John E. Soorholtz.	December 19, 1930 – December 28, 2012
Pat Ward.	June 17, 1957 – October 15, 2012

JOHN J. BROWN

John J. Brown was born on April 27, 1913, in Ruthven, Iowa, to William and Gertrude Brown. He passed away on February 28, 2013, just 58 days before his 100th birthday. He is survived by his sons, John and his wife, Sue; David, and his wife, Janet; and Greg and his wife, Becky; and grandchildren, Stephanie, Steve, Scott, Natalie, Christina, David, Michael, and Allison.

Brown attended Ruthven public school and went on to be the first person in his family to attend college. In 1937 he graduated with a B.C.S. degree in Commerce from University of Iowa.

Brown was a World War II veteran who enlisted in the U.S. Army in 1942. He married Joyce Devlin on June 19, 1943. In 1943, he was deployed to England on the Queen Mary where he trained for the invasion of Normandy. He was a member of the 5th Engineer Special Brigade attached to the 29th Infantry Division. Brown landed on Omaha Beach in the 6th Wave on June 7, 1944. He was honorably discharged in 1946 with the rank of Captain.

He returned with his wife, Joyce, to Emmetsburg in 1946, where he was involved in real estate and insurance until he retired in 2000. During this time he served as the mayor of Emmetsburg. Additionally, he served as the Vice President and Director of the Iowa Real Estate Association, the Director of the Industrial Corporation, a member of the American Legion, the Veterans of Foreign Affairs, and the Lions Club. He was a member of St. Thomas Catholic Church and later Holy Family Parish.

He enjoyed spending time with his family on the water, sailing, boating, fishing, and swimming in Okoboji, where he was a judge for the Okoboji Yacht Club. He was also an avid hunter who spent much of his free time hunting mallards and pheasants.

Brown was a Palo Alto County Democrat. He served in the Iowa House of Representatives from 1959–1961, during the 58th General Assembly, and in the Iowa Senate from 1961–1964, during the 59th and 60th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable John J. Brown, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

DARYL BEALL
DENNIS GUTH
AMANDA RAGAN
Committee

CLARENCE S. CARNEY

Clarence S. Carney was born on June 21, 1925, in Ossining, New York, to Clarence and Josephine Carney. He passed away on March 27, 2012, at the age of 86. He is survived by his three children; Michael and his wife, Marsha; Patsy; and Kathy; two sisters Janet and Barbara; five grandchildren; and five great-grandchildren.

Carney lived at the Graham School Orphanage in Yonkers, New York, and graduated from Hastings High School in Hastings, New York. He served in the U.S. Navy in the South Pacific from 1943–1946. After the war, he earned a Bachelor of Arts degree from Iowa State University, where he played football. He went on to receive a master's degree in counseling from the University of Northern Iowa in 1960.

He married Jacquelyn “Jacque” Moore on June 17, 1950, in Charles City, Iowa. They lived in Ackley, Iowa, where he was a high school football coach from 1951–1959. He studied and coached at the University of Iowa from 1959–1960 before finally settling in Sioux City, where he was the dean of boys, a teacher, and a football coach at Central High School in Sioux City from 1960–1966. He worked for Iowa Public Service/Midwest Energy from 1967–1990 and Morningside College from 1990–1995.

Carney was active in many community projects and organizations. He was Commodore and Port Admiral of the Port of Sioux City River-Cade. He was a past master of the Tyrian Masonic Lodge 508 A.F. and A.M., Potentate of the Abu Bekr Shrine Temple in 1995, and announcer for the White House Mounted Patrol and the Scottish Rite Knight Commander Court of Honor. He was Master of Ceremonies for the All-American Concert Band. He served as president of the Sioux City School Board, the Sioux City Convention and Tourism Board, the Sertoma Club, the Waco Board, and was a member of the United Way.

He received many awards including the Presidential Volunteer Award, the Lions Club Outstanding Citizen Award of the Year in 1998, the Rotary Club Service Award in 2001, Iowa State University Siouxland Service Key Award, Sertoman of the Year in 1983 and 1991, and the NAIA Meritorious Service Award in 1996.

He was a member of St. Thomas Episcopal Church, where he was a senior warden and lay leader.

Carney was a Woodbury County Republican. He served in the Iowa Senate from 1979–1983, during the 68th and 69th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Clarence S. Carney, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

BILL ANDERSON
DARYL BEALL
RICK BERTRAND
Committee

DONALD GETTINGS

Donald Gettings was born on November 23, 1923, in Ottumwa, Iowa, to Thomas and Sabina Ruffing-Gettings. He passed away on June 13, 2011, at the age of 87. He is survived by his wife, Mary; children, Gregory and Melinda; stepchildren, George, Steve, and Marie; nine grandchildren, Jeremy, Ryan, Jami, Kathryn, Samuel, Amy, Nicholas, Sammy, and Alana; and great-grandchild, Madison.

Gettings attended Ottumwa High School, where he graduated in 1942. After graduation he became a machine repairman at John Deere Ottumwa Works, where he worked for 38 years until his retirement.

He married his first wife, Beverly Gustavison, on September 6, 1947, who preceded him in death on February 8, 1988. He was remarried on December 1, 1991, to Mary Callas.

Gettings' long and distinguished political career began in 1976, when he was a national delegate to the Democratic Convention in New York City. He was elected to the Iowa House of Representatives in 1977, serving three terms. Then he went on to serve eight terms in the Iowa Senate, before retiring in 1999.

Gettings was active in many community projects and organizations. He was a board member of John Deere Credit Union, Iowa Association of Credit Unions, Iowa Gothic House committee, United Auto Workers Local #74, Eagles Lodge #114, and St. Patrick Catholic Church.

Gettings was a Wapello County Democrat. He served in the Iowa House of Representatives from 1977–1983 during the 67th, 68th, and 69th General Assemblies. He served in the Iowa Senate from 1983–1999 during the 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, and 77th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Donald Gettings, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

MARK CHELGREN
THOMAS G. COURTNEY
RICH TAYLOR
Committee

JOHN W. JENSEN

John W. Jensen was born on March 28, 1926, in York, Nebraska, to Mathias and Bessie Jensen. He passed away on October 26, 2012, at the age of 86. He is survived by his wife of 64 years, Myrtle; five children, Linda, and her husband Don; Alan and his wife, Joelle; Stanley, and his wife Teresa; Rita; and Carolann; ten grandchildren, Meredith, Jessica, Cody, Lucas, Adam, JaneAnn, Emily, Nick, Joshua, and Katie; and eleven great-grandchildren.

His family moved to northeast Iowa in 1941, where he graduated from Dike High School in 1977. After graduation, he enlisted in the Marine Corps and served two years in the South Pacific at the end of World War II.

He married Myrtle L. Shipp on May 29, 1948. Together they farmed northeast of Plainfield for over 60 years.

Jensen served as an Iowa Senator for 24 years. He made the restoration, conservation, and preservation of the State Capitol his personal passion and professional mission during his time in the Senate. He raised public and private funds for the purpose of returning the State Capitol to its full grandeur. He often gave “fifty-cent tours” for visiting students, constituents, fellow legislators, and state employees.

Jensen was an active member of many organizations. He was a Butler County Farm Bureau fieldsman for eight years and was a member of the Bremer County Farm Bureau, the Cattlemen’s Association, the Corn Growers Association, and the Soybean Association.

Jensen was a Bremer County Republican. He served in the Iowa Senate from 1979–2003 during the 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, and 79th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable John W. Jensen, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

MICHAEL BREITBACH
BILL DIX
AMANDA RAGAN
Committee

ROBERT RIGLER

Robert Rigler was born on January 5, 1923, in Great Falls, Montana, to John P. and Ferne Barr Rigler. He passed away on February 27, 2013, at the age of 90. He is survived by his wife of 65 years, Virginia; four children, Nancy, and her husband, Pat; Jane, and her husband, John; John, and his wife, Cheryl; and Robert, and his wife, Maeve; six grandchildren; and four great-grandchildren.

Rigler moved to New Hampton, Iowa, with his parents in 1931. He graduated from the University of Iowa, College of Commerce, in 1943, and the University of Wisconsin, School of Banking, in 1952. After his graduation from the University of Iowa, he served in Calcutta, India, as a Master Sergeant in the U.S. Army during World War II.

He married Virginia Es'Dorn of Charleston, South Carolina, on November 15, 1947.

Rigler began his banking career at Harris Trust and Savings Bank in Chicago, Illinois. He moved back to New Hampton, Iowa, in 1947 to work as an assistant cashier at Security State Bank, founded by his father in 1937. He went on to become the president/CEO of Security State Bank and was the chairman of the board for eighteen years.

Elected in 1955 to the Iowa Senate, he was the Republican floor leader from 1963–1969, during the 60th, 61st, and 62nd General Assemblies.

He served as chairman of the Iowa Highway Commission, the Transportation Commission, the Rigler Investment Company, and the State Bank and Trust Company. He was the Superintendent of Banking for the State of Iowa and president of the Iowa Federation of County Bankers Association. He was a member of the Masonic Lodge, the American Legion, the Rotary Club, the Order of the Shrine, the New Hampton Golf and Country Club, and the Congregational Church.

Rigler was a Chickasaw County Republican. He served in the Iowa Senate from 1955–1971 during the 56th, 57th, 58th, 59th, 60th, 61st, 62nd, and 63rd General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Robert Rigler, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased

MICHAEL BREITBACH
MARY JO WILHELM
DAN ZUMBACH
Committee

TOM RILEY

Tom Riley was born on January 9, 1929, in Cedar Rapids, Iowa, to Joseph W. and Edna Kyle Riley. He passed away on July 21, 2011, at the age of 82. He is survived by his wife, Nancy; six children, Pam, and her husband, Mark; Peter, and his wife, Joan; Lisa, and her husband, Greg; Martha, and her husband, Harold; Sara; and Heather and her husband, Steve; and fourteen grandchildren, Robert, William, Megan, Parker, Tyler, Caitlin, Jonathan, Hannah, Patrick, Ryan, Molly, Tom, Joey, and Jack.

Riley graduated from Franklin High School in Cedar Rapids, Iowa, in 1946. He went on to the University of Iowa, where he earned a B.A. in 1950 and graduated from Law School in 1952.

He married Nancy Evans in 1952 while at the University of Iowa.

Following law school, he was commissioned a First Lieutenant and was a member of the Judge Advocate General Corps of the U.S. Air Force during the Korean War. After his discharge from active duty, he returned to Cedar Rapids and joined the law firm of Simmons, Perrine, Albright, Ellwood, and Neff, becoming a partner in 1960.

Riley was a State Representative for four years and a Senator for eight years. At the end of his first term in the House of Representatives, he was named Outstanding Freshman Legislator by the Iowa Press and Radio Club. He sponsored many important bills including equal representation in state reapportionment, fair housing, and a bill to outlaw discrimination in employment due to age, race, religion, or national origin. He was chairman of the Governor's Advisory Committee on Aging, chairman of the Governor's United Nations Day Committee, and a member of the State Commission on Aging.

In 1980 he established the Tom Riley Law Firm with his son, Peter. He was known for "helping the underdogs hold the powerful accountable". He wrote four books and many articles on law and politics.

He was active in many organizations. He served as a delegate and co-sponsor of the Fourth World Conference on World Peace through Law in Bangkok, Thailand, in 1969; as a fellow in the Iowa Academy of Trial Lawyers; and as president of the Linn County Mental Health Association. He was member of the First Presbyterian Church, the Masons, the Shrine, the Junior Chamber of Commerce, the board of Linn County Association for Retarded Children, and the Area Council of Boy Scouts of America.

Riley was a Linn County Republican. He served in the Iowa House of Representatives during the 59th and 60th General Assemblies. He served in the Iowa Senate during the 61st, 62nd, 64th, and 65th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Tom Riley, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

SANDRA H. GREINER
WALLY E. HORN
TIM L. KAPUCIAN
Committee

JOHN E. SOORHOLTZ

John E. Soorholtz was born on December 19, 1930, in Marshalltown, Iowa, to J. Howard and Edna Mae Soorholtz. He passed away on December 28, 2012, at the age of 82. He is survived by his wife, Barbara; his five daughters, Cindy, and her husband, Dave; Sharon, and her husband, Joel; Joni, and her husband, Tom; Patty, and her husband, Joe; and Stacey, and her husband, Curtis; and eight grandchildren, Brad, Stephanie, Kate, Erin, Addy, Ben, Hayden, and Reese.

Soorholtz graduated from Melbourne High School in 1949 and went on to attend Iowa State University. He was a Korean Conflict veteran stationed in Germany during active duty.

He married Barbara Herbert on September 2, 1951, at the Evangelical and Reform Church in Melbourne, Iowa.

Soorholtz raised purebred Hampshire hogs from the time he was young until he retired from hog production. He was devoted to the pork industry and agriculture. He was the president of the Iowa Pork Producers Association from 1969–1972; the president of the Iowa Hampshire Association from 1972–1974; the president of the National Pork Council; the chairman of the Iowa Beginning Farmers' Program; chairman of the Purebred Swine Council; and a member of the U.S. Secretary of Agriculture Advisory Committee. He was named the Iowa Master Pork Producer in 1971. He received the National Hog Farmer Award for outstanding work in the hog industry, and he was inducted into the Iowa Farm Bureau Federation Hall of Fame and the National Pork Producers Council Hall of Fame.

Soorholtz was a State Senator for ten years. He was instrumental in the initiation of several bills including the pork check-off bill and the pseudorabies bill and the creation of the Iowa Beginning Family Farm Loan Program.

Soorholtz was a Marshall County Republican. He served in the Iowa Senate from 1983–1993, during the 70th, 71st, 72nd, 73rd, and 74th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable John E. Soorholtz, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of his service to the State and tenders its sympathy and kindest regards to the members of his family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

BILL DIX
TIM L. KAPUCIAN
STEVEN J. SODDERS
Committee

PAT WARD

Pat Ward was born on June 17, 1957, in Clinton, Missouri, to Tom and Wilma Sperry. She passed away on October 15, 2012, at the age of 55. She is survived by her husband, John Ward; daughter, Chelsea Reynolds; son, Ethan Reynolds; stepdaughter, Wendy Ward; and stepson, Tom Ward. She is also survived by her father, Tom Sperry; her sister, Peggy Bolinger; her brother, Sean Sperry; and several nieces and nephews.

Ward was raised on a farm near California, Missouri. She graduated from California High School in 1975. She attended Central Missouri State University, where she received her B.S. degree in business and legal studies. After college, she worked as director of public and government relations for the Soyland Power Cooperative in Decatur, Illinois. In 1997, Ward began work with the Iowa Senate Republican caucus staff at the Capitol building and served as the caucus staff director from 2001—2004.

In February 2004, Ward won a special election to represent Iowa Senate District 30, and she was re-elected in 2008. She served as an assistant leader for the Iowa Senate Republicans and was the ranking member of the Senate Labor and Business Relations Committee. She served on the Capitol Planning Commission and the Iowa Workforce Development Board. She was known as a skilled legislator with a keen understanding of business issues. Her knowledge gained her the respect and admiration of many of the region's powerful business leaders. She was a legislator who stood up for what she believed in and was willing to work across party lines on behalf of her constituents. She was known as a caring and compassionate person.

In addition to her legislative and political work, Ward was active in her community. While living in Illinois, she served as chair of the Central Illinois American Business Women's Association and the International Association of Business Communicators. She was a sustaining member of Junior League of Des Moines, a member of the Community Advisory Education Board of West Des Moines, a member of Lutheran Church of Hope in West Des Moines, and an active volunteer in her children's schools.

Ward was a Polk County Republican. She served in the Iowa Senate from 2004 until 2012, during the 80th, 81st, 82nd, 83rd, and 84th General Assemblies.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF IOWA: That in the passing of the Honorable Pat Ward, the State has lost an honored citizen and faithful and useful public servant, and that the Senate by this resolution expresses its appreciation of her service to the State and tenders its sympathy and kindest regards to the members of her family.

BE IT FURTHER RESOLVED: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

MATT McCOY
CHARLES SCHNEIDER
BRAD ZAUN
Committee

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WHITVER, JACK — Senator, 19th District; Republican

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