

State of Iowa

**JOURNAL
OF THE HOUSE**

**2012
REGULAR SESSION
EIGHTY-FOURTH
GENERAL ASSEMBLY**

**Convened – January 9, 2012
Adjourned – May 9, 2012**

Volume I

**TERRY E. BRANSTAD, Governor
KRAIG PAULSEN, Speaker of the House
JOHN P. KIBBIE, President of the Senate**

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Des Moines*

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OFFICERS OF THE HOUSE

**EIGHTY-FOURTH GENERAL ASSEMBLY
2012 Regular Session**

- PAULSEN, KRAIG *Speaker of the House*
- KAUFMANN, JEFF (Term ended May 8, 2012) *Speaker Pro Tempore*
- OLSON, STEVEN N. (Term began May 8, 2012) *Speaker Pro Tempore*
- UPMEYER, LINDA L. *Majority Leader*
- HELLAND, ERIK *Majority Whip*
- DEYOE, DAVE *Assistant Majority Leader*
- LUKAN, STEVEN F. (Term ended May 29, 2012). *Assistant Majority Leader*
- ROGERS, WALT (Term began May 8, 2012) *Assistant Majority Leader*
- SCHULTE, RENEE *Assistant Majority Leader*
- SMITH, JEFF (Term began May 8, 2012)..... *Assistant Majority Leader*
- WINDSCHITL, MATT W. *Assistant Majority Leader*
- MCCARTHY, KEVIN M. *Minority Leader*
- ABDUL-SAMAD, AKO *Assistant Minority Leader*
- MASCHER, MARY *Assistant Minority Leader*
- RUNNING-MARQUARDT, KIRSTEN *Assistant Minority Leader*
- SMITH, MARK. *Assistant Minority Leader*
- SMITHSON, W. CHARLES *Chief Clerk*

- ALBRECHT, JOSIE..... *Communications Director House Republicans*
- ANDERSON, LON..... *Republican Senior Deputy Caucus Staff Director*
- BALDERSON, STEVE..... *Assistant Sergeant-at-Arms*
- BENNETT, ROBIN..... *Administrative Services Officer*
- BLYTHE, DUSTIN *Republican Legislative Research Analyst*
- BRAUN, MARY..... *Democratic Senior Deputy Caucus Staff Director*
- BRONSINK, KELLY *Senior Finance Officer III*
- BROWN, DARRELL *Doorkeeper*

BURGET, DIANE	<i>Recording Clerk II</i>
CHAPMAN, JASON	<i>Republican Legislative Research Analyst I</i>
DOLAN, MOLLY	<i>Administrative Services Officer</i>
EPLEY, DAVID.....	<i>Democratic Senior Legislative Research Analyst</i>
FIIHR, DEAN	<i>Communications Director House Democrats</i>
FREEL, AMANDA.....	<i>Republican Legislative Research Analyst</i>
FREELAND, BILL.....	<i>Democratic Legislative Research Analyst II</i>
FURLONG, ZEKE	<i>Democratic Legislative Research Analyst III</i>
GILDE, JOE.....	<i>Democratic Senior Caucus Secretary</i>
HALL, JACK.....	<i>Chief Doorkeeper</i>
HINCH, MATT.....	<i>Administrative Assistant III to Speaker</i>
HYATT-CROZIER, ANNA.....	<i>Democratic Senior Legislative Research Analyst</i>
JENNINGS, JILL	<i>Republican Caucus Secretary</i>
JENNINGS, SUE.....	<i>Senior Administrative Services Officer</i>
KENLINE, KATHERINE.....	<i>Administrative Services Officer</i>
KIELHORN, KRISTI.....	<i>Republican Legislative Research Analyst</i>
KNAPP, TIM.....	<i>Doorkeeper</i>
LEWIS, ANGIE.....	<i>Confidential Secretary to Majority Leader</i>
MAURO, FRANK.....	<i>Doorkeeper</i>
METZGER, FRANK.....	<i>Doorkeeper</i>
MEYER, BRIAN.....	<i>Legal Counsel to Minority Leader</i>
MITCHELL, JEFFREY	<i>Republican Senior Caucus Staff Director</i>
OLSON, LEWIS.....	<i>Republican Senior Legislative Research Analyst</i>
PHILLIPS, TONY	<i>Administrative Assistant III to Majority Leader</i>
REX, DEB.....	<i>Senior Finance Officer III</i>
ROMANO, JOE.....	<i>Democratic Senior Caucus Staff Director</i>
SCHALL, KELLY	<i>Switchboard Operator</i>
SCHRADER, DAVE.....	<i>Senior Administrative Assistant to Minority Leader</i>
SKEFFINGTON, JOAN.....	<i>Bill Clerk</i>
SKEFFINGTON, KAROL.....	<i>Switchboard Operator</i>

STEINKE, TERRI.....	<i>Confidential Secretary to Speaker/Majority Leader</i>
TERRELL, DOREEN.....	<i>Administrative Services Officer III</i>
THOMAS, RACHELLE.....	<i>Democratic Legislative Research Analyst I</i>
TROW, BRADLEY.....	<i>Republican Senior Legislative Research Analyst</i>
VAN WYK, MEGHAN.....	<i>Assistant Chief Clerk II</i>
VANDER STREEK, LOUIS.....	<i>Republican Legislative Research Analyst</i>
VANDERPLOEG, SARAH.....	<i>Supervisor of Secretaries I</i>
WALLING, WILLIAM.....	<i>Postmaster</i>
WEDERQUIST, DONALD.....	<i>Sergeant-at-Arms</i>
WEDERQUIST, JOSH.....	<i>Doorkeeper</i>
WENTZ, KRIS.....	<i>Administrative Services Officer III</i>

JOINT EMPLOYEES OF THE HOUSE AND SENATE

BACUS, KATHLEEN.....	<i>Legislative Security Officer I</i>
BUNKERS, ZACHARY L.....	<i>Conservation/Restoration Specialist II</i>
CORNWELL, ROBERT W.....	<i>Legislative Security Officer I</i>
FERGUSON, SHAWNA S.....	<i>Legislative Security Coordinator II</i>
GROVES, SAMUEL L.....	<i>Legislative Security Officer I</i>
MAHAN, HANNAH.....	<i>Assistant Copy Center Operator</i>
LUNDBERG, MARK S.....	<i>Conservation/Restoration Manager</i>
MALONE, BARBARA A.....	<i>Legislative Security Officer I</i>
MCCURDY, GERALD.....	<i>Legislative Security Officer I</i>
ROACH, SHIRLEY.....	<i>Senior Copy Center Operator</i>
SCHNELL, KERT J.....	<i>Legislative Security Officer I</i>
SCOTT, CURTIS L.....	<i>Legislative Security Officer I</i>
SKEFFINGTON, GORDON M.....	<i>Legislative Security Officer I</i>
SKEFFINGTON, LEO R.....	<i>Legislative Security Officer I</i>
TAYLOR, RICHARD D.....	<i>Legislative Security Officer I</i>
WILLEMSSEN, MARK L.....	<i>Senior Facilities Manager</i>
WILSON, GABRIEL S.....	<i>Legislative Security Officer I</i>

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
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

ROSEMARY SHAW SACKETT, <i>Chief Judge</i>	Okoboji
DAVID DANILSON, <i>Judge</i>	Boone
RICHARD H. DOYLE, <i>Judge</i>	Des Moines
LARRY J. EISENHAUER, <i>Judge</i>	Ankeny
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 HOUSE

EIGHTY-FOURTH GENERAL ASSEMBLY 2012 Regular Session

(Italicized county indicates the county of residence.)

ABDUL-SAMAD, AKO (D)

Residence.....Des Moines
 OccupationCEO, Creative Visions
 Legislative Service..... 82nd, 83rd, 84th
 Representative District 66-*Polk*

ALONS, DWAYNE A. (R)

Residence.....Hull
 OccupationFarmer
 Legislative Service.....78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District4-Lyon, *Sioux*

ANDERSON, RICHARD T. (R)

Residence.....Clarinda
 OccupationAttorney
 Legislative Service..... 81st, 82nd, 83rd, 84th
 Representative District97-Fremont, Mills, *Page*

ARNOLD, RICHARD D. (R)

Residence.....Russell
 OccupationFarmer/Truck Driver Owner/Operator
 Legislative Service.....76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District72-*Lucas*, Mahaska, Marion, Monroe

BALTIMORE, CHIP (R)

Residence.....Boone
 OccupationAttorney/General Counsel
 Legislative Service.....84th
 Representative District48-*Boone*, Dallas

BAUDLER, CLEL E. (R)

Residence.....Greenfield
 OccupationRetired State Trooper/Farmer
 Legislative Service.....78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District58-*Adair*, Audubon, Cass, Guthrie

BERRY, DEBORAH L. (D)

Residence.....Waterloo
 Occupation
 Legislative Service.....80th, 81st, 82nd, 83rd, 84th
 Representative District22-*Black Hawk*

BRANDENBURG, MARK A. (R)

Residence.....Council Bluffs
 OccupationRetired Adjunct Instructor IWCC/Retired HR Professional-Electric Utility
 Legislative Service.....84th
 Representative District100-*Pottawattamie*

BYRNES, JOSH (R)

Residence.....Osage
 Occupation
 Legislative Service.....84th
 Representative District14-Cerro Gordo, Floyd, Howard, *Mitchell*

CHAMBERS, ROYD E. (R)

Residence..... Sheldon
Occupation Educator/Member-Iowa Air National Guard
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 5-Clay, *O'Brien*, *Osceola*, *Sioux*

COHOON, DENNIS M. (D)

Residence..... Burlington
Occupation Retired Special Education Teacher
Legislative Service..... 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 88-*Des Moines*

COWNIE, PETER (R)

Residence..... West Des Moines
Occupation President-Jr. Achievement of Central Iowa
Legislative Service..... 83rd, 84th
Representative District 60-*Polk*

DE BOEF, BETTY R. (R)

Residence..... What Cheer
Occupation
Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 76-Iowa, *Keokuk*, *Poweshiek*, *Tama*

DEYOE, DAVE (R)

Residence..... Nevada
Occupation Farmer
Legislative Service..... 82nd, 83rd, 84th
Representative District 10-Hamilton, *Story*

DOLECHECK, CECIL (R)

Residence..... Mount Ayr
Occupation Farmer
Legislative Service..... 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 96-Adams, *Montgomery*, *Ringgold*, *Taylor*, *Union*

DRAKE, JACK (R)

Residence..... Griswold
Occupation Farmer
Legislative Service..... 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 57-*Cass*, *Pottawattamie*, *Shelby*

FORRISTALL, GREG (R)

Residence..... Macedonia
Occupation Farmer
Legislative Service..... 82nd, 83rd, 84th
Representative District 98-Mills, *Pottawattamie*

FRY, JOEL (R)

Residence..... Osceola
Occupation Therapist/Educator/Consultant/Speaker
Legislative Service..... 84th
Representative District 95-*Clarke*, *Decatur*, *Union*

GAINES, RUTH ANN (D)

Residence..... Des Moines
Occupation
Legislative Service..... 84th
Representative District 65-*Polk*

GARRETT, JULIAN B. (R)

Residence..... Indianola
Occupation Farmer/Attorney
Legislative Service..... 84th
Representative District 73-Dallas, *Madison*, *Warren*

GASKILL, MARY (D)

Residence..... Ottumwa
 Occupation Retired County Auditor
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 93-*Wapello*

GRASSLEY, PAT (R)

Residence..... New Hartford
 Occupation Farmer
 Legislative Service..... 82nd, 83rd, 84th
 Representative District 17-Bremer, *Butler*

HAGENOW, CHRIS (R)

Residence..... Windsor Heights
 Occupation Attorney
 Legislative Service..... 83rd, 84th
 Representative District 59-*Polk*

HAGER, BOB (R)

Residence..... Dorchester
 Occupation
 Legislative Service..... 84th
 Representative District 16-*Allamakee*, *Winneshiek*

HALL, CHRIS (D)

Residence..... Sioux City
 Occupation
 Legislative Service..... 84th
 Representative District 2-*Woodbury*

HANSON, CURT (D)

Residence..... Fairfield
 Occupation Retired Teacher
 Legislative Service..... *83rd, 84th
 Representative District 90-*Jefferson*, *Van Buren*, *Wapello*
 *Elected in Special Election September 1, 2009

HANUSA, MARY ANN (R)

Residence..... Council Bluffs
 Occupation High School Administrator
 Legislative Service..... 84th
 Representative District 99-*Pottawattamie*

HEATON, DAVID E. (R)

Residence..... Mount Pleasant
 Occupation Retired Restaurateur
 Legislative Service..... 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 91-*Henry*, *Lee*

HEDDENS, LISA K. (D)

Residence..... Ames
 Occupation
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 46-*Boone*, *Story*

HEIN, LEE (R)

Residence..... Monticello
 Occupation Business Owner
 Legislative Service..... 84th
 Representative District 31-*Dubuque*, *Jones*

HELLAND, ERIK (R)

Residence..... Johnston
 Occupation Banker
 Legislative Service..... 83rd, 84th
 Representative District 69-*Polk*

HORBACH, LANCE J. (R)

Residence..... Tama
Occupation Insurance
Legislative Service..... 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 40-Grundy, Tama

HUNTER, BRUCE L. (D)

Residence..... Des Moines
Occupation
Legislative Service..... *80th, 81st, 82nd, 83rd, 84th
Representative District 62-Polk
*Elected in Special Election February 11, 2003

HUSEMAN, DANIEL ADAIR (R)

Residence..... Aurelia
Occupation Farmer
Legislative Service..... 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 53-Cherokee, Plymouth, Woodbury

ISENHART, CHARLES (D)

Residence..... Dubuque
Occupation President-Common Good Services/Sports Official
Legislative Service..... 83rd, 84th
Representative District 27-Dubuque

IVERSON, STEWART, JR. (R)

Residence..... Clarion
Occupation
Legislative Service..... House: *73rd, 74th, 75th, 84th; Senate: 76th, 77th, 78th, 79th, 80th, 81st
Representative District 9-Franklin, Hamilton, Webster, Wright
*Elected in Special Election November 7, 1989

JACOBY, DAVE J. (D)

Residence..... Coralville
Occupation Self-Employed/Small Business
Legislative Service..... *80th, 81st, 82nd, 83rd, 84th
Representative District 30-Johnson
*Elected in Special Election August 26, 2003

JORGENSEN, RON (R)

Residence..... Sioux City
Occupation Vice President for Business and Finance-Morningside College
Legislative Service..... 84th
Representative District 54-Woodbury

KAJTAZOVIC, ANESA (D)

Residence..... Waterloo
Occupation
Legislative Service..... 84th
Representative District 21-Black Hawk

KAUFMANN, JEFF (R)

Residence..... Wilton
Occupation Teacher/Livestock Operator
Legislative Service..... 81st, 82nd, 83rd, 84th
Representative District 79-Cedar, Johnson, Muscatine

KEARNS, JERRY A. (D)

Residence..... Keokuk
Occupation Staff Representative-United Steelworkers Union
Legislative Service..... 83rd, 84th
Representative District 92-Lee

KELLEY, DAN (D)

Residence..... Newton
 Occupation Realtor/Small Business Owner-DJ Service
 Legislative Service..... 84th
 Representative District 41-*Jasper*

KLEIN, JARAD (R)

Residence..... Keota
 Occupation Family Farmer
 Legislative Service..... 84th
 Representative District 89-*Jefferson, Johnson, Washington*

KOESTER, KEVIN (R)

Residence..... Ankeny
 Occupation School Administrator
 Legislative Service..... 83rd, 84th
 Representative District 70-*Polk*

KRESSIG, BOB M. (D)

Residence..... Cedar Falls
 Occupation Retired-John Deere
 Legislative Service..... 81st, 82nd, 83rd, 84th
 Representative District 19-*Black Hawk*

LENSING, VICKI S. (D)

Residence..... Iowa City
 Occupation Funeral Home Owner
 Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 78-*Johnson*

LOFGREN, MARK S. (R)

Residence..... Muscatine
 Occupation Investment Sales
 Legislative Service..... 84th
 Representative District 80-*Muscatine*

LUKAN, STEVEN F. (R)

Residence..... New Vienna
 Occupation Account Executive-English and Associates
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 32-*Delaware, Dubuque*

LYKAM, JIM (D)

Residence..... Davenport
 Occupation Legislator
 Legislative Service..... 73rd, 80th, 81st, 82nd, 83rd, 84th
 Representative District 85-*Scott*

MASCHER, MARY (D)

Residence..... Iowa City
 Occupation Retired Teacher
 Legislative Service..... 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 77-*Johnson*

MASSIE, GLEN H. (R)

Residence..... Des Moines
 Occupation
 Legislative Service..... 84th
 Representative District 74-*Warren*

MCCARTHY, KEVIN M. (D)

Residence..... Des Moines
 Occupation Attorney
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 67-*Polk*

REPRESENTATIVES

MILLER, HELEN (D)

Residence..... Fort Dodge
Occupation Attorney/Arts Educator/Principal Rellim Group, LLC
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 49-*Webster*

MILLER, LINDA J. (R)

Residence..... Bettendorf
Occupation Retired Registered Nurse
Legislative Service..... 82nd, 83rd, 84th
Representative District 82-*Scott*

MOORE, BRIAN (R)

Residence..... Zwingle
Occupation Farmer/Truck Driver
Legislative Service..... 84th
Representative District 25-Clinton, Dubuque, *Jackson*

MUHLBAUER, DAN (D)

Residence..... Manilla
Occupation Farmer
Legislative Service..... 84th
Representative District 51-Carroll, *Crawford, Sac*

MURPHY, PATRICK J. (D)

Residence..... Dubuque
Occupation
Legislative Service..... *73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 28-*Dubuque*
*Elected in Special Election September 26, 1989

OLDSON, JO (D)

Residence..... Des Moines
Occupation
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 61-*Polk*

OLSON, RICK (D)

Residence..... Des Moines
Occupation Attorney
Legislative Service..... 81st, 82nd, 83rd, 84th
Representative District 68-*Polk*

OLSON, STEVEN N. (R)

Residence..... DeWitt
Occupation Farmer
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 83-*Clinton, Scott*

OLSON, TYLER (D)

Residence..... Cedar Rapids
Occupation Small Business Owner
Legislative Service..... 82nd, 83rd, 84th
Representative District 38-*Linn*

PAULSEN, KRAIG (R)

Residence..... Hiawatha
Occupation Attorney
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 35-*Linn*

PAUSTIAN, ROSS C. (R)

Residence..... Walcott
Occupation Farmer
Legislative Service..... 84th
Representative District 84-*Scott*

PEARSON, KIM (R)

Residence..... Pleasant Hill
 Occupation Retired Attorney/Home Educator
 Legislative Service..... 84th
 Representative District 42-Jasper, Polk

PETERSEN, JANET (D)

Residence..... Des Moines
 Occupation Marketing Communications Consultant
 Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 64-Polk

PETTENGILL, DAWN E. (R)

Residence..... Mount Auburn
 Occupation Legislator
 Legislative Service..... 81st, 82nd, 83rd, 84th
 Representative District 39-Benton, Iowa

QUIRK, BRIAN J. (D)

Residence..... New Hampton
 Occupation Electrical Contractor
 Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 15-Chickasaw, Howard, Winneshiek

RAECKER, J. SCOTT (R)

Residence..... Urbandale
 Occupation Executive Director-Institute for Character Development
 Legislative Service..... 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 63-Polk

RASMUSSEN, DAN (R)

Residence..... Independence
 Occupation
 Legislative Service..... 80th, 81st, 82nd, 84th
 Representative District 23-Black Hawk, Buchanan, Fayette

RAYHONS, HENRY V. (R)

Residence..... Garner
 Occupation Semi-Retired Farmer
 Legislative Service..... 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 11-Hancock, Winnebago, Worth

ROGERS, WALT (R)

Residence..... Cedar Falls
 Occupation Leadership Consultant/Event Planner
 Legislative Service..... 84th
 Representative District 20-Black Hawk

RUNNING-MARQUARDT, KIRSTEN (D)

Residence..... Cedar Rapids
 Occupation
 Legislative Service..... *83rd, 84th
 Representative District 33-Linn
 *Elected in Special Election November 24, 2009

SANDS, THOMAS R. (R)

Residence..... Wapello
 Occupation Bank Officer/Real Estate Appraiser/Farm Owner
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 87-Des Moines, Louisa, Muscatine

SCHULTE, RENEE (R)

Residence..... Cedar Rapids
 Occupation Strategic Planning Consultant-Four Oaks, Inc.
 Legislative Service..... 83rd, 84th
 Representative District 37-Linn

SCHULTZ, JASON (R)

Residence..... Schleswig
Occupation Farmer
Legislative Service..... 83rd, 84th
Representative District 55-Crawford, Ida, Monona, Woodbury

SHAW, TOM W. (R)

Residence..... Laurens
Occupation
Legislative Service..... 84th
Representative District 8-Humboldt, Kossuth, Pocahontas, Webster

SMITH, JEFF (R)

Residence..... Okoboji
Occupation Retired Banker
Legislative Service..... 84th
Representative District 6-Clay, Dickinson

SMITH, MARK (D)

Residence..... Marshalltown
Occupation Licensed Independent Social Worker
Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 43-Marshall

SODERBERG, CHUCK (R)

Residence..... Le Mars
Occupation Vice President-Planning and Legislative Services-NW Iowa Power Cooperative
Legislative Service..... 81st, 82nd, 83rd, 84th
Representative District 3-Plymouth, Sioux

STECKMAN, SHARON S. (D)

Residence..... Mason City
Occupation Retired Educator
Legislative Service..... 83rd, 84th
Representative District 13-Cerro Gordo

SWAIM, KURT (D)

Residence..... Bloomfield
Occupation Lawyer
Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
Representative District 94-Appanoose, Davis, Wayne

SWEENEY, ANNETTE (R)

Residence..... Alden
Occupation Farmer/Publisher
Legislative Service..... 83rd, 84th
Representative District 44-Franklin, Hardin, Marshall

TAYLOR, JEREMY (R)

Residence..... Sioux City
Occupation Educator
Legislative Service..... 84th
Representative District 1-Woodbury

TAYLOR, TODD E. (D)

Residence..... Cedar Rapids
Occupation AFSCME Representative
Legislative Service..... *76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
Representative District 34-Linn

*Elected in Special Election June 27, 1995

THEDE, PHYLLIS (D)

Residence..... Bettendorf
Occupation
Legislative Service..... 83rd, 84th
Representative District 81-Scott

THOMAS, ROGER (D)

Residence..... Elkader
 Occupation Executive Director-Elkader Development Corporation/Main Street Elkader
 Legislative Service..... 77th, 78th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 24-Clayton, Delaware, Fayette

TJEPKES, DAVID A. (R)

Residence..... Gowrie
 Occupation Retired State Trooper
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 50-Calhoun, Greene, Webster

UPMEYER, LINDA L. (R)

Residence..... Garner
 Occupation Nurse Practitioner
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 12-Cerro Gordo, Franklin, Hancock

VAN ENGELENHOVEN, JAMES (R)

Residence..... Pella
 Occupation Farmer
 Legislative Service..... 78th, 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 71-Jasper, Marion

VANDER LINDEN, GUY (R)

Residence..... Oskaloosa
 Occupation Retired Marine
 Legislative Service..... 84th
 Representative District 75-Mahaska, Poweshiek

WAGNER, NICK (R)

Residence..... Marion
 Occupation Electrical Engineer
 Legislative Service..... 83rd, 84th
 Representative District 36-Linn

WATTS, RALPH C. (R)

Residence..... Adel
 Occupation Retired Engineer
 Legislative Service..... 80th, 81st, 82nd, 83rd, 84th
 Representative District 47-Boone, Dallas

WENTHE, ANDREW J. (D)

Residence..... West Union
 Occupation Vice President External Affairs-Upper Iowa University
 Legislative Service..... 82nd, 83rd, 84th
 Representative District 18-Black Hawk, Bremer, Fayette

WESSEL-KROESCHELL, BETH (D)

Residence..... Ames
 Occupation Legislator
 Legislative Service..... 81st, 82nd, 83rd, 84th
 Representative District 45-Story

WILLEMS, NATHAN (D)

Residence..... Lisbon
 Occupation Attorney
 Legislative Service..... 83rd, 84th
 Representative District 29-Johnson, Linn

WINCKLER, CINDY L. (D)

Residence..... Davenport
 Occupation Educational Consultant
 Legislative Service..... 79th, 80th, 81st, 82nd, 83rd, 84th
 Representative District 86-Scott

REPRESENTATIVES

WINDSCHITL, MATT W. (R)

Residence..... Missouri Valley
Occupation Gunsmith/Conductor-Union Pacific Railroad
Legislative Service..... 82nd, 83rd, 84th
Representative District 56-*Harrison*, Monona, Pottawattamie

WITTNEBEN, JOHN (D)

Residence..... Estherville
Occupation Land Surveyor
Legislative Service..... 84th
Representative District 7-*Emmet*, Kossuth, Palo Alto

WOLFE, MARY (D)

Residence..... Clinton
Occupation
Legislative Service..... 84th
Representative District 26-*Clinton*

WORTHAN, GARY (R)

Residence..... Storm Lake
Occupation Farmer
Legislative Service..... *82nd, 83rd, 84th
Representative District 52-*Buena Vista*, Sac

*Elected in Special Election December 12, 2006

JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 9, 2012

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the House of Representatives of the Eighty-fourth General Assembly of Iowa, 2012 Regular Session, convened at 10:01 a.m., Monday, January 9, 2012.

The House was called to order by the Honorable Kraig Paulsen, Speaker of the House.

Prayer was offered by Pastor Darin Whiting, Liberty Baptist Church, Marion and Volunteer Chaplain for the Iowa State Patrol. He was the guest of Speaker Paulsen.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by central Iowa recruits for the United State Marine Corps.

The Journal of Thursday, June 30, 2011, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Byrnes of Mitchell

Miller, L. of Scott

COMMITTEE TO NOTIFY THE GOVERNOR

Horbach of Tama moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication that he may desire to transmit.

The motion prevailed and the following committee was appointed: Horbach of Tama, Chair; Jorgensen of Woodbury and Hanson of Jefferson.

COMMITTEE TO NOTIFY THE SENATE

Moore of Jackson moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication that the Senate may desire to transmit.

The motion prevailed and the following committee was appointed: Moore of Jackson, Chair; Lukan of Dubuque and Kajtazovic of Black Hawk.

INTRODUCTION OF BILLS

House File 2001, by Willems, a bill for an act transferring certain duties of the board of educational examiners to the department of education, making an appropriation, providing for properly related matters, and including effective date provisions.

Read first time and referred to committee on **education**.

House File 2002, by Willems, a bill for an act relating to the residency requirements of a full-time associate juvenile judge.

Read first time and referred to committee on **judiciary**.

House File 2003, by Willems, a bill for an act relating to the commission of trespass while taking the shed antlers of a deer and providing for civil and criminal penalties.

Read first time and referred to committee on **judiciary**.

House File 2004, by Baltimore, a bill for an act providing for an exception to municipal tort liability for claims arising from sledding on municipality-controlled property.

Read first time and referred to committee on **judiciary**.

House File 2005, by Baltimore, a bill for an act relating to the retention of funds due to contractors on public improvements.

Read first time and referred to committee on **labor**.

House File 2006, by Baltimore, a bill for an act relating to the membership of county and city conference boards.

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

House File 2007, by Willems, a bill for an act allowing the use of a leashed dog to retrieve a wounded deer and providing a penalty.

Read first time and referred to committee on **natural resources**.

House File 2008, by Isenhart, a bill for an act relating to locker plants for purposes of property taxation and including applicability provisions.

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

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Horbach of Tama, Chair of the committee to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Moore of Jackson, Chair of the committee to notify the Senate that the House was duly organized and ready to receive any communication that the Senate might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 101

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of the following House Concurrent Resolution, and moved its adoption.

HOUSE CONCURRENT RESOLUTION 101

BY PAULSEN and McCARTHY

- 1 A concurrent resolution to provide for a joint
2 convention.
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
4 SENATE CONCURRING, That a joint convention of the two
5 houses of the 2012 session of the Eighty-fourth General
6 Assembly be held on Tuesday, January 10, 2012, at 10:00
7 a.m.; and
8 BE IT FURTHER RESOLVED, That Governor Terry E.
9 Branstad be invited to deliver his condition of the
10 state address at this joint convention of the two
11 houses of the General Assembly, and that the Speaker of
12 the House of Representatives and the President of the
13 Senate be designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 102

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of the following House Concurrent Resolution, and moved its adoption.

HOUSE CONCURRENT RESOLUTION 102

BY PAULSEN and McCARTHY

- 1 A concurrent resolution to provide for a joint
2 convention.
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
4 SENATE CONCURRING, That a joint convention of the two
5 houses of the 2012 session of the Eighty-fourth General
6 Assembly be held on Wednesday, January 11, 2012, at
7 10:00 a.m.; and
8 BE IT FURTHER RESOLVED, that Chief Justice Mark Cady
9 be invited to present his message of the condition of
10 the judicial branch at this convention, and recommend
11 such matters as the Chief Justice deems expedient,
12 pursuant to section 602.1207 of the Code of Iowa.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 103

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of the following House Concurrent Resolution, and moved its adoption.

HOUSE CONCURRENT RESOLUTION 103

BY PAULSEN and McCARTHY

- 1 A concurrent resolution to provide for a joint
- 2 convention.
- 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
- 4 SENATE CONCURRING, That a joint convention of the two
- 5 houses of the 2012 session of the Eighty-fourth General
- 6 Assembly be held on Wednesday, January 18, 2012, at
- 7 10:00 a.m.; and
- 8 BE IT FURTHER RESOLVED, That Adjutant General
- 9 Timothy Orr be invited to present his message of
- 10 the Condition of the Iowa National Guard at this
- 11 convention.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 101, 102 and 103.**

SPECIAL PRESENTATION

Mascher of Johnson introduced to the House the Honorable United States Congressman David Loeb sack.

The House rose and expressed its welcome.

REMARKS BY THE MINORITY LEADER

McCarthy of Polk addressed the House as follows:

Thank you Mr. Speaker.

Mr. Speaker, Ladies, and Gentleman of the House.

Welcome back to all the members. Mr. Speaker, over the last several years both in Iowa and nationally we have seen a deterioration in the civility of our political discourse. In our national congress, gridlock and partisanship have become the norm; because of this they seem incapable of coming together to solve our nation's problems.

Here in Iowa last session, too often this chamber mirrored Congress. Because of the agenda that was pursued, Iowans were faced with week after week of partisan divisive debates on issues that tear at the very fabric of our society.

That's the bad news, now for the good news. It doesn't have to be that way here. We have shown time and time again that we can come together for the common good. We are Iowans. This year's legislative session does not have to be a repeat of last year.

House Democrats are ready to turn the page; we are ready, willing and able to work in a bipartisan fashion to focus on the important issues before us. To the credit of the Republican leaders, the tone and rhetoric going into this session has been much more positive and House Democrats have enjoyed working with you this last interim on a series of important issues. Let's continue that productive work as we begin this new session.

This session, House Democrats want to focus on creating jobs and working with the majority party in a bipartisan way. House Democrats are going to show up to work every day with a singular focus: standing up and fighting for those Iowans who work hard, play by the rules, and only ask to be treated fairly.

Mr. Speaker, Democrats are ready to go to work.

Thank you.

REMARKS BY THE MAJORITY LEADER

Upmeyer of Hancock addressed the House as follows:

Thank you, Mr. Speaker.

Mr. Speaker, Ladies and Gentlemen of the House and to all who are listening and watching, welcome back to the Iowa House of Representatives.

It is an honor to be here today, in this beautiful chamber to do the work of the great people of Iowa. The excitement of the opening day of session never seems to fade, and this year is no exception... I am excited to be back. I know you share my anticipation of the session before us.

With such a short interim, many of you probably feel like you never left. Some of you are probably wondering whether you can plan a family vacation this June... Well I sure hope so!

But make no mistake; we remain resolved to complete the job that hardworking Iowans sent us here to do.

A year ago I stood here with a warning... a reminder that we pay attention to the wavering confidence the public has in their elected officials. Then and now, we should be mindful that we were not sent here to "bicker" with each other, or to simply kick the can down the road. We are not here to be at war with ourselves like they are in Washington.

Iowans expect their representatives to listen and be accountable. When there is a problem, we address it. Iowans can be proud that we come together and deliver results.

The process may have taken longer last session, but it is results for which we will be judged, and when it comes to results, Iowans can be proud. We faced a billion dollar budget gap last year due to overspending and the use of one-time money for ongoing expenses, but we worked hard to pass a budget that puts us on a healthy path long-term. We eliminated budgeting gimmicks and passed a two year budget.

Most importantly, we held ourselves accountable to Iowans by making good on our commitment to not spend more than we take in. It is important that we recognize this for what it is though, a good start. We can do better.

I want families throughout Iowa to know we understand that they have had to make tough decisions when it comes to their budgets and their priorities. I believe they expect us to do the same.

Last year we established the Taxpayers Trust Fund. Excess revenues will go into the fund to be returned to the rightful owners, the taxpayers, instead of being used to inflate spending and grow government. This will create stability by curtailing rollercoaster budgeting which results in record spending one year and across-the-board cuts the next. We will fight any effort to scoop this fund.

We made a commitment to the hardworking taxpayers of Iowa that they would have their voices heard and be a priority as we make policy decisions. The Taxpayers Trust Fund is a huge step in the right direction, but we must continue to hold ourselves accountable and strive to do more.

Iowans deserve an efficient and effective government. Priorities must be addressed and waste eliminated. This means a constant review of programs to determine whether they are serving Iowans well and making good use of their tax dollars.

With that in mind, this Legislature has recognized that we can no longer avoid addressing the major issues facing Iowa's mental health and disability services system. During the interim, hundreds of Iowans were involved in an unprecedented effort to redesign our mental health system moving it into the 21st Century. We will adopt a new system that more fairly meets the needs of those served while protecting the property taxpayer.

There are real concerns over the effectiveness of the state's abuse registries. These registries are important and must serve Iowans well. We will address this problem in a way that balances the due process rights of those accused with the need to protect our children and dependent adults.

Nearly 60 percent of the state budget goes to fund our education system. We have made a genuine commitment to education in this state. Despite this investment, students are not achieving the outcomes they both deserve and need to compete in a global market place. For too long the approach to addressing this has been limited to increasing financial resources.

Businesses large and small have warned us that in order for them to grow, they need a well-educated and highly-skilled workforce. Governor Branstad showed leadership by calling on all Iowans to engage in revitalizing education. This session we will take a comprehensive look at how we can be more effective in educating our children.

This body has talked about property tax reform for as long as I have been here. Meanwhile the hardworking taxpayers of Iowa have been hurting. Over the last ten years school rates have increased 60%... county rates 64%... and city rates are up 74%. Over that same time period, personal income only grew 46%.

The simple truth is, we cannot continue down this path. We must fight for all classes of property taxpayers and avoid the ugly politics of pitting one group against the other. Businesses large and small are hurting from paying the second highest commercial property tax rate in the nation. Homeowners face years of increases due to current law on the rollback and past budgeting practices.

We need to listen to Iowans and job-creators who are telling us that this burden is a dark cloud casting doubt on the competitiveness of Iowa. We need to make a commitment to provide substantive and significant property tax relief and reform in which everyone benefits. Iowans want action on this, and we should respect their plea by committing ourselves to a renewed effort.

I often hear how well Iowa is doing compared to some of the other states. Our budget is healthier than most. Our debt is lower than most. Our unemployment rate is lower than most. But is that good enough? Don't Iowans expect more?

I believe in the endless pursuit of perfection. While we can never truly achieve perfection, if we strive for that goal, we will never fall in to the trap of settling for Iowa being merely "better than". I believe in Iowa's ability to not just be better than most. I believe that we can be the best.

Imagine an Iowa with the most robust job market in the nation. Imagine an Iowa with the healthiest and most stable budget in the nation. Imagine an Iowa with not just the best education system in the United States, but the best in the world. Imagine an Iowa that energizes innovation and investment with the most competitive tax and regulatory environment in the nation.

Imagine what these things would mean for the future of Iowa. An Iowa where job-creators want to invest and expand. Where our opportunities are only exceeded by our abilities.

This will not be easy and it will not happen overnight, but if we have the courage to provide leadership on these important issues, I believe we can renew that which makes Iowa such a special and blessed place.

With that in mind, let's get back to work.

Thank you, Mr. Speaker.

REMARKS BY THE SPEAKER

Speaker Paulsen addressed the House as follows:

Welcome back to all for the second session of the Eighty-Fourth General Assembly. A warm welcome to family, friends and all Iowans who are with us here today.

One year ago many of you were brand new to the House, taking the oath of office for the first time; swearing to support the Constitution of the United States, the Constitution of the State of Iowa, and to faithfully discharge the duties of a representative. After serving in one of the longest sessions recorded in the history of the State of Iowa, each one of you have gained a great deal of valuable experience. It's not just the amount of time you put in working toward solutions for Iowans, but also the relationships you built with Governor Branstad, the Senate, and each other that have contributed to this experience. And, after overcoming the various obstacles of last session to find common ground on many issues, I am confident that we will have a productive session that moves Iowa forward.

As we work our way through this session, it is important to maintain focus on why we are here, who we serve and who is in control. It is the 3 million people that make up the great state of Iowa that we work for. Their concerns deserve our respect and full attention and we must continue to incorporate their ideas and make it easier for them to participate in their government.

During the interim, we made decisions with these thoughts in mind. Today, I am pleased to officially introduce to you and more importantly – to the people of Iowa – the new Iowa House video streaming capability. Positioned throughout the chamber are video cameras. These cameras will, for the first time, provide Iowans the ability to access live video and audio of House floor debate and its proceedings through the internet. By implementing this system and providing more convenient access to the legislative process, we are increasing our accountability to Iowans by simply being more transparent and open.

Additionally, working with the Senate and the Legislative Services Agency, we have physically rearranged Capitol offices to create more space to conduct subcommittee and full committee meetings. For too long, important subcommittee meetings were held in over-crowded, noisy and generally inconvenient areas with limited space, making it difficult for members of the public to participate. Recognizing this problem we co-located offices and consolidated rarely used space to make more room for public meetings and public access. Beginning today Rooms 304, 304(1), and 308, all located upstairs behind the House chamber, are available for subcommittee meetings, full committee meetings and other public functions. It is my hope these changes will alleviate congestion in the building and create more opportunities for individuals to engage in the legislative process.

This session House Republicans will continue to advance policies to improve the economy and create an environment that encourages employers to keep and create jobs right here in Iowa. The top priority of this body should be to work together to ensure each Iowa family is better off this year than they were last year. By concentrating on three things every day – jobs, savings and certainty – we can achieve this goal.

Once again, we will attempt to overhaul Iowa's property tax system, saving money for all Iowa property owners. Now is the time for real and substantial property tax reform. Over the last ten years, the amount of property taxes paid by Iowans has increased by 1.75 billion dollars. Local budgets have grown as much as 74 percent during this time. Iowa families and Iowa employers are struggling with this burden and furthermore, it is impeding job growth. It is time for the Governor, the House and Senate; Republicans and Democrats to work together to provide Iowans with meaningful property tax relief. This will not be easy, and will require sacrifice from

everyone involved. We must break with the past and come up with bold solutions to this difficult issue. Local governments and the state must partner in this effort for it to be successful.

Last year, the House proved its sincerity in this regard by passing an increase in the state's share of the school foundation formula. House Republicans also insisted that the state fully fund all property tax credits. Thereby removing this burden from local governments and property owners. Now, it is time now for local governments to bring solutions to the table as well. If we are not removing taxing authority we will never achieve true tax relief. Everyone agrees we must reduce the property tax burden on Iowa employers in order to help create jobs. Quality jobs that will develop into careers. My hope, my expectation is that by the end of this session, we will have done so.

The last point I'll make regarding Iowans excessive property tax burden is this. Last year during property tax discussions many House members highlighted the concern of shifting taxes to Iowa's homeowners. This was mentioned by both Republicans and Democrats and the concern is a real one. But remember this also, simply voting no and standing on the sideline will cause one of the largest shifts in this state's history. The rollback has turned into the roll-up and the burden on homeowners is growing at a substantially faster rate than what their incomes are growing. We must address this. The bottom line is this: doing nothing is a huge tax increase on all Iowans.

We must also build upon the real progress we made last session on the budget and getting our fiscal house in order. Because of our good work, state government no longer spends more than it takes in. Instead of spending \$1.18 for each on-going dollar, we now spend less than 97 cents for each on going dollar. On-going expenses are now balanced with on-going revenue and we have reduced wasteful government spending. Make no mistake though, this job is not done and there continues to be more wasteful spending to root out. Saving taxpayer dollars is the right and the responsible thing to do. Iowans deserve and expect a state government that uses their dollars wisely and in the most effective and efficient manner possible. There is still much work to do in this area.

Currently, the federal government provides Iowa with approximately \$6 billion in aid each year. These resources are used for ongoing services many Iowans expect and rely upon. Because of the gridlock and uncertainty in Washington, DC, it is imperative we keep the state in a strong financial position because we do not know if all or any of that assistance will be there tomorrow.

This session, you will hear from those who want to grow government and spend more, you will hear that we have a "billion dollar surplus" at our disposal. This is not accurate. Currently, there is \$600 million in one-time cash reserve funds, which by law we are required to maintain, if for no other reason so that the state can make payments such as school aid and Medicaid on time. There is also \$250 million in a one-time ending balance left over from this current fiscal year. It is irresponsible and short-sighted to spend those one-time funds for ongoing services. Doing so would be to take a step backward and return to the bad budgeting practices of the past. House Republicans are committed to spending taxpayer dollars wisely and will continue working toward a responsible and efficient state government that does not spend more than we take in.

We will take additional steps to strengthen and provide certainty to Iowa's employers. So those businesses, the true job creators, can hire Iowans for positions and careers designed for the long haul. We must make sure state government is not getting in the way of job growth. Whether they are burdensome regulations or any other reason.

Last year, we sent a number of bipartisan measures over to the Senate aimed at moving Iowa's economy forward. In fact, 83 percent of the non-budget bills this chamber passed had bi-partisan support. Regrettably, few of these proposals received a fair hearing in the Senate. We hope Senators take a second look at the House Files pending in their chamber.

We must make progress towards resolving the issues that make our current mental health delivery system inefficient and less effective than Iowans deserve. This is a multi-year project, but I expect significant progress to be made here.

Governor Branstad has sent us a rather significant education reform package. I expect this body to give thoughtful consideration and move a proposal forward to the Senate. Iowa's K-12 education system is another area where Iowans have grown less satisfied and they expect us to find opportunities for improvement. Our system is very expensive and holds very little accountability for any of the participants. Every Iowa family deserves the opportunity for their child to receive the very best education possible.

Obviously there will be many other issues of concern this General Assembly will tackle. I trust that we will continue to do a thoughtful review of proposals and quality subcommittee and committee work.

I hope you are as optimistic and enthusiastic about this session as I am. We have the ability to do very positive things for the people of Iowa. With a little patience and commonsense, I am confident we will work with one another to make Iowa a better place to live and do business. It is what Iowans sent us here to do; they expect it and deserve it.

Thank you and let's get to work.

COMMITTEE FROM THE SENATE

Senator Courtney of Des Moines appeared and notified the House that the Senate was duly organized and ready to receive any communication that the House might desire to transmit.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for committees to meet upon adjournment.

COMMITTEE AND LEADERSHIP REVISIONS

The Speaker announced the following changes to the House committee assignments, effective September 27, 2011:

Steckman of Cerro Gordo replaced Willems of Linn on the committee on **education** as ranking member. Both will remain on the committee.

The Speaker announced the following changes to leadership and to the House committee assignments, effective November 2, 2011:

Running-Marquardt of Linn replaced Steckman of Cerro Gordo as **assistant minority leader**.

Running-Marquardt of Linn replaced Isenhardt of Dubuque on the committee on **administration and rules**.

Steckman of Cerro Gordo was removed from the committee on **administration and rules**.

Isenhardt of Dubuque replaced Thede of Scott on the committee on **environmental protection** as ranking member. Both will remain on the committee.

Thede of Scott replaced Kelley of Jasper on the committee on **ethics** as ranking member. Both will remain on the committee.

Wolfe of Clinton replaced Swaim of Davis on the committee on **judiciary** as ranking member. Both will remain on the committee.

Kelley of Jasper replaced Wittneben of Emmet on the committee on **administration and regulation appropriations subcommittee**.

Kelley of Jasper replaced Gaskill of Wapello as ranking member on the committee on **administration and regulation appropriations subcommittee**. Both will remain on the committee.

Wittneben of Emmet replaced Hall of Woodbury on the committee on **agriculture and natural resources appropriations subcommittee**.

Muhlbauer of Crawford was named ranking member on the committee on **agriculture and natural resources appropriations subcommittee**.

Hall of Woodbury replaced Running-Marquardt of Linn on the committee on **economic development appropriations subcommittee**.

Hall of Woodbury was named ranking member on the committee on **economic development appropriations subcommittee**.

Steckman of Cerro Gordo replaced Gaines of Polk on the committee on **education appropriations subcommittee**.

Gaines of Polk replaced Kelley of Jasper on the committee on **health and human services appropriations subcommittee**.

The Speaker announced the following changes to the House committee assignments, effective December 23, 2011:

Heddens of Story replaced Steckman of Cerro Gordo on the committee on **human resources**.

The Speaker announced the following changes to the House committee assignments, effective December 28, 2011:

Gaines of Polk replaced Berry of Black Hawk on the committee on **government oversight**.

Berry of Black Hawk replaced Gaines of Polk on the committee on **health and human services appropriations subcommittee**.

The Speaker announced the following changes to the House committee assignments, effective December 29, 2011:

Cohoon of Des Moines was named to the committee on **administration and rules**.

Wenthe of Fayette was named ranking member on the committee on **administration and rules**.

The Speaker announced the following changes to the House committee assignments, effective January 5, 2012:

Iverson of Wright replaced Pearson of Polk on the committee on **human resources**.

Baltimore of Boone replaced Pearson of Polk as vice chair on the committee on **judiciary**. Both will remain on the committee.

Pearson of Polk replaced Iverson of Wright on the committee on **local government**.

The Speaker announced the following changes to the House committee assignments, effective January 9, 2012:

Brandenburg of Pottawattamie replaced Forristall of Pottawattamie on the committee on **human resources**.

2012 COMMITTEE ASSIGNMENTS

The Speaker announced the following appointments to the standing committees of the House:

*Vice Chair
**Ranking Member

ADMINISTRATION AND RULES – 15 Members

Schulte, Chair	Cohoon	Mascher	Smith, M.
Deyoe*	Helland	McCarthy	Upmeyer
Wenthe**	Kaufmann	Paulsen	Windschitl
Abdul-Samad	Lukan	Running-Marquardt	

AGRICULTURE – 23 Members

Sweeney, Chair	Deyoe	Kelley	Rasmussen
Hein*	Dolecheck	Moore	Shaw
Miller, H.**	Drake	Muhlbauer	Swaim
Alons	Hanson	Olson, S.	Thomas
Baudler	Huseman	Paustian	Wenthe
De Boef	Ishhart	Quirk	

APPROPRIATIONS – 25 Members

Raecker, Chair	Garrett	Huseman	Schultz
Wagner*	Gaskill	Lukan	Taylor, T.
Olson, T.**	Hagenow	Murphy	Watts
Chambers	Hall	Rogers	Wenthe
Cohoon	Heaton	Running-Marquardt	Winckler
Dolecheck	Heddens	Schulte	Worthan
Drake			

COMMERCE – 23 Members

Soderberg, Chair	Horbach	Muhlbauer	Smith, J.
Baltimore*	Iverson	Oldson	Swaim
Quirk**	Jacoby	Olson, T.	Wagner
Brandenburg	Kajtazovic	Paustian	Watts
Fry	Kressig	Pettengill	Windschitl
Grassley	Lykam	Shaw	

ECONOMIC GROWTH/REBUILD IOWA – 21 Members

Grassley, Chair	De Boef	Lofgren	Schultz
Hanusa*	Hager	Lukan	Smith, J.
Thomas**	Hall	Miller, H.	Soderberg
Anderson	Heddens	Rasmussen	Steckman
Baltimore	Jacoby	Running-Marquardt	Wittneben
Byrnes			

EDUCATION – 23 Members

Forristall, Chair	Cohoon	Jorgensen	Pearson
Taylor, J.*	Cownie	Kelley	Schulte
Steckman**	Dolecheck	Koester	Sweeney
Abdul-Samad	Gaines	Lofgren	Willems
Byrnes	Hanson	Mascher	Winckler
Chambers	Hanusa	Miller, L.	

ENVIRONMENTAL PROTECTION – 21 Members

Olson, S., Chair	Dolecheck	Moore	Soderberg
Hager*	Hein	Paustian	Steckman
Isenhardt**	Kelley	Sands	Thede
Byrnes	Klein	Schultz	Wessel-Kroeschell
De Boef	Lensing	Smith, M.	Winckler
Deyoe			

ETHICS – 6 Members

Koester, Chair	Thede**	Smith, M.	Van Engelenhoven
Raecker*	Kelley		

GOVERNMENT OVERSIGHT – 9 Members

Hagenow, Chair	Baudler	Kressig	Pettengill
Baltimore*	Gaines	Pearson	Tjepkes
Petersen**			

HUMAN RESOURCES – 21 Members

Miller, L., Chair	Garrett	Jorgensen	Petersen
Fry*	Heaton	Koester	Schulte
Wessel-Kroeschell**	Heddens	Lofgren	Smith, M.
Abdul-Samad	Hunter	Mascher	Winckler
Anderson	Iverson	Massie	Wolfe
Brandenburg			

JUDICIARY – 21 Members

Anderson, Chair	Hagenow	Oldson	Smith, M.
Baltimore*	Heaton	Olson R.	Swaim
Wolfe**	Kaufmann	Olson, T.	Taylor, J.
Alons	Lensing	Pearson	Tjepkes
Gaines	Massie	Rogers	Wessel-Kroeschell
Garrett			

LABOR – 17 Members

Horbach, Chair	Forristall	Miller, L.	Schultz
Klein*	Hanusa	Moore	Taylor, T.
Hunter**	Jorgensen	Murphy	Watts
Brandenburg	Kearns	Running-Marquardt	Willems
Deyoe			

LOCAL GOVERNMENT – 21 Members

Wagner, Chair	Gaines	Kajtazovic	Rayhons
Smith, J.*	Gaskill	Kearns	Running-Marquardt
Wittneben**	Hager	Klein	Thede
Arnold	Helland	Kressig	Tjepkes
Baltimore	Horbach	Pearson	Van Engelenhoven
Berry			

NATURAL RESOURCES – 21 Members

Rayhons, Chair	Gaskill	Lukan	Sweeney
Smith, J.*	Hager	Lykam	Thede
Hanson**	Hall	Miller, H.	Van Engelenhoven
Arnold	Kelley	Rasmussen	Vander Linden
Baudler	Lofgren	Steckman	Wittneben
Fry			

PUBLIC SAFETY – 21 Members

Baudler, Chair	Brandenburg	Muhlbauer	Swaim
Shaw*	Fry	Olson, R.	Tjepkes
Kressig**	Gaines	Olson, S.	Windschitl
Abdul-Samad	Hagenow	Rayhons	Wolfe
Alons	Klein	Sands	Worthan
Berry			

STATE GOVERNMENT – 23 Members

Cownie, Chair	Helland	Kaufmann	Raecker
Vander Linden*	Hunter	Koester	Rogers
Lensing**	Isenhardt	Mascher	Schulte
Drake	Iverson	Massie	Taylor, T.
Gaskill	Jorgensen	Pettengill	Wenthe
Hein	Kajtazovic	Quirk	

TRANSPORTATION – 21 Members

Tjepkes, Chair	Hall	Pearson	Watts
Massie*	Hanson	Petersen	Wenthe
Lykam**	Huseman	Rasmussen	Windschitl
Arnold	Iverson	Rogers	Wolfe
Cohoon	Murphy	Van Engelenhoven	Worthan
Garrett			

VETERANS AFFAIRS – 15 Members

Chambers, Chair	Berry	Muhlbauer	Taylor, J.
Vander Linden*	Hanusa	Rayhons	Thomas
Kearns**	Heddens	Shaw	Wittneben
Alons	Lukan	Sweeney	

WAYS AND MEANS – 25 Members

Sands, Chair	Hein	Moore	Quirk
Byrnes*	Helland	Muhlbauer	Soderberg
Jacoby**	Isenhardt	Oldson	Taylor, J.
Cownie	Kajtazovic	Paustian	Thomas
De Boef	Kaufmann	Petersen	Vander Linden
Forristall	Kearns	Pettengill	Willems
Grassley			

HOUSE APPROPRIATIONS SUBCOMMITTEES**ADMINISTRATION AND REGULATION – 9 Members**

Watts, Chair	Gaskill	Iverson	Smith, J.
Rogers*	Hunter	Lensing	Wagner
Kelley**			

AGRICULTURE AND NATURAL RESOURCES – 9 Members

Drake, Chair	Alons	Miller, H.	Vander Linden
Paustian*	Lykam	Sweeney	Wittneben
Muhlbauer**			

ECONOMIC DEVELOPMENT – 9 Members

Schultz, Chair	Grassley	Hanusa	Jacoby
Lofgren*	Hager	Isenhart	Kajtazovic
Hall**			

EDUCATION – 9 Members

Dolecheck, Chair	Byrnes	Hanson	Steckman
Jorgensen*	Forristall	Massie	Willems
Winckler**			

HEALTH AND HUMAN SERVICES – 9 Members

Heaton, Chair	Berry	Miller, L.	Thede
Brandenburg*	Fry	Shaw	Wessel-Kroeschell
Heddens**			

JUSTICE SYSTEM – 9 Members

Worthan, Chair	Anderson	Horbach	Olson, R.
Garrett*	Hein	Kearns	Wolfe
Taylor, T.**			

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS – 9 Members

Huseman, Chair	Chambers	Oldson	Taylor, J.
Moore*	Klein	Quirk	Thomas
Cohoon**			

HOUSE COMMITTEE ASSIGNMENTS

Abdul-Samad, Ako	Administration and Rules Education Human Resources Public Safety
Alons, Dwayne	Agriculture Judiciary Public Safety Veterans Affairs Agriculture and Natural Resources, Appropriations Subcommittee
Anderson, Richard	Economic Growth/Rebuild Iowa Human Resources Judiciary, Chair Justice System, Appropriations Subcommittee

Arnold, Richard	Local Government Natural Resources Transportation
Baltimore, Chip	Commerce, Vice Chair Economic Growth/Rebuild Iowa Government Oversight, Vice Chair Judiciary, Vice Chair Local Government
Baudler, Clel	Agriculture Government Oversight Natural Resources Public Safety, Chair
Berry, Deborah	Local Government Public Safety Veterans Affairs Health and Human Services, Appropriations Subcommittee
Brandenburg, Mark	Commerce Human Resources Labor Public Safety Health and Human Services, Appropriations Subcommittee, Vice Chair
Byrnes, Josh	Economic Growth/Rebuild Iowa Education Environmental Protection Ways and Means, Vice Chair Education, Appropriations Subcommittee
Chambers, Royd	Appropriations Education Veterans Affairs, Chair Transportation, Infrastructure, and Capitals, Appropriations Subcommittee
Cphoon, Dennis	Administration and Rules Appropriations Education Transportation Transportation, Infrastructure, and Capitals, Appropriations Subcommittee, Ranking Member
Cownie, Peter	Education State Government, Chair Ways and Means

De Boef, Betty	Agriculture Economic Growth/Rebuild Iowa Environmental Protection Ways and Means
Deyoe, Dave	Administration and Rules, Vice Chair Agriculture Environmental Protection Labor
Dolecheck, Cecil	Agriculture Appropriations Education Environmental Protection Education, Appropriations Subcommittee, Chair
Drake, Jack	Agriculture Appropriations State Government Agriculture and Natural Resources, Appropriations Subcommittee, Chair
Forristall, Greg	Education, Chair Labor Ways and Means Education, Appropriations Subcommittee
Fry, Joel	Commerce Human Resources, Vice Chair Natural Resources Public Safety Health and Human Services, Appropriations Subcommittee
Gaines, Ruth Ann	Education Government Oversight Judiciary Local Government Public Safety
Garrett, Julian	Appropriations Human Resources Judiciary Transportation Justice System, Appropriations Subcommittee, Vice Chair
Gaskill, Mary	Appropriations Local Government Natural Resources State Government Administration and Regulation, Appropriations Subcommittee

Grassley, Pat	Commerce Economic Growth/Rebuild Iowa, Chair Ways and Means Economic Development, Appropriations Subcommittee
Hagenow, Chris	Appropriations Government Oversight, Chair Judiciary Public Safety
Hager, Bob	Economic Growth/Rebuild Iowa Environmental Protection, Vice Chair Local Government Natural Resources Economic Development, Appropriations Subcommittee
Hall, Chris	Appropriations Economic Growth/Rebuild Iowa Natural Resources Transportation Economic Development, Appropriations Subcommittee, Ranking Member
Hanson, Curt	Agriculture Education Natural Resources, Ranking Member Transportation Education, Appropriations Subcommittee
Hanusa, Mary Ann	Economic Growth/Rebuild Iowa, Vice Chair Education Labor Veterans Affairs Economic Development, Appropriations Subcommittee
Heaton, Dave	Appropriations Human Resources Judiciary Health and Human Services, Appropriations Subcommittee, Chair
Heddens, Lisa	Appropriations Economic Growth/Rebuild Iowa Human Resources Veterans Affairs Health and Human Services, Appropriations Subcommittee, Ranking Member

Hein, Lee	Agriculture, Vice Chair Environmental Protection State Government Ways and Means Justice System, Appropriations Subcommittee
Helland, Erik	Administration and Rules Local Government State Government Ways and Means
Horbach, Lance	Commerce Labor, Chair Local Government Justice System, Appropriations Subcommittee
Hunter, Bruce	Human Resources Labor, Ranking Member State Government Administration and Regulation, Appropriations Subcommittee
Huseman, Dan	Agriculture Appropriations Transportation Transportation, Infrastructure, and Capitals, Appropriations Subcommittee, Chair
Isenhardt, Charles	Agriculture Environmental Protection, Ranking Member State Government Ways and Means Economic Development, Appropriations Subcommittee
Iverson, Stewart	Commerce Human Resources State Government Transportation Administration and Regulation, Appropriations Subcommittee
Jacoby, Dave	Commerce Economic Growth/Rebuild Iowa Ways and Means, Ranking Member Economic Development, Appropriations Subcommittee
Jorgensen, Ron	Education Human Resources Labor State Government Education, Appropriations Subcommittee, Vice Chair

Kajtazovic, Anesa	Commerce Local Government State Government Ways and Means Economic Development, Appropriations Subcommittee
Kaufmann, Jeff	Administration and Rules Judiciary State Government Ways and Means
Kearns, Jerry	Labor Local Government Veterans Affairs, Ranking Member Ways and Means Justice System, Appropriations Subcommittee
Kelley, Dan	Agriculture Education Environmental Protection Ethics Natural Resources Administration and Regulation, Appropriations Subcommittee, Ranking Member
Klein, Jarad	Environmental Protection Labor, Vice Chair Local Government Public Safety Transportation, Infrastructure, and Capitals, Appropriations Subcommittee
Koester, Kevin	Education Ethics, Chair Human Resources State Government
Kressig, Bob	Commerce Government Oversight Local Government Public Safety, Ranking Member
Lensing, Vicki	Environmental Protection Judiciary State Government, Ranking Member Administration and Regulation, Appropriations Subcommittee

Lofgren, Mark	Economic Growth/Rebuild Iowa Education Human Resources National Resources Economic Development, Appropriations Subcommittee, Vice Chair
Lukan, Steven	Administration and Rules Appropriations Economic Growth/Rebuild Iowa Natural Resources Veterans Affairs
Lykam, Jim	Commerce Natural Resources Transportation, Ranking Member Agriculture and Natural Resources, Appropriations Subcommittee
Mascher, Mary	Administration and Rules Education Human Resources State Government
Massie, Glen	Human Resources Judiciary State Government Transportation, Vice Chair Education, Appropriations Subcommittee
McCarthy, Kevin	Administration and Rules
Miller, Helen	Agriculture, Ranking Member Economic Growth/Rebuild Iowa Natural Resources Agriculture and Natural Resources, Appropriations Subcommittee
Miller, Linda	Education Human Resources, Chair Labor Health and Human Services, Appropriations Subcommittee
Moore, Brian	Agriculture Environmental Protection Labor Ways and Means Transportation, Infrastructure, and Capitals, Appropriations Subcommittee, Vice Chair

Muhlbauer, Dan	Agriculture Commerce Public Safety Veterans Affairs Ways and Means Agriculture and Natural Resources, Appropriations Subcommittee, Ranking Member
Murphy, Pat	Appropriations Labor Transportation
Oldson, Jo	Commerce Judiciary Ways and Means Transportation, Infrastructure, and Capitals, Appropriations Subcommittee
Olson, Rick	Judiciary Public Safety Justice System, Appropriations Subcommittee
Olson, Steve	Agriculture Environmental Protection, Chair Public Safety
Olson, Tyler	Appropriations, Ranking Member Commerce Judiciary
Paulsen, Kraig	Administration and Rules
Paustian, Ross	Agriculture Commerce Environmental Protection Ways and Means Agriculture and Natural Resources, Appropriations Subcommittee, Vice Chair
Pearson, Kim	Education Government Oversight Judiciary Local Government Transportation
Petersen, Janet	Government Oversight, Ranking Member Human Resources Transportation Ways and Means
Pettengill, Dawn	Commerce Government Oversight State Government Ways and Means

Quirk, Brian	Agriculture Commerce, Ranking Member State Government Ways and Means Transportation, Infrastructure, and Capitals, Appropriations Subcommittee
Raecker, Scott	Appropriations, Chair Ethics, Vice Chair State Government
Rasmussen, Dan	Agriculture Economic Growth/Rebuild Iowa National Resources Transportation
Rayhons, Henry	Local Government Natural Resources, Chair Public Safety Veterans Affairs
Rogers, Walt	Appropriations Judiciary State Government Transportation Administration and Regulation, Appropriations Subcommittee, Vice Chair
Running-Marquardt, Kirsten	Administration and Rules Appropriations Economic Growth/Rebuild Iowa Labor Local Government
Sands, Tom	Environmental Protection Public Safety Ways and Means, Chair
Schulte, Renee	Administration and Rules, Chair Appropriations Education Human Resources State Government
Schultz, Jason	Appropriations Economic Growth/Rebuild Iowa Environmental Protection Labor Economic Development, Appropriations Subcommittee, Chair

Shaw, Tom	Agriculture Commerce Public Safety, Vice Chair Veterans Affairs Health and Human Services, Appropriations Subcommittee
Smith, Jeff	Commerce Economic Growth/Rebuild Iowa Local Government, Vice Chair Natural Resources, Vice Chair Administration and Regulation, Appropriations Subcommittee
Smith, Mark	Administration and Rules Environmental Protection Ethics Human Resources Judiciary
Soderberg, Chuck	Commerce, Chair Economic Growth/Rebuild Iowa Environmental Protection Ways and Means
Steckman, Sharon	Economic Growth/Rebuild Iowa Education, Ranking Member Environmental Protection Natural Resources Education, Appropriations Subcommittee
Swaim, Kurt	Agriculture Commerce Judiciary Public Safety
Sweeney, Annette	Agriculture, Chair Education Natural Resources Veterans Affairs Agriculture and Natural Resources, Appropriations Subcommittee
Taylor, Jeremy	Education, Vice Chair Judiciary Veterans Affairs Ways and Means Transportation, Infrastructure, and Capitals, Appropriations Subcommittee

Taylor, Todd	Appropriations Labor State Government Justice System, Appropriations Subcommittee, Ranking Member
Thede, Phyllis	Environmental Protection Ethics, Ranking Member Local Government Natural Resources Health and Humans Services, Appropriations Subcommittee
Thomas, Roger	Agriculture Economic Growth/Rebuild Iowa, Ranking Member Veterans Affairs Ways and Means Transportation, Infrastructure, and Capitals, Appropriations Subcommittee
Tjepkes, Dave	Government Oversight Judiciary Local Government Public Safety Transportation, Chair
Upmeyer, Linda	Administration and Rules
Van Engelenhoven, Jim	Ethics Local Government Natural Resources Transportation
Vander Linden, Guy	Natural Resources State Government, Vice Chair Veterans Affairs, Vice Chair Ways and Means Agriculture and Natural Resources, Appropriations Subcommittee
Wagner, Nick	Appropriations, Vice Chair Commerce Local Government, Chair Administration and Regulation, Appropriations Subcommittee
Watts, Ralph	Appropriations Commerce Labor Transportation Administration and Regulation, Appropriations Subcommittee, Chair

Wenthe, Andrew	Administration and Rules, Ranking Member Agriculture Appropriations State Government Transportation
Wessel-Kroeschell, Beth	Environmental Protection Human Resources, Ranking Member Judiciary Health and Human Services, Appropriations Subcommittee
Willems, Nathan	Education Labor Ways and Means Education, Appropriations Subcommittee
Winckler, Cindy	Appropriations Education Environmental Protection Human Resources Education, Appropriations Subcommittee, Ranking Member
Windschitl, Matt	Administration and Rules Commerce Public Safety Transportation
Wittneben, John	Economic Growth/Rebuild Iowa Local Government, Ranking Member Natural Resources Veterans Affairs Agriculture and Natural Resources, Appropriations Subcommittee
Wolfe, Mary	Human Resources Judiciary, Ranking Member Public Safety Transportation Justice System, Appropriations Subcommittee
Worthan, Gary	Appropriations Public Safety Transportation Justice System, Appropriations Subcommittee, Chair

INTERIM COMMUNICATIONS RECEIVED

The following interim communications were received and filed in the office of the Chief Clerk:

ATTORNEY GENERAL

ICN Savings Report, pursuant to Iowa Code section 8D.10.

AUDITOR OF STATE

Report of Targeted Small Business Procurement Activities, pursuant to Iowa Code section 11.46.

BOARD OF PAROLE

ICN Savings Report, pursuant to Iowa Code section 8D.10.

BOARD OF REGENTS

Postsecondary Enrollment Program and Specific Expenditures Report, pursuant to Iowa Code section 262.9(35).

Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

Cooperative Purchasing Plan Report, pursuant to Iowa Code section 262.9B.

College Bound and IMAGES Programs Reports, pursuant to Iowa Code sections 261.101, 262.92 and 262.93.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Capitol Planning Commission Report, pursuant to Iowa Code section 8A.373.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

State Employee Retirement Incentive Program Report, pursuant to Senate File 2062, 2010 Iowa Acts.

Vertical Infrastructure Advisory Committee Report, pursuant to Iowa Code section 7E.4.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

ICN Savings Report, pursuant to Iowa Code section 8D.10.

County Land Record Information System/Iowa Land Records Report, pursuant to Chapter 159, Code of Iowa.

DEPARTMENT OF EDUCATION

ICN Usage Report, pursuant to Iowa Code section 8D.10.

Disaster Waiver Report, pursuant to Iowa Code section 256.9.

Report on Charter Schools, pursuant to Iowa Code sections 216.9 and 256.10(2).

Special Education Federal Report, pursuant to Iowa Code sections 216.9 and 256.10(2).

Autism Legislative Report, pursuant to Iowa Code section 256.35A.

DEPARTMENT OF HUMAN RIGHTS
Division of Criminal & Juvenile Justice Planning

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A.

Monitoring Report, pursuant to Iowa Code section 216A.133A.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF HUMAN SERVICES

Iowa Mental Health and Disability Services System Redesign Report, pursuant to Senate File 525, 2011 Iowa Acts.

Transition Plan for the Movement of Psychiatric Medical Institutions for Children to the Iowa Plan Report, pursuant to Senate File 525, 2011 Iowa Acts.

Medicaid Drug Utilization Review Commission Report, pursuant to Iowa Code section 249A.24.

Average Wholesale Price Replacement Recommendation Report, pursuant to House File 649, 2011 Iowa Acts.

Iowa Medicaid Enterprise Home and Community Based Services Report, pursuant to House File 649, 2011 Iowa Acts.

Implementation of a Uniform Cost Report for Medicaid Reimbursement Rates Report, pursuant to House File 649, 2011 Iowa Acts.

Implementing Electronic Medical Reports for HCBS and Mental Health Providers Report, pursuant to House File 649, 2011 Iowa Acts.

Analysis of All Payer Claims Database Report, pursuant to House File 649, 2011 Iowa Acts.

Juvenile Detention Home Fund Report, pursuant to House File 649, 2011 Iowa Acts.

Child Protection System Improvements Report, pursuant to House File 562, 2011 Iowa Acts.

Summary of Charge from House File 608 Report, pursuant to Senate File 482, 2011 Iowa Acts.

Independent Living Services Report, pursuant to Iowa Code section 234.35(4).

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A(4).

DEPARTMENT OF INSPECTIONS AND APPEALS

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Medicaid Divestiture Program Report, pursuant to Iowa Code section 249F and House File 646, 2011 Iowa Acts.

DEPARTMENT OF JUSTICE

Iowa Consumer Credit Code Report, pursuant to Iowa Code section 537.6104(5).

DEPARTMENT OF MANAGEMENT

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF NATURAL RESOURCES

2010 Public Drinking Water Program Compliance Report, pursuant to Iowa Code section 455B.

Household Hazardous Materials Program and Household Hazardous Waste Account Reports, pursuant to Iowa Code sections 455E.11(2) and 455F.8.

Midwest Interstate Low-Level Radioactive Waste Compact Commission Report, pursuant to Iowa Code section 455B.427.

Hazardous Waste Disposal Site Registry Report, pursuant to Iowa Code section 455B.427.

Hazardous Waste Remedial Fund Report, pursuant to Iowa Code section 455B.425.

Mercury Thermostat Recycling Report, pursuant to Iowa Code section 455D.16.

Iowa Natural Resource Commission Report, pursuant to Iowa Code section 455A.5.

DEPARTMENT OF PUBLIC HEALTH

Plumbing and Mechanical Board Budget Report, pursuant to House File 392, 2011 Iowa Acts.

Chronic Diseases in Multicultural Groups of Racial Ethnic Diversity in Iowa Report, pursuant to Iowa Code section 135.161.

Iowa e-Health Business and Financial Sustainability Plan Report, pursuant to House File 649, 2011 Iowa Acts.

Alzheimer's Response Strategy Report, pursuant to House File 390, 2011 Iowa Acts.

Health and Long-Term Access Strategic Plan Report, pursuant to Chapter 1188, 2008 Iowa Acts.

Patient Autonomy Statewide Advisory Council Report, pursuant to Chapter 1188, 2008 Iowa Acts.

DEPARTMENT OF REVENUE

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Collection Enterprise Report, pursuant to Iowa Code section 421.17(27).

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17(23).

Tax Credit Evaluation Studies Report, pursuant to Iowa Code section 421.17.

DEPARTMENT OF TRANSPORTATION

Use of Reversions Report, pursuant to Iowa Code section 307.46(2).

Road Use Tax Fund Study Report, pursuant to Iowa Code section 307.31.

Iowa Highway Research Board Report, pursuant to Iowa Code section 310.36.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF VETERANS AFFAIRS

Activities Report, pursuant to Iowa Code section 35A.14.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT ON AGING

Report on Plan to Reduce Number of Area Agencies on Aging, pursuant to House File 45, 2011 Iowa Acts.

IOWA BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554(2).

IOWA CIVIL RIGHTS COMMISSION

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA COLLEGE STUDENT AID COMMISSION

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA COMMISSION ON VOLUNTEER SERVICE

Quarterly Report, pursuant to Iowa Code section 15H.2.

IOWA COMMUNICATIONS NETWORK

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Maintenance Control Report, pursuant to Iowa Code section 8D.3(3)(g).

IOWA DIVISION OF BANKING

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Qualified Student Loan Bonder Issue, Iowa Student Loan Liquidity Corporation Report, pursuant to Iowa Code section 7C.13(6).

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA INSURANCE DIVISION

Report Addressing Health Spending Costs, pursuant to Iowa Code section 505.18.

Medical Malpractice Annual Report, pursuant to Iowa Code section 505.27.

IOWA LAW ENFORCEMENT ACADEMY

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Sudan Divestment Report, pursuant to Iowa Code section 12F.5.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Annual Financial Report, pursuant to Iowa Code section 97B.4(4)a.

IOWA PUBLIC TELEVISION

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA RACING AND GAMING COMMISSION

Intrastate Internet Poker Report, pursuant to Senate File 526, 2011 Iowa Acts.

IOWA SCHOOLS JOINT INVESTMENT TRUST

Annual Report, pursuant to Iowa Code section 12B.10A(7).

IOWA SECRETARY OF STATE'S OFFICE

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA UTILITIES BOARD

Small Wind Innovation Zones Report, pursuant to Iowa Code section 476.48(6).

IOWA VETERANS HOME

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA VOCATIONAL REHABILITATION SERVICES

ICN Savings Report, pursuant to Iowa Code section 8D.10.

LEGISLATIVE SERVICES AGENCY

Comprehensive Annual Financial Report, pursuant to Iowa Code section 2A.

OFFICE OF DRUG CONTROL POLICY

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Drug Control Strategy Report, pursuant to Iowa Code section 80E.1.

PROPANE EDUCATION AND RESEARCH COUNCIL

Report on IowaPERC Audit, pursuant to Iowa Code section 101C.

STATE PUBLIC DEFENDER

Indigent Defense Report, pursuant to Iowa Code section 13B.2A.

ICN Savings Report, pursuant to Iowa Code section 8D.10.

TREASURER OF STATE

Restrictions on Sudan-Related Investments' Report, pursuant to Iowa Code section 12F.

WORLD FOOD PRIZE FOUNDATION

World Food Prize Report, pursuant to Iowa Code section 212.3(4), 2007 Iowa Acts.

SUBCOMMITTEE ASSIGNMENT

House File 2001

Education: L. Miller, Chair; Forristall and Willems.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 500 Ways and Means

Relating to state and local government finances by increasing the regular program foundation base percentage, establishing a property tax exemption for commercial and industrial property, establishing property tax levy limits for cities and counties, eliminating certain reporting requirements, and including applicability provisions.

H.S.B. 501 Administration and Rules

Amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

H.S.B. 502 Administration and Rules

Amending the permanent rules of the House of Representatives relating to requirements for consideration of amendments.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly LSB 5479YC), relating to an annual budget for the daily operations of the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** January 9, 2012.

On motion by Upmeyer of Hancock the House adjourned at 10:43 a.m., until 8:30 a.m., Tuesday, January 10, 2012.

JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 10, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Janet Shotwell, First United Church of Christ, Bennett. She was the guest of Representative Kaufmann of Cedar County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Emily Lofgren. She is the daughter and clerk for Representative Lofgren of Muscatine.

The Journal of Monday, January 9, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Huseman of Cherokee

Sweeney of Hardin

INTRODUCTION OF BILLS

House Joint Resolution 2001, by committee on administrative rules review, a joint resolution nullifying an administrative rule of the natural resource commission prohibiting the use of lead shot for hunting mourning doves and providing an effective date.

Read first time and referred to committee on **natural resources**.

House File 2009, by Isenhart, a bill for an act relating to reimbursement of expenses under the disaster aid individual assistance grant fund.

Read first time and referred to committee on **human resources**.

House File 2010, by Van Engelenhoven, a bill for an act prohibiting a licensed foster parent from providing child care when a foster child is present who has been found to have committed abuse of another child.

Read first time and referred to committee on **judiciary**.

House File 2011, by Willems, a bill for an act relating to the assignment of visitation or physical care parenting time to a grandparent based on relocation of a parent.

Read first time and referred to committee on **judiciary**.

House File 2012, by Lukan, a bill for an act reducing the years of experience used to calculate an employer's contribution rate for unemployment insurance.

Read first time and referred to committee on **labor**.

House File 2013, by Lukan, a bill for an act reducing the time period during which new employers are subject to the new employer contribution rate for unemployment insurance and including effective date provisions.

Read first time and referred to committee on **labor**.

House File 2014, by Gaskill, a bill for an act relating to city and school corporation elections by changing the date of the election of city officers and directors of local school districts, merged areas, and area education agency boards.

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

House File 2015, by Pettengill, a bill for an act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing Act and including effective date provisions.

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

House File 2016, by Pettengill, a bill for an act to allow a person with a special minor's license to drive to and from school and school activities along a route that begins or ends at the home of either parent.

Read first time and referred to committee on **transportation**.

House File 2017, by Windschitl, a bill for an act relating to the operation of all-terrain vehicles on noninterstate highways and making penalties applicable.

Read first time and referred to committee on **transportation**.

House File 2018, by Lykam, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification be marked with the letter "V" to indicate veteran status.

Read first time and referred to committee on **veterans affairs**.

House File 2019, by Swaim, a bill for an act relating to the evaluation of permanent disability for purposes of workers' compensation benefits.

Read first time and referred to committee on **labor**.

House File 2020, by Swaim, a bill for an act providing specified individuals an exception from alcoholic beverage control business interest limitations.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 10, 2012, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 101, a concurrent resolution to provide for a joint convention of the two houses of the 2012 session of the Eighty-fourth General Assembly to be held on Tuesday January 10, 2012, at 10:00 a.m. for Governor Terry E. Branstad to deliver his condition of the state address.

Also: That the Senate has on January 10, 2012, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 102, a concurrent resolution to provide for a joint convention of the two houses of the 2012 session of the Eighty-fourth General Assembly to be held on Wednesday January 11, 2012, at 10:00 a.m. for Chief Justice Mark Cady to present his condition of the judicial branch message.

Also: That the Senate has on January 10, 2012, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 103, a concurrent resolution to provide for a joint convention of the two houses of the 2012 session of the Eighty-fourth General Assembly to be held on Wednesday January 18, 2012, at 10:00 a.m. for Adjutant General Timothy Orr to present his message of the Condition of the Iowa National Guard.

MICHAEL E. MARSHALL, Secretary

COMMITTEE TO NOTIFY THE SENATE

De Boef of Keokuk moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee De Boef of Keokuk, Chair; Lofgren of Muscatine and Kelley of Jasper.

The House stood at ease at 8:41 a.m., until the fall of the gavel.

The House resumed session at 9:45 a.m., Speaker Paulsen in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

De Boef of Keokuk, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the Honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 101, duly adopted, the Joint Convention was called to order at 9:47 a.m., President Kibbie presiding.

Senator Gronstal of Pottawattamie 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.

President Kibbie announced a quorum present and the Joint Convention duly organized.

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

The motion prevailed and the President appointed as such committee Senators Wilhelm of Howard, Mathis of Linn and Kapucian of Benton, on the part of the Senate, and Representatives Hanusa of Pottawattamie, Windschitl of Harrison and Wittneben of Emmet, on the part of the House.

The Joint Convention stood at ease at 9:48 a.m., until the fall of the gavel.

The Joint Convention resumed session at 9:52 a.m., President Kibbie in the chair.

Secretary of State, Matt Schultz; Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor, David Vaudt and Attorney General, Tom Miller were escorted into the House chamber.

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

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

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

The Joint Convention stood at ease at 9:57 a.m., until the fall of the gavel.

The Joint Convention resumed session at 10:00 a.m., President Kibbie in the chair.

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

President Kibbie presented Governor Terry E. Branstad, who delivered the following condition of the state message:

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

Today it is my honor to stand before you and deliver this, my 17th State of the State address in this great chamber.

And while 17 doesn't sound like such a big number to me, my wife Chris would tell you it just means I don't know when to quit talking.

I stand here today, older and wiser than during my first such opportunity those years ago, but:

- With a heart full of pride,
- With a head full of ideas, and
- With a state full of new opportunities to grow and prosper as never before.

Last year we, like so many other states, faced serious budget challenges and unacceptably high levels of unemployment.

Eighty-nine programs were funded with one time money that was due to run out -- to the tune of \$900 million. In other words, it amounted to nearly one-sixth of our entire general fund budget.

More than 100,000 Iowans were out of work and seeking jobs and thousands more had simply given up hope.

My charge to each of us was simple, yet significant:

- To restore predictability and stability to our state budget
- To ensure our decisions were sustainable for the long term; and
- To set the stage for a period of unprecedented economic expansion

Together, we took on these challenges--as Iowans always do.

And while the process was messy--as it always is,

And though none of us got everything we sought—as we never do.

We took the necessary steps to put the state's fiscal house back in order; ended our dependency on one time revenue; funded a balanced budget using on-going revenue; and passed a biennial budget that funds most areas for two years.

Here in Iowa, we are a model for the nation of how Republicans and Democrats can work together for the common good of our people.

Iowans deserve a budget that works, a budget that focuses on the essentials, a budget that reflects the character and ideals of Iowa's hard-working taxpayers, and together we delivered just that.

So take this moment, before the hard work of this session begins, and congratulate your fellow Legislators for a job well done as I congratulate each of you.

Now, with our fiscal house much improved, and our fiscal year 2013 budget already substantially completed, we have a tremendous opportunity to focus the next few months on two other critical priorities:

- First, creating new jobs and careers for Iowans to significantly raise family incomes, and
- Second, adopting common sense solutions for our schools to give our children a world class education.

We must share the urgency of Iowans to revitalize our economy and improve our schools.

We must commit long-term to make Iowa ready to support the jobs and careers of the future--the very careers that will keep Iowans home and bring new economic opportunities to our state.

This past year we took the first steps toward improving Iowa's economic health.

Together, we created the Iowa Partnership for Economic Progress which will lead our state's efforts to encourage Iowa entrepreneurs and small businesses.

In addition, I signed an executive order that requires a jobs impact statement for any proposed administrative rule.

These are just the first steps on our path towards a renewed prosperity that brings greater economic opportunity to all Iowans.

While improvement is being made, there is still much work to be done and it is going to take the cooperation of every member in this Chamber to provide the opportunities Iowans deserve.

The “all or nothing” politics that often prevents our leaders from making progress on so many issues in Washington, D.C., and in other state capitols does not have to happen here.

In Iowa, we have a shared responsibility to do our work differently; to come together in the best interests of all Iowans; and to shed the partisanship that makes good public policy so elusive.

The simple truth is Iowa no longer only competes against other states for attracting new jobs, careers, economic development, and investment.

We now compete in a worldwide economy. We must compete with Brazilian ethanol, with Chinese production of technology, and with every other emerging nation ready to claim our economic mantle.

I have seen first-hand the economic and educational growth around the world. This past September, I traveled to Korea, China and Japan as part of a trade and investment mission.

While in Beijing, I met with Vice President Xi Jinping.

Vice President Xi visited Iowa in 1985 as a Hebei Province party official.

Now, he is the Vice President and this year he will become the President of China. Out of that meeting one message was clear: for Iowa to compete in the future, we must compete globally.

On that trip, I met with companies in each country I visited. I was able to communicate a message that Iowa is open for business and poised for growth--a message that Iowa is full of hard-working citizens who are ready to work.

As a result of those efforts, we convinced South Korean company CJ to invest \$324 million in the Fort Dodge area and bring 180 great jobs to Iowa.

However, companies abroad should not be the sole source of our growth.

American companies have seen the work we have collectively done to enhance stability in our state through our fiscal discipline.

As a result, numerous companies have announced their relocation or expansion plans for Iowa. Cargill purchased the Tate & Lyle's plant in Fort Dodge and will create over 100 new jobs in Webster County and provide another market for Iowa corn.

ALCOA is investing nearly \$300 million in their Davenport factory where they will begin producing automotive aluminum to meet the rising demand for lighter and more fuel efficient vehicles.

The combination of our strong agricultural, bio-science, manufacturing, and financial sectors means Iowa is better positioned than most states for economic expansion.

But I believe being better isn't good enough. I say we should strive to be the best.

I am convinced that Iowa stands at the precipice of a major economic expansion. But that expansion is not guaranteed.

Our opportunity for unparalleled growth is like the opportunity a good Iowa field affords a farmer, but work must be done before a harvest can be reaped.

Our job creators are ready, the question is are we?

Are we ready to plant the seeds for growth and prosperity?

If the answer is yes—and the answer must be yes—then we must develop the permanent tools job creators, career builders, and hard-working Iowans so critically need.

And that is why I am today proposing a four point plan of action--a focused initiative designed to help create the jobs we need today and the careers we need tomorrow.

The first piece of my action plan should come as no surprise to anyone.

This year I will submit to the General Assembly a revised plan to reduce commercial and industrial property taxes by 40% over the next eight years.

Commercial property taxes in Iowa are the 2nd highest in the nation and I believe there is agreement within this chamber that these taxes must be reduced—not because they cost businesses money, but because the cost Iowans, jobs.

What has been lacking in this discussion, I believe, is an understanding of the consequences for small business owners who struggle to keep their doors open and their workers employed, due to this backbreaking business burden.

Today, sitting with my family, is Ying Sa. I met Ying at the Iowa Immigrant Entrepreneurial Summit.

She is a leader who has helped hundreds of immigrant entrepreneurs start successful businesses in Iowa, including her own.

Ying and nearly 500 other Iowans met to discuss their experience of starting businesses and their dreams of success here in Iowa. I was honored to address their summit and to recognize 125 immigrant entrepreneurs who started a new business in Iowa last year.

Ying has a growing CPA business, but does not own her office space.

Rather, she leases the property and she, like thousands of other small business owners across Iowa, feels the brunt of our high property taxes through net-net leases wherein she pays the full cost of the property taxes attributable to her footprint.

Ying, will you please stand up.

She and the thousands of hopeful small business owners are the Iowans who most need commercial property tax relief.

Will each of you commit today to a permanent property tax solution for Ying, for all of her fellow small business owners, and for the tens of thousands of Iowans seeking jobs?

Passing our plan will give Iowa business owners permanent relief and a fighting chance to compete.

In addition, our plan prevents a shift to other classes of property by limiting local government spending and by cutting in half the annual growth limit for residential and agricultural property.

The second piece of my action plan is to give our new Iowa Economic Development Authority the tools it needs to lead our job creation efforts.

Last year the Legislature directed us to create a replacement for the Grow Iowa Values Fund and we are proposing a new \$25 million annual investment in our existing High Quality Jobs Program.

The High Quality Jobs Program has a proven track record of success and a documented return on investment of two dollars in new tax revenue for every one dollar invested.

This direct assistance component gives Iowa Partnership for Economic Progress an important tool in attracting high-quality businesses and careers to Iowa.

In addition, my proposal will be structured so state investments in the program will decline over time so the program will be self-funding within 10 years as a direct result of the jobs it brings to Iowa.

The third component of my jobs and careers action plan will encourage those small businesses that supply key components to our strong manufacturing sector to grow their facilities and create new jobs in Iowa.

Often, major manufacturers have large supply-chains, filled with companies that produce vital components for the anchor manufacturer.

Manufacturing must remain an important part of our diversified Iowa economy.

I will offer legislation that removes the barriers that discourage suppliers from bringing their businesses close to their best Iowa customers.

We have major anchor manufacturers like John Deere in Waterloo. Let's develop a supply chain cluster wherein surrounding towns attract those smaller support businesses that feed John Deere.

Without question, the jobs such suppliers will provide in Hudson, LaPorte City, Parkersburg, and Denver are equally as important to those communities as the jobs John Deere provides to the citizens of Waterloo.

The final piece to this jobs and careers puzzle involves the dilemma faced in many rural Iowa communities when a local anchor business is put up for sale.

When hometown businesses are sold to out of town, out of state, or out of country buyers, the local community often suffers.

We must work to keep Iowa companies in Iowa, even when an ownership change takes place.

This is not just a tool for Iowa businesses; it is a tool for Iowa communities--Iowa communities where these companies represent so much more than jobs; where these companies represent our families, friends and way of life.

Many of these companies have operated in Iowa for years, operated by owners committed to the local way of life. And when these owners wish to retire, they must have options for keeping their company local.

I am proposing legislation that will encourage the formation of Employee Stock Option Plans to encourage the sale of these local businesses to the very employees who have made that company a profitable success.

Our plan will encourage more Iowans to own a stake in their company, to reap a greater share of the fruits of their own labor, and to help protect the quality of life in their local community.

Employee ownership is great for the Iowa communities in which these businesses, jobs, and careers exist.

My four point plan of action to create the jobs we need today and the careers we need tomorrow is essential and I ask for your bipartisan support to get it done.

But we cannot leave any discussion about Iowa's future without focusing on our most precious natural resource--our children.

With four young granddaughters, I understand the importance of that commitment at a time when new technology and other forces are rapidly reshaping the labor market.

Our children's future depends on whether they learn the knowledge and life-skills needed to succeed in a global economy and be well-informed, good citizens for the 21st century.

Our state's future depends on whether the quality of our schools matches the best-performing schools anywhere in the world.

Today we have with us in the galleries students from Van Meter, Ankeny, and Capitol View Elementary here in Des Moines.

I have asked them here, because today we take a crucial step towards ensuring they have opportunities to pursue their dreams by being among the best educated anywhere.

The bottom line is education must be a greater priority for our state, because if our schools are not the best, then we will fail these young people and all those young Iowans who follow them.

Last week Lt. Governor Reynolds and I unveiled our updated education reform blueprint. It is the product of nearly a year of work:

- that work included our education summit that brought together some of the best minds from Iowa, our nation, and the world,
- then was followed with the release of an initial blueprint to start a statewide conversation on how to give our kids the best education,
- and at that point we hit the road to hold an unprecedented number of education town halls to engage students, parents, teachers, job-creators, and other Iowans in a true give-and-take dialogue about the future of our education system,
- with a final step of revising the blue print into the actual reforms that are before you now.

Here are some steps we need to take together to turn Iowa's good schools into world-class schools.

One, we need a great teacher in every classroom and a great principal leading every building. That starts with being more selective about who can become an educator. A "B" college grade-point average for admission to Iowa's teacher-preparation programs is not asking too much.

Two, all prospective teachers seeking a state license should demonstrate content and teaching mastery to assure they are ready for the crucial work of teaching our children.

Three, the School Administration Manager program should be changed to provide more time for principals to be instructional leaders. Other staff can take on management tasks to free principals to observe and coach teachers in their classrooms.

Four, the Iowa Department of Education will continue to improve the Iowa Core — our state standards in math, science, English, and social studies. But well-rounded, healthy students need more than just these core areas.

The department will work with educators to develop new standards for music and other fine arts, character education, physical education, entrepreneurship education, applied arts, and foreign languages.

Five, a new kindergarten assessment will measure whether children start kindergarten ready to learn and leave prepared to flourish in first grade.

Six, end-of-course tests for core subjects will demonstrate that high school students are ready to graduate. These will be designed with teachers, and will emphasize not just knowing content but being able to apply it.

Seven, all juniors should take a college entrance exam, with the state covering the cost. In addition, they should have the option of taking a work skills readiness test. This will tell us whether Iowa students are college and career ready for life after high school.

Eight, let's assure that children can read by the end of third grade. Otherwise, they will fall further and further behind. An intensive focus on literacy means working closely with families and providing more support for reading and writing in schools starting in preschool, and continuing through kindergarten, first, second, and third grades.

Because reading is so essential for later success in school, it is unfair to promote an illiterate child.

Nine, Iowa has some highly innovative schools, and we should encourage more schools to be innovative. Youngsters need more opportunities to engage in real-world experiences--including internships--in science, technology, engineering and mathematics.

Doing well in these subjects is the gateway to fast-growing fields with some of the best-paying jobs—whether students are headed for career training or a two- or four-year college.

To encourage such efforts, Iowa should establish an Innovation Acceleration Fund. Schools and partners will identify education problems and innovative solutions. Competitive grants will fund the best ideas, which may be scaled up statewide.

Ten, online learning that complements learning in traditional classrooms should be promoted.

So should competency-based learning that personalizes education for each child, and begins the process of moving us away from the time-based industrial model of education.

Let's do all this and more for our children with a bipartisan consensus that will stand the test of time.

Don't Iowa's students deserve a world-class education?

We have a decade of hard work ahead of us.

So let's get to work, because this is not about this administration or the next, or the one after that. It is about our children's future and our state's prosperity and growth.

Let's work together on a bipartisan basis to put in place common-sense solutions that are sustainable: by adapting best practices that work and by innovating to find new approaches that fit Iowa.

Let's work together to continually improve because that's what the highest-performing school systems do to give their children a world-class education.

Let's work together to continually improve because Iowans will hold us accountable.

The solutions I've outlined today are about the future.

They are about ensuring the American Dream and the Iowa way of life will be passed on to our children.

Imagine... filling Iowa's Main Streets with thriving businesses, busy restaurants and happy customers;

Imagine... creating the kind of long-term careers that keep young Iowans home and attract those who have left to return to their roots;

Imagine... schools that are among the best in the world and provide our children and grandchildren with endless opportunities to pursue their dreams.

These are not empty aspirations; rather, they are all part of a grand vision for restoring a healthy Iowa.

As the Lt. Governor and I traveled to all 99 counties last year, one thing was made absolutely clear to us--Iowa must strive to be the best.

Where in other parts of our nation uncertainty has become the new reality, it is imperative we make Iowa the center of stability and innovation.

As we work together towards these goals, we must all remember that Iowans are holding us accountable.

We have an obligation to exceed their expectations, and begin building on our foundation for growth.

I believe our aspirations for a better tomorrow can and will ignite our capacity to innovate.

So, let's innovate today.

Let's provide the permanent tools that our small businesses and hard-working taxpayers so critically need.

Let's commit to new job and career opportunities for all Iowans.

Let's give our children the best education in the world.

Let us,

- Republicans and Democrats,
- rural and urban,
- all Iowans,

become a bright beacon of hope to the rest of the nation and show them how a motivated people,

- working together,
- with the best interests of our children in our hearts,
- and a set of new tools in our hands,

can solve our common problems and bring to Iowa unprecedented economic expansion and unequalled educational opportunities.

This is our challenge. This is our mission. This is our obligation.

Thank you.

God bless you and God bless the great state of Iowa.

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

On motion by Upmeyer of Hancock, the Joint Convention was dissolved at 10:34 a.m.

The House stood at ease at 10:34 a.m., until the fall of the gavel.

The House resumed session at 10:47 a.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2021, by J. Taylor and Chambers, a bill for an act exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

Read first time and referred to committee on **veterans affairs**.

HOUSE FILE 2018 REREFERRED

The Speaker announced that House File 2018, previously referred to committee on **veterans affairs** was rereferred to committee on **transportation**.

SUBCOMMITTEE ASSIGNMENTS

House File 29 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 104 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 173 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 183

Public Safety: Sands, Chair; Fry and Wolfe.

House File 208 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 209 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 220 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 231 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 276 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 278

Public Safety: Worthan, Chair; Fry and Swaim.

House File 291 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 320

Public Safety: Windschitl, Chair; Brandenburg and R. Olson.

House File 398

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 403

Public Safety: Baudler, Chair; Hagenow and R. Olson.

House File 417

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 425 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 520

Public Safety: Klein, Chair; Hagenow and R. Olson.

House File 573

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 2021

Veterans Affairs: J. Taylor, Chair; Chambers and Kearns.

Senate File 177 Reassigned

Public Safety: Baudler, Chair; Kressig and Tjepkes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 500

Ways and Means: Sands, Chair; Helland, Jacoby, Kaufmann and Kearns.

House Study Bill 501

Administration and Rules: Schulte, Chair; Deyoe and Wenthe.

House Study Bill 502

Administration and Rules: Schulte, Chair; Deyoe and Wenthe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 503 Economic Growth/Rebuild Iowa

Requiring jobs impact statements for administrative rules.

H.S.B. 504 Economic Growth/Rebuild Iowa

Relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

H.S.B. 505 Economic Growth/Rebuild Iowa

Imposing a moratorium on new administrative rules under certain conditions.

H.S.B. 506 State Government

Relating to school corporations by changing the date of the election of directors of local school districts, merged areas, and area education agency boards.

H.S.B. 507 State Government

Relating to the licensure of the practice of naturopathic medicine.

H.S.B. 508 State Government

Requiring the department of administrative services to issue a request for proposals concerning efficient and low-cost lighting options in state government buildings.

H.S.B. 509 Economic Growth/Rebuild Iowa

Eliminating the Iowa studies professional development plan and the Iowa studies committee under the department of cultural affairs.

On motion by Upmeyer of Hancock the House adjourned at 10:48 a.m., until 8:30 a.m., Wednesday, January 11, 2012.

JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 11, 2012

The House met pursuant to adjournment at 8:30 a.m., Speaker Paulsen in the chair.

Prayer was offered by Terry Baxter, Executive Director of Global Compassion Network, Garner. He was the guest of Representative Upmeyer of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katelyn Terhark, Majority Leader's Page from Corwith.

The Journal of Tuesday, January 10, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas

Van Engelenhoven of Marion

INTRODUCTION OF BILLS

House File 2022, by J. Taylor, a bill for an act relating to state and school district finances by increasing the regular program foundation base percentage.

Read first time and referred to committee on **education**.

House File 2023, by J. Taylor, a bill for an act enhancing the penalty for certain domestic abuse assaults committed by impeding the breathing or circulation of the blood of another.

Read first time and referred to committee on **judiciary**.

House File 2024, by Anderson, a bill for an act relating to the registration of antique motor vehicles used for limited purposes, providing a fee, and making penalties applicable.

Read first time and referred to committee on **transportation**.

House File 2025, by Lykam, a bill for an act providing free motor vehicle registration for certain veterans with service-connected disabilities.

Read first time and referred to committee on **transportation**.

House File 2026, by Chambers, Kaufmann, and Lofgren, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans.

Read first time and referred to committee on **veterans affairs**.

House File 2027, by Alons, a bill for an act relating to window transparency requirements for antique motor vehicles used for limited purposes.

Read first time and referred to committee on **transportation**.

House File 2028, by S. Olson, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status.

Read first time and referred to committee on **transportation**.

COMMITTEE TO NOTIFY THE SENATE

Iverson of Wright moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee the following: Iverson of Wright, Chair; J. Taylor of Woodbury and Gaines of Polk.

SUPPLEMENTAL REPORT OF
THE COMMITTEE ON ADMINISTRATION AND RULES

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated.

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Asst. Chief Clerk II	Meghan J. Van Wyk	35-1 to 35-2	P-FT	06-24-11
Legis. Res. Analyst	Jason M. Chapman	27-7 to 29-6	P-FT	11-25-11
Legis. Res. Analyst I				
Admin. Asst. II	Matthew E. Hinch	32-7 to 35-6	P-FT	11-25-11
Admin. Asst. III				
Caucus Sec.	Jill M. Jennings	21-3 to 21-4	P-FT	11-25-11
Legis. Res. Analyst	Kristi L. Kielhorn	27-5 to 27-6	P-FT	11-25-11
Admin. Asst. II	Anthony D. Phillips	32-7 to 35-6	P-FT	11-25-11
Admin. Asst. III				
Admin. Serv. Officer I	Molly M. Dolan	23-1	P-FT	12-07-11
Admin. Serv. Officer	Robin L. Bennett	23-3 to 23-4	P-FT	12-09-11
Sr. Finance Officer III	Kelly M. Bronsink	38-4 to 38-5	P-FT	12-09-11
Recording Clerk II	Diane K. Burget	24-3 to 24-4	E-FT	12-09-11
Legis. Res. Analyst III	David L. Epley	35-5 to 38-3	P-FT	12-09-11
Sr. Legis. Res. Analyst				
Sr. Legis. Res. Analyst	D. Dean Fiihr, Jr.	38-5 to 38-6	P-FT	12-09-11
Legis. Res. Analyst I	William T.D. Freeland	29-6 to 32-4	P-FT	12-09-11
Legis. Res. Analyst II	Ezekiel L. Furlong	32-5 to 35-3	P-FT	12-09-11
Legis. Res. Analyst III				
Sr. Caucus Sec.	Joseph M. Gilde	24-5 to 24-6	P-FT	12-09-11
Sr. Legis. Res. Analyst	Anna M. Hyatt-Crozier	38-6 to 38-7	P-FT	12-09-11

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Sr. Admin. Serv. Officer	Susan K. Jennings	35-2 to 35-3	P-FT	12-09-11
Admin. Serv. Officer	Katherine G. Kenline	23-2 to 23-3	P-FT	12-09-11
Asst. Bill Clerk Bill Clerk	Joan E. Skeffington	12-2 to 14-1	S-O	12-09-11
Admin. Serv. Officer III	Doreen R. Terrell	32-6 to 32-7	P-FT	12-09-11
Legis. Res. Analyst	Rachelle D. Thomas	27-5 to 29-4	P-FT	12-09-11
Legis. Res. Analyst I Supervisor of Sec. I	Sarah E. Vanderploeg	24-1 to 24-2	P-FT	12-09-11
Admin. Serv. Officer III	Kristin L. Wentz	32-5 to 32-6	P-FT	12-09-11
Legis. Res. Analyst	Amanda J. Freel	27-3 to 27-4	P-FT	12-23-11
Doorkeeper	Frank P. Mauro	11-1 to 11-2	S-O	12-23-11
Legis. Res. Analyst	Louis A. Vander Streek	27-2 to 27-3	P-FT	12-23-11
Doorkeeper Sergeant-at-Arms	Donald L. Wederquist	11-2 to 17-1	S-O	12-23-11
Sr. Admin. Asst.	David F. Schrader	38-5	P-FT	12-28-11
Conf. Sec. to Leader	Angela M. Lewis	27-5	P-FT	01-05-12
Legis. Res. Analyst II	Dustin W. Blythe	32-4 to 32-5	P-FT	01-06-12
Sr. Admin. Asst.	Brian J. Meyer	38-3 to 38-4	P-FT	01-06-12
Asst. Sergeant-at-Arms	Stephen J. Balderson	14-1	S-O	01-09-12
Doorkeeper	Tim Knapp	11-1	S-O	01-09-12
Doorkeeper	Frank Metzger	11-1	S-O	01-09-12
Doorkeeper	Joshua L. Wederquist	11-1	S-O	01-09-12
Switchboard Operator	Karol D. Skeffington	14-2	S-O	01-09-12
Legis. Sec.	Elisabeth Archer	16-1	S-O	01-09-12
Legis. Committee Sec.	Will Bartz	18-1	S-O	01-09-12
Legis. Sec.	Mark W. Brandsgard	16-7	S-O	01-09-12
Legis. Sec.	Adrianne H. Branstad	17-2 to 17-3	S-O	01-09-12
Legis. Sec.	Beverly A. Burns	17-3 to 16-3	S-O	01-09-12
Legis. Sec.	Stephanie Crowley	16-1	S-O	01-09-12
Legis. Sec.	Matt Denner	16-1	S-O	01-09-12
Legis. Sec.	Alex Drzycimski	16-1	S-O	01-09-12
Legis. Sec.	M. Kathy Ellett	16-2 to 16-3	S-O	01-09-12
Legis. Sec.	Abby Finkenauer	16-1	S-O	01-09-12
Legis. Sec.	Michael Fox	16-1	S-O	01-09-12
Legis. Sec.	Hannah Frost	15-1	S-O	01-09-12

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legis. Sec.	Susan D. Geddes	17-1	S-O	01-09-12
Legis. Sec.	Jordan Grant	16-1	S-O	01-09-12
Legis. Sec.	Kristi Hager	16-1	S-O	01-09-12
Legis. Sec.	Greg Hauenstein	16-1	S-O	01-09-12
Legis. Committee Sec.	Caytlin G. Hentzel	17-1	S-O	01-09-12
Legis. Committee Sec.	Megan L. Hess	17-2	S-O	01-09-12
Legis. Sec.	Juwan Hugues	15-1	S-O	01-09-12
Legis. Sec.	Kim W. Jones	15-1	S-O	01-09-12
Legis. Sec.	Lejla Kajtazovic	15-1	S-O	01-09-12
Legis. Sec.	John Kaufmann	17-1	S-O	01-09-12
Legis. Sec.	Dillon Malone	16-1	S-O	01-09-12
Legis. Sec.	Carole I. Martin	16-2 to 15-2	S-O	01-09-12
Legis. Sec.	Emily K. Massie	16-1	S-O	01-09-12
Legis. Committee Sec.	Charity McCauley-Andeweg	17-1 to 18-4	S-O	01-09-12
Legis. Sec.	Michael McCrae	17-1	S-O	01-09-12
Legis. Sec.	Patricia R. Muhlbauer	15-1 to 16-1	S-O	01-09-12
Legis. Sec.	Dustin Noble	16-1	S-O	01-09-12
Legis. Sec.	Kaity Patchett	16-1	S-O	01-09-12
Legis. Sec.	Nicole L. Persson	15-1 to 18-1	S-O	01-09-12
Legis. Committee Sec.	Ashley Pospeschil	17-1	S-O	01-09-12
Legis. Sec.	Kinsey Poulos	16-1	S-O	01-09-12
Legis. Sec.	Jenica J. Quandt	16-1 to 17-1	S-O	01-09-12
Legis. Sec.	Erika K. Rasey	16-1	S-O	01-09-12
Legis. Sec.	Ashley Runge	16-1	S-O	01-09-12
Legis. Sec.	Lindsay Schmitz	18-1	S-O	01-09-12
Legis. Committee Sec.	Drew Seldon	17-1	S-O	01-09-12
Legis. Sec.	Allison Stickley	15-1	S-O	01-09-12
Legis. Sec.	Julie Swaim	15-1	S-O	01-09-12
Legis. Sec.	Colin Tadlock	16-1	S-O	01-09-12
Legis. Sec.	Carrie Vander Linden	17-1	S-O	01-09-12
Legis. Sec.	Ruth A. Vander Linden	15-2 to 15-3	S-O	01-09-12

PAGES-GROUP I

Speaker's Page	Thomas W. Biedenfeld	9-1	S-O
Chief Clerk's Page	Lane M. Christophersen	9-1	S-O
Chief Clerk's Page	Nora A. McKenzie	9-1	S-O
Page	Carter L. Bell	9-1	S-O
Page	Kaleb C. B. Chase	9-1	S-O
Page	Margaret A. Chelsvig	9-1	S-O
Page	Kaitlin E. Dagle	9-1	S-O
Page	Daniel M. Dankert	9-1	S-O

Page	James L. Eimers	9-1	S-O
Page	Forrest L. Glick, Jr.	9-1	S-O
Page	Rebecca L. Greenway	9-1	S-O
Page	Bradley M. Hobart	9-1	S-O
Page	Nicholas J. Huffman	9-1	S-O
Page	Eli R. Kirschbaum	9-1	S-O
Page	Shelby J. Kramer	9-1	S-O
Page	Alberto Lara-Palafox	9-1	S-O
Page	Kyle T. McGlade	9-1	S-O
Page	Darek L. Muhlbauer	9-1	S-O
Page	Kalie M. Palmer	9-1	S-O
Page	Katelyn D. Terhark	9-1	S-O
Page	Angelo R. Vignaroli	9-1	S-O

PAGES-GROUP II

Page	Sydney M. Fehr	9-1	S-O
Page	Brennan L. Haymond	9-1	S-O
Page	Willow N. Huber	9-1	S-O
Page	Monica A. Pearson	9-1	S-O

The following are resignations from the officers and employees of the House:

Admin. Serv. Officer	Michelle K. Bauer	12-09-11
Admin. Asst. to Leader	Andrea N. Jansa	12-23-11
Admin. Asst. II	Noreen F. Otto	01-03-12

Pursuant to Senate Concurrent Resolution 2, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Conservation/Restoration Specialist II	Zachary L. Bunkers	31-2 to 31-3	P-FT	12-09-11
Legis. Security Officer I	Gerald L. McCurdy, Jr.	20-1	P-FT	12-09-11
Legis. Security Officer I	Kathleen C. Bacus	20-4 to 20-5	P-FT	01-06-12
Legis. Security Officer I	Robert W. Cornwell	20-6 to 20-7	P-FT	01-06-12

The following are resignations from the officers and employees of the Joint Senate/House:

Legis. Security Officer I	James W. Walt	10-27-11
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The House stood at ease at 8:37 a.m., until the fall of the gavel.

The House resumed session at 9:48 a.m., Speaker Paulsen in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Iverson of Wright, Chair of the committee to notify the Senate that the House was ready to receive it in Joint Convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the Joint Convention was called to order at 9:50 a.m., President Kibbie presiding.

Senator Gronstal of Pottawattamie 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.

President Kibbie announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from the House of Representatives be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the President appointed as such committee Senators Rielly of Mahaska, Soddors of Marshall and Smith of Scott, on the part of the Senate, and Representatives Anderson of Page, Garrett of Warren and Muhlbauer of Crawford, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six consisting of three members from the Senate and three members from

the House of Representatives be appointed to notify Chief Justice Mark S. Cady that the Joint Convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Fraise of Lee, Hancock of Dubuque and Whitver of Polk, on the part of the Senate, and Representatives Tjepkes of Webster, Baltimore of Boone and Wolfe of Clinton, on the part of the House.

The Joint Convention stood at ease at 9:52 a.m., until the fall of the gavel.

The Joint Convention resumed session at 9:56 a.m., President Kibbie in the chair.

Secretary of State, Matt Schultz; Secretary of Agriculture and Land Stewardship, Bill Northey; State Auditor David Vaudt; and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and Chief Judges of the Court of Appeals and the Chief Judges of the state's judicial districts were escorted into the House chamber.

The Chief Justice's wife, Rebecca, of Fort Dodge, his son, Spencer, and Spencer's fiancée, Reilly Branderhorst 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 to the Speaker's station.

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

President Kibbie presented Chief Justice Mark S. Cady who delivered the following Condition of the Judicial Branch Message:

Thank you for the opportunity to address this joint convention of the 84th General Assembly on the condition of the judiciary. We come together in this historic chamber not only for the opportunity to consider the state of the judiciary, but also, perhaps of equal importance, to simply use this moment to gather a better understanding of all we share in common. To reflect on what inspires each of us to serve in public office is what inspires all of us to serve Iowans and the State of Iowa. To reflect on the presence in

this room of our shared sense of purpose, pursued with a shared sense of honor and respect and commitment to do our best, in whichever branch of government we do our work. To reflect on the simple truth that we all want what is best for Iowa and that we all serve the people of Iowa with the timeless hope of each generation—that our efforts today will lead to a better tomorrow.

But, today is not only a time to recall our aspirations, it is a time to identify how each branch of government can contribute to rebuilding the economy and creating a way of life in Iowa that will ensure our prosperity and our children's prosperity.

Let me begin with some important observations about what courts do to build a better tomorrow and what our Iowa courts have been doing to help assure this better tomorrow is Iowa's tomorrow. I will then discuss the obstacle we face in doing this important work and how we can overcome this obstacle together to reach a better tomorrow. I might add that the numbers, statistics, and details that supplement my remarks are included in the information packet we will disseminate to you today, and will also be available at the reception, which I invite everyone to attend, in the historic supreme court courtroom following the close of this joint convention.

A strong court system can play an important role, if not become the real catalyst, in achieving economic prosperity in Iowa. This proposition is not just my perception; it is supported by sound economic studies.

A few years ago, the World Bank conducted a study to determine what accounts for the success and wealth of a nation. This study found that the most important ingredient to the economic success and strength of a country, by far, was the presence of a court system that applied the rule of law fairly and impartially. Fair, efficient, and fully functioning courts provide businesses with the necessary confidence to invest in an area, or to expand a business operation, by assuring that their investment will be fully protected under the rule of law in the same way individual rights are maintained. As explained by the lead economist in the study, the confidence needed to promote investment comes from "the efficiency of the legal system and how many days it takes to get to trial, how many days it takes to get a decision once you're at trial, the lack of corruption, the degree of transparency—the whole set of issues that go into" what is called the rule of law. The business relationships and commerce needed to grow an economy must operate within an environment of the rule of law and must have confidence in the legal system to provide that environment.

This view is also supported by a 2010 study conducted by the United States Chamber of Commerce. This study surveyed 1500 senior litigators at America's largest corporate employers. Two-thirds of these employers agreed that the litigation environment in a state impacts important business decisions in their company such as where to locate or do business. Businesses need and want a level playing field where the rules are fairly enforced and the gains achieved by their efforts are fairly protected by those rules.

Finally, the important role of the courts in fostering the economic development of a state was actually a concept recognized by our forefathers very early in our history. Records from our constitutional convention in 1857 reveal our first leaders spoke of the need for a well-maintained court system to properly guard both the lives of the waves of people who were entering this state at the time and the resources these people were investing into the state. Jonathan Hall of Burlington, who served in both this body and

on the Iowa Supreme Court, reminded his colleagues to never, in his word, “forget” that the system of justice is what protects property in this state.

At the same time, we all understand a vibrant economy also depends on the many qualities of life we share in Iowa. While all Iowans contribute to our quality of life, the work of the courts has always played a special and direct role in providing a stable and safe environment for those who work and live in this state.

Every community in this state depends on our courts and our Judicial Branch employees to address and stop juvenile delinquency, to handle criminal charges, and to impose sentences on convicted criminal offenders. Each year, our judges and magistrates, with the help of our staff, dispose of thousands upon thousands of criminal cases and also issue thousands of protective orders and no-contact orders to help shield victims from further harm.

Additionally, the quality of life compatible with economic prosperity requires opportunities for our young people. Our children are the future, and the work of the courts is often the only dependable bridge to a future of opportunity for many of these children.

Every day, Iowa’s courts make important decisions affecting the lives of abused and neglected children. These children depend on our courts for timely placements in safe and stable homes.

Our courts also work to prevent and address juvenile delinquency. Last year, our juvenile court probation officers worked with nearly 22,000 troubled children and teens to confront their problems, change their behavior, and help them forge better lives for themselves. That is the equivalent of two full classrooms of children entering our system every day in our state. Most of these children need supervision, treatment, and services to address their underlying problems and needs. But, this work is not just essential to children; it has the potential of saving this state billions of dollars over time. Researchers at the National Center for Juvenile Justice calculate that the life-long taxpayer expenditure for every offender who enters prison is \$2 million. Another recent study concludes each juvenile who becomes a chronic offender costs taxpayers between 4.2 and 7.2 million dollars. When we are able to help young people when it really counts, the benefits are shared by all.

So, let me turn to the condition of Iowa’s judiciary and examine the judicial system we have in Iowa today.

My assessment begins with the most fundamental quality of justice—fair and impartial judges. I am pleased to report that fair and impartial justice continues to be the hallmark of Iowa’s court system. One measure of this quality is the annual survey conducted for the United States Chamber of Commerce, which has consistently ranked Iowa’s judges as among the most fair and impartial in the nation. Last year was no exception, and this ranking allows Iowa to be viewed as having one of the top court systems in the nation.

Similarly, I can report to you that the Iowa courts continue to be recognized nationally for transparency—one of the factors that helps develop confidence in courts and helps develop a prosperous economic climate. I can further report to you that we have fulfilled our promise made to you last year to become even more visible and open.

Because our courts belong to the people, it is important that our courtrooms are open to the public. In Iowa, our courtrooms are not only open to the public; we have gone to great lengths to take our courts to the people. In addition to our nationally recognized program of bringing cameras into the courtroom, we have online court dockets, streaming of Iowa Supreme Court oral arguments, and an award-winning judicial branch website filled with helpful, easy-to-find information about all aspects of the courts.

Consistent with past efforts to bring the courts to the people, the Iowa Supreme Court last year held oral arguments outside Des Moines. We held court in Cedar Rapids, Mason City, and Carroll. During each trip, each justice visited local schools and spoke to government classes in conjunction with an evening session of court. I cannot help but think that those communities gained a better appreciation for the role of the courts in our society. After the Mason City court session, the father of a young Mennonite boy at the center of one of the cases waited respectfully for an opportunity to visit with me. When he did, he simply extended his hand and said about the session, "I just wanted you to know that it seems like an honest thing." We will continue to display this "honest thing" in other communities this year.

Innovations such as cameras in the courtroom and taking the courts to the people are examples of efficient, forward-thinking efforts we have undertaken to better serve all Iowans. Before I leave the subject of open and visible courts, let me add that I will again maintain office hours in the Capitol Building every Monday morning throughout the legislative session, just as last year. If at any time I am not available, another justice will be present to meet with you. Additionally, the door to my office across the street is always open to you.

We are also constantly searching for ways to improve our procedures and efficiency to meet the problems and demands of today's complex world, to prepare ourselves for the challenges of the future, and to contribute effectively to Iowans' prosperity and quality of life. This last year has been no exception.

For over a year now, an Iowa Supreme Court task force has been studying ways to make our court system as responsive as possible in the lives of Iowans and the operation of business and commerce. Justice Daryl Hecht and 83 committed Iowa business leaders, court users, judges, and attorneys, have been studying and evaluating new ideas for civil justice reform in Iowa in order to build a new court model to provide even more confidence in the business environment of Iowa.

Their report will be unveiled next month and could become the blueprint for a new civil justice system in Iowa comprised of special business courts, special litigation tracks for low-cost and prompt resolution of litigated matters and alternative dispute resolution methods now desired by many. These processes, as well as others, will help make our court system as relevant and attractive to users as possible and will provide an opportunity to make our court system even more attractive for economic development.

Last year we also saw great strides in the transition of our court system into a paperless operation. This too will brighten our economic future. As you know, this operation is the Electronic Document Management System, or EDMS. EDMS is designed to receive and store electronic court documents. Electronic filing and storage will allow more and more court users access to court records, 24 hours a day, seven

days a week. Parties can view the court docket and court documents for their case from an office or home computer.

This system, when completed, will provide efficiencies never before seen in our or any other court system, as well as efficiencies that will benefit both public and private court users. We are building what will be a national template—a model for other states. Importantly, EDMS will allow us to more effectively allocate our workload and maintain the importance of a courthouse in each county.

EDMS now operates in four counties, and we are in the process of expanding into more counties and the appellate courts.

We have also sought to improve our judicial system by developing specialty criminal courts that target the underlying problems that bring people into our courts in an effort to craft better long-lasting solutions. Crime for too many Iowans is the result of drug addiction, and we now operate 28 drug courts in 19 counties in Iowa to better address addictions. The judges who staff these courts work closely with attorneys, substance-abuse treatment providers, and others to monitor progress through a variety of effective treatment methods. Last year, hundreds of Iowans likely avoided prison due to these drug courts and have been redirected toward a better future.

Family drug courts have also been implemented and have been found to be successful in reuniting families torn apart by child abuse and neglect on account of meth-addicted parents. In Wapello County, Judge Bill Owens sets aside two afternoons per month for family drug court. Ottumwa attorney, Mary Baird Krafska, made this observation about the outcomes she witnessed in the family drug court, “It is nothing short of exciting to observe, month by month, the improved appearance and demeanor of these parents.”

These specialty courts have shown what the court system can do when it has the time and resources to do its best work.

We continue to make tremendous strides in our efforts to help abused and neglected children, as well as troubled youths.

As you know, we have taken numerous steps and implemented many reforms to strengthen court oversight of child welfare cases so we can expeditiously find permanent, loving homes for abused and neglected children, which ultimately improves their prospects for better lives and futures full of promise. These reforms have continued to produce the results we had hoped to see.

In addition, our juvenile court officers have found new approaches to addressing juvenile crime. They are now using evidence-based, risk and needs assessment tools that enable juvenile court officers to distinguish between low, moderate, and high risk youths and to better identify the underlying problems and needs of each youth.

So, overall, Iowa courts are fulfilling the mission they have been given. We live in a state that has gained a reputation for having a very good court system. Unfortunately, the Iowa Court system has been facing a mounting problem. We have identified this concern for you in the past, but let me explain what it means today.

The successes of this past year and those over the past decade have primarily been the result of two factors. The first factor is that we have made many innovative improvements and found many efficiencies to do our work. Yet, by far, our success has been the result of the dedication and extraordinary work of our people. We are 1753 people who believe in the courts and the work of the courts.

Yet, while we have faced budget cuts year after year, resulting in a workforce smaller than we had 24 years ago, our workload has increased dramatically. During this 24-year period, the number of cases filed with our courts, excluding simple misdemeanors and traffic violations, has increased 50%. During this same time, the Code of Iowa has increased in size by 79%. A recent report of the Legislative Service Agency of this state revealed that we have cut our full-time workforce 16.5% since 2003, while the workforce in state government as a whole has grown 1.6%.

I make this observation not to complain, but primarily to show that our successes are truly the result of the very devoted people who work in the court system. Yet, I am beginning to see that these successes cannot be sustained because, quite simply, I am not sure our people can continue to carry all the weight they have been asked to shoulder. Please understand; we appreciate very much the budget constraints you have faced, and we are grateful for the past support that you have given to us. In turn, we have striven to operate our courts very efficiently, and we have spent our funds wisely to produce very good results. All of us in the Judicial Branch have put our system of justice first, and this has made it better. But, the months and months of cuts have turned to years and years of cuts, and those years have now stretched into a decade. The spirit that has inspired us to do so well is challenged, and too often, we are forced to operate in ways that we do not want to operate because we know to do so is not good for Iowans. Not only does this cause problems for Iowans, it undermines the public's confidence in the reliability of our justice system and hinders the state in achieving its goal of a vibrant economy.

Right now, 33 of Iowa's 100 clerks' offices operate part-time because they do not have enough employees to operate fulltime. These closures hinder Iowans seeking to initiate emergency mental health or substance abuse commitments or seeking civil protective orders for domestic abuse. They have also slowed down the processing of all cases, as well as liens, garnishments, warrants, and child support checks. Closures have caused the public to lose confidence in the courts.

Cuts in other staff components such as court reporters, case schedulers, court attendants, law clerks, and others have exacerbated case processing delays—frustrating us and causing problems for many Iowans. Litigants must wait longer before they have their day in court. Even when a trial date arrives there is no guarantee it will proceed as scheduled. We are experiencing too many instances when people seeking domestic abuse protective orders, high priority cases, must wait hours on end for a court reporter to become available to record the proceeding. Too many times, inadequate staffing levels have forced rescheduling of custody disputes and parents and children have been forced to wait. Complex civil trials have also been canceled at the last minute because judges or other personnel were not available to staff the courtroom. Even after trials and hearings occur, litigants must often wait longer for rulings because judges lack appropriate support staff.

The resulting stress and strain experienced by our people over the past decade of budget cuts has been observed not only by me, it has been observed by each member of

the supreme court as they have traveled to many of the courthouses across Iowa in the last year to visit with court staff. It has been observed by others as well. While not voiced by our people as a complaint, the stress and strain is written on their faces. They worry about not being able to provide the help they know Iowans need. Today, for example, most of our juvenile court officers no longer have the time to provide face-to-face interviews with all first-time juvenile offenders, so many do not get the help they need and end up returning to the court system. We know we are not really helping our troubled teens when we are no longer able to consistently meet them face to face.

I truly understand funding is tight for everyone, but there is little more we can do to help sustain this court system without your help. Ultimately, by constitutional design, Iowans depend on you to provide the resources to support the justice system, and today I respectfully ask you to extend your hand to help.

Today, the Iowa Judicial Branch operates on a budget of \$154,000,000, about 2½% of the total state budget. At the same time, we bring in about \$146,000,000 each year through fines, fees, and the like. So, in truth, everything we provide to this state, including the opportunity for a more prosperous future based on the rule of law secured by fair and impartial courts, costs less than one-half of one percent of our total state budget. We need just a small fraction more to adequately fund and staff the branch, but a fraction that will make a world of difference.

I must also tell you our budget is particularly fragile for another reason. Unlike in the past, status quo funding will not even allow us to limp along for another year. Without additional money, the Judicial Branch has no means to absorb the additional costs of salary adjustments and will face another severe reduction of workforce and more cuts in the hours our clerks' offices will be open. Fewer staff and more closed courthouses will cause greater delays and less access to justice. In my view, these unwanted consequences would pierce the spirit of our devoted court employees and mark the start of a decline in our great court system. Not only will confidence in a reliable and efficient court system be lost, but an essential building block for economic growth will be jeopardized.

But, in the end, I simply ask you to believe in our courts. While it has been important for me to inform you about the struggles of our people, just as it is important for them to know I support them and I am deeply moved by all they do for this state, I simply ask you to believe, as we believe, in the work of the courts. Believe, as we believe, that with just a little more help our courts can truly help move this state into the future it so richly deserves.

Investing in the courts now will give all the people in our court system the tools they need to do the job they have devoted their lives to do and will allow us to structure our court system to provide services it was established to deliver.

Investing in the courts now will deliver the foundation for a vibrant economy through a transparent and responsive civil justice system that continues to be a model for the nation.

Investing in the courts now will enhance our court system to give our children and others in need the best opportunity for a productive life.

Investing in the courts now will allow us to do our best work to give Iowa its best future. Investing in the courts will allow us to show the nation how the three branches of government can work for the benefit of the people.

And, investing in the courts now, just a fraction more, will show future generations what believing in our courts now will do.

So, the State of the Judiciary today is not just in the hands of the courts, it is in your hands too. This is the time for us to work together as never before. This is the time to begin rebuilding Iowa's economy and creating a way of life that will ensure our prosperity and our children's prosperity. This is our time to truly discover what our joint efforts can grow and produce for the bountiful future of this great state.

Thank you.

On motion by Upmeyer of Hancock the Joint Convention was dissolved at 10:40 a.m.

The House stood at ease at 10:40 a.m., until the fall of the gavel.

The House resumed session at 10:48 a.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2002, by Hager, a joint resolution proposing an amendment to the Constitution of the State of Iowa creating term limits for members of the general assembly.

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

House Joint Resolution 2003, by J. Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the use of automated traffic law enforcement systems.

Read first time and referred to committee on **transportation**.

HOUSE FILE 2005 REREFERRED

The Speaker announced that House File 2005, previously referred to committee on **labor** was rereferred to committee on **commerce**.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 11

Commerce: Iverson, Chair; Jacoby and Shaw.

House Joint Resolution 12

Judiciary: Hagenow, Chair; Baltimore and Wolfe.

House Joint Resolution 13

Judiciary: Hagenow, Chair; Baltimore and R. Olson.

House Joint Resolution 14

Judiciary: Tjepkes, Chair; Heaton and Lensing.

House Joint Resolution 15

Judiciary: Tjepkes, Chair; Heaton and Oldson.

House File 23 Reassigned

Human Resources: Heaton, Chair; Iverson and M. Smith.

House File 33 Reassigned

Human Resources: Heaton, Chair; Iverson and M. Smith.

House File 34 Reassigned

Human Resources: Heaton, Chair; Iverson and M. Smith.

House File 153 Reassigned

Human Resources: Heaton, Chair; Iverson and Wessel-Kroeschell.

House File 224 Reassigned

Human Resources: Heaton, Chair; Iverson and Mascher.

House File 296 Reassigned

Human Resources: Heaton, Chair; Iverson and Wessel-Kroeschell.

House File 381

Commerce: Baltimore, Chair; Horbach and T. Olson.

House File 495

Human Resources: L. Miller, Chair; Koester and Wolfe.

House File 531

Human Resources: Heaton, Chair; Iverson and Wessel-Kroeschell.

House File 539

Judiciary: Tjepkes, Chair; Alons and Oldson.

House File 559

Commerce: Pettengill, Chair; Fry and Oldson.

House File 560

Commerce: Paustian, Chair; Muhlbauer and Windschitl.

House File 573 Reassigned

Public Safety: Windschitl, Chair; Baudler and R. Olson.

House File 576

Commerce: Pettengill, Chair; Oldson and Shaw.

House File 587 Reassigned

Transportation: Iverson, Chair; Hanson and Rasmussen.

House File 594

Commerce: Watts, Chair; Muhlbauer and Windschitl.

House File 627

Judiciary: Rogers, Chair; Gaines and Massie.

House File 628

Labor: Jorgensen, Chair; Kearns and L. Miller.

House File 629

Labor: Watts, Chair; Brandenburg and T. Taylor.

House File 630

Transportation: Iverson, Chair; Petersen and Rasmussen.

House File 2002

Judiciary: Baltimore, Chair; Garrett and Swaim.

House File 2003

Judiciary: Massie, Chair; Pearson and M. Smith.

House File 2004

Judiciary: Hagenow, Chair; Oldson and J. Taylor.

House File 2005

Commerce: Baltimore, Chair; Horbach and Quirk.

House File 2009

Human Resources: Jorgensen, Chair; Massie and M. Smith.

House File 2012

Labor: Horbach, Chair; Klein and Murphy.

House File 2013

Labor: Horbach, Chair; Klein and Murphy.

House File 2016

Transportation: Rogers, Chair; Rasmussen and Wenthe.

House File 2017

Transportation: Windschitl, Chair; Wolfe and Worthan.

House File 2018

Transportation: Lykam, Chair; Tjepkes and Van Engelenhoven.

House File 2024

Transportation: Iverson, Chair; Hall and Rasmussen.

House File 2025

Transportation: Iverson, Chair; Lykam and Rasmussen.

House File 2027

Transportation: Iverson, Chair; Murphy and Rasmussen.

House File 2028

Transportation: Lykam, Chair; Tjepkes and Van Engelenhoven.

House Concurrent Resolution 13

Commerce: Watts, Chair; Swaim and Wagner.

Senate File 93 Reassigned

Judiciary: J. Taylor, Chair; R. Olson and Rogers.

Senate File 295

Human Resources: Fry, Chair; Brandenburg and Petersen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 506**

State Government: Cownie, Chair; Gaskill and Jorgensen.

House Study Bill 507

State Government: Rogers, Chair; Kaufmann and Lensing.

House Study Bill 508

State Government: Iverson, Chair; Helland and Isenhardt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 510 Human Resources**

Relating to child abuse reports and disposition data.

H.S.B. 511 Human Resources

Relating to the use of physician orders for scope of treatment including provisions relative to existing advance directives.

H.S.B. 512 Judiciary

Prohibiting certain credits for time served while on probation.

H.S.B. 513 Judiciary

Relating to the criminal offense of solicitation to commit murder and providing a penalty.

H.S.B. 514 Judiciary

Relating to the arrest of a material witness in a felony criminal case.

H.S.B. 515 Judiciary

Relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice.

H.S.B. 516 Economic Growth/Rebuild Iowa

Relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly House Study Bill 501), amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

Fiscal Note is not required.

Recommended **Do Pass** January 11, 2012.

Committee Bill (Formerly House Study Bill 502), amending the permanent rules of the House of Representatives relating to requirements for consideration of amendments.

Fiscal Note is not required.

Recommended **Do Pass** January 11, 2012.

RESOLUTION FILED

H.R. 101, by committee on administration and rules, a resolution relating to an annual budget for the daily operations of the House of Representatives.

Placed on the **calendar**.

On motion by Upmeyer of Hancock the House adjourned at 10:50 a.m., until 8:30 a.m., Thursday, January 12, 2012.

JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 12, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Deacon Jim Obradovich, Holy Trinity Catholic Church, Des Moines. He was the guest of Representative McCarthy of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Bell, Minority Leader's Page from Waukee.

The Journal of Wednesday, January 11, 2012, was approved.

INTRODUCTION OF BILLS

House File 2029, by Horbach, a bill for an act establishing an employer advocacy council within the economic development authority.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2030, by Lukan, a bill for an act requiring legislative and gubernatorial approval of any administrative rule with a fiscal impact requiring a fiscal impact statement.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2031, by Lukan, a bill for an act relating to the establishment of a state business information center.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2032, by Lukan, a bill for an act creating an assistant citizens' aide for administrative rules.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2033, by Rogers, a bill for an act establishing prerequisites to the performance of an abortion.

Read first time and referred to committee on **human resources**.

House File 2034, by Kressig, a bill for an act providing a sales tax exemption for sales of textbooks for a limited time period annually and including an effective date.

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

House File 2035, by Baudler, a bill for an act relating to surety bond requirements for fire extinguishing system and alarm system contractors and fire protection system installers and maintenance workers.

Read first time and referred to committee on **commerce**.

House File 2036, by Baudler, a bill for an act requiring drug testing of certain applicants for the family investment program.

Read first time and referred to committee on **human resources**.

House File 2037, by Baudler, a bill for an act relating to the issuance of a search warrant to authorize the placement, tracking, and monitoring of a global positioning devise.

Read first time and referred to committee on **judiciary**.

House File 2038, by Iverson and Arnold, a bill for an act requiring random drug testing for recipients of unemployment compensation benefits.

Read first time and referred to committee on **labor**.

SUBCOMMITTEE ASSIGNMENTS

House File 286 Reassigned

Judiciary: J. Taylor, Chair; Kaufmann and Lensing.

House File 505

Local Government: Klein, Chair; Horbach and Wittneben.

House File 506

Local Government: Klein, Chair; Horbach and Wittneben.

House File 507

Local Government: Helland, Chair; Kearns and Pearson.

House File 604

Judiciary: Hagenow, Chair; Alons and Lensing.

House File 608

Judiciary: Garrett, Chair; Alons and Wolfe.

House File 613

Local Government: Wagner, Chair; Baltimore and Berry.

House File 624

Judiciary: Anderson, Chair; Hagenow and Swaim.

House File 671

Ways and Means: Sands, Chair; Helland and Jacoby.

House File 690

Ways and Means: Sands, Chair; Helland and Jacoby.

House File 2006

Local Government: Baltimore, Chair; Gaskill and Tjepkes.

House File 2010

Judiciary: Massie, Chair; Heaton and Oldson.

House File 2011

Judiciary: Tjepkes, Chair; Baltimore and Wolfe.

House File 2014

Local Government: Gaskill, Chair; Klein and Pearson.

House File 2023

Judiciary: J. Taylor, Chair; R. Olson and Rogers.

Senate File 261 Reassigned

Ways and Means: Sands, Chair; Helland and Jacoby.

Senate File 413

Local Government: Tjepkes, Chair; Hager and Kajtazovic.

Senate File 516 Reassigned

Ways and Means: Sands, Chair; Helland and Jacoby.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 510**

Human Resources: Fry, Chair; Garrett, Hunter, Lofgren and Mascher.

House Study Bill 511

Human Resources: Fry, Chair; Hunter and Lofgren.

House Study Bill 512

Judiciary: Rogers, Chair; Heaton and Wolfe.

House Study Bill 513

Judiciary: J. Taylor, Chair; Lensing and Rogers.

House Study Bill 514

Judiciary: Pearson, Chair; Gaines and Hagenow.

House Study Bill 515

Judiciary: Massie, Chair; Garrett and Wessel-Kroeschell.

House Study Bill 516

Economic Growth/Rebuild Iowa: Lofgren, Chair; Byrnes, Hall, Lukan and Running-Marquardt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 517 Education**

Relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds.

H.S.B. 518 Commerce

Relating to service of notice requirements for holders of a property tax sale certificate of purchase.

H.S.B. 519 Ways and Means

Relating to property taxation and local government budgets by establishing and modifying property assessment limitations, providing for certain property tax replacement payments, establishing budget limitations for counties and cities, eliminating certain reporting requirements, making appropriations, and including applicability provisions.

H.S.B. 520 Judiciary

Relating to the treatment and control of bed bug infestation under the uniform residential landlord and tenant Act.

H.S.B. 521 State Government

Relating to the licensure of ambulatory surgical centers, providing fees and penalties, and including effective date provisions.

H.S.B. 522 State Government

Exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

H.S.B. 523 State Government

Relating to the regulation of persons offering occupational therapy services.

H.S.B. 524 Judiciary

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

H.S.B. 525 Judiciary

Relating to the possession, distribution, and reporting of obscene material, and making penalties applicable.

H.S.B. 526 Public Safety

Relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations.

H.S.B. 527 Public Safety

Relating to requirements for the operation of a vehicle on a roadway laned for traffic and making penalties applicable.

H.S.B. 528 Public Safety

Relating to expenses for medical aid incurred by an arrested person prior to booking into a jail or municipal holding facility.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House Study Bill 503), requiring jobs impact statements for administrative rules.

Fiscal Note is not required.

Recommended **Do Pass** January 12, 2012.

Committee Bill (Formerly House Study Bill 504), relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

Fiscal Note is not required.

Recommended **Do Pass** January 12, 2012.

RESOLUTIONS FILED

H.R. 102, by committee on administration and rules, a resolution amending the permanent rules of the House of Representatives relating to requirements for consideration of amendments.

Placed on the **calendar**.

H.C.R. 104, by committee on administration and rules, a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

Placed on the **calendar**.

On motion by Upmeyer of Hancock the House adjourned at 8:39 a.m., until 10:00 a.m., Friday, January 13, 2012.

JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 13, 2012

The House met pursuant to adjournment at 10:08 a.m., Lukan of Dubuque in the chair.

Prayer was offered by Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Lukan of Dubuque.

The Journal of Thursday, January 12, 2012, was approved.

INTRODUCTION OF BILLS

House File 2039, by Van Engelenhoven, a bill for an act increasing the amount required to prove financial responsibility for liability arising out of the ownership, maintenance, or use of a motor vehicle.

Read first time and referred to committee on **judiciary**.

House File 2040, by J. Taylor, Windschitl, Kaufmann, Pettengill, Vander Linden, Paustian, Klein, Schultz, Hagenow, Lofgren, Moore, Sweeney, Massie, and De Boef, a bill for an act limiting area education agency administrator salaries.

Read first time and referred to committee on **education**.

House File 2041, by Rasmussen, a bill for an act eliminating construction contractor registration administered by the labor commissioner.

Read first time and referred to committee on **labor**.

SENATE FILE 493 REFERRED

The Speaker announced that Senate File 493, previously **passed on file** was referred to committee on **judiciary**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

AUDITOR OF STATE

ICN Savings Report, pursuant to Iowa Code section 8D.10.

BOARD OF REGENTS

Articulation Efforts and Activities Report, pursuant to House File 815, 2009 Iowa Acts.

Statewide Research and Development School Transition Report, pursuant to Senate File 470, 2009 Iowa Acts.

DEPARTMENT OF EDUCATION

Iowa Council Early ACCESS Report, pursuant to Iowa Code section 120.7(3).

Iowa Early Intervention Block Grant Program Report, pursuant to Iowa Code section 256D.3.

Tuition Assistance For Individuals Serving Individuals With Disabilities Program Report, pursuant to Senate File 2425, 2008 Iowa Acts.

Community College Additional Data Report, pursuant to Senate File 470, 2009 Iowa Acts.

Iowa Core Curriculum Report, pursuant to Senate File 2216, 2008 Iowa Acts.

Student Achievement and Accountability Report, pursuant to Iowa Code section 284.12(1).

DEPARTMENT OF HUMAN SERVICES

Healthy and Well Kids in Iowa Report, pursuant to Iowa Code section 5141.5(7)g.

DEPARTMENT OF MANAGEMENT

Standing Appropriation Report, pursuant to Iowa Code section 8.6(2).

IOWA HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Enhanced 911 Report, pursuant to Iowa Code section 34A.7A(3)(a).

IOWA LIBRARY SERVICES

ICN Savings Report, pursuant to Iowa Code section 8D.10.

IOWA MENTAL HEALTH AND DISABILITY SERVICES COMMISSION

Annual Report, pursuant to Iowa Code section 225C.6(1)h.

IOWA STUDENT LOAN

Annual Report, pursuant to Iowa Code section 7C.13(2).

IOWA UTILITIES BOARD

Status of Utility Customer Contribution Funds Report, pursuant to Iowa Code section 476.66(6).

SUBCOMMITTEE ASSIGNMENT

Senate File 493

Judiciary: Garrett, Chair; Hagenow and Swaim.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 519

Ways and Means: Sands, Chair; Helland, Jacoby, Kaufmann and Kearns.

House Study Bill 520

Judiciary: Rogers, Chair; Massie and M. Smith.

House Study Bill 521

State Government: Iverson, Chair; Helland and Mascher.

House Study Bill 522

State Government: Jorgensen, Chair; Hein and Kajtazovic.

House Study Bill 523

State Government: Schulte, Chair; Rogers and T. Taylor.

House Study Bill 524

Judiciary: Alons, Chair; Gaines and Tjepkes.

House Study Bill 525

Judiciary: Rogers, Chair; M. Smith and J. Taylor.

On motion by Rasmussen of Buchanan the House adjourned at 10:10 a.m., until 8:30 a.m., Tuesday, January 17, 2012.

JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 17, 2012

The House met pursuant to adjournment at 8:30 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Angelo Vignaroli, Page from Des Moines.

The Journal of Friday, January 13, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heddens of Story

On motion by Upmeyer of Hancock, the House was recessed at 8:32 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:00 p.m., Speaker Paulsen in the chair.

SUBCOMMITTEE ASSIGNMENTS

House File 112 Reassigned

Environmental Protection: S. Olson, Chair; Klein and Lensing.

House File 445

Environmental Protection: Paustian, Chair; Deyoe and Wessel-Kroeschell.

House File 496

Environmental Protection: Hager, Chair; Hein and Kelley.

House File 579

Education: Abdul-Samad, Chair; Byrnes and Koester.

House File 598

Education: L. Miller, Chair; Forristall and Steckman.

House File 599

Education: L. Miller, Chair; Forristall and Steckman.

House File 2033

Human Resources: Fry, Chair; Anderson and Wessel-Kroeschell.

House File 2036

Human Resources: Brandenburg, Chair; Abdul-Samad and Heaton.

House File 2040

Education: L. Miller, Chair; Forristall and Steckman.

Senate File 155 Reassigned

Judiciary: J. Taylor, Chair; Anderson and Swaim.

Senate File 292 Reassigned

Judiciary: Rogers, Chair; Tjepkes and Wessel-Kroeschell.

Senate File 445

Education: Hanusa, Chair; Forristall and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 517

Education: Chambers, Chair; Dolecheck, Forristall, Hanson, Steckman, J. Taylor and Winckler.

House Study Bill 518

Commerce: J. Smith, Chair; Brandenburg and Kressig.

House Study Bill 526

Public Safety: Tjepkes, Chair; Berry and Worthan.

House Study Bill 527

Public Safety: Tjepkes, Chair; Muhlbauer and Worthan.

House Study Bill 528

Public Safety: Fry, Chair; Alons and Gaines.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 529 Commerce**

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

H.S.B. 530 Commerce

Relating to the naming of certain business entities.

H.S.B. 531 Ways and Means

Relating to assessment and taxation of telecommunications company property and including effective date and applicability provisions.

H.S.B. 532 Commerce

Relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

H.S.B. 533 Commerce

Relating to third-party payment of services provided by a doctor of chiropractic.

H.S.B. 534 Commerce

Establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

RESOLUTION FILED

H.R. 103, by Anderson, Drake, Arnold, Berry, Mascher, S. Olson, and Petersen, a resolution congratulating the Republic of China on Taiwan on its twentieth anniversary of participating in the Asia-Pacific Economic Cooperation forum and supporting the Republic of China on Taiwan as a part of the global community.

Laid over under **Rule 25**.

On motion by Upmeyer of Hancock the House adjourned at 1:05 p.m., until 8:30 a.m., Wednesday, January 18, 2012.

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 18, 2012

The House met pursuant to adjournment at 8:31 a.m., Representative Kaufmann of Cedar in the chair.

Prayer was offered by Chaplain Craig Nelson from Marshalltown Veterans' Home. He was the guest of Representative M. Smith of Marshall County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carlee Harmon of Marshalltown. She was the guest of Representative M. Smith of Marshall.

The Journal of Tuesday, January 17, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie

INTRODUCTION OF BILLS

House File 2042, by committee on economic growth/rebuild Iowa, a bill for an act requiring jobs impact statements for administrative rules.

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

House File 2043, by committee on economic growth/rebuild Iowa, a bill for an act relating to the implementation of federal statute, regulation, or policy by state administrative agencies.

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

SPECIAL PRESENTATION

Baltimore of Boone presented to the House Dr. Steven Leath, President of Iowa State University.

The House rose and expressed its welcome.

COMMITTEE TO NOTIFY THE SENATE

Massie of Warren moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in Joint Convention.

The motion prevailed and the Speaker appointed as such committee Raecker of Polk, Chair; Massie of Warren and Quirk of Chickasaw.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 8:53 a.m., Kaufmann of Cedar in the chair.

ADOPTION OF HOUSE RESOLUTION 103

Upmeyer of Hancock called up for consideration **House Resolution 103**, a resolution congratulating the Republic of China on Taiwan on its twentieth anniversary of participating in the Asia-Pacific Economic Cooperation forum and supporting the Republic of China on Taiwan as a part of the global community, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Anderson of Page presented to the House Baushuan Ger, Director General of the Taipei Economic and Cultural Office in Chicago.

The House rose and expressed its welcome.

The House stood at ease at 9:02 a.m., until the fall of the gavel.

The House resumed session at 9:50 a.m., Speaker Paulsen in the chair.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Raecker of Polk, Chair of the committee appointed to notify the Senate that the House was ready to receive it in Joint Convention reported that the committee had performed its duty.

The report was accepted, and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the Joint Convention was called to order at 9:51 a.m., President Kibbie presiding.

Senator Gronstal of Pottawattamie 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.

President Kibbie announced a quorum present and the Joint Convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Danielson of Black Hawk, Jochum of Dubuque

and Smith of Scott, on the part of the Senate, and Representatives Anderson of Page, Rogers of Black Hawk and Thomas of Clayton, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to escort Adjutant General Timothy E. Orr to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Beall of Webster, Courtney of Des Moines and Ernst of Montgomery, on the part of the Senate, and Representatives Chambers of O'Brien, Vander Linden of Mahaska and Kearns of Lee, on the part of the House.

The Joint Convention stood at ease at 9:54 a.m., until the fall of the gavel.

The Joint Convention resumed session at 9:58 a.m., President Kibbie in the chair.

Secretary of State, Matt Schultz and State Auditor David Vaudt were escorted into the House chamber.

Suzanne Orr, wife of General Orr, and distinguished guest, Major General Kadri Kastrati, commander of the Kosovo Security Force, 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 to the Speaker's station.

The committee waited upon Major General Timothy E. Orr, Adjutant General of the Iowa National Guard and escorted him to the Speaker's station.

President Kibbie presented Major General Orr, Adjutant General of the Iowa National Guard. He provides command and control of more than 100 Army and Air National Guard units with approximately 9,400 assigned Soldiers and Airmen.

General Orr delivered the following Condition of the Iowa National Guard Message:

Good morning Ladies and gentlemen – thank you for that wonderful welcome.

Speaker Paulsen, President Kibbie – Thank you for the opportunity to once again address this joint convention of the 84th General Assembly of the Iowa Legislature.

Governor Branstad, Lieutenant Governor Reynolds, members of the General Assembly, distinguished guests and fellow Iowans:

It is indeed an honor and a privilege to be here today and report on the condition of our Iowa National Guard, an organization that continues to be “Mission Focused and Warrior Ready.” With the exception of about 90 Soldiers and Airmen who are currently mobilized as individual deployers, nearly all of our personnel were home for the holidays. And for the first time since 2001, I can report the Iowa National Guard does not have any units currently deployed overseas.

Last month, the final contingent of American Soldiers departed Iraq, bringing to a close this extraordinary chapter of American military history. As in previous military campaigns and conflicts, the Iowa National Guard played a prominent role and served with honor and distinction.

I am so proud of those who served and sacrificed in Operations Iraqi Freedom and New Dawn. They helped liberate and secure a country and gave hope to millions of Iraqis. Getting to this day was not easy. It tried our political and military leadership in ways unseen since the challenges of Vietnam. Despite these extraordinary circumstances, the men and women who served there did not falter. They carried out their duties day-in and day-out, many on multiple deployments, to ensure mission success.

Company B, of the 2-211th General Support Aviation Battalion, our last Iowa National Guard unit deployed to Iraq, returned home in November after flying more than 7,100 hours in support of Operation New Dawn. As the last CH-47 Chinook Helicopter unit in Iraq, Company B played a critical role helping to remove personnel and equipment in support of the President’s efforts to have all American forces out of Iraq by the end of 2011, transporting 49,000 passengers and over four million pounds of cargo and equipment on more than 1,800 missions.

We thank the more than 7,000 Iowa National Guard Soldiers and Airmen who served in support of these operations. And to their families who sacrificed in order that our Warriors may serve, we are eternally grateful for all they have done and endured.

Success in Iraq came with a heavy price. We will always honor and remember the brave Iowa National Guard Warriors we lost there, our Gold Star Families, our Wounded Warriors and all those whose lives have been forever changed by the adversity of war. We are grateful that so many were willing to serve and sacrifice in spite of these challenges. It is a testament to the character and values of the men and women who serve our state and nation in uniform.

I am so incredibly proud of our Iowa National Guard family – our Soldiers, Airmen, families, employers, volunteers, and our communities. We owe them a huge debt of gratitude for all they have done to make a difference in this noble endeavor.

The deployments of the last 10 years were unprecedented in recent memory as nearly 15,000 Iowa National Guard Soldiers and Airmen mobilized for overseas contingency operations. These missions demonstrated the performance and promise of the Iowa National Guard which is truly your hometown military. Tough, reliable, resilient, adaptable and above all, ready when called - the Iowa National Guard played a vital role in helping defend the Nation during a critical time in our history.

Though busy overseas, we did not lose sight of our most critical mission – homeland defense and support. In fact, we responded to numerous disasters both here in Iowa and across the country that were often exceptional in both size and scope. In doing so, we fulfilled our statutory and constitutional responsibilities to help defend the nation and provide the governor with a state emergency response force.

We are able to protect communities here in Iowa and help defend the United States overseas for approximately one-third the cost of active duty Soldiers and Airmen, making the National Guard the “Best value for America.”

Two weeks ago, President Obama outlined his Defense Strategic Guidance for sustaining U.S. global leadership in the 21st Century. Based on this guidance, U.S. defense priorities are being reviewed. Part of this process will include looking at the mix of active and reserve component forces. In doing so, we must ensure the National Guard continues to play a vital role as an operational complement to our active duty services.

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. To do this, the National Guard must remain a modern force, capable of rapidly mobilizing, deploying and integrating into ongoing and future contingency operations.

Since the founding of our Republic, the United States has been and continues to be a “militia nation.” This tradition is embedded in our culture and enshrined in our Constitution. With the exception of the large standing military necessitated by World War II and the confrontation with the Soviets during the Cold War, we have traditionally maintained a small active duty force backed up by a strong militia, the successor of which is today’s National Guard.

We are fortunate that Governor Branstad currently serves as the co-chair for the President’s Council of Governors. The council provides a forum for governors to exchange views, information or advice with the Department of Defense, Homeland Security and other federal agencies concerning matters of mutual interest regarding National Guard, homeland defense and civil support activities. This council is intended to strengthen the partnership between the federal, state and local governments to better protect our nation, and provide Governors, who serve as the commander and chief of the individual state National Guard forces, a voice in the process.

One way we hope to support and adapt to the changing environment is through the National Guard’s State Partnership program (SPP). The March 2011 selection of the Iowa National Guard with the Republic of Kosovo, as the newest state partnership

program in the National Guard, will enhance civil and military relationships and strengthen partnership capacity between the United States and Kosovo. The current focus of the program is on noncommissioned 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. Our relationship with Kosovo is not new, over the course of the last 10 years we have deployed hundreds of Iowa National Guard Soldiers there as part of NATO's peacekeeping security force. The most recent unit, Company C, 2nd Battalion, 147th Aviation, returned home from Kosovo in April, where they successfully flew more than 150 missions supporting 15 different NATO countries. One of their greatest accomplishments was building strong relationships with Kosovo communities by providing English instruction to local students and helping them with college entrance requirements.

Our goal is to build a "Whole of Iowa" to "Whole of Kosovo" relationship. An example of this approach would be in the area of education where the state of Iowa is a national leader. The Iowa-Kosovo SPP is off to a fast and productive start with engagements with the Kosovo Security Forces, Kosovo's minister of Defense, Foreign Affairs, Internal Affairs, Agriculture, Health and Education. We currently have conducted over 12 exchange events with Kosovo since March 2011.

One of our near-term goals is to establish a Sister State relationship and foster several sister city relationships to further enhance this partnership. Working with our communities and the Iowa Sister States' program, we want to establish relationships that will be of mutual interest to the citizens of Iowa and Kosovo.

Today, I am pleased to introduce Maj. Gen. Kadri Kastrati, the commander of the Kosovo Security Force, who is with us this morning as my honored guest. I asked him to be here today to help highlight this critically important relationship, observe our legislative process and meet some of our key leaders.

Please join me in giving Gen. Kastrati a warm Iowa welcome.

Gen. Kastrati, thank you for making this journey to join us here today. We are honored to be partnered with Kosovo and we look forward to a strong and productive relationship in the years ahead.

Since its inception in 1989, the Iowa National Guard's Counter Drug Task Force, which is federally funded through the Department of Defense, has played an important role in helping reduce both the supply and demand of illicit drugs in the state of Iowa. It adds value to our communities by making them safer, leverages unique military skills and dual-use equipment, and serves as another example of the performance and promise of your hometown military.

By providing professional, military analytical support to federal, state and local law enforcement agencies throughout the state, we have assisted with thousands of cases leading to nearly 1,700 arrests and the seizure of over \$38 million in illicit drugs as well as more than \$1.7 million in cash and assets. Our Counterdrug Aviation Detachment helicopter support section provides aerial reconnaissance and surveillance,

integration, and command and control to support law enforcement drug interdiction efforts.

The Midwest Counter-Drug Training Center, located on Camp Dodge, provides critical training at no cost to law enforcement officers, military personnel, and prevention and treatment professionals. Last year, the Midwest Counter-Drug Training Center conducted 340 courses, training over 13,000 students from across the United States. This program is especially important for small or rural law enforcement agencies that do not have the funding to pay for this type of training.

A year and a half ago, we deployed nearly 3,000 Iowa National Guard Soldiers from every corner of the state to Afghanistan for our largest deployment since World War II. This deployment, which took nearly one third of our force, was a tremendous undertaking for our entire organization. We pulled Soldiers and units from across the state to augment the 2nd Brigade, relied heavily on our state headquarters and other supporting commands to assist with mobilizing Soldiers, moving equipment and taking care of families while their loved-one was away. It was truly a statewide effort.

The 2nd Brigade, Task Force Red Bulls, conducted a complex mission in a very challenging part of the world. For only the second time in recent memory, a National Guard Brigade Combat Team assumed responsibility for “battlespace” in Afghanistan. From the relative peace of Panjshir province, to the complex operations of Bagram Air Field and the instabilities of Laghman Province, Iowa National Guard Soldiers distinguished themselves in accomplishing their mission.

They participated in one of the largest airborne assaults and clearing operations conducted by the 101st Airborne Division, doing so without suffering any battlefield injuries. They established a new district center in the Galush valley bringing security and government services to a remote population threatened by Taliban insurgents.

They hunted down and removed high value targets from the battlefield, helping to lessen roadside bomb and rocket attacks on our forces. They worked to train Afghan Soldiers and police officers, doing so with the unique skills that only a Citizen-Soldier can provide.

With only a few hours to prepare, they flew into a dangerous corner of Nuristan Province with their Afghan National Army partners to reclaim a police station overrun by Taliban insurgents. Though outnumbered, these Red Bull Soldiers fought off a determined enemy force for more than eight hours. Reinforced by U.S. Special Forces and Afghan Commando elements, they retook the district center, and suffered no friendly casualties.

When the call came out to secure a downed helicopter, it was Iowa Red Bull Soldiers who responded, helping to stop insurgents from overrunning the crash site and allowing friendly forces to recover the crew.

And perhaps most importantly, TF Red Bulls led the way in developing transition plans for much of its area of responsibility including Panjshir and Parwan Provinces as well as the Mehtar Lam municipality. These were critical steps in preparing these areas to assume greater responsibility for their own security, development efforts and governance.

While Task Force Red Bulls was securing its corner of Afghanistan, the 734th Agribusiness Development Team, also known as Task Force Hawkeye, was busy conducting operations in Kunar Province. This joint Iowa Army and Air National Guard team initiated or expanded demonstration farms in six different districts; they implemented Veterinary Outreach Sustainment Programs which helped Afghan veterinarians treat nearly 40,000 head of livestock; they underwrote the planting of more than 70,000 trees for orchards and reforestation; they facilitated, or conducted training of hundreds of Afghan men and women on tree nurseries, orchard planting, greenhouse growing, row crop production, veterinary professional development, and basic livestock care; they funded cash-for-work canal cleaning projects that made possible the irrigation of thousands of acres of agricultural land; and through their Female Engagement Team launched a range of micro-entrepreneurial projects for Afghan women including soap-making, in-home sewing and small-scale poultry production.

Because of the unique nature of the Ag Development Team's mission, several Iowa organizations provided support to their deployment by assisting them with pre-mobilization training and reach-back capability while they were in Afghanistan. I want to mention and thank the following organizations for their assistance and support to this important mission:

- The Iowa Department of Agriculture
- Iowa State University
- Living History Farms
- The Agribusiness Association of Iowa
- The Amish community in Edgewood, Iowa
- Coe College
- Cutting Edge Martial Arts in Washington, Iowa, and
- White Oak Vineyards

The 132nd Fighter Wing was also busy supporting overseas contingency operations. They provided five, F-16 aircraft and 54 Airmen to assist another fighter wing with its Air Expeditionary Force rotation to Afghanistan and sent 34 Expeditionary Combat Support Airmen to 11 locations in Southwest Asia.

This past year, the wing flew more than 3,700 hours, which is 103 percent of their allocated flying hours, doing so with the lowest funded maintenance package in the Air National Guard. Because of this, they have the second lowest cost per flying hour compared to all ANG F-16 units and are the only Air National Guard wing to reduce energy costs four straight years. Perhaps most impressive and important is their safety record. They have amassed a phenomenal record of nearly 94,000 flight hours without a serious mishap and have one of the best maintenance groups in the Air Force as demonstrated by winning the 2011 Air National Guard Maintenance Effectiveness Award.

The Des Moines Airbase's 132nd Distributed Training Operations Center provides daily tactical Distributed Mission Operations training events on 18 types of weapons systems to nearly 70 different sites across the country. Last year, this one-of-a-kind capability supported 4,700 events, trained 9,600 war fighters and fulfilled over 20,000 training requirements, providing a significant cost savings to the Department of Defense training budget.

In Sioux City, the 185th Air Refueling Wing built on its outstanding record by winning the Airlift Tanker Association's Maj. Gen. Stanley F.H. Newman Award for being the best tanker wing in the country.

They deployed 370 Airmen in support of contingency operations at 24 overseas and two stateside locations including two simultaneous deployments to Al Udeid Air Force Base in Qatar and Anderson Air Force Base in Guam. As one of the first Air National Guard units tasked to support hostilities occurring in Libya, they flew nearly 590 hours during 65 missions in which they provided more than two million pounds of fuel to aircraft supporting Operations ODYSSEY DAWN and UNIFIED PROTECTOR.

They conducted three, two-week Aero-Medical Evacuations missions out of Bagram Air Field helping to evacuate 177 wounded warriors from combat operations in Afghanistan. They also flew three air evacuation missions stateside, safely transporting 75 critical care patients throughout the United States, and executed seven missions in the Pacific theater evacuating more than 100 injured patients from that area.

While we are grateful so many of our Iowa National Guard Warriors have returned home after a busy year of deployments, we must not forget those still recovering from injury or illness related to their mobilizations. More than 100 of our wounded Warriors are still receiving medical care, either at military treatment facilities across the country or from health care providers in their local communities. For us, these deployments are not truly over until the last of our wounded Warriors return home. It is our solemn obligation to keep faith with those who served and sacrifice and ensure they receive all the support and assistance they require.

On the domestic response front, we provided Iowa National Guard assistance to combat unprecedented flooding along the Missouri river. While not our largest state response mission, it was by far our longest, lasting more than 100 days. During the course of this emergency, we put nearly 1,000 Soldiers and Airmen on State Active Duty to assist.

Starting in May, we provided a UH-60 "Blackhawk" helicopter through a mutual-assistance mission to help local authorities place large sandbags in the Dakota Dunes area of Southeastern South Dakota.

In support of the Homeland Security Emergency Management Division, we set up a Joint Task Force and dispatched Iowa National Guard alumni to coordinate with county-level civilian emergency managers and officials. We also dispatched Critical Infrastructure Assessment Teams, which consists of uniformed National Guard personnel familiar with civil constructions topics, to provide assessments on ongoing infrastructure issues.

Starting June 4, levee breaches in Missouri required the mandatory evacuation of 600 citizens from Hamburg, Iowa. We provided helicopter support to place sandbags to shore up the failing levees. On June 10, we provided Iowa Air and Army National Guard personnel to monitor levees in Sioux City and Pottawattamie and Mills Counties. By the mid-August operational peak, we had approximately 284 Guard members on duty to support civil flood response efforts. When five inches of rain and hail in the Council Bluffs area caused local flooding, we provided six high-water tactical vehicles to assist with emergency rescue operations, helping to evacuate 24

children from a school bus stalled in four feet of water, as well as seven people and two pets.

One reason we've been able to maintain our position as a national leader among our fellow states is because of our National Guard Educational Assistance Program (NGEAP). This critical recruiting and retention tool helps ensure our readiness. Without it, we couldn't have mustered the necessary personnel to meet all of our overseas and in-state mobilization requirements over the last 15 years. NGEAP is also a great benefit to our Soldiers and Airmen. Each year approximately 1,100 to 1,200 of our members attend Iowa colleges and universities through this program. It keeps young people here in the state and through their service in the Iowa National Guard helps deepen their Iowa roots. We greatly appreciate the assistance provided by the Governor, the legislature and the Iowa College Student Aid Commission to ensure we help to meet the education needs of our Iowa National Guard Warriors in exchange for their service to our state.

Most of our members come back from deployment and return to what they were doing before they left. They return to work, go back to the farm, enroll in school or pursue new opportunities. However, some find this transition difficult. They 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. Whatever the reason, nearly 10 percent of our returning Warriors are looking for work. And we have an obligation to help.

Working with the Employer Support of the Guard and Reserve and our Job Connection Education program, we are actively working to assist our Soldiers, Airmen and their spouses to find gainful employment. We have partnered with Iowa Workforce Development and local human resource management groups to assist our members. Through this process we have developed a one day course designed to assist returning service members searching for work. We assist them with writing resumes and cover letters in order to translate their military experience into meaningful civilian skills. We work on interviewing techniques and practice interviewing skills and we prepare them for job fairs.

Through our partnerships with Iowa Workforce Development, we have placed computers kiosks in our armories to assist our members with finding and applying for job openings. Last October we supported with other state and federal agencies a Veterans' job fair and have begun posting job openings, targeting veterans on websites like the National Guard's Jobs Connection Education Program and Employer Partnership.

Despite our largest deployment since World War II and the lengthiest state mobilization in recent memory, the Iowa National Guard continued to demonstrate the performance and promise of your hometown military. Regardless of the challenge, we will remain "Always Ready and Always There" for the citizens of our great state and the defense of America.

The future remains uncertain. As the challenges of the last 10 years fade, new ones are sure to emerge. Budget constraints and shifting priorities will impact how we operate and what we are asked to do in the years ahead. Despite these challenges, the Iowa National Guard will remain "Mission Focused and Warrior Ready."

On behalf of our Soldiers, Airmen and their families, I want to thank you for this opportunity to provide an assessment of the Iowa National Guard. We are so grateful for the continued support we receive from the General Assembly, the Governor, Lieutenant Governor, and the citizens of Iowa.

Thank you, Ladies and Gentlemen.

General Orr was escorted from the House chamber by the committee previously appointed.

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

SPECIAL PRESENTATION

The Speaker presented President Kibbie with a gavel in honor of his last Joint Convention.

The Joint Convention rose and expressed their appreciation.

Upmeyer of Hancock moved that the Joint Convention be dissolved at 10:40 a.m.

On motion by Upmeyer of Hancock, the House was recessed at 10:43 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:01 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Koester of Polk

Shaw of Pocahontas

Vander Linden of Mahaska

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 18, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2007, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Also: That the Senate has on January 18, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2018, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2044, by Cownie, a bill for an act eliminating the department of education's authority to approve certain requests to waive the school start date.

Read first time and referred to committee on **education**.

House File 2045, by Windschitl, a bill for an act mandating drug testing of applicants for and certain recipients of assistance under the family investment program.

Read first time and referred to committee on **human resources**.

House File 2046, by Arnold, Iverson, Moore, Brandenburg, Massie, Pearson, Paustian, Hager, Sweeney, Dolecheck, Jorgensen, Huseman, Watts, De Boef, Lofgren, Chambers, Hein, S. Olson, and Rasmussen, a bill for an act requiring drug testing of applicants for the family investment program.

Read first time and referred to committee on **human resources**.

House File 2047, by Isenhardt, Hunter, and Kearns, a bill for an act requiring minimum sick and safe time for employees, providing a penalty, and including applicability provisions.

Read first time and referred to committee on **labor**.

House File 2048, by Rogers, Arnold, Raecker, Cownie, J. Taylor, Sands, Hagenow, Sweeney, Deyoe, Koester, Schultz, Watts, Pearson, Massie, Iverson, Van Engelenhoven, Garrett, Moore, J. Smith, Lofgren, Fry, Rasmussen, Vander Linden, and Pettengill, a bill for an

act prohibiting the use of automated traffic law enforcement systems, and including effective date provisions.

Read first time and referred to committee on **transportation**.

House File 2049, by Baltimore, a bill for an act providing an exemption from the computation of the individual and corporate state income tax of net income from the sale or exchange by an eligible manufacturer of tangible personal property that was manufactured within this state by the eligible manufacturer and including retroactive applicability provisions.

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

House File 2050, by Baltimore, a bill for an act establishing a property tax exemption for certain broadband service property and including applicability provisions.

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

HOUSE FILE 2022 REREFERRED

The Speaker announced that House File 2022, previously referred to committee on **education** was rereferred to committee on **ways and means**.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2001

Natural Resources: Baudler, Chair; Hanson, Rayhons, J. Smith and Steckman.

House File 2007

Natural Resources: Rayhons, Chair; Arnold and Wittneben.

House File 2026

Veterans Affairs: Lukan, Chair; Chambers and Thomas.

House File 2037

Judiciary: Tjepkes, Chair; R. Olson and Pearson.

House File 2039

Judiciary: Alons, Chair; Massie and Oldson.

House File 2048

Transportation: Rogers, Chair; Murphy and Watts.

Senate File 479 Reassigned

Natural Resources: Sweeney, Chair; Arnold and Thede.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 519 Reassigned

Ways and Means: Sands, Chair; Helland, Isenhardt, Kaufmann and Thomas.

House Study Bill 529

Commerce: Grassley, Chair; Fry and Muhlbauer.

House Study Bill 530

Commerce: Shaw, Chair; Muhlbauer and Windschitl.

House Study Bill 531

Ways and Means: Byrnes, Chair; Kaufmann and Thomas.

House Study Bill 532

Commerce: Watts, Chair; Quirk and Shaw.

House Study Bill 533

Commerce: Paustian, Chair; Kajtazovic and Pettengill.

House Study Bill 534

Commerce: Horbach, Chair; Oldson and Pettengill.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 535 Commerce

Relating to the authorized deposit of public funds.

H.S.B. 536 Ethics

Relating to ethics regulations for gifts received at certain functions and meetings.

H.S.B. 537 Ethics

Amending the House Code of Ethics.

H.S.B. 538 Commerce

Providing for increases in monetary limits applicable to motor vehicle-related credit transactions pursuant to the consumer credit code.

H.S.B. 539 Commerce

Providing for the issuance of a ratemaking principles order when a rate-regulated public utility enters into a power purchase agreement under specified circumstances.

H.S.B. 540 Ways and Means

Relating to city and county authority to address slum and blight and economic development by modifying Iowa's urban renewal law, providing for a future repeal of Iowa's urban renewal law, authorizing cities and counties to establish project development areas and to utilize tax increment financing for certain projects, and including effective date provisions.

H.S.B. 541 Judiciary

Relating to certain multiple driving-related convictions for one continuous act of driving.

On motion by Upmeyer of Hancock the House adjourned at 1:09 p.m., until 8:30 a.m., Thursday, January 19, 2012.

JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 19, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Alons of Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Darek Muhlbauer, Page from Audubon.

The Journal of Wednesday, January 18, 2012, was approved.

INTRODUCTION OF BILLS

House File 2051, by Iverson, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable.

Read first time and referred to committee on **agriculture**.

House File 2052, by Raecker and T. Olson, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

House File 2053, by J. Taylor, Massie, De Boef, Vander Linden, Lofgren, Paustian, Fry, and Schultz, a bill for an act concerning payment of health insurance costs by school superintendents and area education agency administrators.

Read first time and referred to committee on **education**.

House File 2054, by J. Taylor, a bill for an act relating to the state-designated career information and decision-making system administered by the department of education and including effective date and implementation provisions.

Read first time and referred to committee on **education**.

House File 2055, by T. Olson and Quirk, a bill for an act subjecting photovoltaic installations to electrician licensing provisions.

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

House File 2056, by Murphy, a bill for an act relating to the registration and taxation of minibikes used in agricultural operations.

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

House File 2057, by Murphy, a bill for an act establishing a veteran employment tax credit pilot project for individual and corporate income taxpayers and franchise taxpayers who hire and employ qualified veterans and including effective date and applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2007, by Schoenjahn, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

Senate File 2018, by committee on appropriations, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

On motion by Upmeyer of Hancock, the House was recessed at 8:39 a.m., until 12:45 p.m.

AFTERNOON SESSION

The House reconvened at 12:50 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House Joint Resolution 2004, by Mascher, a joint resolution requesting the Congress of the United States to submit to the States for ratification a campaign finance restriction and disclosure amendment to the United States Constitution.

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

House File 2058, by Drake, a bill for an act establishing a property tax exemption for certain care facilities.

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

House File 2059, by Murphy, a bill for an act relating to failure to make contact with or verify the whereabouts and safety of a child and the reporting of the death of a child to a law enforcement agency, and providing penalties.

Read first time and referred to committee on **human resources**.

House File 2060, by Hunter, 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 and referred to committee on **labor**.

House File 2061, by Mascher, a bill for an act striking language that authorizes the natural resource commission to establish a season for hunting mourning doves and including effective date provisions.

Read first time and referred to committee on **natural resources**.

House File 2062, by Helland, a bill for an act authorizing lottery games to benefit anti-littering and beautification programs.

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

PETITION FILED

The following petition was received and placed on file:

By Upmeyer of Hancock received from approximately 10,000 Iowans: “to pass legislation banning the use of photo enforcement programs to control vehicular traffic in our community. Traffic ticket cameras create revenue for local government and, rather than improve safety, actually cause an increase in accidents.”

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

BOARD OF REGENTS

ICN Savings Report, pursuant to Iowa Code section 8D.10.

Economic Development and Technology Transfer Report, pursuant to Iowa Code section 130.14.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3(3).

Grow Iowa Values Fund Report, pursuant to Iowa Code section 15G.111(5.c).

UIHC Financial Report, pursuant to Iowa Code section 263A.13.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

DSC Infrastructure Status Report.

DEPARTMENT OF HUMAN SERVICES

Mental Health Risk Pool

Funding Awarded Report, pursuant to Iowa Code section 426B.5(2)(l).

DEPARTMENT OF NATURAL RESOURCES

Natural Resources and Outdoor Recreation Trust Fund Report, pursuant to Senate File 2310, 2010 Iowa Acts.

DEPARTMENT OF PUBLIC HEALTH

Activities of the Direct Care Worker Advisory Council, pursuant to House File 649, 2011 Iowa Acts.

DEPARTMENT OF REVENUE

Iowa Capital Investment Board Report, pursuant to Iowa Code sections 7A.11A and 15E.46.

DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures Obligations Report, pursuant to Iowa Code section 307.12(1)(o).

IOWA ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Service Report, pursuant to Iowa Code section 15H.2(3)h.

IOWA FINANCE AUTHORITY

Annual Accomplishments Report.

IOWA INSURANCE DIVISION

Consumer Advocate Bureau Report, pursuant to Iowa Code section 505.8(6)b.

IOWA JUDICIAL BRANCH

Enhanced Court Collections Fund and Court Technology Fund Reports, pursuant to Senate File 511, 2011 Iowa Acts.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 2003**

Transportation: Rogers, Chair; Murphy and Watts.

House File 2029

Economic Growth/Rebuild Iowa: Lukan, Chair; Hanusa and Heddens.

House File 2030

Economic Growth/Rebuild Iowa: Lukan, Chair; Schultz and Wittneben.

House File 2031

Economic Growth/Rebuild Iowa: Lukan, Chair; Hager and Heddens.

House File 2032

Economic Growth/Rebuild Iowa: Lukan, Chair; Anderson and Wittneben.

House File 2041

Labor: Schultz, Chair; Moore and Running-Marquardt.

House File 2044

Education: Cownie, Chair; Hanusa and Winckler.

House File 2045

Human Resources: Brandenburg, Chair; Abdul-Samad and Heaton.

House File 2046

Human Resources: Brandenburg, Chair; Abdul-Samad and Heaton.

House File 2053

Education: J. Taylor, Chair; Gaines and Lofgren.

House File 2054

Education: J. Taylor, Chair; Cohoon and Jorgensen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 535

Commerce: J. Smith, Chair; Brandenburg and Quirk.

House Study Bill 538

Commerce: Fry, Chair; Iverson and Lykam.

House Study Bill 539

Commerce: Wagner, Chair; Quirk and Watts.

House Study Bill 540

Ways and Means: Soderberg, Chair; Isenhardt, Kaufmann, Quirk and Vander Linden.

House Study Bill 541

Judiciary: Tjepkes, Chair; Gaines and Rogers.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 542 State Government

Relating to the practice of optometry.

H.S.B. 543 Ways and Means

Relating to the administration of the streamlined sales tax agreement by the department of revenue.

H.S.B. 544 Ways and Means

Updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions.

H.S.B. 545 Public Safety

Providing tuition and health insurance benefits to children of public safety employees who die in the line of duty.

H.S.B. 546 Labor

Relating to child labor requirements administered by the labor commissioner, making penalties applicable, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House Study Bill 516), relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 18, 2012.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 2021), exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 18, 2012.

On motion by Helland of Polk the House adjourned at 12:51 p.m., until 1:00 p.m., Monday, January 23, 2012.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 23, 2012

The House met pursuant to adjournment at 1:00 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Al Hazelton, First Assembly of God, Harlan. He was the guest of Representative Muhlbauer of Crawford County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ashley Peppy from Marshalltown. She was the guest of Representative M. Smith of Marshall.

The Journal of Thursday, January 19, 2012, was approved.

INTRODUCTION OF BILLS

House File 2063, by Murphy, Hunter, Isenhardt, Swaim, Kearns, Gaskill, H. Miller, Cohoon, Steckman, and R. Olson, a bill for an act relating to small business development by making an appropriation to match a federal grant and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **appropriations**.

House File 2064, by Schulte and T. Olson, a bill for an act relating to the practice of interventional pain medicine and providing for a penalty.

Read first time and referred to committee on **human resources**.

House File 2065, by Kearns, a bill for an act relating to maximizing hospital-specific disproportionate share hospital payments.

Read first time and referred to committee on **human resources**.

House File 2066, by Chambers, a bill for an act related to the establishment of a state welcome center.

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

House File 2067, by Lensing, a bill for an act relating to the transmission and recording of certain death certificates.

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

House File 2068, by Kearns, a bill for an act providing free motor vehicle registration for certain disabled veterans.

Read first time and referred to committee on **veterans affairs**.

House File 2069, by T. Olson, Abdul-Samad, Berry, Cohoon, Gaines, Gaskill, Hall, Hanson, Heddens, Hunter, Isenhardt, Jacoby, Kajtazovic, Kearns, Kelley, Kressig, Lensing, Lykam, Mascher, McCarthy, H. Miller, Muhlbauer, Murphy, Oldson, R. Olson, Petersen, Running-Marquardt, M. Smith, Steckman, Swaim, T. Taylor, Thede, Thomas, Wenthe, Wessel-Kroeschell, Willems, Winckler, Wittneben, and Wolfe, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

House File 2070, by Lykam, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions.

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

House File 2071, by T. Olson, Petersen, Muhlbauer, Thomas, Thede, Steckman, H. Miller, Berry, Wolfe, Lensing, Wessel-Kroeschell, Winckler, Lykam, Cohoon, M. Smith, Murphy, Hunter, Kelley, Gaines, Oldson, Hall, Kearns, Willems, Hanson, Kajtazovic, Kressig, Running-Marquardt, Abdul-Samad, Mascher, T. Taylor, Swaim, Gaskill, Wittneben, Jacoby, Heddens, McCarthy, R. Olson, and Wenthe, a bill for an act relating to and making supplemental

appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

Read first time and referred to committee on **appropriations**.

House File 2072, by Willems and Cownie, a bill for an act providing for the adjustment of state foundation aid amounts payable to school districts based on a district's advanced placement program.

Read first time and referred to committee on **education**.

House File 2073, by Hunter, a bill for an act relating to the use of the elder index to determine provision of services and programs for older individuals.

Read first time and referred to committee on **human resources**.

SUBCOMMITTEE ASSIGNMENTS

House File 183 Reassigned

Public Safety: Fry, Chair; Klein and Wolfe.

House File 2059

Human Resources: Fry, Chair; Garrett and Wessel-Kroeschell.

House File 2064

Human Resources: Schulte, Chair; Abdul-Samad and Lofgren.

House File 2065

Human Resources: L. Miller, Chair; Heaton and Wessel-Kroeschell.

House File 2072

Education: Cownie, Chair; Koester and Willems.

House File 2073

Human Resources: Schulte, Chair; Hunter and Jorgensen.

Senate File 2007

Veterans Affairs: Chambers, Chair; Kearns and J. Taylor.

Senate File 2018

Veterans Affairs: Lukan, Chair; Kearns and Vander Linden.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 542

State Government: Kaufmann, Chair; Cownie and Quirk.

House Study Bill 543

Ways and Means: Vander Linden, Chair; Kajtazovic and J. Taylor.

House Study Bill 544

Ways and Means: Pettengill, Chair; Hein and Willems.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 547 Transportation

Relating to funding for Iowa roads, including by increasing and imposing certain vehicle registration fees and taxes, modifying appropriations and allocations from certain funds, providing for the use of certain fees, increasing motor vehicle fuel taxes, providing accountability measures, and including effective date provisions.

H.S.B. 548 Human Resources

Relating to county mental health, mental retardation, and developmental disabilities services management plan requirements and including effective date provisions.

H.S.B. 549 Human Resources

Relating to an electronic health records system.

H.S.B. 550 Veterans Affairs

Authorizing certain expenditures of funds from the veterans affairs training program account.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 468, a bill for an act prohibiting use by any student enrolled in a school district and use on school grounds of nicotine products and providing restrictions for violation of the prohibition.

Fiscal Note is not required.

Recommended **Do Pass** January 19, 2012.

Pursuant to Rule 31.7, Senate File 468 was referred to the committee on state government.

On motion by Upmeyer of Hancock the House adjourned at 1:06 p.m., until 8:30 a.m., Tuesday, January 24, 2012.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 24, 2012

The House met pursuant to adjournment at 8:42 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Ryan Hill, New Heights Church, Indianola. He was the guest of Representative Fry of Clarke County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kaitlin Dagel, Page from Sheldon.

The Journal of Monday, January 23, 2012, was approved.

INTRODUCTION OF BILLS

House File 2074, by Pettengill and Kelley, 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 and referred to committee on **ways and means**.

House File 2075, by Isenhardt and Koester, a bill for an act relating to school guidance counselors and professional service providers, including professional service and secondary guidance counselor preparation and professional development programs, related licensing and endorsement requirements under the board of educational examiners, and the provision of career and academic guidance counseling services by school districts.

Read first time and referred to committee on **education**.

House File 2076, by Sweeney, S. Olson, Hager, Massie, Jorgensen, Pearson, Lofgren, Huseman, Watts, Baudler, Rayhons, L. Miller, Garrett, Brandenburg, Heaton, Soderberg, Cownie, Grassley, Worthan, Moore, Klein, Paustian, Wagner, Deyoe, Alons,

Iverson, Berry, Muhlbauer, Hanusa, Steckman, and Koester, a bill for an act relating to establishing cohabitation with a sex offender as a potential substantial change in circumstances for the purposes of modification of decree or order regarding custody, visitation, or physical care.

Read first time and referred to committee on **human resources**.

House File 2077, by Isenhardt, a bill for an act subjecting the sale of appliances or other products labeled as energy star certified but meeting outdated certification specifications to consumer fraud provisions and providing a penalty.

Read first time and referred to committee on **commerce**.

House File 2078, by Helland, a bill for an act reducing the statute of repose period in a case arising out of the unsafe or defective condition of an improvement to real property and including an applicability date provision.

Read first time and referred to committee on **commerce**.

House File 2079, by Petersen, a bill for an act relating to the retaining and sharing of information regarding the employer of each IowaCare program member and Medicaid program recipient.

Read first time and referred to committee on **human resources**.

House File 2080, by Petersen, Cownie, Hagenow, Abdul-Samad, and Oldson, a bill for an act requiring a needs analysis of state employee work stations and office standards.

Read first time and referred to committee on **labor**.

House File 2081, by Schultz, a bill for an act relating to signs erected within a primary highway right-of-way by cities of a certain size.

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

House File 2082, by Pettengill, a bill for an act relating to residency qualifications for memorial hospital commissioners.

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

House File 2083, by Pettengill, a bill for an act relating to public service announcements by candidates for public office and making penalties applicable.

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

House File 2084, by Pettengill, a bill for an act relating to moving traffic violations committed during certain hours within a school zone and providing penalties.

Read first time and referred to committee on **transportation**.

House File 2085, by committee on economic growth/rebuild Iowa, a bill for an act relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

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

House File 2086, by committee on veterans affairs, a bill for an act exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

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

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for the committee on economic development appropriations subcommittee to meet at 10:00 a.m. today.

On motion by Upmeyer of Hancock, the House was recessed at 8:48 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:12 p.m., Lofgren of Muscatine in the chair.

INTRODUCTION OF BILLS

House File 2087, by Steckman, Thede, Willems, Hanson, Kressig, Kajtazovic, Heddens, Gaskill, Abdul-Samad, Mascher, Lensing, Winckler, Wessel-Kroeschell, Koester, and Kearns, a bill for an act relating to the repeal of the Iowa early intervention block grant program and including effective date provisions.

Read first time and referred to committee on **education**.

House File 2088, by Steckman, Wessel-Kroeschell, M. Smith, Hanson, Abdul-Samad, Wittneben, Winckler, Hunter, Kearns, and Sweeney, a bill for an act authorizing registered nurses and physician assistants to order respiratory therapy.

Read first time and referred to committee on **human resources**.

House File 2089, by Steckman, Gaskill, Tjepkes, Hanson, Abdul-Samad, Kearns, and Thede, a bill for an act requiring the use of headlights or daytime running lamps on a motor vehicle during periods of moisture accumulation or windshield wiper use, and making a penalty applicable.

Read first time and referred to committee on **transportation**.

House File 2090, by Alons, Chambers, Shaw, Koester, J. Smith, Deyoe, Iverson, and Huseman, a bill for an act relating to the operation of all-terrain vehicles and minitrucks on highways, providing for registration of certain all-terrain vehicles and minitrucks by the department of transportation, providing fees, and making penalties applicable.

Read first time and referred to committee on **transportation**.

House File 2091, by Steckman, a bill for an act concerning the sales and use tax imposed on the operation of bingo games.

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

House File 2092, by Kaufmann, T. Olson, Helland, Hanson, Petersen, and Fry, a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions.

Read first time and referred to committee on **agriculture**.

House File 2093, by Petersen, Oldson, Cownie, and Heaton, a bill for an act creating the Iowa hot lunch challenge campaign.

Read first time and referred to committee on **education**.

SPONSOR ADDED
(House Files 2057 and 2063)

Hanson of Jefferson requested to be added as a sponsor of House Files 2057 and 2063.

SPONSOR ADDED
(House Joint Resolution 2002)

Moore of Jackson requested to be added as a sponsor of House Joint Resolution 2002.

SPONSOR ADDED
(House Files 2025 and 2068)

Murphy of Dubuque requested to be added as a sponsor of House Files 2025 and 2068.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2002

State Government: Iverson, Chair; Helland and Hunter.

House Joint Resolution 2004

State Government: Iverson, Chair; Gaskill and Helland.

House File 689

Appropriations: Raecker, Chair; T. Olson and Wagner.

House File 2015

State Government: Pettengill, Chair; Hein and Wenthe.

House File 2020

State Government: Vander Linden, Chair; Hunter and Jorgensen.

House File 2055

State Government: Pettengill, Chair; Hein and Quirk.

House File 2062

State Government: Helland, Chair; Isenhardt and Rogers.

House File 2063

Appropriations: Schultz, Chair; Murphy and Wagner.

House File 2066

State Government: Iverson, Chair; Cownie and Kajtazovic.

House File 2067

State Government: Jorgensen, Chair; Hein and Lensing.

House File 2071

Appropriations: Worthan, Chair; T. Taylor and Wagner.

House File 2075

Education: Koester, Chair; Byrnes and Hanson.

Senate File 468

State Government: Iverson, Chair; Helland and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 547**

Transportation: Tjepkes, Chair; Cohoon, Iverson, Lykam and Worthan.

House Study Bill 548

Human Resources: Schulte, Chair; Heaton and Heddens.

House Study Bill 549

Human Resources: Garrett, Chair; Lofgren and M. Smith.

House Study Bill 550

Veterans Affairs: Vander Linden, Chair; Alons and Berry.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 551 Human Resources**

Relating to sex offender notification, providing penalties, and including effective date provisions.

H.S.B. 552 Public Safety

Relating to the controlled substance of marijuana, including an effective date provision, and providing a penalty.

H.S.B. 553 Appropriations

Relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

H.S.B. 554 Appropriations

Relating to appropriations to the judicial branch.

H.S.B. 555 Appropriations

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.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON LABOR

Committee Bill (Formerly House File 2012), reducing the years of experience used to calculate an employer's contribution rate for unemployment insurance.

Fiscal Note is not required.

Recommended **Do Pass** January 24, 2012.

Committee Bill (Formerly House File 2013), reducing the time period during which new employers are subject to the new employer contribution rate for unemployment insurance and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 24, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 506), relating to preparation and recording of public land survey corner certificates.

Fiscal Note is not required.

Recommended **Do Pass** January 23, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 522), exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

Fiscal Note is required.

Recommended **Do Pass** January 24, 2012.

COMMITTEE ON VETERANS AFFAIRS

Senate File 2007, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 24, 2012.

Pursuant to Rule 31.7, Senate File 2007 was referred to the committee on appropriations.

Senate File 2018, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 24, 2012.

Pursuant to Rule 31.7, Senate File 2018 was referred to the committee on appropriations.

On motion by Upmeyer of Hancock the House adjourned at 5:14 p.m., until 8:30 a.m., Wednesday, January 25, 2012.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 25, 2012

The House met pursuant to adjournment at 8:31 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative Lofgren of Muscatine County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dwayne Hopkins, Mayor of Muscatine. He was the guest of Representative Lofgren of Muscatine.

The Journal of Tuesday, January 24, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Pettengill of Benton

Van Engelenhoven of Marion

INTRODUCTION OF BILLS

House File 2094, by Koester, a bill for an act relating to mandatory reporting of school employee misconduct to the board of educational examiners.

Read first time and referred to committee on **education**.

House File 2095, by Byrnes, J. Taylor, Mascher, Hall, and Winckler, a bill for an act eliminating the grants for students attending for-profit accredited private institutions under the tuition grant program affecting the eligibility of such institutions to participate in other student and teacher assistance programs.

Read first time and referred to committee on **education**.

House File 2096, by Garrett, a bill for an act relating to the supervision of physician assistants.

Read first time and referred to committee on **human resources**.

House File 2097, by Wolfe, a bill for an act relating to using identifying numbers assigned to jurors.

Read first time and referred to committee on **judiciary**.

House File 2098, by Isenhardt and Hager, a bill for an act authorizing local authorities to permit parking on the left side of a roadway during periods of winter weather.

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

House File 2099, by Garrett, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services.

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

House File 2100, by Kressig, a bill for an act providing a sales tax exemption for textbooks used in attending a postsecondary educational institution.

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

House File 2101, by committee on local government, a bill for an act relating to preparation and recording of public land survey corner certificates.

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

Speaker Paulsen in the chair at 8:37 a.m.

CONSIDERATION OF BILLS Regular Calendar

House File 2042, a bill for an act requiring jobs impact statements for administrative rules, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2042)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Paustian
Pearson	Petersen	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 8:

Jacoby	Olson, T.	Pettengill	Running-Marquardt
Steckman	Swaim	Taylor, T.	Van Engelenhoven

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

ADOPTION OF HOUSE RESOLUTION 102

Deyoe of Story called up for consideration **House Resolution 102**, as follows, and moved its adoption:

HOUSE RESOLUTION 102

BY COMMITTEE ON ADMINISTRATION AND RULES

1 A resolution amending the permanent rules of the House
 2 of Representatives relating to requirements for
 3 consideration of amendments.
 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 5 Rule 31, subsection 8, of the Rules of the House, as
 6 adopted by the House of Representatives during the 2011
 7 Session in House Resolution 11, is amended to read as
 8 follows:
 9 8. No amendment to the rules of the house, to any
 10 resolution or bill, except technical amendments and
 11 amendments to bills substituted for by senate files
 12 containing substantially identical title, language,
 13 subject matter, purpose and intrasectional arrangement,
 14 shall be considered by the membership of the house
 15 without a copy of the amendment having been filed
 16 with the chief clerk by 4:00 p.m. or within one-half
 17 hour of adjournment, whichever is later, on the day
 18 preceding floor debate on the amendment. If the
 19 house adjourns prior to 2:00 p.m. on Friday, the final
 20 deadline is two hours after adjournment. However,
 21 committee amendments filed pursuant to the submission
 22 of the committee report may be accepted after this
 23 deadline. This provision shall not apply to any
 24 proposal debated on the floor of the house after
 25 the thirteenth week of the first session and the
 26 ~~twelfth~~ eleventh week of the second session. No
 27 amendment or amendment to an amendment to a bill,

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1 rule of the house, or resolution shall be considered
 2 by the membership of the house without a copy of the
 3 amendment being on the desks of the entire membership
 4 of the house prior to consideration. However, the
 5 membership of the house may consider an amendment or an
 6 amendment to an amendment to a bill, rule of the house,
 7 or resolution without a copy of the amendment being
 8 on the desks of the entire membership of the house
 9 prior to consideration if a copy of the amendment is
 10 made available to the entire membership of the house
 11 electronically.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 104

Deyoe of Story called up for consideration **House Concurrent Resolution 104**, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 104
 BY COMMITTEE ON ADMINISTRATION AND RULES

1 A concurrent resolution amending the joint rules of
 2 the Senate and House of Representatives relating to
 3 session timetable changes.
 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 5 THE SENATE CONCURRING, That Rule 20, subsections 2
 6 and 3, of the Joint Rules of the Senate and House of
 7 Representatives, as adopted by the Senate and House
 8 of Representatives during the 2011 Session in House
 9 Concurrent Resolution 12, are amended to read as
 10 follows:

11 2. To be placed on the calendar in the house of
 12 origin, a bill must be first reported out of a standing
 13 committee by Friday of the 8th week of the first
 14 session and the ~~8th~~ 7th week of the second session. To
 15 be placed on the calendar in the other house, a bill
 16 must be first reported out of a standing committee by
 17 Friday of the 12th week of the first session and the
 18 ~~11th~~ 10th week of the second session.

19 3. During the 10th week of the first session and
 20 the ~~9th~~ 8th week of the second session, each house
 21 shall consider only bills originating in that house and
 22 unfinished business. During the 13th week of the first
 23 session and the ~~12th~~ 11th week of the second session,
 24 each house shall consider only bills originating in the
 25 other house and unfinished business. Beginning with
 26 the 14th week of the first session and the ~~13th~~ 12th
 27 week of the second session, each house shall consider

Page 2

1 only bills passed by both houses, bills exempt from
 2 subsection 2, and unfinished business.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 101

Schulte of Linn called up for consideration **House Resolution 101**,
 as follows, and moved its adoption:

HOUSE RESOLUTION 101
 BY COMMITTEE ON ADMINISTRATION AND RULES RESOLUTION

1 A resolution relating to an annual budget for the
 2 daily operations of the House of Representatives.
 3 WHEREAS, the legislative authority of this state
 4 is vested in the General Assembly consisting of the
 5 House of Representatives and the Senate; and
 6 WHEREAS, the House of Representatives necessarily

7 incurs substantial expenses for its daily operations;
8 and
9 WHEREAS, the House of Representatives is authorized
10 to expend funds from the state treasury necessary to
11 pay for its expenses and for expenses incurred jointly
12 by the House of Representatives and the Senate; and
13 WHEREAS, it is deemed advisable and proper for
14 the House of Representatives to make expenditures in
15 accordance with a budgetary plan; NOW THEREFORE,
16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:
17 Section 1. Expenditures of the House of
18 Representatives payable pursuant to Iowa Code sections
19 2.10 through 2.14 for the regular legislative session
20 and the interim period during the fiscal year beginning
21 July 1, 2012, and ending June 30, 2013, are budgeted to
22 be as follows:
23 Expenses, salaries, per diems, and other items,
24 \$12,373,345.
25 Sec. 2. The Chief Clerk of the House of
26 Representatives shall immediately provide written
27 notice to the Speaker and Minority Leader of the House

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1 of Representatives and to the Chair and Ranking Member
2 of the House Committee on Appropriations if actual
3 expenditures payable pursuant to Iowa Code sections
4 2.10 through 2.14 exceed the amount budgeted in section
5 1 of this Resolution. The written notice shall specify
6 the amount of and reasons for any excess expenditure.
7 Sec. 3. Joint expenditures by the House of
8 Representatives and the Senate or by the Legislative
9 Council, special expenditures approved by the Committee
10 on Administration and Rules, and special session
11 expenses are not included in the budget set forth in
12 this Resolution.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2042** and **House Concurrent Resolution 104**.

On motion by Upmeyer of Hancock, the House was recessed at 8:48 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:09 p.m., Hager of Allamakee in the chair.

INTRODUCTION OF BILLS

House File 2102, by J. Taylor, a bill for an act relating to teaching and credit requirements for courses offered by a school district under the state's educational standards for grades six through twelve.

Read first time and referred to committee on **education**.

House File 2103, by committee on labor, a bill for an act reducing the time period during which new employers are subject to the new employer contribution rate for unemployment insurance and including effective date provisions.

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

House File 2104, by committee on labor, a bill for an act reducing the years of experience used to calculate an employer's contribution rate for unemployment insurance.

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

HOUSE FILE 2064 REREFERRED

The Speaker announced that House File 2064, previously referred to committee on **human resources** was rereferred to committee on **state government**.

SUBCOMMITTEE ASSIGNMENTS

House File 2068

Veterans Affairs: Alons, Chair; Kearns and Rayhons.

House File 2076

Human Resources: Fry, Chair; Iverson and Petersen.

House File 2079

Human Resources: Jorgensen, Chair; Koester and Petersen.

House File 2081

Local Government: J. Smith, Chair; Hager and Wittneben.

House File 2082

Local Government: Horbach, Chair; Gaines and Rayhons.

House File 2083

State Government: Pettengill, Chair; Hein and Wenthe.

House File 2084

Transportation: Iverson, Chair; Arnold and Cohoon.

House File 2087

Education: L. Miller, Chair; Forristall and Steckman.

House File 2088

Human Resources: L. Miller, Chair; Massie and Wessel-Kroeschell.

House File 2089

Transportation: Iverson, Chair; Pearson and Petersen.

House File 2090

Transportation: Huseman, Chair; Hanson and Rasmussen.

House File 2093

Education: Cownie, Chair; Abdul-Samad and Pearson.

House File 2094

Education: Koester, Chair; Byrnes and Winckler.

House File 2095

Education: L. Miller, Chair; Forristall and Steckman.

House File 2096

Human Resources: L. Miller, Chair; Garrett and Mascher.

House File 2097

Judiciary: Alons, Chair; Heaton and Wolfe.

House File 2099

State Government: Iverson, Chair; Helland and T. Taylor.

**Senate File 2007
(Committee of the Whole)**

Appropriations: Dolecheck, Chair; Chambers, Cohoon, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

**Senate File 2018
(Committee of the Whole)**

Appropriations: Lukan, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 551

Human Resources: Fry, Chair; Hunter and Lofgren.

House Study Bill 552

Public Safety: Worthan, Chair; Abdul-Samad and Hagenow.

House Study Bill 553

Appropriations: Worthan, Chair; T. Taylor and Wagner.

House Study Bill 554

Appropriations: Worthan, Chair; T. Taylor and Wagner.

House Study Bill 555

Appropriations: Huseman, Chair; Chambers and Cohoon.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 556 Commerce

Creating an exception to the statutory rule against perpetuities and making related changes.

H.S.B. 557 Labor

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

H.S.B. 558 Commerce

Relating to stray electric current or voltage and civil actions to recover resulting damages.

H.S.B. 559 Judiciary

Revising the Iowa nonprofit corporation Act.

H.S.B. 560 Human Resources

Relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

H.S.B. 561 Human Resources

Relating to the Iowa health information network, providing for fees, and including effective date provisions.

H.S.B. 562 Human Resources

Relating to programs and activities under the purview of the department of public health, providing for a penalty, and including effective and applicability date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 518), relating to service of notice requirements for holders of a property tax sale certificate of purchase.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

Committee Bill (Formerly House Study Bill 532), relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

Committee Bill (Formerly House Study Bill 534), establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 543), relating to the administration of the streamlined sales tax agreement by the department of revenue.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 25, 2012.

On motion by Upmeyer of Hancock the House adjourned at 4:11 p.m., until 8:30 a.m., Thursday, January 26, 2012.

JOURNAL OF THE HOUSE

Eighteen Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 26, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Captain Skip Manus, Chaplain from the Iowa National Guard, Joint Force Headquarters, Johnston. He was the guest of Representative J. Taylor of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bradley Hobart, Page from Council Bluffs.

The Journal of Wednesday, January 25, 2012, was approved.

The House stood at ease at 8:53 a.m., until the fall of the gavel.

The House resumed session at 9:36 a.m., Speaker Paulsen in the chair.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 2007, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

Senate File 2018, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie
Wolfe of Clinton

Helland of Polk

CONSIDERATION OF BILLS

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of Senate File 2007 and Senate File 2018.

Senate File 2007, a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2007)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.

Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

Senate File 2018, a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2018)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.

Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on natural resources to meet today at 1:00 p.m.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2007 and 2018.**

On motion by Upmeyer of Hancock, the House was recessed at 9:52 a.m., until the conclusion of the committee blocks.

AFTERNOON SESSION

The House reconvened at 4:59 p.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 26, 2012, passed the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 104, a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House Joint Resolution 2005, by Windschitl, Baudler, Pettengill, Garrett, Brandenburg, Alons, Deyoe, Paulsen, J. Taylor, Vander Linden, Schultz, Helland, Chambers, Fry, Wagner, Klein, Massie, Jorgensen, Kaufmann, Watts, Sweeney, Rasmussen, Huseman, Hagenow, De Boef, Rogers, Soderberg, Cownie, J. Smith, Lofgren, Grassley, Shaw, Sands, Pearson, L. Miller, and Upmeyer, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to acquire, keep, possess, transport, carry, transfer, and use arms.

Read first time and referred to committee on **public safety**.

House File 2105, by Lukan, a bill for an act requiring the commissioner of insurance to develop a uniform application for use by individuals applying for new health insurance coverage under individual policies or contracts of accident and health insurance.

Read first time and referred to committee on **commerce**.

House File 2106, by Lukan, a bill for an act relating to entrepreneur assistance by establishing an entrepreneur micro-assistance grant program and fund, and making an appropriation.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2107, by Koester, a bill for an act authorizing students in a district-to-community college sharing or concurrent enrollment program to decline college credit.

Read first time and referred to committee on **education**.

House File 2108, by Willems, Swaim, Wittneben, Hanson, Wenthe, Thomas, and Muhlbauer, a bill for an act providing for the adjustment of state foundation aid amounts payable to school districts with certain enrollment levels.

Read first time and referred to committee on **education**.

House File 2109, by Schulte, a bill for an act relating to student enrollment following reorganization or dissolution of a school district and including effective date and applicability provisions.

Read first time and referred to committee on **education**.

House File 2110, by Wolfe, a bill for an act relating to suspension of a child support obligation or order and including effective date provisions.

Read first time and referred to committee on **human resources**.

House File 2111, by Wolfe, a bill for an act relating to elimination of the authorization for a court to order the payment of a postsecondary education subsidy in dissolution of marriage proceedings.

Read first time and referred to committee on **judiciary**.

House File 2112, by Lukan, a bill for an act establishing a self-employment assistance program and providing a termination date.

Read first time and referred to committee on **labor**.

House File 2113, by Windschitl, Brandenburg, J. Taylor, Schultz, Helland, Chambers, Alons, Fry, Wagner, Jorgensen, Sweeney, Huseman, Soderberg, Massie, Shaw, Pearson, and Pettengill, a bill for an act relating to the carrying and possession of weapons and providing penalties.

Read first time and referred to committee on **public safety**.

House File 2114, by Windschitl, Baudler, Pettengill, Garrett, Brandenburg, Alons, Deyoe, Vander Linden, Schultz, Helland, Chambers,

Fry, Wagner, Klein, Jorgensen, Watts, Sweeney, Rasmussen, Huseman, Soderberg, Massie, Hagenow, Shaw, Pearson, and L. Miller, a bill for an act relating to state preemption of firearms, firearm accessories, and ammunition regulation by political subdivisions, and including penalties and remedies and applicability provisions.

Read first time and referred to committee on **public safety**.

House File 2115, by Windschitl, Brandenburg, Deyoe, J. Taylor, Vander Linden, Helland, Chambers, Alons, Fry, Wagner, Kaufmann, Watts, Sweeney, Rasmussen, Huseman, Hagenow, De Boef, Rogers, Soderberg, Massie, Grassley, Pearson, and Pettengill, a bill for an act relating to the carrying of dangerous weapons and providing a penalty and a fee.

Read first time and referred to committee on **public safety**.

House File 2116, by Alons, a bill for an act providing for an optional permit to acquire pistols or revolvers.

Read first time and referred to committee on **public safety**.

House File 2117, by Baltimore, a bill for an act concerning the definition of wages for purposes of the Iowa public employees' retirement system.

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

House File 2118, by J. Taylor, a bill for an act concerning health and pension benefits for members and full-time employees of the general assembly.

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

House File 2119, by Lukan, a bill for an act concerning allowable prizes at annual game nights conducted by religious organizations.

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

House File 2120, by Hunter, a bill for an act relating to requirements for instruction permits and driver's licenses issued to persons under eighteen years of age.

Read first time and referred to committee on **transportation**.

House File 2121, by Alons, Rasmussen, Drake, Watts, Pettengill, Windschitl, L. Miller, De Boef, and Helland, a bill for an act relating to the assessment of court costs when a citation for driving without proof of financial liability coverage is dismissed within twenty-four hours of issuance of the citation.

Read first time and referred to committee on **transportation**.

House File 2122, by Hein and Pettengill, a bill for an act relating to motor home dealer and manufacturer licensing and the business hours of recreational vehicle dealers, making a penalty applicable, and including effective and applicability date provisions.

Read first time and referred to committee on **transportation**.

House File 2123, by Lukan, a bill for an act repealing the film, television, and video project promotion program, and including effective date and retroactive and other applicability provisions.

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

House File 2124, by committee on state government, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

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

EXPLANATIONS OF VOTE

On January 25, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2042 – “aye”

House Resolution 101 – “aye”

House Resolution 102 – “aye”
House Concurrent Resolution 104 – “aye”

T. OLSON of Linn

On January 26, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2007 – “aye”
Senate File 2018 – “aye”

HANUSA of Pottawattamie

PRESENTATION OF VISITORS

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

Students from a number of community colleges from around Iowa.

SUBCOMMITTEE ASSIGNMENTS

House File 2085

Ways and Means: Byrnes, Chair; Grassley and Muhlbauer.

House File 2086

Ways and Means: Vander Linden, Chair; Quirk and J. Taylor.

House File 2102

Education: L. Miller, Chair; Forristall and Willems.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 556

Commerce: Baltimore, Chair; Kressig and J. Smith.

House Study Bill 558

Commerce: Iverson, Chair; Horbach and Quirk.

House Study Bill 559

Judiciary: Swaim, Chair; Anderson and Baltimore.

House Study Bill 560

Human Resources: Jorgensen, Chair; Hunter and Iverson.

House Study Bill 561

Human Resources: L. Miller, Chair; Fry and M. Smith.

House Study Bill 562

Human Resources: Jorgensen, Chair; Koester and Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 563 Judiciary**

Enhancing the criminal penalty for an assault on a public transit bus operator, and providing penalties.

H.S.B. 564 Natural Resources

Relating to pheasant hunting season and bag limits.

H.S.B. 565 Natural Resources

Concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

H.S.B. 566 Education

Extending the duration of the Iowa early intervention block grant program and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 511), relating to the use of physician orders for scope of treatment including provisions relative to existing advance directives.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 25, 2012.

Committee Bill (Formerly House Study Bill 548), relating to county mental health, mental retardation, and developmental disabilities services management plan requirements and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

COMMITTEE ON PUBLIC SAFETY

House File 278, a bill for an act relating to eluding or attempting to elude a marked law enforcement vehicle, and providing a penalty.

Fiscal Note is not required.

Recommended **Failed to Pass** January 24, 2012.

Committee Bill (Formerly House File 520), relating to the carrying of weapons on school grounds by licensed private investigators and licensed private security officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 24, 2012.

RESOLUTIONS FILED

H.R. 104, by Murphy, a resolution urging Congress to save Social Security.

Laid over under **Rule 25**.

H.R. 105, by Abdul-Samad, Gaines, Cownie, Kressig, Hunter, T. Taylor, Willems, Gaskill, Pettengill, Kaufmann, Koester, Running-Marquardt, Vander Linden, Heaton, Wessel-Kroeschell, H. Miller, Petersen, Schulte, Huseman, Kelley, Jacoby, Hein, Arnold, Berry, Watts, Kearns, Lensing, Isenhardt, Alons, Hall, De Boef, Steckman, Lykam, Muhlbauer, Mascher, M. Smith, Cohoon, Wittneben, Winckler, Thede,

Hanson, Kajtazovic, Heddens, and Deyoe, a resolution remembering and honoring the Tuskegee Airmen.

Laid over under **Rule 25**.

H.R. 106, by Raecker, a resolution recognizing February 2012 as Opportunity in Iowa Month.

Laid over under **Rule 25**.

H.R. 107, by Hager, Sweeney, Klein, Paustian, Pearson, Massie, Sands, Soderberg, Cownie, Grassley, Worthan, Moore, Arnold, Horbach, Van Engelenhoven, Rasmussen, Windschitl, Jorgensen, Baudler, Watts, Huseman, Lofgren, De Boef, Pettengill, Tjepkes, Helland, Upmeyer, Muhlbauer, Alons, Vander Linden, Brandenburg, Lukan, Heaton, Wittneben, Iverson, Shaw, and Hein, a resolution opposing proposed federal regulations for agricultural child labor.

Laid over under **Rule 25**.

On motion by Lukan of Dubuque the House adjourned at 5:03 p.m., until 10:00 a.m., Friday, January 27, 2012.

JOURNAL OF THE HOUSE

Nineteenth Calendar Day - Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, January 27, 2012

The House met pursuant to adjournment at 10:02 a.m., Hagenow of Polk in the chair.

Prayer was offered by Owen Hagenow, Windsor Heights. He is the son of Representative Hagenow of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Owen Hagenow, Windsor Heights. He is the son of Representative Hagenow of Polk.

The Journal of Thursday, January 26, 2012, was approved.

INTRODUCTION OF BILLS

House File 2125, by Moore, Arnold, Byrnes, Hein, and Rasmussen, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle and upon registration renewal.

Read first time and referred to committee on **commerce**.

House File 2126, by Windschitl, a bill for an act relating to the education requirements for licensed massage therapists.

Read first time and referred to committee on **commerce**.

House File 2127, by T. Taylor, a bill for an act requiring school districts to provide access to drinking water during meal times in food service areas of school district attendance centers.

Read first time and referred to committee on **education**.

House File 2128, by J. Taylor, Klein, Schultz, De Boef, Pearson, Fry, Massie, Pettengill, Baudler, Kaufmann, and Byrnes, a bill for an

act relating to salary increases for the presidents of the institutions of higher learning governed by the state board of regents and including effective date provisions.

Read first time and referred to committee on **education**.

House File 2129, by Winckler, Thede, Lykam, Lensing, Gaskill, Mascher, Abdul-Samad, T. Taylor, Heddens, Kressig, Kajtazovic, Hanson, Kearns, Gaines, H. Miller, Wittneben, Wessel-Kroeschell, and Hunter, a bill for an act authorizing additional applications for risk pool assistance for purposes of funding county mental health and disability services for the fiscal year beginning July 1, 2011, and including effective dates.

Read first time and referred to committee on **human resources**.

House File 2130, by Van Engelenhoven, a bill for an act prohibiting family foster home providers from providing child care in the home.

Read first time and referred to committee on **human resources**.

House File 2131, by M. Smith, a bill for an act relating to sexual abuse of children and making appropriations.

Read first time and referred to committee on **human resources**.

House File 2132, by Heddens and Mascher, a bill for an act relating to services provided by assisted living programs and requiring the adoption of rules.

Read first time and referred to committee on **human resources**.

House File 2133, by H. Miller, a bill for an act establishing a committee to examine options for a facility for elderly sexual offenders.

Read first time and referred to committee on **human resources**.

House File 2134, by Berry, a bill for an act requiring notification about certain criminal histories of residents of a health care facility or

residential program, making penalties applicable, and including effective date provisions.

Read first time and referred to committee on **human resources**.

House File 2135, by M. Smith, a bill for an act expanding the newborn safe haven Act to infants one year of age or younger.

Read first time and referred to committee on **human resources**.

House File 2136, by Pettengill, a bill for an act relating to pharmacies, including prescription requirements and patient privacy, and making penalties applicable.

Read first time and referred to committee on **human resources**.

House File 2137, by Isenhardt and Murphy, a bill for an act relating to the confidentiality of patient information held by a pharmacy and providing a penalty.

Read first time and referred to committee on **human resources**.

House File 2138, by Van Engelenhoven, a bill for an act relating to the duration of dispositional orders in juvenile court due to the commission of a delinquent act.

Read first time and referred to committee on **judiciary**.

House File 2139, by R. Olson, a bill for an act relating to the modification of a temporary no-contact order.

Read first time and referred to committee on **judiciary**.

House File 2140, by Gaskill, Kelley, Abdul-Samad, Gaines, Hunter, Kearns, Cohoon, and Willems, a bill for an act prohibiting employment discrimination based on unemployment status and providing remedies.

Read first time and referred to committee on **labor**.

House File 2141, by Kaufmann, Gaskill, Brandenburg, Hanusa, Helland, J. Smith, Byrnes, Murphy, Wolfe, Swaim, Wittneben, Baltimore, Tjepkes, Rasmussen, Rayhons, Lukan, Watts, Hagenow, Rogers, Wagner, and Deyoe, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

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

House File 2142, by Arnold, a bill for an act relating to bag limits during regular gun and late muzzleloader deer hunting seasons.

Read first time and referred to committee on **natural resources**.

House File 2143, by Arnold, a bill for an act related to wild turkey hunting by owners and tenants of farm units and their families.

Read first time and referred to committee on **natural resources**.

House File 2144, by committee on commerce, a bill for an act relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

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

House File 2145, by committee on commerce, a bill for an act establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

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

House File 2146, by committee on commerce, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

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

House File 2147, by committee on public safety, a bill for an act relating to the carrying of weapons on school grounds by licensed private investigators and licensed private security officers.

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

House File 2148, by committee on human resources, a bill for an act relating to county mental health, mental retardation, and developmental disabilities services management plan requirements and including effective date provisions.

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

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

Beginning Farmer Center Report, pursuant to Iowa Code section 266.39E.

DEPARTMENT OF EDUCATION

SAVE SILO Report, pursuant to Iowa Code section 256.9(19).

DEPARTMENT OF HUMAN SERVICES

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF PUBLIC DEFENSE Iowa National Guard

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF PUBLIC HEALTH

ICN Savings Report, pursuant to Iowa Code section 8D.10.

DEPARTMENT OF PUBLIC SAFETY Iowa Statewide Interoperable Communications System Board

Annual Report, pursuant to Iowa Code section 80.29.

DEPARTMENT OF REVENUE
Iowa Capital Investment Board

Annual Report, pursuant to Iowa Code section 15E.46.

DEPARTMENT OF TRANSPORTATION

Biodiesel Fuel Revolving Fund Report, pursuant to Iowa Code section 307.20.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 563

Judiciary: Baltimore, Chair; Pearson and Wolfe.

On motion by Cownie of Polk the House adjourned at 10:07 a.m., until 1:00 p.m., Monday, January 30, 2012.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 30, 2012

The House met pursuant to adjournment at 1:03 p.m., Lukan of Dubuque in the chair.

Prayer was offered by Father Tony Kruse, St. Joseph's Church, Marion. He was the guest of Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Margaret Chelsvig, Page from Urbandale.

The Journal of Friday, January 27, 2012, was approved.

INTRODUCTION OF BILL

House File 2149, by Mascher, a bill for an act relating to advocacy for long-term care residents and making an appropriation.

Read first time and referred to committee on **human resources**.

Swaim of Davis requested a moment of silence for Master Sgt. Travis Riddick of Centerville, who passed away on January 19, 2012, while serving in Afghanistan. He was the son of John and Barbara Riddick of Mount Pleasant.

On motion by Upmeyer of Hancock, the House was recessed at 1:13 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:02 p.m., Kaufmann of Cedar in the chair.

INTRODUCTION OF BILL

House File 2150, by committee on ways and means, a bill for an act updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2051

Agriculture: Hein, Chair; Paustian and Thomas.

House File 2077

Commerce: Windschitl, Chair; Grassley and Swaim.

House File 2078

Commerce: Baltimore, Chair; Fry and T. Olson.

House File 2092

Agriculture: Drake, Chair; Deyoe and Isenhardt.

House File 2102 Reassigned

Education: J. Taylor, Chair; Chambers and Willems.

House File 2105

Commerce: Fry, Chair; Oldson and Shaw.

House File 2107

Education: Koester, Chair; Hanusa and Winckler.

House File 2108

Education: L. Miller, Chair; Forristall and Steckman.

House File 2109

Education: Schulte, Chair; Kelley and Pearson.

House File 2110

Human Resources: Garrett, Chair; Koester and Wolfe.

House File 2119

State Government: Vander Linden, Chair; Hein and Kajtazovic.

House File 2120

Transportation: Iverson, Chair; Arnold and Cohoon.

House File 2121

Transportation: Rasmussen, Chair; Watts and Wolfe.

House File 2122

Transportation: Arnold, Chair; Van Engelenhoven and Wenthe.

House File 2125

Commerce: Fry, Chair; Lykam and Paustian.

House File 2126

Commerce: Windschitl, Chair; Kajtazovic and Shaw.

House File 2127

Education: Lofgren, Chair; Gaines and Pearson.

House File 2128

Education: Byrnes, Chair; Mascher and J. Taylor.

House File 2129

Human Resources: Schulte, Chair; Iverson and Winckler.

House File 2130

Human Resources: Schulte, Chair; Iverson and Petersen.

House File 2131

Human Resources: Fry, Chair; Garrett and M. Smith.

House File 2132

Human Resources: Schulte, Chair; Iverson and Mascher.

House File 2133

Human Resources: Fry, Chair; Garrett and Hunter.

House File 2134

Human Resources: Schulte, Chair; Hunter and Iverson.

House File 2135

Human Resources: Jorgensen, Chair; Heaton and M. Smith.

House File 2136

Human Resources: Schulte, Chair; Iverson and Wolfe.

House File 2137

Human Resources: Schulte, Chair; Abdul-Samad and Iverson.

House File 2149

Human Resources: Iverson, Chair; Mascher and Schulte.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 566**

Education: Forristall, Chair; Jorgensen and Steckman.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 567 Economic Growth/Rebuild Iowa**

Creating a tracking and reporting system for certain tax credits awarded by the economic development authority.

H.S.B. 568 Economic Growth/Rebuild Iowa

Relating to the exclusion from the computation of net income for the individual state income tax of net capital gains from the sale of a business and including retroactive applicability provisions.

H.S.B. 569 Local Government

Relating to annual meeting requirements for rural water districts.

H.S.B. 570 Public Safety

Relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties.

H.S.B. 571 Commerce

Relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

H.S.B. 572 Commerce

Subjecting the acts of an auctioneer in conducting a public sale or auction of real estate to real estate broker and salesperson licensing provisions, making penalties applicable, and including effective date provisions.

H.S.B. 573 Commerce

Providing a definition for the term "locating" as applicable to the practice of land surveying.

H.S.B. 574 Commerce

Requiring advance notification to utilities by the owner of an alternative energy production facility of construction or installation of the facility.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 535), relating to the authorized deposit of public funds.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2012.

COMMITTEE ON JUDICIARY

Senate File 93, a bill for an act enhancing the penalty for certain domestic abuse assault cases and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2012.

COMMITTEE ON NATURAL RESOURCES

House Joint Resolution 2001, a joint resolution nullifying an administrative rule of the natural resource commission prohibiting the use of lead shot for hunting mourning doves and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2086), exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2012.

Committee Bill (Formerly House Study Bill 544), updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2012.

RESOLUTION FILED

H.R. 108, by Kaufmann, Baudler, Pettengill, Alons, Hagenow, Byrnes, Hein, Sweeney, Jorgensen, Worthan, Rogers, Hager, Lofgren, Upmeyer, J. Taylor, Hanusa, Kearns, Cohoon, Running-Marquardt, Willems, Muhlbauer, Berry, Heddens, Thomas, Wittneben, T. Taylor, Isenhardt, Lykam, Murphy, Lensing, Wessel-Kroeschell, Abdul-Samad, Gaines, Hall, Jacoby, Steckman, Hunter, Winckler, M. Smith, Mascher, Gaskill, Kressig, Kajtazovic, Hanson, H. Miller, Oldson, Petersen, Wolfe, R. Olson, Kelley, Thede, T. Olson, McCarthy, Vander Linden, Schultz, J. Smith, Shaw, Pearson, Fry, Paulsen, Deyoe, Anderson, De Boef, Huseman, Chambers, Drake, Watts, Rayhons, L. Miller, Forristall,

Garrett, Brandenburg, Heaton, Helland, Wagner, Sands, Soderberg, Grassley, Cownie, Moore, Klein, S. Olson, Paustian, and Massie, a resolution honoring the Iowans who were killed in or survived the attack on the USS Indianapolis on July 30, 1945.

Laid over under **Rule 25**.

On motion by Helland of Polk the House adjourned at 5:03 p.m., until 8:30 a.m., Tuesday, January 31, 2012.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 31, 2012

The House met pursuant to adjournment at 8:30 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Massie of Warren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Forrest Glick, Jr., Page from Des Moines.

The Journal of Monday, January 30, 2012, was approved.

INTRODUCTION OF BILLS

House File 2151, by Horbach, a bill for an act relating to swine, by prohibiting feral swine in this state, providing for the regulation of nonferal swine classified with certain ungulates as game animals, and making penalties applicable.

Read first time and referred to committee on **agriculture**.

House File 2152, by Alons, a bill for an act relating to the cancellation or termination of financial liability coverage on a motor vehicle registered in this state.

Read first time and referred to committee on **commerce**.

House File 2153, by Isenhardt, Kelley, and Wessel-Kroeschell, a bill for an act relating to energy cost disclosures in connection with rental units or properties, providing penalties, making remedies applicable, and including applicability provisions.

Read first time and referred to committee on **commerce**.

House File 2154, by Isenhart, a bill for an act relating to the incorporation and governance of benefit corporations, and providing for fees.

Read first time and referred to committee on **commerce**.

House File 2155, by Anderson, a bill for an act establishing a unit at the mental health institute in Clarinda for the medical treatment of certain inmates committed to the custody of the department of corrections.

Read first time and referred to committee on **human resources**.

House File 2156, by Garrett, Anderson, Drake, Watts, Deyoe, Jorgensen, Hagenow, Brandenburg, Helland, De Boef, Chambers, Baudler, Rayhons, L. Miller, Forristall, Sands, Soderberg, Cownie, Grassley, Lukan, Worthan, Moore, Arnold, Iverson, Van Engelenhoven, Shaw, Fry, Wolfe, Schultz, Rogers, Hanson, Baltimore, Kaufmann, Massie, Tjepkes, Huseman, Windschitl, Hager, Gaines, Byrnes, and Koester, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

Read first time and referred to committee on **judiciary**.

House File 2157, by Wolfe and R. Olson, a bill for an act relating to expunging certain criminal records.

Read first time and referred to committee on **judiciary**.

House File 2158, by R. Olson, a bill for an act relating to deferred judgment records and associated court-ordered obligations in a criminal proceeding.

Read first time and referred to committee on **judiciary**.

House File 2159, by R. Olson, a bill for an act specifying those persons authorized to solemnize marriages in this state, and including effective date provisions.

Read first time and referred to committee on **judiciary**.

House File 2160, by Windschitl, a bill for an act limiting the authority of the state fair board to prohibit the carrying, transportation, or possession of any dangerous weapon on the state fairgrounds.

Read first time and referred to committee on **public safety**.

House File 2161, by R. Olson, a bill for an act relating to the board of parole.

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

House File 2162, by Kressig, a bill for an act concerning penalties for awarding cash prizes for the use of electrical or mechanical amusement devices.

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

House File 2163, by R. Olson, a bill for an act relating to a person who operates a motor vehicle while under the influence of prescription drugs.

Read first time and referred to committee on **transportation**.

House File 2164, by Horbach, a bill for an act providing a sales tax exemption for the sale of certain items to a substance abuse treatment provider.

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

House File 2165, by committee on human resources, a bill for an act relating to the use of physician orders for scope of treatment including provisions relative to existing advance directives.

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

House File 2166, by committee on ways and means, a bill for an act relating to the administration of the streamlined sales tax agreement by the department of revenue.

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

On motion by Upmeyer of Hancock, the House was recessed at 8:36 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:08 p.m., Kaufmann of Cedar in the chair.

INTRODUCTION OF BILL

House File 2167, by Hall, a bill for an act requiring payment of the migratory game bird fee before hunting mourning doves, and providing a penalty.

Read first time and referred to committee on **natural resources**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 31, 2012, he approved and transmitted to the Secretary of State the following bill:

Senate File 2007, an Act making an appropriation to the College Student Aid Commission for the purposes of the National Guard Educational Assistance Program.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2005

Public Safety: Windschitl, Chair; Berry and Brandenburg.

House File 2060

Labor: Watts, Chair; Forristall and Hunter.

House File 2080

Labor: Deyoe, Chair; Klein and Running-Marquardt.

House File 2106

Economic Growth/Rebuild Iowa: Schultz, Chair; De Boef and Hall.

House File 2111

Judiciary: Massie, Chair; Rogers and Wolfe.

House File 2113

Public Safety: Tjepkes, Chair; Baudler and R. Olson.

House File 2114

Public Safety: Windschitl, Chair; Alons and R. Olson.

House File 2115

Public Safety: Windschitl, Chair; Baudler and Wolfe.

House File 2116

Public Safety: Tjepkes, Chair; Baudler and R. Olson.

House File 2117

State Government: Cownie, Chair; Mascher and Pettengill.

House File 2118

State Government: Cownie, Chair; Lensing and Pettengill.

House File 2138

Judiciary: Pearson, Chair; Hagenow and M. Smith.

House File 2139

Judiciary: Garrett, Chair; Baltimore and R. Olson.

House File 2155

Human Resources: Heaton, Chair; L. Miller and Wessel-Kroeschell.

House File 2163

Transportation: Garrett, Chair; Pearson and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 545**

Public Safety: Brandenburg, Chair; Abdul-Samad and Tjepkes.

House Study Bill 564

Natural Resources: Arnold, Chair; Hager and Wittneben.

House Study Bill 565

Natural Resources: J. Smith, Chair; Hanson and Rayhons.

House Study Bill 567

Economic Growth/Rebuild Iowa: Lofgren, Chair; Byrnes and Thomas.

House Study Bill 568

Economic Growth/Rebuild Iowa: Baltimore, Chair; Byrnes and Running-Marquardt.

House Study Bill 570

Public Safety: Hagenow, Chair; S. Olson and Wolfe.

House Study Bill 571

Commerce: J. Smith, Chair; Brandenburg and Kressig.

House Study Bill 572

Commerce: Baltimore, Chair; Muhlbauer and Wagner.

House Study Bill 573

Commerce: Watts, Chair; Brandenburg and Swaim.

House Study Bill 574

Commerce: Brandenburg, Chair; Muhlbauer and Shaw.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 575 Judiciary

Relating to the failure to wear a motor vehicle safety belt or safety harness or use a motor vehicle child restraint system.

H.S.B. 576 Public Safety

Relating to attempting to elude or eluding a marked law enforcement vehicle, and providing a penalty.

H.S.B. 577 Veterans Affairs

Creating veterans bonus funds for military service during certain military conflicts in Lebanon, Grenada, and Panama, and for service

during certain military conflicts in the Persian Gulf, providing penalties, and making appropriations.

H.S.B. 578 Veterans Affairs

Relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

H.S.B. 579 Veterans Affairs

Appropriating moneys in the veterans trust fund for certain uses, and including effective date and retroactive applicability provisions.

H.S.B. 580 State Government

Providing for performance-based efficiency contracts for governmental units.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House File 573), relating to the justifiable use of reasonable force and providing a remedy.

Fiscal Note is not required.

Recommended **Do Pass** January 31, 2012.

AMENDMENTS FILED

H-8001	H.F.	2103	Hunter of Polk
H-8002	S.F.	93	Shaw of Pocahontas

On motion by Deyoe of Story the House adjourned at 4:09 p.m., until 8:30 a.m., Wednesday, February 1, 2012.

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 1, 2012

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Tom Burkart, Glen Echo Christian Church, Des Moines. He was the guest of Representative Petersen of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nick Huffman, Page from Norwalk.

The Journal of Tuesday, January 31, 2012, was approved.

INTRODUCTION OF BILLS

House File 2168, by committee on commerce, a bill for an act relating to the authorized deposit of public funds.

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

House File 2169, by committee on ways and means, a bill for an act exempting from the individual income tax all pay received from the federal government for certain military service in support of the national guard and including retroactive applicability provisions.

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

The House stood at ease at 8:36 a.m., until the fall of the gavel.

The House resumed session at 9:44 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Iverson of Wright

Koester of Polk

CONSIDERATION OF BILLS
Regular Calendar

House File 2103, a bill for an act reducing the time period during which new employers are subject to the new employer contribution rate for unemployment insurance and including effective date provisions, was taken up for consideration.

Hunter of Polk offered amendment H-8001 filed by him and moved its adoption.

Amendment H-8001 lost.

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

On the question "Shall the bill pass?" (H.F. 2103)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Klein
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.

Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 2:

Kearns	Kelley
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Absent or not voting, 4:

Iverson	Koester	Quirk	Wessel-Kroeschell
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2104, a bill for an act reducing the years of experience used to calculate an employer's contribution rate for unemployment insurance, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2104)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw

Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

House File 2145, a bill for an act establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2145)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt

Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILES 2012 AND 2013 WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw House Files 2012 and 2013 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2103, 2104 and 2145.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 1, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2038, a bill for an act relating to the duties and requirements of the department of veterans affairs and the commission of veterans affairs.

Also: That the Senate has on February 1, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2071, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 10:09 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:02 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House File 2170, by Kressig, a bill for an act relating to the notice provided to persons subject to a surcharge assessed for the return of a dishonored financial instrument.

Read first time and referred to committee on **commerce**.

House File 2171, by Brandenburg, a bill for an act placing limitations on fees imposed for failure to redeem a gift certificate, and including an applicability date provision.

Read first time and referred to committee on **commerce**.

House File 2172, by Kelley, a bill for an act prohibiting nuclear generating facilities from reprocessing fuel under specified circumstances.

Read first time and referred to committee on **commerce**.

House File 2173, by J. Taylor, a bill for an act authorizing certain students to enroll in a career and technical course offered through a district-to-community college sharing program for high school credit only, exempting such students from proficiency requirements, and prohibiting school districts from receiving supplementary weighting for such students.

Read first time and referred to committee on **education**.

House File 2174, by Kaufmann, Byrnes, Grassley, Lofgren, R. Olson, Brandenburg, Pettengill, Jacoby, Rogers, and Lukan, a bill for an act

requiring the state board of regents to provide for a reduction in undergraduate resident tuition for residents who earn an associate degree at an Iowa community college and who transfer to an institution of higher education governed by the board.

Read first time and referred to committee on **education**.

House File 2175, by Windschitl, Fry, Alons, Huseman, Sweeney, Hager, Hanusa, and Schultz, a bill for an act relating to the definition of person under the criminal code.

Read first time and referred to committee on **human resources**.

House File 2176, by Lykam and Baudler, a bill for an act relating to acts performed against police service horses and dogs resulting in injury or interference, providing exceptions, and providing for penalties.

Read first time and referred to committee on **judiciary**.

House File 2177, by Cownie, a bill for an act relating to a person proceeding pro se in an appellate case.

Read first time and referred to committee on **judiciary**.

House File 2178, by Watts, Hagenow, Kaufmann, and Pearson, a bill for an act relating to special assessments imposed by cities and counties and including applicability provisions.

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

House File 2179, by Rogers, a bill for an act related to filing requirements for certain petitions to the city development board.

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

House File 2180, by Murphy, a bill for an act providing for advance notification of the need to renew a driver's license.

Read first time and referred to committee on **transportation**.

House File 2181, by Kelley, a bill for an act requiring the commission of veterans affairs to take certain actions related to a plan to establish a veterans national recovery center in Newton, and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

House File 2182, by Anderson and Dolecheck, a bill for an act establishing the sales tax rebate for county development program and making penalties applicable.

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

House File 2183, by Kressig, a bill for an act establishing a long-term unemployed worker tax credit for taxpayers who hire a long-term unemployed individual and including effective date and applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2038, by committee on veterans affairs, a bill for an act relating to the duties and requirements of the department of veterans affairs and the commission of veterans affairs.

Read first time and referred to committee on **veterans affairs**.

Senate File 2071, by committee on appropriations, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

Read first time and referred to committee on **appropriations**.

SPONSOR ADDED (House Files 2131 and 2135)

Murphy of Dubuque requested to be added as a sponsor of House Files 2131 and 2135.

EXPLANATIONS OF VOTE

On February 1, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2103 – “aye”
House File 2104 – “aye”
House File 2145 – “aye”

IVERSON of Wright

On February 1, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2103 – “aye”
House File 2104 – “aye”
House File 2145 – “aye”

KOESTER of Polk

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 1, 2012, he approved and transmitted to the Secretary of State the following bill:

Senate File 2018, an Act relating to financial assistance for purposes of the Battleship Iowa, BB-61, making appropriations, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2064

State Government: Iverson, Chair; Kaufmann and T. Taylor.

House File 2141

Local Government: Baltimore, Chair; Kressig and Rayhons.

House File 2156

Judiciary: Garrett, Chair; Massie and Wolfe.

House File 2157

Judiciary: Alons, Chair; Tjepkes and Wolfe.

House File 2158

Judiciary: Alons, Chair; R. Olson and Tjepkes.

House File 2159

Judiciary: Kaufmann, Chair; Massie and Wessel-Kroeschell.

House File 2160

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 2161

State Government: Iverson, Chair; Helland and T. Taylor.

House File 2162

State Government: Iverson, Chair; Helland and Hunter.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 520 Reassigned**

Judiciary: Rogers, Chair; Gaines and Massie.

House Study Bill 546

Labor: Horbach, Chair; Kearns and Klein.

House Study Bill 557

Labor: Jorgensen, Chair; Hanusa and T. Taylor.

House Study Bill 569

Local Government: Baltimore, Chair; Thede and Tjepkes.

House Study Bill 575

Judiciary: Garrett, Chair; Swaim and Tjepkes.

House Study Bill 576

Public Safety: Worthan, Chair; Fry and Swaim.

House Study Bill 577

Veterans Affairs: J. Taylor, Chair; Lukan and Muhlbauer.

House Study Bill 578

Veterans Affairs: Sweeney, Chair; Hanusa and Heddens.

House Study Bill 579

Veterans Affairs: Vander Linden, Chair; Chambers and Wittneben.

House Study Bill 580

State Government: Iverson, Chair; Isenhart and Rogers.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 581 State Government**

Requiring that absentee ballot return envelopes be conspicuously marked with county commissioner of elections receipt and postmark requirements.

H.S.B. 582 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, providing penalties, and including applicability provisions.

H.S.B. 583 Human Resources

Establishing an allopathic physician recruitment program and revolving fund and making an appropriation.

H.S.B. 584 Human Resources

Relating to the membership of the medical assistance advisory council.

H.S.B. 585 Judiciary

Providing that certain milk and products using milk may be transferred directly by operators of dairy farms, and making penalties applicable.

H.S.B. 586 State Government

Relating to the policy administration of election and voter registration laws by the secretary of state, including changes to the definition of a general election, 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, the filling of vacancies in city office, and authorizing certain cities to conduct city elections by absentee ballot, and including effective date provisions.

H.S.B. 587 State Government

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

H.S.B. 588 Education

Relating to requirements for the enactment of the state percent of growth and the categorical state percent of growth and including effective date provisions.

H.S.B. 589 Judiciary

Relating to crime victims, including restitution plan hearings, crime victim compensation, and the identity theft passport program.

H.S.B. 590 Economic Growth/Rebuild Iowa

Relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions.

H.S.B. 591 Economic Growth/Rebuild Iowa

Relating to economic development and the use of tax revenues and other funds by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting franchise tax revenues and withholding tax payments for such programs, incentives, and

assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 510), relating to child abuse reports and disposition data.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2012.

COMMITTEE ON JUDICIARY

Senate File 155, a bill for an act relating to procedural requirements in in rem forfeiture proceedings.

Fiscal Note is not required.

Recommended **Do Pass** January 31, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2082), relating to residency qualifications for memorial hospital commissioners.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2085), relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2012.

AMENDMENT FILED

H-8003 S.F. 93 Wolfe of Clinton

On motion by Upmeyer of Hancock the House adjourned at 4:08 p.m., until 8:30 a.m., Thursday, February 2, 2012.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 2, 2012

The House met pursuant to adjournment at 8:30 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative J. Taylor of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kyle McGlade, Page from Council Bluffs.

The Journal of Wednesday, February 1, 2012, was approved.

INTRODUCTION OF BILLS

House File 2184, by Baltimore, a bill for an act relating to the brucellosis and tuberculosis eradication fund, and providing an appropriation.

Read first time and referred to committee on **agriculture**.

House File 2185, by Wenthe, a bill for an act providing for a reciprocal arrangement which allows the movement of equine animals between Iowa and Wisconsin, and providing for its implementation.

Read first time and referred to committee on **agriculture**.

House File 2186, by Gaines, Berry, and Abdul-Samad, a bill for an act relating to and making appropriations to the state board of regents for programs established by the state board or its universities that are designed to increase college readiness and college awareness in potential first-generation college students and underrepresented minority populations, and to increase the number of ethnically diverse Iowa students in agriculture, science, technology, engineering, and mathematics degree programs.

Read first time and referred to committee on **appropriations**.

House File 2187, by Abdul-Samad and Gaines, a bill for an act making an appropriation for the certificate of employability program for persons on parole or persons no longer on parole who are unemployed or underemployed.

Read first time and referred to committee on **appropriations**.

House File 2188, by Muhlbauer, Steckman, Thede, Kearns, Willems, Hanson, Thomas, Kelley, Gaines, Mascher, Abdul-Samad, Gaskill, Wittneben, Lensing, Winckler, Wessel-Kroeschell, Hall, and M. Smith, a bill for an act allowing in-state bidders to match comparable out-of-state bids for purchases or public improvements through a competitive bidding process by the state or political subdivisions.

Read first time and referred to committee on **commerce**.

House File 2189, by Chambers, a bill for an act relating to construction permits for appliance recycling buildings and making appropriations.

Read first time and referred to committee on **commerce**.

House File 2190, by Kelley, a bill for an act establishing an energy audit program with regard to elementary and secondary public school buildings.

Read first time and referred to committee on **commerce**.

House File 2191, by Kelley, a bill for an act relating to the attainment of high-performance certification applicable to elementary and secondary public school buildings.

Read first time and referred to committee on **education**.

House File 2192, by Abdul-Samad, a bill for an act relating to policies granting resident status for purposes of paying postsecondary tuition and fees at public institutions of higher education.

Read first time and referred to committee on **education**.

House File 2193, by Murphy, Kearns, Hunter, T. Taylor, Wessel-Kroeschell, and Willems, a bill for an act relating to patient safety by establishing a nurse staffing plan, a collaborative nurse staffing committee, a patient safety committee, and reporting for nurses, and including effective date provisions.

Read first time and referred to committee on **human resources**.

House File 2194, by M. Smith, a bill for an act creating a licensed social worker loan repayment program and a revolving fund.

Read first time and referred to committee on **human resources**.

House File 2195, by Anderson, Pettengill, De Boef, Lofgren, Alons, Chambers, Huseman, Watts, Cownie, Baudler, Kaufmann, Garrett, Hager, Koester, R. Olson, Berry, Muhlbauer, Wittneben, Lukan, Gaines, and H. Miller, a bill for an act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

Read first time and referred to committee on **judiciary**.

House File 2196, by Murphy, Hunter, Kelley, Mascher, Abdul-Samad, T. Taylor, Wessel-Kroeschell, Thede, Berry, H. Miller, Winckler, Lensing, Cohoon, and Kearns, a bill for an act increasing the state minimum hourly wage.

Read first time and referred to committee on **labor**.

House File 2197, by Murphy, a bill for an act repealing authorization for the natural resource commission to establish a special season antlerless deer hunt.

Read first time and referred to committee on **natural resources**.

House File 2198, by Windschitl, a bill for an act concerning the authorized possession of certain offensive weapons and making penalties applicable.

Read first time and referred to committee on **public safety**.

House File 2199, by Pettengill, a bill for an act relating to the review of administrative rules and the rulemaking process.

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

House File 2200, by Watts, Deyoe, Helland, Sands, Soderberg, Cownie, Drake, Worthan, Brandenburg, Iverson, Arnold, Garrett, Pearson, Massie, Windschitl, Tjepkes, Rogers, Lofgren, Wagner, Koester, Fry, J. Smith, Baudler, Van Engelenhoven, Jorgensen, Hanusa, Hager, Sweeney, S. Olson, L. Miller, Alons, Huseman, Forristall, Rayhons, Hagenow, Schultz, and De Boef, a bill for an act providing for legislative and gubernatorial approval of administrative rules.

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

House File 2201, by Isenhart and Kelley, a bill for an act relating to gifts, honoraria, and loans received from restricted donors and others.

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

House File 2202, by Mascher, a bill for an act relating to helmet usage by motorcycle and motorized bicycle operators and passengers under eighteen years of age and providing a penalty.

Read first time and referred to committee on **transportation**.

The House stood at ease at 8:38 a.m., until the fall of the gavel.

The House resumed session at 9:22 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fry of Clarke
Wagner of Linn

Raecker of Polk

CONSIDERATION OF BILLS
Regular Calendar

Senate File 93, a bill for an act enhancing the penalty for certain domestic abuse assault cases and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Shaw of Pocahontas asked and received unanimous consent to withdraw amendment H-8002 filed by him on January 31, 2012.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment H-8003 filed by her on February 1, 2012.

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

On the question "Shall the bill pass?" (S.F. 93)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 1:

Massie

Absent or not voting, 3:

Fry

Quirk

Raecker

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

House Joint Resolution 2001, a joint resolution nullifying an administrative rule of the natural resource commission prohibiting the use of lead shot for hunting mourning doves and providing an effective date, was taken up for consideration.

Baudler of Adair moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2001)

The yeas were, 73:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Kearns
Klein	Koester	Lofgren	Lukan
Lykam	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Olson, R.
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Willems
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 27:

Abdul-Samad	Berry	Gaines	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kelley	Kressig	Lensing
Mascher	Murphy	Oldson	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Winckler	

Absent or not voting, none.

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

T. Taylor of Linn in the chair at 9:57 a.m.

Ways and Means Calendar

House File 2150, a bill for an act updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2150)

The ayes were, 100:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt

Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Taylor, T., Presiding

The nays were, none.

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2001, House File 2150 and Senate File 93.**

On motion by Upmeyer of Hancock, the House was recessed at 10:02 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:05 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House File 2203, by committee on ways and means, a bill for an act relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

Read first time and referred to committee on **appropriations.**

House File 2204, by Byrnes, a bill for an act authorizing performance-based efficiency contracts for governmental units.

Read first time and referred to committee on **commerce.**

House File 2205, by Byrnes, a bill for an act including natural gas facilities and electric generating facilities within the definition of a county enterprise.

Read first time and referred to committee on **commerce**.

House File 2206, by Iverson, a bill for an act specifying requirements applicable to salvage dealers and recyclers, and providing penalties.

Read first time and referred to committee on **commerce**.

House File 2207, by Swaim, a bill for an act relating to insurance coverage of cranial prostheses for cancer patients and including applicability provisions.

Read first time and referred to committee on **commerce**.

House File 2208, by Byrnes, a bill for an act providing for the licensure of applicants with professional employment in mathematics-related or science-related fields as teachers for secondary school-level mathematics and science courses.

Read first time and referred to committee on **education**.

House File 2209, by Kelley, a bill for an act relating to the assessment of the drug abuse resistance education surcharge.

Read first time and referred to committee on **judiciary**.

House File 2210, by Swaim, a bill for an act relating to notice of garnishment proceedings and the seizure of moneys in a bank, credit union, or other financial institution account.

Read first time and referred to committee on **judiciary**.

House File 2211, by Willems, Kelley, Wessel-Kroeschell, Abdul-Samad, and Gaines, a bill for an act requiring employers to provide school activity leave, providing for penalties, and including applicability provisions.

Read first time and referred to committee on **labor**.

House File 2212, by Isenhardt and Kaufmann, a bill for an act providing for a product stewardship report by the department of natural resources.

Read first time and referred to committee on **natural resources**.

House File 2213, by Pettengill, Baltimore, and R. Olson, a bill for an act concerning the administrative rules review committee and the rulemaking process.

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

House File 2214, by committee on transportation, a bill for an act prohibiting the use of automated traffic law enforcement systems, and including effective date provisions.

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

SPONSOR ADDED
(House File 2162)

Kajtazovic of Black Hawk requested to be added as a sponsor of House File 2162.

SPONSOR ADDED
(House File 2175)

Pettengill of Benton requested to be added as a sponsor of House File 2175.

DISSENT FROM SENATE FILE 93

Mr. Speaker:

Article III Section 10 of the Constitution of the State of Iowa provides:

Protest – record of vote – Every member of the general assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

I have here a written statement explaining the reasons for my dissent.

I firmly believe that Senate File 93 is a violation of Article I, Sec. 6 – Laws uniform of the Iowa Constitution.

Representative Glen Massie

EXPLANATION OF VOTE

On February 2, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 93 – “aye”

RAECKER of Polk

PETITION FILED

The following petition was received and placed on file:

By Upmeyer of Hancock from over 1,000 Iowans: “urging the support of the establishment of health insurance exchanges as written in Iowa Senate File 235 and Iowa House File 559.

SUBCOMMITTEE ASSIGNMENTS

House File 2035

Commerce: J. Smith, Chair; Baltimore and Quirk.

House File 2112

Labor: Jorgensen, Chair; Brandenburg and Murphy.

House File 2140

Labor: Moore, Chair; Hanusa and Hunter.

House File 2152

Commerce: Pettengill, Chair; Lykam and J. Smith.

House File 2153

Commerce: Windschitl, Chair; Iverson and Muhlbauer.

House File 2154

Commerce: Grassley, Chair; Jacoby and Windschitl.

House File 2173

Education: J. Taylor, Chair; Byrnes and Gaines.

House File 2174

Education: Byrnes, Chair; Jorgensen and Kelley.

House File 2175

Human Resources: Fry, Chair; Heaton and Wessel-Kroeschell.

House File 2176

Judiciary: Rogers, Chair; Lensing and Massie.

House File 2177

Judiciary: Hagenow, Chair; Heaton and Wolfe.

House File 2180

Transportation: Pearson, Chair; Murphy and Windschitl.

House File 2186

Appropriations: Dolecheck, Chair; Chambers and Winckler.

House File 2187

Appropriations: Dolecheck, Chair; Chambers and T. Taylor.

House File 2191

Education: L. Miller, Chair; Forristall and Mascher.

House File 2192

Education: L. Miller, Chair; Forristall and Hanson.

House File 2193

Human Resources: Iverson, Chair; Massie and Schulte.

House File 2194

Human Resources: Iverson, Chair; Schulte and M. Smith.

House File 2195

Judiciary: Kaufmann, Chair; Anderson and Wessel-Kroeschell.

House File 2202

Transportation: Iverson, Chair; Arnold and Petersen.

Senate File 2038

Veterans Affairs: Vander Linden, Chair; Shaw and Thomas.

Senate File 2071

Appropriations: Worthan, Chair; T. Taylor and Wagner.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 581

State Government: Schulte, Chair; Jorgensen and Wenthe.

House Study Bill 582

State Government: Schulte, Chair; Gaskill and Jorgensen.

House Study Bill 583

Human Resources: L. Miller, Chair; Jorgensen and Mascher.

House Study Bill 584

Human Resources: L. Miller, Chair; Heaton and M. Smith.

House Study Bill 585

Judiciary: Pearson, Chair; Lensing and Massie.

House Study Bill 586

State Government: Schulte, Chair; Hunter and Jorgensen.

House Study Bill 587

State Government: Schulte, Chair; Gaskill and Jorgensen.

House Study Bill 588

Education: Forristall, Chair; Steckman and J. Taylor.

House Study Bill 589

Judiciary: Massie, Chair; Alons and Wessel-Kroeschell.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 592 Commerce

Regulating the sale of portable electronics insurance, including by requiring licensure, and providing for fees and penalties.

H.S.B. 593 Economic Growth/Rebuild Iowa

Creating the manufactured housing program fund.

H.S.B. 594 Environmental Protection

Relating to pollution prevention and waste management assistance.

H.S.B. 595 Human Resources

Establishing a rural Iowa primary care grant and forgivable loan program to be administered by the college student aid commission, a rural Iowa primary care trust fund, and making appropriations.

H.S.B. 596 Judiciary

Providing for notarial acts and including effective date provisions.

H.S.B. 597 Judiciary

Relating to civil actions relating to real estate, including mortgage foreclosure actions.

H.S.B. 598 Veterans Affairs

Making a transfer to the veterans trust fund and including effective date provisions.

H.S.B. 599 Commerce

Relating to eligibility for the renewable energy tax credit.

H.S.B. 600 Commerce

Relating to mobile and manufactured home tenancy by providing for minimum duration of rental agreements and termination or nonrenewal of rental agreements, and modifying notice of unpaid rent and related forcible entry and detainer provisions.

H.S.B. 601 Labor

Relating to unemployment insurance benefit eligibility requirements and periods for calculating employer contribution rates and including effective date and applicability provisions.

H.S.B. 602 Local Government

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

H.S.B. 603 Public Safety

Requiring salvage dealers to maintain designated records, and providing a penalty.

H.S.B. 604 Economic Growth/Rebuild Iowa

Relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 496), relating to disclosure statements required to be delivered to persons interested in acquiring real property, by providing a notice if the real property is located in a levee or drainage district.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2012.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 546), relating to child labor requirements administered by the labor commissioner, making penalties applicable, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 542), relating to the practice of optometry.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 2012.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2028), allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2012.

Committee Bill (Formerly House File 2048), prohibiting the use of automated traffic law enforcement systems, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2012.

On motion by Sands of Louisa the House adjourned at 4:07 p.m., until 10:00 a.m., Friday, February 3, 2012.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 3, 2012

The House met pursuant to adjournment at 10:02 a.m., Sands of Louisa in the chair.

Prayer was offered by Representative Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Sands of Louisa.

The Journal of Thursday, February 2, 2012, was approved.

INTRODUCTION OF BILL

House File 2215, by committee on public safety, a bill for an act relating to the justifiable use of reasonable force and providing a remedy.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

BOARD OF REGENTS

Diversity Report, pursuant to Iowa Code sections 19B.5(3) and 262.93.

DEPARTMENT OF ADMINISTRATIVE SERVICES

IOWAccess Revolving Fund Report, pursuant to Iowa Code section 8A.224(2).

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Review Board Report, pursuant to Iowa Code section 466A.3.

DEPARTMENT OF EDUCATION

Condition of Iowa's Community Colleges, pursuant to Iowa Code section 256.7(23).

Child Development Coordinating Council Report, pursuant to Iowa Code section 256A.3(8).

DEPARTMENT OF HUMAN RIGHTS

Division of Criminal and Juvenile Justice Planning

Iowa Collaboration for Youth Development Council Report, pursuant to Iowa Code section 216A.140.

DEPARTMENT OF PUBLIC HEALTH

Collaboration and Teambuilding Report, pursuant to Iowa Code section 148C.

DEPARTMENT OF TRANSPORTATION

Passenger Rail Report, pursuant to Iowa Code section 327J.3(1).

Recycled Content Plastic Bag and Soy Inks Report, pursuant to Iowa Code section 307.21.

Registered Flexible Fuel Vehicles Report, pursuant to Iowa Code section 452A.33(3).

MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual Report, pursuant to Chapter 411, Code of Iowa.

SUBCOMMITTEE ASSIGNMENT

House File 2196

Labor: L. Miller, Chair; Brandenburg and Murphy.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 594

Environmental Protection: Moore, Chair; Hager and M. Smith.

House Study Bill 595

Human Resources: L. Miller, Chair; Jorgensen and Winckler.

House Study Bill 596

Judiciary: Hagenow, Chair; Anderson and Swaim.

House Study Bill 597

Judiciary: Baltimore, Chair; Hagenow and Lensing.

House Study Bill 598

Veterans Affairs: Alons, Chair; Chambers and Kearns.

House Study Bill 601

Labor: Horbach, Chair; Jorgensen and Kearns.

House Study Bill 603

Public Safety: Shaw, Chair; Fry and Muhlbauer.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 627), relating to termination of parental rights and identification information and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2012.

RESOLUTION FILED

H.R. 109, by Watts, Drake, Pettengill, Garrett, Forristall, L. Miller, Baudler, Huseman, Chambers, Lofgren, De Boef, Tjepkes, Anderson, Deyoe, Alons, Koester, Rogers, Fry, Hagenow, Horbach, Vander Linden, J. Smith, Schultz, Byrnes, Lukan, Wagner, Raecker, Schulte, Jorgensen, Dolecheck, Hanusa, Hein, Moore, Van Engelenhoven, Rasmussen, Baltimore, Windschitl, Worthan, Rayhons, Cownie, Soderberg, and Hager, a resolution in support of the completion of the Keystone XL pipeline project.

Laid over under **Rule 25**.

On motion by Heaton of Henry the House adjourned at 10:05 a.m., until 1:00 p.m., Monday, February 6, 2012.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 6, 2012

The House met pursuant to adjournment at 1:01 p.m., Speaker Paulsen in the chair.

Prayer was offered by Rev. Dr. Michael Blackwell, Trinity United Methodist Church, Hazelton. He was the guest of Representative Berry of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by James Eimers, Page from Ankeny.

The Journal of Friday, February 3, 2012, was approved.

INTRODUCTION OF BILLS

House File 2216, by Murphy, a bill for an act modifying Iowa's human services and education systems to ensure that children start school ready to learn and to increase Iowa's student achievement rates, making appropriations to the department of education and for deposit in funds under the control of the department, and including effective date and applicability provisions.

Read first time and referred to committee on **education**.

House File 2217, by Steckman, Kressig, Heddens, Wessel-Kroeschell, Kelley, Kajtazovic, Swaim, Hanson, Murphy, M. Smith, Thede, Isenhardt, Wittneben, Hunter, Lensing, Winckler, Kearns, Wolfe, Lykam, Jacoby, Cohoon, Gaines, Petersen, Willems, Wenthe, Oldson, T. Olson, T. Taylor, R. Olson, Gaskill, Abdul-Samad, Mascher, McCarthy, Thomas, and Running-Marquardt, a bill for an act establishing the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Read first time and referred to committee on **education**.

House File 2218, by Steckman, Kressig, Heddens, Wessel-Kroeschell, Kelley, Kajtazovic, Swaim, Hanson, Murphy, M. Smith, Thede, Isenhardt, Wittneben, Hunter, Lensing, Winckler, Kearns, Wolfe, Lykam, Jacoby, Cohoon, H. Miller, Petersen, Willems, Wenthe, Oldson, T. Olson, R. Olson, T. Taylor, Gaskill, Abdul-Samad, Mascher, McCarthy, Thomas, and Running-Marquardt, a bill for an act establishing the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

Read first time and referred to committee on **education**.

House File 2219, by Heaton, Drake, Petersen, Berry, Koester, Gaines, Fry, and Thede, a bill for an act requiring diabetes management care in public and nonpublic schools and providing remedies.

Read first time and referred to committee on **education**.

House File 2220, by Heddens and Heaton, a bill for an act relating to improvements to and implementation of laws concerning elder abuse.

Read first time and referred to committee on **human resources**.

House File 2221, by Heaton, a bill for an act relating to the classification of certain property used for human habitation as residential property.

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

House File 2222, by Byrnes, Upmeyer, Steckman, and Rayhons, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study, and making an appropriation.

Read first time and referred to committee on **public safety**.

House File 2223, by Kelley, a bill for an act relating to electronic smoking devices and providing civil penalties.

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

House File 2224, by Lukan, a bill for an act relating to the state corporate income tax by imposing a flat tax upon a specified amount of net income and including effective date and retroactive applicability provisions.

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

House File 2225, by Kajtazovic, Hall, Hunter, Wessel-Kroeschell, Berry, H. Miller, Kelley, Winckler, Lensing, Running-Marquardt, Cohoon, M. Smith, Mascher, Abdul-Samad, T. Taylor, and T. Olson, a bill for an act providing for an increase in the amount of the earned income tax credit and including retroactive applicability provisions.

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

House File 2226, by committee on human resources, a bill for an act relating to child abuse reports and disposition data.

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

On motion by Upmeyer of Hancock, the House was recessed at 1:12 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:00 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House File 2227, by committee on labor, a bill for an act relating to child labor requirements administered by the labor commissioner, making penalties applicable, and including effective date provisions.

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

House File 2228, by committee on public safety, a bill for an act relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations.

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

House File 2229, by committee on transportation, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status.

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

House File 2230, by committee on environmental protection, a bill for an act requiring that land within a levee or drainage district be included in an abstract of title.

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

House File 2231, by committee on local government, a bill for an act relating to residency qualifications for memorial hospital commissioners.

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

House File 2232, by Wolfe, a bill for an act creating a task force on the awarding of joint physical care in child custody proceedings.

Read first time and referred to committee on **human resources**.

House File 2233, by Wolfe, a bill for an act relating to permissible charges imposed by a public utility furnishing water to a city in connection with the installation and maintenance of fire sprinkler systems.

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

House File 2234, by Brandenburg, 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 **local government**.

House File 2235, by Hanson, Mascher, Abdul-Samad, Gaskill, R. Olson, Steckman, Thomas, Wenthe, Willems, Muhlbauer, Jacoby, Hunter, Gaines, Wittneben, T. Taylor, Hall, Swaim, Running-Marquardt, Koester, Lofgren, and Winckler, a bill for an act establishing a

centralized state school bus purchasing program administered by the department of administrative services.

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

House File 2236, by Chambers, a bill for an act relating to requirements for a commercial driver's license for certain persons transitioning from military service.

Read first time and referred to committee on **veterans affairs**.

HOUSE FILE 2219 REREFERRED

The Speaker announced that House File 2219, previously referred to committee on **education** was rereferred to committee on **human resources**.

SUBCOMMITTEE ASSIGNMENTS

House File 2142

Natural Resources: Arnold, Chair; Van Engelenhoven and Wittneben.

House File 2143

Natural Resources: Arnold, Chair; Hager and Hall.

House File 2179

State Government: Rogers, Chair; Gaskill and Hein.

House File 2199

State Government: Pettengill, Chair; Drake and Isenhart.

House File 2200

State Government: Vander Linden, Chair; Hunter and Jorgensen.

House File 2201

State Government: Iverson, Chair; Helland and Isenhart.

House File 2203

Appropriations: Lukan, Chair; Running-Marquardt and Schultz.

House File 2208

Education: Byrnes, Chair; Jorgensen and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 602

Local Government: Baltimore, Chair; Gaskill and J. Smith.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 605 Judiciary

Relating to the uniform residential landlord and tenant Act and related forcible entry and detainer actions.

H.S.B. 606 Judiciary

Relating to nonsubstantive Code corrections and including effective date provisions.

H.S.B. 607 Commerce

Relating to the provision of evidence of insurance to insureds and related real property lenders, and providing penalties.

H.S.B. 608 Commerce

Authorizing charitable auctions for alcoholic spirits.

H.S.B. 609 Public Safety

Granting authority to temporarily designate a substance a controlled substance and classifying certain substances as schedule I controlled substances, making penalties applicable, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 556), creating an exception to the statutory rule against perpetuities and making related changes.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 560), relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2012.

COMMITTEE ON PUBLIC SAFETY

House File 183, a bill for an act relating to the control of marijuana, including an effective date provision, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 2012.

Committee Bill (Formerly House Study Bill 526), relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 2012.

AMENDMENT FILED

H-8004 H.F. 2215 R. Olson of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:02 p.m., until 8:30 a.m., Tuesday, February 7, 2012.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 7, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Ron Burcham, Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rebecca Greenway, Page from Van Meter.

The Journal of Monday, February 6, 2012, was approved.

INTRODUCTION OF BILLS

House File 2237, by Lukan, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

Read first time and referred to committee on **economic growth/rebuild Iowa**.

House File 2238, by committee on judiciary, a bill for an act relating to termination of parental rights and identification information and providing penalties.

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

On motion by Upmeyer of Hancock, the House was recessed at 8:38 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:01 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 7, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2114, 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.

Also: That the Senate has on February 7, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2115, 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.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House Joint Resolution 2006, by Paulsen, Upmeyer, Alons, Anderson, Arnold, Baltimore, Baudler, Brandenburg, Byrnes, Chambers, Cownie, De Boef, Deyoe, Dolecheck, Drake, Forristall, Fry, Garrett, Grassley, Hagenow, Hager, Hanusa, Heaton, Hein, Helland, Horbach, Huseman, Iverson, Jorgensen, Kaufmann, Klein, Koester, Lofgren, Lukan, Massie, L. Miller, Moore, S. Olson, Paustian, Pearson, Pettengill, Raecker, Rasmussen, Rayhons, Rogers, Sands, Schulte, Schultz, Shaw, J. Smith, Soderberg, Sweeney, J. Taylor, Tjepkes, Van Engelenhoven, Vander Linden, Wagner, Watts, Windschitl, and Worthan, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to state budgeting by creating a state general fund expenditure limitation, providing for a taxpayers relief fund, requiring authorization for certain bonds, and restricting certain state revenue changes.

Read first time and referred to committee on **appropriations**.

House File 2239, by Windschitl, a bill for an act relating to abortions, providing civil and criminal penalties, and including effective date provisions.

Read first time and referred to committee on **human resources**.

House File 2240, by Shaw, a bill for an act relating to the duty of care owed to certain persons operating a snowmobile, establishing the criminal offense of dangerous condition manslaughter, and providing criminal penalties.

Read first time and referred to committee on **judiciary**.

House File 2241, by Byrnes, a bill for an act establishing requirements for school districts, area education agencies, postsecondary institutions, and the department of education relating to student testing and remediation services at the secondary level and the alignment of the secondary curricula with the curricula requirements of accredited postsecondary institutions.

Read first time and referred to committee on **education**.

House File 2242, by committee on commerce, a bill for an act creating an exception to the statutory rule against perpetuities and making related changes.

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

House File 2243, by Berry, Kressig, and Kajtazovic, a bill for an act relating to directives to the department of human services regarding changes in the IowaCare and Medicaid programs.

Read first time and referred to committee on **human resources**.

House File 2244, by committee on human resources, a bill for an act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

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

House File 2245, by committee on education, a bill for an act relating to requirements for the enactment of the state percent of growth and the categorical state percent of growth and including effective date provisions.

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

SENATE FILE 430 REREFERRED

The Speaker announced that Senate File 430, previously referred to committee on **appropriations** was rereferred to committee on **state government**.

SUBCOMMITTEE ASSIGNMENTS**House File 2170**

Commerce: Windschitl, Chair; Kajtazovic and J. Smith.

House File 2171

Commerce: Windschitl, Chair; Iverson and Swaim.

House File 2172

Commerce: Watts, Chair; Quirk and Wagner.

House File 2188

Commerce: Horbach, Chair; Grassley and T. Olson.

House File 2189

Commerce: Watts, Chair; Muhlbauer and Windschitl.

House File 2190

Commerce: Iverson, Chair; Kajtazovic and Watts.

House File 2197

Natural Resources: J. Smith, Chair; Arnold and Hanson.

House File 2206

Commerce: Iverson, Chair; Brandenburg and Lykam.

House File 2207

Commerce: Horbach, Chair; Iverson and Oldson.

House File 2209

Judiciary: Tjepkes, Chair; Heaton and R. Olson.

House File 2210

Judiciary: Baltimore, Chair; Anderson and Swaim.

House File 2211

Labor: Horbach, Chair; Forristall and Willems.

House File 2213

State Government: Pettengill, Chair; Isenhardt and Jorgensen.

House File 2216

Education: L. Miller, Chair; Forristall and Steckman.

House File 2217

Education: L. Miller, Chair; Forristall and Steckman.

House File 2218

Education: L. Miller, Chair; Forristall and Steckman.

House File 2219

Human Resources: L. Miller, Chair; Petersen and Schulte.

House File 2220

Human Resources: Fry, Chair; Heddens and Massie.

House File 2222

Public Safety: Rayhons, Chair; Gaines and Klein.

House File 2223

State Government: Iverson, Chair; Helland and Quirk.

House File 2232

Human Resources: Anderson, Chair; Garrett and Wolfe.

House File 2235

State Government: Cownie, Chair; Mascher and Vander Linden.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 592

Commerce: Fry, Chair; Horbach and Quirk.

House Study Bill 599

Commerce: Wagner, Chair; Brandenburg and Quirk.

House Study Bill 600

Commerce: Windschitl, Chair; Horbach and Lykam.

House Study Bill 605

Judiciary: Baltimore, Chair; Anderson and Swaim.

House Study Bill 606

Judiciary: Massie, Chair; Baltimore and Wessel-Kroeschell.

House Study Bill 607

Commerce: Pettengill, Chair; Fry and Kressig.

House Study Bill 608

Commerce: Pettengill, Chair; Kressig and Windschitl.

House Study Bill 609

Public Safety: Fry, Chair; Klein and Swaim.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 610 Human Resources

Relating to the designation of area agencies on aging, and including effective date provisions.

H.S.B. 611 Human Resources

Relating to the powers and duties of the department on aging.

H.S.B. 612 Judiciary

Relating to civil actions, procedures, and remedies and including applicability provisions.

H.S.B. 613 Judiciary

Relating to notice of mortgage mediation assistance.

H.S.B. 614 Judiciary

Relating to the liability of an owner, lessee, or occupant of land for injury to a trespasser on the land and including an applicability provision.

H.S.B. 615 Natural Resources

Relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

H.S.B. 616 Natural Resources

Relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

H.S.B. 617 Natural Resources

Relating to the issuance of hunting and fishing licenses and providing for fees.

H.S.B. 618 Agriculture

Relating to the assessment of moneys on sheep and wool production.

H.S.B. 619 Judiciary

Amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

H.S.B. 620 Judiciary

Relating to application of the state tort claims Act to providers of health care services required under the federal Emergency Medical Treatment and Active Labor Act.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 588), relating to requirements for the enactment of the state percent of growth and the categorical state percent of growth and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 521), relating to the licensure of ambulatory surgical centers, providing fees and penalties, and including effective date provisions.

Fiscal Note is required.

Recommended **Do Pass** February 7, 2012.

Committee Bill (Formerly House Study Bill 523), relating to the regulation of persons offering occupational therapy services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2012.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House Study Bill 550), authorizing certain expenditures of funds from the veterans affairs training program account.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2012.

Committee Bill (Formerly House Study Bill 578), relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2012.

AMENDMENTS FILED

H-8005	H.F.	2227	Horbach of Tama
H-8006	H.F.	2227	Running-Marquardt of Linn

On motion by Upmeyer of Hancock the House adjourned at 5:06 p.m., until 8:30 a.m., Wednesday, February 8, 2012.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 8, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jeff Wartgo, First United Church of Christ, DeWitt. He was the guest of Representative S. Olson of Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eli Kirschbaum, Page from Bettendorf.

The Journal of Tuesday, February 7, 2012, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2007, by Willems, a joint resolution to designate the "Iowa Waltz" as the state song of Iowa.

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

House File 2246, by De Boef, a bill for an act relating to a mechanic's lien and the filing of a bond.

Read first time and referred to committee on **judiciary**.

House File 2247, by Arnold, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

Read first time and referred to committee on **natural resources**.

House File 2248, by committee on state government, a bill for an act relating to the practice of optometry.

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

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 9:32 a.m., Cownie of Polk in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair

ADOPTION OF HOUSE RESOLUTION 107

Hager of Allamakee called up for consideration **House Resolution 107**, a resolution opposing proposed federal regulations for agricultural child labor, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

House File 2101, a bill for an act relating to preparation and recording of public land survey corner certificates, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2101)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher

Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Baudler

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

HOUSE FILE 506 WITHDRAWN

Klein of Washington asked and received unanimous consent to withdraw House File 506 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Byrnes of Mitchell

Tjepkes of Webster

House File 2144, a bill for an act relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2144)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Chambers
Cohoon	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

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

Speaker Paulsen in the chair at 9:48 a.m.

Ways and Means Calendar

House File 2166, a bill for an act relating to the administration of the streamlined sales tax agreement by the department of revenue, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2166)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Baudler

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

Regular Calendar

House File 2168, a bill for an act relating to the authorized deposit of public funds, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2168)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Baudler

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

Ways and Means Calendar

House File 2169, a bill for an act exempting from the individual income tax all pay received from the federal government for certain

military service in support of the national guard and including retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2169)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 2:

Hunter Olson, R.

Absent or not voting, 1:

Baudler

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

HOUSE FILES 2021 AND 2086 WITHDRAWN

Vander Linden of Mahaska asked and received unanimous consent to withdraw House Files 2021 and 2086 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2101, 2144, 2166, 2168 and 2169.**

On motion by Upmeyer of Hancock, the House was recessed at 9:59 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:08 p.m., Kaufmann of Cedar in the chair.

INTRODUCTION OF BILLS

House File 2249, by Isenhart, a bill for an act directing the Iowa utilities board to require that energy efficiency plans and programs be developed and provided by an entity appointed by the board.

Read first time and referred to committee on **commerce**

House File 2250, by Hanson, Swaim, Gaskill, Abdul-Samad, Mascher, Thomas, Byrnes, Muhlbauer, and Pettengill, a bill for an act relating to school district transportation costs by providing supplementary weighting for transported pupils in certain school districts and including applicability provisions.

Read first time and referred to committee on **education.**

House File 2251, by Isenhart, 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 and referred to committee on **ways and means.**

House File 2252, by Kressig and Baudler, a bill for an act relating to the possession of certain substances with the intent to manufacture a controlled substance, and providing a penalty.

Read first time and referred to committee on **public safety**.

House File 2253, by Kaufmann, Sweeney, Moore, Huseman, Soderberg, Lofgren, Cownie, J. Taylor, Brandenburg, Jorgensen, Alons, Rasmussen, Paustian, Hager, Koester, Garrett, and Dolecheck, a bill for an act relating to reporting a missing child to a law enforcement agency, and providing penalties.

Read first time and referred to committee on **judiciary**.

House File 2254, by Kaufmann and R. Olson, a bill for an act relating to eminent domain authority and procedures for governmental entities and including effective date and applicability provisions.

Read first time and referred to committee on **judiciary**.

House File 2255, by Kelley, a bill for an act concerning the right of an employee or member to continue group accident or health insurance upon termination of employment or membership.

Read first time and referred to committee on **labor**.

House File 2256, by Kelley, a bill for an act concerning notice to employees or members of the termination or substantial modification of their group accident or health insurance.

Read first time and referred to committee on **labor**.

House File 2257, by R. Olson and Pettengill, a bill for an act relating to the procedures governing boards and commissions and the grounds for licensee discipline.

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

House File 2258, by Hanson, Steckman, Gaskill, Mascher, Kearns, Swaim, Abdul-Samad, H. Miller, Kelley, Rayhons, and Hager, a bill

for an act establishing a forest and fruit tree reservation property tax exemption advisory committee.

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

SENATE MESSAGES CONSIDERED

Senate File 2114, 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 and referred to committee on **education**.

Senate File 2115, 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 and referred to committee on **education**.

SUBCOMMITTEE ASSIGNMENTS

House File 2092 Reassigned

Agriculture: Deyoe, Chair; Drake and Isenhardt.

House File 2178

Local Government: Pearson, Chair; Kressig and J. Smith.

House File 2184

Agriculture: De Boef, Chair; Dolecheck and Thomas.

House File 2185

Agriculture: Alons, Chair; Huseman and Wenthe.

House File 2204

Commerce: Windschitl, Chair; Lykam and Wagner.

House File 2205

Commerce: Watts, Chair; Quirk and Shaw.

House File 2239

Human Resources: Iverson, Chair; Anderson and Wessel-Kroeschell.

House File 2241

Education: Byrnes, Chair; Cohoon and J. Taylor.

House File 2243

Human Resources: Iverson, Chair; Schulte and M. Smith.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 604

Economic Growth/Rebuild Iowa: Lofgren, Chair; Byrnes, Heddens, Lukan and H. Miller.

House Study Bill 610

Human Resources: Jorgensen, Chair; Massie and Wessel-Kroeschell.

House Study Bill 611

Human Resources: Jorgensen, Chair; Mascher and Massie.

House Study Bill 612

Judiciary: Hagenow, Chair; Baltimore and Wolfe.

House Study Bill 613

Judiciary: Baltimore, Chair; Anderson and Swaim.

House Study Bill 614

Judiciary: Hagenow, Chair; Baltimore and M. Smith.

House Study Bill 615

Natural Resources: J. Smith, Chair; Hager and H. Miller.

House Study Bill 616

Natural Resources: Hager, Chair; Gaskill and Vander Linden.

House Study Bill 617

Natural Resources: Rayhons, Chair; Lykam and Sweeney.

House Study Bill 618

Agriculture: Moore, Chair; Paustian and Wenthe.

House Study Bill 619

Judiciary: T. Olson, Chair; Anderson and Pearson.

House Study Bill 620

Judiciary: Baltimore, Chair; Hagenow and Wolfe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 621 Commerce**

Relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including effective date provisions.

H.S.B. 622 Human Resources

Relating to department of public health programs and activities, and including effective and applicability date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 2051), relating to confinement feeding operations confining fish, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House Study Bill 529), authorizing the secretary of state to modify fees for businesses newly organizing in this state during an Iowa start a business month.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

Committee Bill (Formerly House Study Bill 571), relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

COMMITTEE ON ETHICS

Committee Bill (Formerly House Study Bill 536), relating to ethics regulations for gifts received at certain functions and meetings.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

Committee Bill (Formerly House Study Bill 537), amending the House Code of Ethics.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 561), relating to the Iowa health information network, providing for fees, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

AMENDMENT FILED

H-8007 H.F. 2165 Fry of Clarke

On motion by Deyoe of Story the House adjourned at 4:13 p.m., until 8:30 a.m., Thursday, February 9, 2012.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 9, 2012

The House met pursuant to adjournment at 8:31 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Pastor Kevin Gingerich, Drakesville and Bloomfield United Methodist Churches. He was the guest of Representative Swaim of Davis County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alberto Lara, Page from Carlisle.

The Journal of Wednesday, February 8, 2012, was approved.

INTRODUCTION OF BILLS

House File 2259, by Isenhart, a bill for an act relating to a review of the feasibility of manufacturing essential generic pharmaceuticals in the state.

Read first time and referred to committee on **human resources**.

House File 2260, by Hall, a bill for an act relating to the time period for property tax assessment protests to the local board of review and including applicability provisions.

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

House File 2261, by committee on state government, a bill for an act relating to the regulation of persons offering occupational therapy services.

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

The House stood at ease at 8:38 a.m., until the fall of the gavel.

The House resumed session at 9:41 a.m., Speaker Paulsen in the chair.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on economic development appropriations subcommittee to meet at 10:00 a.m. or upon recess today.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk
Raecker of Polk

Gaines of Polk
Watts of Dallas

CONSIDERATION OF BILLS Regular Calendar

House File 2226, a bill for an act relating to child abuse reports and disposition data, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2226)

The ayes were, 95:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson

Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Abdul-Samad	Gaines	Petersen	Raecker
Watts			

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

House File 2165, a bill for an act relating to the use of physician orders for scope of treatment including provisions relative to existing advance directives, was taken up for consideration.

Fry of Clarke offered amendment H-8007 filed by him and moved its adoption.

Amendment H-8007 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2165)

The ayes were, 83:

Alons	Arnold	Baudler	Berry
Brandenburg	Byrnes	Chambers	Cphoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forrinstall	Fry	Garrett
Gaskill	Grassley	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Ishenart	Iverson	Jacoby

Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, L.	Moore
Muhlbauer	Olson, S.	Olson, T.	Paustian
Pettengill	Quirk	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Taylor, J.	Taylor, T.
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 12:

Anderson	Baltimore	Hagenow	McCarthy
Miller, H.	Murphy	Oldson	Olson, R.
Pearson	Swaim	Sweeney	Thede

Absent or not voting, 5:

Abdul-Samad	Gaines	Petersen	Raecker
Watts			

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2165** and **2226**.

RULE 60 INVOKED

Steckman of Cerro Gordo invoked Rule 60 and moved that **Senate File 2114** be withdrawn from the committee on education and placed on the calendar.

Objection was raised.

Steckman of Cerro Gordo moved to suspend the rules to withdraw Senate File 2114 from the committee on education and be placed on the calendar.

Roll call was requested by McCarthy of Polk and Hunter of Polk.

On the question "Shall the rules be suspended?" (S.F. 2114)

The ayes were, 37:

Berry	Cohoon	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kajtazovic	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Quirk
Running-Marquardt	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 5:

Abdul-Samad	Gaines	Petersen	Raecker
Watts			

The motion to suspend the rules lost.

On motion by Upmeyer of Hancock, the House was recessed at 10:07 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:03 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 9, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2086, a bill for an act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 9, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2120, a bill for an act relating to the practice of optometry.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2262, by Hall and Kaufmann, a bill for an act relating to approval requirements for condemnation of certain property.

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

House File 2263, by M. Smith, Murphy, Hall, Kearns, Cohoon, T. Taylor, and Hunter, a bill for an act concerning requirements for motorists at highway-rail grade crossings, and providing penalties.

Read first time and referred to committee on **transportation**.

House File 2264, by committee on veterans affairs, a bill for an act relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

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

House File 2265, by committee on veterans affairs, a bill for an act authorizing certain expenditures of funds from the veterans affairs training program account.

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

House File 2266, by committee on ethics, a bill for an act relating to ethics regulations for gifts received at certain functions and meetings.

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

House File 2267, by Kajtazovic, a bill for an act relating to the brownfield site redevelopment program by establishing a definition of brownfield site generation facility and providing for priority consideration of applications for financial assistance in regard to such facilities.

Read first time and referred to committee on **commerce**.

House File 2268, by M. Smith, a bill for an act expanding the definition of the term "sex act" in the criminal code and providing penalties.

Read first time and referred to committee on **judiciary**.

House File 2269, by Heaton, a bill for an act relating to the waiver of a juvenile to district court.

Read first time and referred to committee on **judiciary**.

House File 2270, by Hunter, a bill for an act providing for the creation of a medical marijuana Act including the creation of nonprofit dispensaries, and providing for civil and criminal penalties and fees.

Read first time and referred to committee on **public safety**.

House File 2271, by Kajtazovic and Gaskill, a bill for an act banning corporate contributions to political campaigns and providing a penalty.

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

House File 2272, by Kelley, a bill for an act requiring the state building code commissioner to adopt statewide requirements and standards for radon control in residential construction.

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

House File 2273, by committee on state government, a bill for an act relating to the licensure of ambulatory surgical centers, providing fees and penalties, and including effective date provisions.

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

House File 2274, by committee on ways and means, a bill for an act relating to property taxation and local government budgets by increasing the regular program foundation base percentage, establishing a property tax exemption for certain commercial and industrial property, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of telecommunications company property, establishing budget limitations for counties and cities, eliminating certain reporting requirements, making appropriations, and including effective date and applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2086, by committee on human resources, a bill for an act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

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

Senate File 2120, by committee on state government, a bill for an act relating to the practice of optometry.

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

The House stood at ease at 4:08 p.m., until the fall of the gavel.

The House resumed session at 4:11 p.m., Speaker Paulsen in the chair.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2007

State Government: Iverson, Chair; Helland and Wenthe.

House File 396

Judiciary: Alons, Chair; Pearson and Wessel-Kroeschell.

House File 2181

Veterans Affairs: Lukan, Chair; Chambers and Kearns.

House File 2221

Local Government: Horbach, Chair; Running-Marquardt and J. Smith.

House File 2236

Veterans Affairs: Shaw, Chair; Rayhons and Thomas.

House File 2240

Judiciary: Tjepkes, Chair; Heaton and Lensing.

House File 2246

Judiciary: Tjepkes, Chair; Heaton and Swaim.

House File 2247

Natural Resources: Arnold, Chair; Van Engelenhoven and Wittneben.

House File 2250

Education: Byrnes, Chair; Hanson and Pearson.

House File 2252

Public Safety: Worthan, Chair; Fry and Kressig.

House File 2257

State Government: Pettengill, Chair; Hein and Wenthe.

House File 2259

Human Resources: Iverson, Chair; Schulte and Wolfe.

Senate File 430

State Government: Rogers, Chair; Cownie, Koester, Lensing and T. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 621**

Commerce: Pettengill, Chair; Fry and Oldson.

House Study Bill 622

Human Resources: Jorgensen, Chair; Koester, Chair; Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 623 Human Resources**

Relating to persons with mental health illnesses and substance-related disorders.

H.S.B. 624 Human Resources

Relating to terminology changes in Iowa Code references to mental retardation.

H.S.B. 625 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

H.S.B. 626 State Government

Permitting internet wagering by licensees authorized to conduct gambling games on an excursion boat, gambling structure, or racetrack enclosure, and making penalties applicable.

H.S.B. 627 State Government

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.

H.S.B. 628 Commerce

Relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, and superintendent management authority, and making penalties applicable.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 2071, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8009** February 8, 2012.

Committee Bill (Formerly House File 2203), relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 515), relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2012.

Committee Bill (Formerly House Study Bill 559), revising the Iowa nonprofit corporation Act.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2012.

Committee Bill (Formerly House File 2002), relating to the residency requirements of a full-time associate juvenile judge.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 9, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 413, a bill for an act relating to financial responsibilities of local emergency management commissions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8008** February 8, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2015), relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing Act and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 9, 2012.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House Study Bill 598), making a transfer to the veterans trust fund and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 519), relating to property taxation and local government budgets by establishing and modifying property assessment limitations, providing for certain property tax replacement payments, establishing budget limitations for counties and cities, eliminating certain reporting requirements, making appropriations, and including applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

AMENDMENTS FILED

H-8008	S.F.	413	Committee on Local Government
H-8009	S.F.	2071	Committee on Appropriations
H-8010	H.F.	2248	Kaufmann of Cedar
H-8011	H.F.	2245	Winckler of Scott

On motion by Upmeyer of Hancock the House adjourned at 4:11 p.m., until 9:00 a.m., Friday, February 10, 2012.

JOURNAL OF THE HOUSE

Thirty-third Calendar Day - Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 10, 2012

The House met pursuant to adjournment at 9:06 a.m., Lukan of Dubuque in the chair.

Prayer was offered by Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Lukan of Dubuque.

The Journal of Thursday, February 9, 2012, was approved.

INTRODUCTION OF BILLS

House File 2275, by committee on commerce, a bill for an act authorizing the secretary of state to modify fees for businesses newly organizing in this state during an Iowa start a business month.

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

House File 2276, by committee on commerce, a bill for an act relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF EDUCATION

School Districts Educational Organizations Report, pursuant to Iowa Code sections 279.38 and 279.38A.

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Medicaid Cost Containment Strategies Report, pursuant to House File 649, 2011 Iowa Acts.

DEPARTMENT OF NATURAL RESOURCES

REAP Congress Report, pursuant to Iowa Code section 455A.17.

Lake Delhi Dam Reconstruction Design Alternative Report, pursuant to House File 648, 2011 Iowa Acts.

DEPARTMENT OF REVENUE

Dependent Health Care Coverage Tax Year 2010 Report, pursuant to House File 2539, 2008 Iowa Acts.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual Report, pursuant to Iowa Code section 312.3B.

SUBCOMMITTEE ASSIGNMENT

House File 2047

Labor: L. Miller, Chair; Hanusa and Hunter.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 623

Human Resources: Schulte, Chair; Heddens and L. Miller.

House Study Bill 624

Human Resources: Schulte, Chair; Heddens and Massie.

House Study Bill 625

Judiciary: Tjepkes, Chair; Pearson and Wolfe.

House Study Bill 626

State Government: Cownie, Chair; Iverson and Wenthe.

House Study Bill 627

State Government: Hein, Chair; Jorgensen and Kajtazovic.

RESOLUTION FILED

H.C.R. 105, by S. Olson, L. Miller, Paustian, Lykam, Moore, Thede, and Winckler, a concurrent resolution urging the President of the United States and the United States Congress to protect the Rock Island Arsenal from future budget reductions.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8012 H.F. 2245 Paulsen of Linn

On motion by Cownie of Polk the House adjourned at 9:08 a.m., until 1:00 p.m., Monday, February 13, 2012.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 13, 2012

The House met pursuant to adjournment at 1:03 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Steve Oden, New Life Christian Church, Waukon. He was the guest of Representative Hager of Allamakee County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Robin Oden, wife of Pastor Steve Oden and guest of Representative Hager of Allamakee County.

The Journal of Friday, February 10, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Watts of Dallas

Willems of Linn

INTRODUCTION OF BILLS

House File 2277, by Windschitl, a bill for an act relating to the accrual of earned time credits for inmates committed to the custody of the director of the department of corrections.

Read first time and referred to committee on **judiciary**.

House File 2278, by Hunter, a bill for an act relating to health insurance participation requirements.

Read first time and referred to committee on **labor**.

On motion by Upmeyer of Hancock, the House was recessed at 1:08 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:04 p.m., Kaufmann of Cedar in the chair.

INTRODUCTION OF BILLS

House File 2279, by H. Miller, Swaim, Hanson, Gaskill, Wittneben, Byrnes, and Berry, a bill for an act adding the subject of Iowa agriculture education to the educational program standards established for school districts and accredited nonpublic schools and including effective date provisions.

Read first time and referred to committee on **education**.

House File 2280, by Windschitl, a bill for an act relating to child support obligations and neglect or abandonment of a child based on nonsupport, and providing penalties.

Read first time and referred to committee on **judiciary**.

House File 2281, by Kelley, a bill for an act prohibiting employment discrimination based on a person's credit score or home ownership status and making penalties applicable.

Read first time and referred to committee on **labor**.

House File 2282, by Worthan, a bill for an act relating to escort and permit requirements for the movement of certain vehicles and combinations of vehicles of excessive size.

Read first time and referred to committee on **transportation**.

House File 2283, by committee on human resources, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

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

House File 2284, by committee on appropriations, a bill for an act relating to employee stock ownership plans by encouraging the

adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions.

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

House File 2285, by committee on state government, a bill for an act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing Act and including effective date provisions.

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

House File 2286, by Hall, a bill for an act relating to the authority and duties of certain peace officers.

Read first time and referred to committee on **public safety**.

House File 2287, by committee on economic growth/rebuild Iowa, a bill for an act creating a tracking and reporting system for certain tax credits awarded by the economic development authority.

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fry of Clarke

Hanusa of Pottawattamie

CONSIDERATION OF BILLS Regular Calendar

House File 2244, a bill for an act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions, was taken up for consideration.

SENATE FILE 2086 SUBSTITUTED FOR HOUSE FILE 2244

Jorgensen of Woodbury asked and received unanimous consent to substitute Senate File 2086 for House File 2244.

Senate File 2086, a bill for an act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2086)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, none.

Absent or not voting, 5:

Fry	Hanusa	Swaim	Watts
Willems			

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

HOUSE FILE 2244 WITHDRAWN

Jorgensen of Woodbury asked and received unanimous consent to withdraw House File 2244 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Lukan of Dubuque

House File 2245, a bill for an act relating to requirements for the enactment of the state percent of growth and the categorical state percent of growth and including effective date provisions, was taken up for consideration.

Speaker Paulsen in the chair at 5:14 p.m.

Forristall of Pottawattamie offered amendment H-8012 filed by Paulsen of Linn and moved its adoption.

Amendment H-8012 was adopted, placing out of order amendment H-8011 filed by Winckler of Scott on February 9, 2012.

Cownie of Polk in the chair at 5:34 p.m.

Speaker Paulsen in the chair at 5:43 p.m.

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

On the question "Shall the bill pass?" (H.F. 2245)

The ayes were, 56:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Garrett	Grassley
Hagenow	Hager	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Massie	Miller, L.	Moore

Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Windschitl	Worthan	Mr. Speaker Paulsen

The nays were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Winckler
Wittneben	Wolfe		

Absent or not voting, 6:

Fry	Hanusa	Lukan	Swaim
Watts	Willems		

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2245** and **Senate File 2086**.

SUBCOMMITTEE ASSIGNMENTS

House File 2212

Natural Resources: Rayhons, Chair; Kelley and J. Smith.

House File 2255

Labor: Brandenburg, Chair; Hanusa and Hunter.

House File 2256

Labor: Hanusa, Chair; Brandenburg and Hunter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 629 Education

Relating to eligibility of older children for the statewide preschool program for four-year-old children.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House Study Bill 567), creating a tracking and reporting system for certain tax credits awarded by the economic development authority.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 9, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 584), relating to the membership of the medical assistance advisory council.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2012.

Committee Bill (Formerly House Study Bill 611), relating to the powers and duties of the department on aging.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2012.

COMMITTEE ON JUDICIARY

House File 2004, a bill for an act providing for an exception to municipal tort liability for claims arising from sledding on municipality-controlled property.

Fiscal Note is not required.

Recommended **Failed to Pass** February 13, 2012.

Committee Bill (Formerly House File 2139), relating to the modification of a temporary no-contact order.

Fiscal Note not required.

Recommended **Do Pass** February 13, 2012.

Committee Bill (Formerly House Study Bill 512), prohibiting certain credits for time served while on probation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2012.

Committee Bill (Formerly House Study Bill 619), amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2012.

RESOLUTION FILED

H.R. 110, by committee on ethics, a resolution amending the House Code of Ethics.

Placed on the **calendar**.

AMENDMENTS FILED

H-8013	S.F.	2071	Heddens of Story
H-8014	H.F.	2274	Jacoby of Johnson
H-8015	H.F.	2274	Hall of Woodbury
H-8016	H.F.	2274	Thomas of Clayton
H-8017	H.F.	2274	Sands of Louisa
H-8018	H.F.	2274	Petersen of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:57 p.m., until 8:30 a.m., Tuesday, February 14, 2012.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 14, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by the Most Reverend Martin Amos, Bishop of the Diocese of Davenport. He was the guest of Representative Lykam of Scott County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Shelby Kramer, Page from Glidden.

The Journal of Monday, February 13, 2012, was approved.

On motion by Upmeyer of Hancock, the House was recessed at 8:38 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:01 p.m., Cownie of Polk in the chair.

QUORUM CALL

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

Speaker Paulsen in the chair at 2:07 p.m.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 14, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2161, a bill for an act relating to the amount of the earned income tax credit and including retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2288, by Byrnes, a bill for an act relating to the use and distribution of teacher salary and professional development funds under the student achievement and teacher quality program.

Read first time and referred to committee on **education**.

House File 2289, by committee on judiciary, a bill for an act relating to the nomination and appointment of district judges and associate juvenile judges.

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

House File 2290, by committee on judiciary, a bill for an act revising the Iowa nonprofit corporation Act.

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

House File 2291, by committee on judiciary, a bill for an act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice.

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

House File 2292, by committee on agriculture, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable.

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

House File 2293, by Berry, a bill for an act requiring the division of community action agencies to implement a financial literacy education program for clients of community action agencies and making appropriations.

Read first time and referred to committee on **appropriations**.

House File 2294, by Berry and Kajtazovic, a bill for an act creating a student veteran services coordinator grant program and making an appropriation.

Read first time and referred to committee on **appropriations**.

House File 2295, by Berry and Abdul-Samad, a bill for an act relating to consideration for early parole or work release.

Read first time and referred to committee on **judiciary**.

House File 2296, by Kelley, a bill for an act providing for civil rights enforcement concerning employment rights of persons exercising their rights under the federal Family and Medical Leave Act.

Read first time and referred to committee on **labor**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Raecker of Polk

Watts of Dallas

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2274, a bill for an act relating to property taxation and local government budgets by increasing the regular program foundation base percentage, establishing a property tax exemption for certain commercial and industrial property, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of telecommunications company property, establishing budget limitations for counties and cities, eliminating certain reporting requirements, making appropriations, and including effective date and applicability provisions, was taken up for consideration.

Jacoby of Johnson offered amendment H-8014 filed by him and moved its adoption.

Roll call was requested by Jacoby of Johnson and McCarthy of Polk.

On the question "Shall amendment H-8014 be adopted?" (H.F. 2274)

The ayes were, 41:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Hanusa
Heddens	Hunter	Isenhardt	Jacoby
Kajtaovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Windschitl	Worthan
Mr. Speaker			
Paulsen			

Absent or not voting, 2:

Raecker	Watts
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Amendment H-8014 lost.

Hall of Woodbury offered amendment H-8015 filed by him and moved its adoption.

Roll call was requested by Hall of Woodbury and Hunter of Polk.

On the question "Shall amendment H-8015 be adopted?" (H.F. 2274)

The ayes were, 12:

Cohoon	Gaskill	Hall	Hanson
Kelley	Miller, H.	Murphy	Smith, M.
Swaim	Willems	Wittneben	Wolfe

The nays were, 86:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Winckler	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 2:

Raecker	Watts
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Amendment H-8015 lost.

Kaufmann of Cedar in the chair at 2:58 p.m.

Thomas of Clayton offered amendment H-8016 filed by him and moved its adoption.

Roll call was requested by Thomas of Clayton and Hunter of Polk.

On the question "Shall amendment H-8016 be adopted?" (H.F. 2274)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 3:

Mascher	Raecker	Watts
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Amendment H-8016 lost.

Speaker Paulsen in the chair at 3:06 p.m.

Sands of Louisa offered amendment H-8017 filed by him and requested a division as follows:

Division A: Page 1, lines 2 through 7.

Division B: Page 1, line 8 through page 5, line 19.

Sands of Louisa moved amendment H-8017A.

Amendment H-8017A was adopted.

Sands of Louisa asked and received unanimous consent to withdraw amendment H-8017B filed by him on February 13, 2012.

Petersen of Polk asked and received unanimous consent to withdraw amendment H-8018 filed by her on February 13, 2012.

Kaufmann of Cedar in the chair at 3:25 p.m.

Speaker Paulsen in the chair at 4:47 p.m.

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

On the question "Shall the bill pass?" (H.F. 2274)

The ayes were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Windschitl	Worthan	Mr. Speaker Paulsen	

The nays were, 40:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.

Thede
Willems

Thomas
Winckler

Wenthe
Wittneben

Wessel-Kroeschell
Wolfe

Absent or not voting, 1:

Watts

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2274** be immediately messaged to the Senate.

HOUSE FILE 2273 REFERRED

The Speaker announced that House File 2273, previously placed on the **calendar** was referred to committee on **ways and means**.

SUBCOMMITTEE ASSIGNMENTS

House File 481

Agriculture: De Boef, Chair; H. Miller and Rasmussen.

House File 2249

Commerce: Wagner, Chair; T. Olson and Watts.

House File 2253

Judiciary: Kaufmann, Chair; Garrett and Wolfe.

House File 2254

Judiciary: Tjepkes, Chair; Heaton and R. Olson.

House File 2263

Transportation: Iverson, Chair; Arnold and Cohoon.

House File 2267

Commerce: Watts, Chair; Kajtazovic and Wagner.

House File 2268

Judiciary: Tjepkes, Chair; Heaton and T. Olson.

House File 2269

Judiciary: Pearson, Chair; Gaines and Kaufmann.

House File 2270

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 2279

Education: L. Miller, Chair; Forristall and Steckman.

House File 2282

Transportation: Worthan, Chair; Hall and Rasmussen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 628

Commerce: Iverson, Chair; Kressig and Paustian.

House Study Bill 629

Education: Forristall, Chair; Jorgensen and Steckman.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 630 Human Resources

Relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

H.S.B. 631 Commerce

Relating to security interests in farm products, providing for fees and their expenditure, and including contingent applicability provisions.

H.S.B. 632 Local Government

A study bill to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

H.S.B. 633 Local Government

Relating to the issuance of a burial transit permit.

H.S.B. 634 Local Government

Relating to property tax assessments by modifying the requirements for certain notice and protest periods, authorizing local boards of review to allow electronic filing of assessment protests, and including applicability provisions.

H.S.B. 635 Commerce

Relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House File 2078), reducing the statute of repose period in a case arising out of the unsafe or defective condition of an improvement to real property and including an applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2012.

Committee Bill (Formerly House Study Bill 574), requiring advance notification to utilities by the owner of an alternative energy production facility of construction or installation of the facility.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2012.

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House Study Bill 593), creating the manufactured housing program fund.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2067), relating to the transmission and recording of certain death certificates.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2012.

Committee Bill (Formerly House Study Bill 581), requiring that absentee ballot return envelopes be conspicuously marked with county commissioner of elections receipt and postmark requirements.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2012.

Committee Bill (Formerly House Study Bill 587), relating to elections and voter registration, including technical administration of the law by making modifications to certain filing deadlines, preservation of certain records, special elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2012.

RESOLUTION FILED

H.R. 111, by Paulsen, Upmeyer, and McCarthy, a resolution welcoming His Excellency Xi Jinping, Vice President of the People's Republic of China on his visit to the State of Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8019	S.F.	2071	Schulte of Linn
H-8020	S.F.	2071	T. Olson of Linn
H-8021	S.F.	2071	Wagner of Linn
H-8022	S.F.	2071	T. Olson of Linn

On motion by Upmeyer of Hancock the House adjourned at 5:00 p.m., until 8:30 a.m., Wednesday, February 15, 2012.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 15, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jim Laupp, First Baptist Church, Fort Dodge. He was the guest of Representative H. Miller of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Darek Muhlbauer, Page from Audubon.

The Journal of Tuesday, February 14, 2012, was approved.

INTRODUCTION OF BILLS

House File 2297, by committee on veterans affairs, a bill for an act making a transfer to the veterans trust fund and including effective date provisions.

Read first time and referred to committee on **appropriations**.

House File 2298, by Pearson, 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 and referred to committee on **human resources**.

House File 2299, by Wagner, a bill for an act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

Read first time and referred to committee on **veterans affairs**.

House File 2300, by Pettengill, J. Taylor, and Hall, a bill for an act relating to the state housing credit ceiling allocation and including effective date and retroactive applicability provisions.

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

House File 2301, by committee on commerce, a bill for an act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility.

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

House File 2302, by Brandenburg, a bill for an act relating to student athletic activities in public and nonpublic schools.

Read first time and referred to committee on **education**.

House File 2303, by Kajtazovic, a bill for an act prohibiting the manufacture of certain goods containing bisphenol A, and providing penalties.

Read first time and referred to committee on **commerce**.

House File 2304, by Pearson, a bill for an act regulating the use of pat-down searches and whole-body scanners, providing penalties, and including effective date and implementation provisions.

Read first time and referred to committee on **public safety**.

House File 2305, by committee on human resources, a bill for an act relating to the powers and duties of the department on aging.

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

House File 2306, by committee on human resources, a bill for an act relating to the membership of the medical assistance advisory council.

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

House File 2307, by committee on commerce, a bill for an act reducing the statute of repose period in a case arising out of the unsafe or defective condition of an improvement to real property and including an applicability date provision.

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

House File 2308, by committee on judiciary, a bill for an act relating to the modification of a temporary no-contact order.

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

SENATE MESSAGE CONSIDERED

Senate File 2161, 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 and referred to committee on **ways and means**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair
Watts of Dallas

Horbach of Tama

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 9:33 a.m., Speaker Paulsen in the chair.

ADOPTION OF HOUSE RESOLUTION 111

Upmeyer of Hancock called up for consideration **House Resolution 111**, a resolution welcoming His Excellency Xi Jinping, Vice President of the People's Republic of China on his visit to the State of Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS
Regular Calendar

House File 2248, a bill for an act relating to the practice of optometry, was taken up for consideration.

Kaufmann of Cedar offered amendment H-8010 filed by him and moved its adoption.

Amendment H-8010 was adopted.

SENATE FILE 2120 SUBSTITUTED FOR HOUSE FILE 2248

Kaufmann of Cedar asked and received unanimous consent to substitute Senate File 2120 for House File 2248.

Senate File 2120, a bill for an act relating to the practice of optometry, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2120)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg

Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

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

HOUSE FILE 2248 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2248 from further consideration by the House.

Appropriations Calendar

Senate File 2071, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Wagner of Linn offered amendment H-8009 filed by the committee on appropriations.

Wagner of Linn offered amendment H-8021, to the committee amendment H-8009, filed by him and moved its adoption.

Amendment H-8021, to the committee amendment H-8009, was adopted, placing out of order amendment H-8022, to the committee amendment H-8009, filed by T. Olson of Linn on February 14, 2012.

T. Olson of Linn offered amendment H-8020, to the committee amendment H-8009, filed by him and moved its adoption.

Roll call was requested by T. Olson of Linn and Wenthe of Fayette.

On the question "Shall amendment H-8020, to the committee amendment H-8009, be adopted?" (S.F. 2071)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Windschitl	Worthan
Mr. Speaker Paulsen			

Absent or not voting, 4:

Baudler	Horbach	Swaim	Watts
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Amendment H-8020, to the committee amendment H-8009, lost.

Heddens of Story offered amendment H-8013, to the committee amendment H-8009, filed by her and moved its adoption.

Roll call was requested by Heddens of Story and T. Olson of Linn.

On the question "Shall amendment H-8013, to the committee amendment H-8009, be adopted?" (S.F. 2071)

The ayes were, 42:

Abdul-Samad	Berry	Cohoon	De Boef
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtažovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Miller, L.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Paustian
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 54:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Byrnes	Chambers	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Moore	Olson, S.
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 4:

Baudler	Horbach	Swaim	Watts
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Amendment H-8013, to the committee amendment H-8009, lost.

Wagner of Linn moved the adoption of the committee amendment H-8009, as amended.

The committee amendment H-8009, as amended, was adopted.

Schulte of Linn offered amendment H-8019 filed by her and moved its adoption.

Amendment H-8019 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2071)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2071 and 2120.**

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 15, 2012, he approved and transmitted to the Secretary of State the following bill:

Senate File 93, an Act enhancing the penalty for certain domestic abuse assault cases and providing a penalty.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2006

Appropriations: Rogers, Chair; T. Olson and Wagner.

House File 2271

State Government: Iverson, Chair; Helland and Kajtazovic.

House File 2272

State Government: Iverson, Chair; Helland and Isenhart.

House File 2277

Judiciary: Rogers, Chair; Heaton and Wolfe.

House File 2280

Judiciary: Massie, Chair; Alons and M. Smith.

House File 2286

Public Safety: Baudler, Chair; Kressig and Tjepkes.

House File 2288

Education: Byrnes, Chair; Mascher and Pearson.

House File 2298

Human Resources: Iverson, Chair; Schulte and Wessel-Kroeschell.

House File 2299

Veterans Affairs: Rayhons, Chair; Berry and Sweeney.

House File 2302

Education: Hanusa, Chair; Lofgren and Steckman.

House File 2304

Public Safety: Baudler, Chair; Kressig and Tjepkes.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 630

Human Resources: Schulte, Chair; Heaton, Heddens, L. Miller and M. Smith.

House Study Bill 631

Commerce: J. Smith, Chair; Muhlbauer and Paustian.

House Study Bill 632

Local Government: Hager, Chair; Kressig and Rayhons.

House Study Bill 633

Local Government: Klein, Chair; Horbach and Kajtazovic.

House Study Bill 634

Local Government: Tjepkes, Chair; Gaskill and Pearson.

House Study Bill 635

Commerce: J. Smith, Chair; Baltimore and Quirk.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 636 Public Safety

Imposing a duty of reasonable assistance on a person present at the scene of an emergency or accident and providing a penalty.

H.S.B. 637 Judiciary

Creating medical parole for certain persons committed to the custody of the department of corrections, and including effective date provisions.

H.S.B. 638 Judiciary

Relating to identity theft, providing penalties, and making penalties applicable.

H.S.B. 639 Judiciary

Relating to the apportionment of magistrates, and creating a full-time magistrate office.

H.S.B. 640 Veterans Affairs

Requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program.

H.S.B. 641 Veterans Affairs

Permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes.

H.S.B. 642 Veterans Affairs

Relating to county commissions of veteran affairs.

H.S.B. 643 State Government

Concerning the duties and operations of the department of administrative services.

H.S.B. 644 State Government

Providing for the licensing of polysomnographic technologists and providing for a penalty.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House Joint Resolution 2005), proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to acquire, keep, possess, transport, carry, transfer, and use arms.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 14, 2012.

Committee Bill (Formerly House File 2114), relating to state preemption of firearms, firearm accessories, and ammunition regulation by political subdivisions, and including penalties and remedies and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 14, 2012.

RESOLUTIONS FILED

H.R. 112, by Alons, De Boef, Shaw, Brandenburg, Massie, Sweeney, Jorgensen, and Wolfe, a resolution to preserve habeas corpus and civil liberties.

Laid over under **Rule 25**.

H.R. 113, by Upmeyer, Rayhons, and Byrnes, a resolution to recognize Iowa Mold Tooling on its 50th anniversary.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8023 S.F. 413 Wagner of Linn

On motion by Upmeyer of Hancock the House adjourned at 10:10 a.m., until 8:30 a.m., Thursday, February 16, 2012.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 16, 2012

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Wendy Abrahamson, St. John's Church, Mason City. She was the guest of Representative Steckman of Cerro Gordo County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Angelo Vignaroli, Page from Des Moines.

The Journal of Wednesday, February 15, 2012, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2008, by Heaton, L. Miller, Fry, Shaw, and Brandenburg, a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date.

Read first time and referred to committee on **human resources**.

House File 2309, by Running-Marquardt, a bill for an act relating to the period for renewal of a foster care license.

Read first time and referred to committee on **human resources**.

House File 2310, by Chambers, a bill for an act exempting from the inheritance tax any agricultural land passing to nieces or nephews and including an applicability provision.

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

House File 2311, by Brandenburg, a bill for an act providing an exemption from the computation of the state individual income tax of certain dividends and 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**.

House File 2312, by Windschitl, a bill for an act relating to rules for compensation under the medical assistance program of individuals holding certain positions in nursing facilities.

Read first time and referred to committee on **human resources**.

House File 2313, by Windschitl, a bill for an act relating to the registration and titling of military vehicles.

Read first time and referred to committee on **veterans affairs**.

House File 2314, by Windschitl, a bill for an act creating exemptions from the computation of net income for the individual and corporate income tax and the franchise tax of amounts paid to and received from a health care sharing ministry and including retroactive applicability provisions.

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

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 9:21 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Mascher of Johnson
Raecker of Polk

McCarthy of Polk

ADOPTION OF HOUSE RESOLUTION 110

Koester of Polk called up for consideration **House Resolution 110**, as follows, and moved its adoption:

HOUSE RESOLUTION 110
BY COMMITTEE ON ETHICS

1 A resolution amending the House Code of Ethics.
2 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
3 Rule 8, as adopted by the House of Representatives
4 during the 2011 Session in House Resolution 7, is
5 amended to read as follows:

6 8. GIFTS ACCEPTED OR RECEIVED. Members and
7 employees of the house shall comply with the
8 restrictions relating to the receipt or acceptance
9 of gifts contained in section 68B.22 of the Code.
10 The sponsor of a function under section 68B.22,
11 subsection 4, paragraph "s", shall electronically
12 file a registration with the chief clerk of the house
13 five days prior to the function disclosing the name of
14 the sponsor, and the date, time, and location of the
15 function. The sponsor shall also electronically file a
16 report of expenditures as required pursuant to section
17 68B.22, subsection 4, paragraph "s".

18 BE IT FURTHER RESOLVED, That Rule 12, paragraphs
19 d and e, as adopted by the House of Representatives
20 during the 2011 Session in House Resolution 7, are
21 amended to read as follows:

22 d. Confidentiality of complaint. The identity of
23 the parties and the contents of the complaint shall be
24 confidential until the time that the committee ~~meets to~~
25 determine whether the complaint is valid chairperson
26 and ranking member determine under paragraph "f"
27 that the complaint is sufficient as to form, unless

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1 either the complainant or the party charged in the
2 complaint makes the identity of the parties, or the
3 information contained in the complaint, public.
4 ~~However, if either the complainant or party alleged~~
5 ~~to have committed the violation requests that the~~
6 ~~meeting to determine whether the complaint is valid be~~
7 ~~a closed meeting and the identity of the parties or the~~
8 ~~contents of the complaint have not been disclosed, the~~
9 ~~meeting shall be closed. The chief clerk of the house ~~~
10 and the committee chairperson and ranking member may
11 communicate confidentially with appropriate legislative
12 staff during any stage of the complaint process.

13 e. Notice of complaint. Upon receipt of the
14 complaint, the chief clerk of the house shall promptly
15 notify the chairperson and ranking member of the
16 ethics committee that a complaint has been filed and
17 provide both the chairperson and the ranking member
18 with copies of the complaint and any supporting
19 information. Within two working days, the chief clerk
20 shall send notice, either by personal delivery or by

21 certified mail, return receipt requested, to the person
22 or persons alleged to have committed the violation,
23 along with a copy of the complaint and any supporting
24 information. The notice to the accused person shall
25 contain a request that the person submit a written
26 response to the complaint within ten working days of
27 the date that the notice was sent by the chief clerk.
28 At the request of the accused person, the committee may
29 extend the time for the response, not to exceed ten
30 additional calendar days. A response to a complaint

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1 shall not be confidential.
2 BE IT FURTHER RESOLVED, That Rule 12, paragraph
3 f, unnumbered paragraph 1, as adopted by the House
4 of Representatives during the 2011 Session in House
5 Resolution 7, is amended to read as follows:
6 The committee chairperson and the ranking
7 member shall review the complaint and supporting
8 information to determine whether the complaint meets
9 the requirements as to form. If the complaint is
10 deficient as to form, the complaint shall be returned
11 to the complainant with instructions indicating the
12 deficiency ~~unless the committee decides to proceed on~~
13 ~~its own motion.~~ If the complaint is in writing, is
14 sufficient as to form, and contains the appropriate
15 certification, as soon as practicable, the chairperson
16 shall call a meeting of the committee to review the
17 complaint to determine whether the complaint meets the
18 requirements for validity and whether the committee
19 should take action on the complaint pursuant to
20 paragraph “g” or whether the committee should request
21 that the chief justice of the supreme court appoint an
22 independent special counsel to conduct an investigation
23 to determine whether probable cause exists to believe
24 that a violation of the house code of ethics, house
25 rules governing lobbyists, or chapter 68B of the Code,
26 has occurred. The sufficiency as to form determination
27 and the valid complaint requirements determination
28 shall be based solely upon the original complaint and
29 the response to the complaint. Additional documents
30 or responses shall not be filed by the parties or

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1 otherwise considered by the committee prior to a
2 validity determination. The committee shall not
3 receive or consider oral testimony in support of or
4 against a validity determination.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILL
Appropriations Calendar

House File 2284, a bill for an act relating to employee stock ownership plans by encouraging the adoption of such plans by Iowa corporations, creating an individual income tax exemption, making an appropriation, and including retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2284)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Massie	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Petersen
Pettengill	Quirk	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 2:

Pearson	Shaw
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Absent or not voting, 5:

Mascher
Swaim

McCarthy

Olson, R.

Raecker

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

HOUSE FILES 2085 and 2203 WITHDRAWN

Lofgren of Muscatine asked and received unanimous consent to withdraw House Files 2085 and 2203 from further consideration by the House.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2284** be immediately messaged to the Senate.

DISSENT FROM HOUSE FILE 2284

Mr. Speaker:

Article III Section 10 of the Constitution of the State of Iowa provides:

Protest – record of vote – Every member of the general assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

The following reason for dissent was received in the office of the Chief Clerk for entry hereon:

We are submitting our official protest votes with regards to House File 2284. That bill appropriated \$1,000,000 to the Economic Development Authority for the purpose of providing financial assistance, marketing, and education to businesses regarding the formation of employee stock ownership plans.

We believe this appropriation is a misuse of taxpayer funds.

Representative Kim Pearson
Representative Tom Shaw

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 2008

Human Resources: L. Miller, Chair; Fry and Heddens.

House File 2008

Ways and Means: Helland, Chair; Isenhart and Sands.

House File 2022

Ways and Means: J. Taylor, Chair; Byrnes and Willems.

House File 2034

Ways and Means: Helland, Chair; Kajtazovic and Sands.

House File 2056

Ways and Means: Helland, Chair; Muhlbauer and Sands.

House File 2057

Ways and Means: Helland, Chair; Kearns and Sands.

House File 2058

Ways and Means: Helland, Chair; Petersen and Sands.

House File 2070

Ways and Means: Paustian, Chair; Pettengill and Quirk.

House File 2091

Ways and Means: Helland, Chair; Jacoby and Sands.

House File 2100

Ways and Means: Helland, Chair; Kajtazovic and Sands.

House File 2123

Ways and Means: Helland, Chair; Sands and Thomas.

House File 2183

Ways and Means: Helland, Chair; Jacoby and Sands.

House File 2224

Ways and Means: Helland, Chair; Sands and Thomas.

House File 2225

Ways and Means: Helland, Chair; Jacoby and Sands.

House File 2251

Ways and Means: Helland, Chair; Isenhart and Sands.

House File 2258

Ways and Means: Helland, Chair; Kearns and Sands.

House File 2287

Ways and Means: Byrnes, Chair; De Boef and Thomas.

House File 2309

Human Resources: Schulte, Chair; Iverson and Wessel-Kroeschell.

House File 2312

Human Resources: Iverson, Chair; Mascher and Schulte.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 637

Judiciary: Anderson, Chair; Heaton and Lensing.

House Study Bill 638

Judiciary: Baltimore, Chair; Massie and Oldson.

House Study Bill 639

Judiciary: Anderson, Chair; Baltimore and R. Olson.

House Study Bill 640

Veterans Affairs: Shaw, Chair; Hanusa and Wittneben.

House Study Bill 641

Veterans Affairs: Shaw, Chair; Kearns and Sweeney.

House Study Bill 642

Veterans Affairs: Alons, Chair; Hanusa and Muhlbauer.

House Study Bill 643

State Government: Vander Linden, Chair; Hunter and Massie.

House Study Bill 644

State Government: Iverson, Chair; Helland and Quirk.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 645 State Government**

Relating to government operations and efficiency, school elections, eliminating certain tax credits, making appropriations, and including effective date and applicability provisions.

H.S.B. 646 Human Resources

Relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions, making appropriations, and including effective date and applicability provisions.

H.S.B. 647 Education

Concerning school district funding for excess costs of instruction of children requiring special education.

H.S.B. 648 Economic Growth/Rebuild Iowa

Relating to the amount allowable as an innovation fund investment tax credit, making the credit transferable, and including effective date and retroactive applicability provisions.

H.S.B. 649 State Government

Concerning public construction bidding by establishing a pilot program for alternative project delivery processes for certain public

projects and utilizing alternative selection procedures for certain professional services and making an appropriation.

H.S.B. 650 State Government

Concerning establishing and collecting certain filing fees by the auditor of state.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly LSB 5120HB), relating to appropriations to the judicial branch.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2012.

COMMITTEE ON COMMERCE

Committee Bill (Formerly House File 2126), relating to the education requirements for licensed massage therapists.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 608), authorizing charitable auctions for alcoholic spirits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 621), relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 628), relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, and superintendent management authority, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 594), relating to pollution prevention and waste management assistance.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2076), relating to establishing cohabitation with a sex offender as a potential substantial change in circumstances for the purposes of modification of decree or order regarding custody, visitation, or physical care.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2012.

Committee Bill (Formerly House Study Bill 610), relating to the designation of area agencies on aging, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2012.

Committee Bill (Formerly House Study Bill 624), relating to terminology changes in Iowa Code references to mental retardation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2012.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 2037), relating to the issuance of a search warrant to authorize the placement, tracking, and monitoring of a global positioning device.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 613), relating to notice of mortgage mediation assistance.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 596), providing for notarial acts and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 625), relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 606), relating to nonsubstantive Code corrections and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 2141), relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2012.

Committee Bill (Formerly House Study Bill 602), concerning the review, approval, and establishment of county supervisor districting plans.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2012.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 2247), requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 617), relating to the issuance of hunting and fishing licenses and providing for fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2016), to allow a person with a special minor's license to drive to and from school and school activities along a route that begins or ends at the home of either parent.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

COMMITTEE ON VETERANS AFFAIRS

Senate File 2038, a bill for an act relating to the duties and requirements of the department of veterans affairs and the commission of veterans affairs.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly House File 2026), providing for the issuance of special hunting licenses to certain nonresident disabled veterans.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

RESOLUTIONS FILED

H.R. 114, by Deyoe, Baltimore, Heddens, and Wessel-Kroeschell, a resolution honoring Dr. Gregory L. Geoffroy's remarkable achievements as President of Iowa State University.

Laid over under **Rule 25**.

H.R. 115, by Horbach, a resolution to recognize March 30, 2012, as Vietnam Veterans Day.

Laid over under **Rule 25**.

H.R. 116, by Deyoe, Baltimore, Heddens, and Wessel-Kroeschell, a resolution congratulating Dan Shechtman of the Iowa State University College of Engineering, the United States Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology on his receipt of the 2011 Nobel Prize in Chemistry.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8024 H.F. 2289 Kaufmann of Cedar

On motion by Upmeyer of Hancock the House adjourned at 9:41 a.m., until 8:00 a.m., Friday, February 17, 2012.

JOURNAL OF THE HOUSE

Fortieth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 17, 2012

The House met pursuant to adjournment at 8:02 a.m., S. Olson of Clinton in the chair.

Prayer was offered by Representative S. Olson of Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative S. Olson of Clinton.

The Journal of Thursday, February 16, 2012, was approved.

INTRODUCTION OF BILLS

House File 2315, by committee on economic growth/rebuild Iowa, a bill for an act creating the manufactured housing program fund.

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

House File 2316, by committee on judiciary, a bill for an act prohibiting certain credits for time served while on probation, and including effective date provisions.

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

House File 2317, by committee on state government, a bill for an act requiring that absentee ballot return envelopes be conspicuously marked with county commissioner of elections receipt and postmark requirements.

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

House File 2318, by committee on state government, a bill for an act relating to the transmission and recording of certain death certificates.

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

House File 2319, by committee on state government, a bill for an act relating to elections and voter registration, including technical administration of the law by making modifications to certain filing deadlines, preservation of certain records, special elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries.

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

House File 2320, by committee on human resources, a bill for an act relating to the designation of area agencies on aging, and including effective date provisions.

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

House File 2321, by committee on judiciary, a bill for an act amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

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

House File 2322, by committee on local government, a bill for an act concerning the review, approval, and establishment of county supervisor districting plans.

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

House File 2323, by committee on local government, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

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

House File 2324, by Lukan, a bill for an act providing education savings grants for certain pupils attending an accredited nonpublic school or receiving competent private instruction, establishing an education savings grant fund, making appropriations, providing penalties, and including applicability provisions.

Read first time and referred to committee on **education**.

House File 2325, by Wessel-Kroeschell, a bill for an act relating to child placement by requiring the consideration of the stability of the home in a determination concerning the removal of the child.

Read first time and referred to committee on **human resources**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Internal Service Fund Report, pursuant to Iowa Code section 8A.123(5)(b).

DEPARTMENT OF NATURAL RESOURCES

Manure on Frozen & Snow-Covered Ground Report, pursuant to Iowa Code section 459.313B.

DEPARTMENT OF REVENUE

Research Activities Tax Credit Report, pursuant to Senate File 478, 2009 Iowa Acts.

DEPARTMENT ON AGING

ICN Savings Report, pursuant to Iowa Code section 8D.10.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 645

State Government: Cownie, Chair; Kaufmann, Lensing, Mascher and Vander Linden.

House Study Bill 646

Human Resources: Schulte, Chair; Heaton, Heddens, L. Miller and M. Smith.

House Study Bill 647

Education: J. Taylor, Chair; Byrnes and Steckman.

House Study Bill 648

Economic Growth/Rebuild Iowa: Soderberg, Chair; Byrnes and Thomas.

House Study Bill 649

State Government: Jorgensen, Chair; Hein and Quirk.

House Study Bill 650

State Government: Jorgensen, Chair; Hein and Hunter.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly LSB 5115HB), relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly LSB 5116HB), relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2012.

Committee Bill (Formerly LSB 5119HB), relating to appropriations to the justice system, and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

On motion by Lofgren of Muscatine the House adjourned at 8:07 a.m., until 1:00 p.m., Monday, February 20, 2012.

JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 20, 2012

The House met pursuant to adjournment at 1:01 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Ramona Bouzard, Wartburg College, Waverly. She was the guest of Representative Grassley of Butler County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bradley Hobart, Page from Council Bluffs.

The Journal of Friday, February 17, 2012, was approved.

INTRODUCTION OF BILLS

House File 2326, by committee on judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

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

House File 2327, by committee on judiciary, a bill for an act relating to notice of mortgage mediation assistance.

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

House File 2328, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions.

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

House File 2329, by committee on veterans affairs, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans.

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

House File 2330, by committee on transportation, a bill for an act to allow a person with a special minor's license to drive to and from school and school activities along a route that begins or ends at the home of either parent.

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

House File 2331, by committee on judiciary, a bill for an act relating to the issuance of a search warrant to authorize the placement, tracking, and monitoring of a global positioning device.

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

House File 2332, by Kelley, Wittneben, and Hanson, a bill for an act relating to the control of aquatic invasive species in the waters of this state and including a study and report.

Read first time and referred to committee on **natural resources**.

Kaufmann of Cedar in the chair at 1:08 p.m.

EXPLANATION OF VOTE

On February 14, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8014 (H.F. 2274) – “nay”

Amendment H-8015 (H.F. 2274) – “nay”

Amendment H-8016 (H.F. 2274) – “nay”

Also: On February 16, 2012, I would have voted as follows:

House File 2284 – “aye”

SUBCOMMITTEE ASSIGNMENTS

House File 2295

Judiciary: Tjepkes, Chair; Heaton and M. Smith.

House File 2325

Human Resources: Fry, Chair; Massie and Wessel-Kroeschell.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 636

Public Safety: Klein, Chair; Abdul-Samad and Fry.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 651 Local Government

Relating to certain records relating to competitive information of rural water districts, city utilities, and city enterprises.

H.S.B. 652 Economic Growth/Rebuild Iowa

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.

RESOLUTIONS FILED

H.R. 117, by Baudler and Heaton, a resolution supporting trapshooting as a sanctioned high school sport.

Laid over under **Rule 25**.

H.R. 118, by L. Miller, a resolution recognizing and honoring the work of the Alzheimer's Association.

Laid over under **Rule 25**.

H.R. 119, by Kelley, a resolution honoring the Iowa Library for the Blind and Physically Handicapped.

Laid over under **Rule 25**.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 21, 2012

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor LeAnn Stubbs, St. Stephen Lutheran Church, Urbandale. She was the guest of Representative Worthan of Buena Vista County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nora McKenzie, Chief Clerk's Page from Carroll.

The Journal of Monday, February 20, 2012, was approved.

INTRODUCTION OF BILLS

House File 2333, by J. Taylor, a bill for an act relating to appropriations to the indigent defense fund.

Read first time and referred to committee on **appropriations**.

House File 2334, by committee on natural resources, a bill for an act relating to the issuance of hunting and fishing licenses, providing for fees, and including effective date provisions.

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

House File 2335, by committee on appropriations, a bill for an act relating to appropriations to the justice system, and providing effective dates.

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

House File 2336, by committee on appropriations, a bill for an act relating to appropriations involving state government entities

involved with agriculture, natural resources, and environmental protection.

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

House File 2337, by committee on appropriations, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions.

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

House File 2338, by committee on appropriations, a bill for an act relating to appropriations to the judicial branch.

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

House File 2339, by committee on commerce, 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 effective date provisions.

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

House File 2340, by committee on commerce, a bill for an act relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, and superintendent management authority, and making penalties applicable.

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

House File 2341, by committee on commerce, a bill for an act authorizing charitable auctions for alcoholic spirits.

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

House File 2342, by committee on commerce, a bill for an act relating to the composition of the board of massage therapy and the education requirements for licensed massage therapists.

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

House File 2343, by committee on natural resources, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

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

House File 2344, by committee on human resources, a bill for an act relating to terminology changes in Iowa Code references to mental retardation.

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

House File 2345, by committee on human resources, a bill for an act relating to the factors considered by the court in a determination of the best interest of the child in custody arrangements.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 20, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2071, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 116

Upmeyer of Hancock called up for consideration **House Resolution 116**, a resolution congratulating Dan Shechtman of the Iowa State University College of Engineering, the United States

Department of Energy's Ames Laboratory, and Technion-Israel Institute of Technology on his receipt of the 2011 Nobel Prize in Chemistry, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Upmeyer of Hancock, the House was recessed at 8:41 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:01 p.m., Speaker Paulsen in the chair.

The House stood at ease at 5:01 p.m., until the fall of the gavel.

The House resumed session at 5:35 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Moore of Jackson

Windschitl of Harrison

SENATE AMENDMENT CONSIDERED

Worthan of Buena Vista called up for consideration **Senate File 2071**, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 2011, and including effective dates, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8026 to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8026, to the House amendment.

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

On the question "Shall the bill pass?" (S.F. 2071)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2071** be immediately messaged to the Senate.

INTRODUCTION OF BILLS

House File 2346, by J. Taylor, Klein, Hein, De Boef, Moore, Paustian, Quirk, Schultz, Grassley, Windschitl, and Hager, a bill for an act relating to funding for projects on roads and bridges in critical need of repair or maintenance, and making an appropriation.

Read first time and referred to committee on **appropriations**.

House File 2347, by Pettengill, a bill for an act relating to the tax-sheltered investment program administered by the department of administrative services.

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

House File 2348, by committee on environmental protection, a bill for an act relating to pollution prevention and waste management assistance.

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

House File 2349, by Hagenow and Rogers, a bill for an act relating to commercial sexual activity and human trafficking and providing penalties and making penalties applicable.

Read first time and referred to committee on **judiciary**.

House File 2350, by committee on public safety, a bill for an act relating to the possession of certain substances with the intent to manufacture a controlled substance, and providing a penalty.

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

House File 2351, by committee on judiciary, a bill for an act providing for notarial acts and including effective date provisions.

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

House File 2352, by Lukan, a bill for an act providing an Iowa rebate tax credit for eligible individuals, providing an exemption from

the computation of the state individual income tax, and including effective date and retroactive applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

House File 258 Reassigned

Natural Resources: Rayhons, Chair; Hager and Hanson.

House File 398 Reassigned

Public Safety: Hagenow, Chair; S. Olson and Wolfe.

House File 442 Reassigned

Judiciary: Kaufmann, Chair; R. Olson and Tjepkes.

House File 2313

Veterans Affairs: Chambers, Chair; Kearns and Lukan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 649 Reassigned

State Government: Schulte, Chair; Hein and Quirk.

House Study Bill 651

Local Government: Klein, Chair; Hager and Wittneben.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 653 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.

H.S.B. 654 Transportation

Relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements.

H.S.B. 655 State Government

Relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of electrical or mechanical amusement devices.

H.S.B. 656 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, and providing an income tax credit, and including retroactive applicability provisions.

H.S.B. 657 Local Government

Legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

H.S.B. 658 Labor

Establishing a workplace safety improvement program and fund administered by the labor commissioner and making an appropriation.

H.S.B. 659 Economic Growth/Rebuild Iowa

Establishing a lifelong learning accounts program in the department of workforce development, creating an income tax credit, and including effective date and retroactive applicability provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 481, a bill for an act relating to reimbursement for state audits of certain commodity organizations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 618), relating to the assessment of moneys on sheep and wool production.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

COMMITTEE ON COMMERCE

House File 594, a bill for an act relating to the rights of members of a residential cooperative, owners of a condominium, or owners of certain other residential property.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2012.

Committee Bill (Formerly House Study Bill 558), relating to stray electric current or voltage and civil actions to recover resulting damages.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

Committee Bill (Formerly House Study Bill 572), subjecting the acts of an auctioneer in conducting a public sale or auction of real estate to real estate broker and salesperson licensing provisions, making penalties applicable, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

Committee Bill (Formerly House Study Bill 635), relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2012.

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House Study Bill 590), relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

Committee Bill (Formerly House Study Bill 604), relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2220), relating to improvements to and implementation of laws concerning elder abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 595), establishing a rural Iowa primary care grant and forgivable loan program to be administered by the college student aid commission, a rural Iowa primary care trust fund, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 623), relating to persons with mental health illnesses and substance-related disorders.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 624), relating to limitations on creditors' rights in spendthrift trusts and discretionary trusts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House File 2156), relating to the employment of unauthorized aliens and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House File 2157), relating to expunging certain criminal records.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House File 2195), providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 525), relating to the possession, distribution, and reporting of obscene material, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 597), relating to civil actions relating to real estate, including mortgage foreclosure actions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 614), relating to the liability of an owner, lessee, or occupant of land for injury to a trespasser on the land and including an applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

COMMITTEE ON LABOR

Committee Bill (Formerly House Study Bill 557), relating to unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 633), relating to the issuance of a burial transit permit.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House Study Bill 565), concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 615), relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 616), relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

COMMITTEE ON PUBLIC SAFETY

House File 398, a bill for an act modifying the criminal offense of interference with official acts.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2012.

Committee Bill (Formerly House File 2222), relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

Committee Bill (Formerly House File 2252), relating to the possession of certain substances with the intent to manufacture a controlled substance, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 586), relating to the policy administration of election and voter registration laws by the secretary of state, including changes to the definition of a general election, 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, the filling of vacancies in city office, and authorizing certain cities to conduct city elections by absentee ballot, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

Committee Bill (Formerly House Study Bill 650), concerning establishing and collecting certain filing fees by the auditor of state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2012.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 2282), relating to escort and permit requirements for the movement of certain vehicles and combinations of vehicles of excessive size.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 654), relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly House File 2236), relating to requirements for a commercial driver's license for certain persons transitioning from military service.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House File 2299), relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 640), requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 641), permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 642), relating to county commissions of veteran affairs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2012.

AMENDMENTS FILED

H-8027	H.F.	2328	Committee on Judiciary
H-8028	H.F.	594	Watts of Dallas

On motion by Upmeyer of Hancock the House adjourned at 5:42 p.m., until 8:30 a.m., Wednesday, February 22, 2012.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 22, 2012

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Dr. Reverend Matthew Rueger, St. John Missouri Synod Lutheran Church, Hubbard. He was the guest of Representative Sweeney of Hardin County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lane Christophersen, Chief Clerk's Page from Mapleton.

The Journal of Tuesday, February 21, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Raecker of Polk

INTRODUCTION OF BILLS

House File 2353, by T. Taylor, a bill for an act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

Read first time and referred to committee on **transportation**.

House File 2354, by committee on economic growth/rebuild Iowa, a bill for an act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions.

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

ADOPTION OF HOUSE CONCURRENT RESOLUTION 105

Upmeyer of Hancock called up for consideration **House Concurrent Resolution 105**, a concurrent resolution urging the President of the United States and the United States Congress to protect the Rock Island Arsenal from future budget reductions, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House Concurrent Resolution 105** be immediately messaged to the Senate.

SUBCOMMITTEE ASSIGNMENTS

House File 2303

Commerce: Windschitl, Chair; Kajtazovic and Watts.

House File 2324

Education: Chambers, Chair; Jorgensen and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 652

Economic Growth/Rebuild Iowa: Schultz, Chair; Lukan and Thomas.

House Study Bill 653

Judiciary: Anderson, Chair; Baltimore and Lensing.

House Study Bill 654

Transportation: Iverson, Chair; Lykam and Worthan.

House Study Bill 655

State Government: Iverson, Chair; Kajtazovic and Vander Linden.

House Study Bill 656

State Government: Iverson, Chair; Helland and Isenhardt.

House Study Bill 657
(Committee of the Whole)

Local Government: Wagner, Chair; Arnold, Baltimore, Berry, Gaines, Gaskill, Hager, Helland, Horbach, Kajtazovic, Kearns, Klein, Kressig, Pearson, Rayhons, Running-Marquardt, J. Smith, Thede, Tjepkes, Van Engelenhoven and Wittneben.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly House File 2105), requiring the commissioner of insurance to develop a uniform application for use by individuals applying for new health insurance coverage under individual policies or contracts of accident and health insurance.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 533), relating to third-party payment of services provided by a doctor of chiropractic.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 592), regulating the sale of portable electronics insurance, including by requiring licensure, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 599), relating to eligibility for the renewable energy tax credit.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 517), relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 20, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House Study Bill 551), relating to sex offender notification, providing penalties, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 622), relating to department of public health programs and activities, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House File 2065), relating to maximizing hospital-specific disproportionate share hospital payments.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

COMMITTEE ON LOCAL GOVERNMENT

House File 2006, a bill for an act relating to the membership of county and city conference boards.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2012.

Committee Bill (Formerly House Study Bill 632), to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 657), to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 651), relating to certain records relating to competitive information of rural water districts, city utilities, and city enterprises.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 569), relating to annual meeting requirements for rural water districts.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

RESOLUTION FILED

H.R. 120, by L. Miller, a resolution recognizing November 2012 as COPD Awareness Month.

Laid over under **Rule 25**.

On motion by Upmeyer of Hancock the House adjourned at 8:41 a.m., until 8:30 a.m., Thursday, February 23, 2012.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 23, 2012

The House met pursuant to adjournment at 8:34 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Dr. Reverend Cathleen Bascom, Cathedral Church of St. Paul, Des Moines. She was the guest of Representative Kelley of Jasper County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kaleb Chase, Page from Indianola.

The Journal of Wednesday, February 22, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 22, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2165, a bill for an act relating to physician orders for scope of treatment.

Also: That the Senate has on February 22, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2024, a bill for an act relating to workforce training programs in community colleges and making appropriations.

Also: That the Senate has on February 22, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2158, a bill for an act relating to reimbursement of speech pathology services under the medical assistance program.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Raecker of Polk

INTRODUCTION OF BILLS

House File 2355, by Kelley, a bill for an act providing for the conducting of a wireless communication mapping survey.

Read first time and referred to committee on **commerce**.

House File 2356, by Wessel-Kroeschell, Byrnes, and Heddens, a bill for an act relating to postsecondary student financial assistance and graduation rates.

Read first time and referred to committee on **education**.

House File 2357, by Shaw, a bill for an act limiting the authority of a governing board of an accredited public or private college or university in Iowa from adopting or enforcing any policy or rule that prohibits the carrying, transportation, or possession of any dangerous weapon in the buildings or on the grounds of such colleges or universities and including penalties.

Read first time and referred to committee on **public safety**.

House File 2358, by Winckler, Murphy, and Lensing, a bill for an act relating to the authority of a liquor control licensee to keep certain mixed drinks or cocktails on the licensed premises.

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

House File 2359, by committee on economic growth/rebuild Iowa, a bill for an act relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

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

House File 2360, by committee on commerce, a bill for an act relating to the authorized activities of a real estate broker or real estate salesperson and the authorized activities of auctioneers in relation thereto.

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

House File 2361, by committee on public safety, a bill for an act relating to state preemption of firearms, firearm accessories, and ammunition regulation by political subdivisions, and including penalties and remedies and applicability provisions.

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

House File 2362, by committee on state government, a bill for an act concerning establishing and collecting certain filing fees by the auditor of state.

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

House File 2363, by committee on labor, a bill for an act relating to unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

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

House File 2364, by committee on veterans affairs, a bill for an act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program.

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

House File 2365, by Kajtazovic, a bill for an act creating a school solar generation revolving loan and grant program and fund within the Iowa energy center to fund solar generation projects and making an appropriation.

Read first time and referred to committee on **commerce**.

House File 2366, by Lukan, a bill for an act relating to state income taxes by authorizing taxpayers to elect to take an additional first-year depreciation allowance for purposes of the individual and corporate income tax and franchise tax, and including effective date and retroactive applicability provisions.

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

House File 2367, by committee on judiciary, a bill for an act relating to the liability of an owner, lessee, or occupant of land for injury to a trespasser on the land and including an applicability provision.

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

House File 2368, by committee on judiciary, a bill for an act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

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

House File 2369, by committee on local government, a bill for an act relating to the issuance of a burial transit permit.

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

House File 2370, by committee on judiciary, a bill for an act relating to civil actions relating to real estate, including mortgage foreclosure actions.

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

House File 2371, by committee on veterans affairs, a bill for an act relating to county commissions of veteran affairs.

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

House File 2372, by committee on commerce, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions.

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

House File 2373, by committee on public safety, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

Read first time and referred to committee on **appropriations**.

Speaker Paulsen in the chair at 8:41 a.m.

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Paulsen invited the following House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives:

Daniel Dankert
Shelby Kramer
Kyle McGlade

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Eighty-fourth General Assembly were presented to the House Pages by Speaker Paulsen, Majority Leader Upmeyer and Assistant Minority Leader M. Smith.

The House rose and expressed its appreciation.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 22, 2012, he approved and transmitted to the Secretary of State the following bills:

Senate File 2086, an Act relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

Senate File 2120, an Act relating to the practice of optometry.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 659

Economic Growth/Rebuild Iowa: Lofgren, Chair; De Boef and Jacoby.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 660 Ways and Means

Relating to the administration of the sales and use taxes by modifying provisions related to property purchased for resale and by creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 2094), relating to mandatory reporting of school employee misconduct to the board of educational examiners.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House File 2102), relating to teaching and credit requirements for courses offered by a school district under the state's educational standards for grades six through twelve.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2012.

Committee Bill (Formerly House File 2208), providing for the licensure of applicants with professional employment in mathematics-related or science-related fields as teachers for secondary school-level mathematics and science courses.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

Committee Bill (Formerly House Study Bill 647), concerning school district funding for excess costs of instruction of children requiring special education.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

COMMITTEE ON LOCAL GOVERNMENT

House File 2178, a bill for an act relating to special assessments imposed by cities and counties and including applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

House File 2221, a bill for an act relating to the classification of certain property used for human habitation as residential property.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2012.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 2119), concerning allowable prizes at annual game nights conducted by religious organizations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House File 2257), relating to the procedures governing boards and commissions and the grounds for licensee discipline.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 645), relating to government operations and efficiency, school elections, eliminating certain tax credits, making appropriations, and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 655), relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of electrical or mechanical amusement devices.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

RESOLUTION FILED

H.R. 121, by Baudler, a resolution honoring Hannah Jorgensen, the Iowa Prudential Spirit of Community Award winner.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8029	H.F.	2330	Heaton of Henry
H-8030	H.F.	2361	Windschitl of Harrison

On motion by Upmeyer of Hancock the House adjourned at 8:44 a.m., until 10:00 a.m., Friday, February 24, 2012.

JOURNAL OF THE HOUSE

Forty-seventh Calendar Day - Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 24, 2012

The House met pursuant to adjournment at 10:02 a.m., Massie of Warren in the chair.

Prayer was offered by Representative Massie of Warren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Pam, Evan and Emily Massie, wife and children of Representative Massie of Warren.

The Journal of Thursday, February 23, 2012, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2009, by committee on public safety, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to keep and bear arms.

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

House File 2374, by committee on transportation, a bill for an act relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements.

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

House File 2375, by committee on commerce, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

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

House File 2376, by Hall and Murphy, a bill for an act relating to civil penalties imposed by cities under an automated traffic law enforcement program and providing for the adoption of a uniform process for appeals.

Read first time and referred to committee on **transportation**.

House File 2377, by Hall, Murphy, Koester, Steckman, Byrnes, Wittneben, Abdul-Samad, Hanson, Thomas, Kelley, and Jacoby, a bill for an act relating to property taxation by providing a property assessment adjustment for certain persons, applying income and age limitations, providing a penalty, modifying the time period for property tax assessment protests, and including retroactive and other applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2024, by Kibbie, a bill for an act relating to workforce training programs in community colleges and making appropriations.

Read first time and referred to committee on **appropriations**.

Senate File 2158, by committee on human resources, a bill for an act relating to reimbursement of speech pathology services under the medical assistance program.

Read first time and referred to committee on **human resources**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF EDUCATION

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60.

Modified Allowable Growth Report, pursuant to Iowa Code section 257.40(2).

SUBCOMMITTEE ASSIGNMENT

House File 2357

Public Safety: Baudler, Chair; Kressig and Tjepkes.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 661 Appropriations

Relating to appropriations for health and human services and including other related provisions and appropriations, and including effective, retroactive, and applicability date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH/REBUILD IOWA

Committee Bill (Formerly House File 2237), relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 591), relating to economic development and the use of tax revenues and other funds by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting franchise tax revenues and withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 648), relating to the amount allowable as an innovation fund investment tax credit, making the credit transferable, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 2219), requiring diabetes management care in public and nonpublic schools and providing remedies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 646), relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions, making appropriations, and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 539), restricting claims involving mineral rights underlying land owned by another person.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House File 608), relating to county attorney duties when representing the department of human services in juvenile court.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House File 2010), prohibiting a licensed foster parent from providing child care when a foster child is present who has been found to have committed abuse of another child.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 612), relating to civil actions, procedures, and remedies and including applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 637), creating medical parole for certain persons committed to the custody of the department of corrections, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 638), relating to identity theft, providing penalties, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 653), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly House Study Bill 570), relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 603), requiring salvage dealers to maintain designated records, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

Committee Bill (Formerly House Study Bill 609), granting authority to temporarily designate a substance a controlled substance and classifying certain substances as schedule I controlled substances, making penalties applicable, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2012.

On motion by Helland of Polk the House adjourned at 10:05 a.m., until 1:00 p.m., Monday, February 27, 2012.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 27, 2012

The House met pursuant to adjournment at 1:03 p.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Hager of Allamakee County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Daniel Dankert, Page from Davenport.

The Journal of Friday, February 24, 2012, was approved.

INTRODUCTION OF BILLS

House File 2378, by committee on judiciary, a bill for an act relating to limitations on creditors' rights in spendthrift trusts and discretionary trusts.

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

House File 2379, by committee on judiciary, a bill for an act relating to expunging certain criminal records.

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

House File 2380, by committee on education, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2049

Ways and Means: Helland, Chair; Isenhart and Sands.

House File 2050

Ways and Means: Helland, Chair; Sands and Thomas.

House File 2074

Ways and Means: Pettengill, Chair; Vander Linden and Willems.

House File 2164

Ways and Means: Moore, Chair; Petersen and Pettengill.

House File 2182

Ways and Means: Helland, Chair; Muhlbauer and Sands.

House File 2273

Ways and Means: Vander Linden, Chair; Helland and Thomas.

House File 2310

Ways and Means: Helland, Chair; Quirk and Sands.

House File 2311

Ways and Means: Helland, Chair; Byrnes and Isenhart.

House File 2314

Ways and Means: Helland, Chair; Kearns and Sands.

House File 2334

Ways and Means: Vander Linden, Chair; Hein and Muhlbauer.

House File 2356

Education: L. Miller, Chair; Forristall and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 660

Ways and Means: Byrnes, Chair; Helland and Jacoby.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 2092, a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8031** February 21, 2012.

AMENDMENTS FILED

H-8031	H.F.	2092	Committee on Agriculture
H-8032	H.J.R.	2009	Windschitl of Harrison
H-8033	H.F.	2320	Jorgensen of Woodbury
H-8034	H.J.R.	2009	Horbach of Tama
H-8035	H.F.	2351	Hagenow of Polk
H-8036	H.F.	2335	Worthan of Buena Vista
H-8037	H.F.	2337	Thomas of Clayton
H-8038	H.F.	2337	Hall of Woodbury
H-8039	H.F.	2337	Jacoby of Johnson
H-8040	H.F.	2338	Worthan of Buena Vista
H-8041	H.F.	2337	Jacoby of Johnson
			Heddens of Story
			Kressig of Black Hawk
			Kajtazovic of Black Hawk
H-8042	H.F.	2336	Muhlbauer of Crawford
H-8043	H.F.	2336	Muhlbauer of Crawford
H-8044	H.F.	2335	Hall of Woodbury
			Lykam of Scott
			Berry of Black Hawk
			Gaskill of Wapello
			Running-Marquardt of Linn
			Hanson of Jefferson
H-8045	H.F.	2335	T. Taylor of Linn

H-8046	H.F.	2335	T. Taylor of Linn
H-8047	H.F.	2335	T. Taylor of Linn
H-8048	H.F.	2335	T. Taylor of Linn
H-8049	H.F.	2335	Wolfe of Clinton
H-8050	H.F.	2336	Muhlbauer of Crawford
H-8051	H.F.	2337	Isenhart of Dubuque
H-8052	H.F.	2338	T. Taylor of Linn
H-8053	H.F.	2335	T. Taylor of Linn

On motion by Upmeyer of Hancock the House adjourned at 1:09 p.m., until 8:30 a.m., Tuesday, February 28, 2012.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 28, 2012

The House met pursuant to adjournment at 8:33 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Pastor Nathan Sherill, St. Paul's Lutheran Church, Council Bluffs. He was the guest of Representative Hanusa of Pottawattamie County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kyle McGlade, Page from Council Bluffs.

The Journal of Monday, February 27, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2092, a bill for an act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2096, a bill for an act relating to reimbursements for certain state prisoners confined in a county jail.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2097, a bill for an act relating to the department of public defense by making changes regarding the Iowa military code and military service, including

terminology modifications and leases entered into by the department of public defense and the armory board, and including effective date provisions.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2111, a bill for an act relating to crime victims, including restitution plan hearings, crime victim compensation, and the identity theft passport program.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2113, a bill for an act relating to the identification of owners of blinds and stands for hunting deer and making penalties applicable.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2121, a bill for an act relating to the title of the office of citizens' aide.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2122, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2123, a bill for an act making changes to the controlled substance schedules, and making penalties applicable.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2126, a bill for an act providing for the funding of the duties of the state's social security administrator.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2127, a bill for an act relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2146, a bill for an act relating to meeting requirements for rural water districts.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2153, a bill for an act increasing the size of the commercial and industrial highway network.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2159, a bill for an act relating to child support enforcement including protection of child support information.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2163, a bill for an act relating to an exception from state certification for adult day services programs.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2164, a bill for an act relating to department of human services' evaluations of criminal or abuse records of employees of health care facilities.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2165, a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2212, a bill for an act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions.

Also: That the Senate has on February 27, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2219, a bill for an act relating to the continuation of the Iowa early intervention block grant program and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2381, by committee on agriculture, a bill for an act relating to the assessment of moneys on sheep and wool production, and including effective date provisions.

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

House File 2382, by committee on economic growth/rebuild Iowa, a bill for an act relating to the amount allowable as an innovation fund investment tax credit and including effective date and retroactive applicability provisions.

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

House File 2383, by committee on education, a bill for an act relating to mandatory reporting of school employee misconduct to the board of educational examiners.

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

House File 2384, by committee on education, a bill for an act concerning school district funding for excess costs of instruction of children requiring special education.

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

House File 2385, by committee on education, a bill for an act providing for the licensure of applicants with professional employment in mathematics-related or science-related fields as teachers for secondary school-level mathematics and science courses.

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

House File 2386, by committee on education, a bill for an act relating to school district teaching assignments and responsibilities, student advancement by a teacher or school district, and providing for withholding of state aid to school districts under certain conditions.

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

House File 2387, by committee on human resources, a bill for an act relating to improvements to and implementation of laws concerning elder abuse.

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

House File 2388, by committee on human resources, a bill for an act relating to maximizing hospital-specific disproportionate share hospital payments, and providing for contingent implementation.

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

House File 2389, by committee on human resources, a bill for an act establishing a rural Iowa primary care loan repayment program to be administered by the college student aid commission, a rural Iowa primary care trust fund, and making appropriations.

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

House File 2390, by committee on judiciary, a bill for an act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable.

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

House File 2391, by committee on judiciary, a bill for an act creating medical parole for certain persons committed to the custody of the department of corrections, and including effective date provisions.

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

House File 2392, by committee on local government, a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

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

House File 2393, by committee on local government, a bill for an act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

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

House File 2394, by committee on local government, a bill for an act relating to annual meeting requirements for rural water districts.

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

House File 2395, by committee on local government, a bill for an act relating to certain records of rural water districts, city utilities, and city enterprises.

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

House File 2396, by committee on natural resources, a bill for an act concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

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

House File 2397, by committee on public safety, a bill for an act relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties.

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

House File 2398, by committee on public safety, a bill for an act classifying certain substances as schedule I controlled substances, making penalties applicable, and including effective date provisions.

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

House File 2399, by committee on public safety, a bill for an act relating to scrap metal transactions, prohibiting certain sales, and providing penalties.

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

House File 2400, by committee on state government, a bill for an act relating to the policy administration of election and voter registration laws by the secretary of state, including changes to the definition of a general election, 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, the filling of vacancies in city office, and authorizing certain cities to conduct city elections by absentee ballot, and including effective date provisions.

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

House File 2401, by committee on state government, a bill for an act concerning allowable prizes at annual game nights conducted by religious organizations.

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

House File 2402, by committee on veterans affairs, a bill for an act permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes.

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

House File 2403, by committee on veterans affairs, a bill for an act relating to requirements for a commercial driver's license for certain persons transitioning from military service.

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

House File 2404, by committee on veterans affairs, a bill for an act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

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

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 11:06 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk
Paustian of Scott

Arnold of Lucas
Watts of Dallas

CONSIDERATION OF BILLS Appropriations Calendar

House File 2338, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Hagenow of Polk in the chair at 11:17 a.m.

T. Taylor of Linn offered amendment H-8052 filed by him and moved its adoption.

Roll call was requested by T. Taylor of Linn and T. Olson of Linn.

On the question "Shall amendment H-8052 be adopted?" (H.F. 2338)

The ayes were, 39:

Berry	Cohoon	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhart	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 57:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley

Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Windschitl	Worthan
Hagenow, Presiding			

Absent or not voting, 4:

Abdul-Samad	Arnold	Paustian	Watts
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Amendment H-8052 lost.

Speaker Paulsen in the chair at 11:29 a.m.

Worthan of Buena Vista offered amendment H-8040 filed by him and moved its adoption.

Amendment H-8040 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2338)

The ayes were, 54:

Anderson	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Miller, L.	Moore
Olson, S.	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven

Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 43:

Alons	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Pearson	Petersen
Quirk	Running-Marquardt	Shaw	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 3:

Abdul-Samad	Arnold	Paustian
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions, was taken up for consideration.

Schultz of Crawford asked and received unanimous consent to consider amendment H-8056 filed by him from the floor and moved its adoption.

Amendment H-8056 was adopted.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Forristall of Pottawattamie

Miller, L. of Scott

Thomas of Clayton offered amendment H-8037 filed by him and moved its adoption.

Roll call was requested by Hall of Woodbury and Mascher of Johnson.

On the question "Shall amendment H-8037 be adopted?" (H.F. 2337)

The ayes were, 39:

Anderson	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 56:

Alons	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Fry
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 5:

Abdul-Samad Petersen	Arnold	Forristall	Miller, L.
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Amendment H-8037 lost.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Kaufmann of Cedar Rasmussen of Buchanan	Lukan of Dubuque
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Hall of Woodbury offered amendment H-8038 filed by him and moved its adoption.

Roll call was requested by Hall of Woodbury and T. Taylor of Linn.

On the question "Shall amendment H-8038 be adopted?" (H.F. 2337)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 56:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 4:

Arnold	Kaufmann	Lukan	Rasmussen
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Amendment H-8038 lost.

The House stood at ease at 1:16 p.m., until the fall of the gavel.

The House resumed session at 3:05 p.m., Cownie of Polk in the chair.

Jacoby of Johnson offered amendment H-8041 filed by Jacoby, et al.

Jacoby of Johnson offered amendment H-8054, to amendment H-8041, filed by him from the floor and moved its adoption.

Amendment H-8054, to amendment H-8041, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone

De Boef of Keokuk

Jacoby of Johnson moved the adoption of amendment H-8041, as amended.

Roll call was requested by Jacoby of Johnson and Hunter of Polk.

On the question "Shall amendment H-8041, as amended, be adopted?" (H.F. 2337)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 55:

Alons	Anderson	Baudler	Brandenburg
Byrnes	Chambers	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rayhons	Rogers	Sands	Schulte

Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Cownie, Presiding	

Absent or not voting, 5:

Arnold	Baltimore	De Boef	Paulsen, Spkr.
Rasmussen			

Amendment H-8041, as amended, lost.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Dolecheck of Ringgold

Jacoby of Johnson offered amendment H-8039 filed by him.

Thomas of Clayton offered amendment H-8062, to amendment H-8039, filed by him from the floor and moved its adoption.

Roll call was requested by Thomas of Clayton and Hunter of Polk.

On the question "Shall amendment H-8062, to amendment H-8039, be adopted?" (H.F. 2337)

The ayes were, 43:

Abdul-Samad	Baudler	Berry	Cohoon
Drake	Forristall	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 52:

Alons	Anderson	Baltimore	Brandenburg
Byrnes	Chambers	Deyoe	Fry
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren

Massie	Miller, L.	Moore	Olson, S.
Paulsen, Spkr.	Paustian	Pearson	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Cownie, Presiding

Absent or not voting, 5:

Arnold	De Boef	Dolecheck	Lukan
Rasmussen			

Amendment H–8062, to amendment H–8039, lost.

Jacoby of Johnson moved the adoption of amendment H–8039.

Roll call was requested by Jacoby of Johnson and M. Smith of Marshall.

On the question "Shall amendment H–8039 be adopted?" (H.F. 2337)

The ayes were, 40:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 56:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Deyoe
Dolecheck	Drake	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paulsen, Spkr.	Paustian	Pearson	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Cownie, Presiding

Absent or not voting, 4:

Arnold De Boef Forristall Rasmussen

Amendment H-8039 lost.

Speaker Paulsen in the chair at 4:04 p.m.

Isenhart of Dubuque offered amendment H-8051 filed by him and moved its adoption.

Roll call was requested by Isenhart of Dubuque and Abdul-Samad of Polk.

On the question "Shall amendment H-8051 be adopted?" (H.F. 2337)

The ayes were, 40:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 56:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
Deyoe	Dolecheck	Drake	Fry
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 4:

Arnold De Boef Forristall Rasmussen

Amendment H-8051 lost.

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

On the question "Shall the bill pass?" (H.F. 2337)

The ayes were, 56:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Miller, L.
Moore	Olson, S.	Paustian	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

The nays were, 42:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Pearson	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 2:

Arnold Rasmussen

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 589, a bill for an act relating to offenses involving agricultural operations, and providing penalties and remedies.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2150, a bill for an act updating the Code references to the Internal Revenue Code, and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2172, a bill for an act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2174, a bill for an act relating to the regulation of persons offering occupational therapy services and making penalties applicable.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2185, a bill for an act relating to the supervision of physician assistants.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2188, a bill for an act relating to the renewal period for foster care licensing.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2202, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2203, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2208, a bill for an act relating to the confidentiality of an arrest warrant.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2217, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2220, a bill for an act relating to the licensing of schools of cosmetology arts and sciences and barber schools.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2221, a bill for an act requiring background checks for school bus drivers and making penalties applicable.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2231, a bill for an act relating to the practices and procedures of the state public defender.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2232, a bill for an act relating to certain multiple driving-related convictions involving one event or occurrence of driving.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2237, a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2242, a bill for an act relating to children in out-of-home placements in accordance with a court order.

Also: That the Senate has on February 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2247, a bill for an act relating to terminology changes in Iowa Code references to mental retardation.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2121, by committee on state government, a bill for an act relating to the title of the office of citizens' aide.

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

Senate File 2122, by committee on state government, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

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

Senate File 2126, by committee on state government, a bill for an act providing for the funding of the duties of the state's social security administrator.

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

Senate File 2127, by committee on commerce, a bill for an act relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

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

Senate File 2146, by committee on local government, a bill for an act relating to meeting requirements for rural water districts.

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

Senate File 2153, by committee on transportation, a bill for an act increasing the size of the commercial and industrial highway network.

Read first time and referred to committee on **transportation**.

Senate File 2159, by committee on human resources, a bill for an act relating to child support enforcement including protection of child support information.

Read first time and referred to committee on **human resources**.

Senate File 2163, by committee on human resources, a bill for an act relating to an exception from state certification for adult day services programs.

Read first time and referred to committee on **human resources**.

Senate File 2164, by committee on human resources, a bill for an act relating to department of human services' evaluations of criminal or abuse records of employees of health care facilities.

Read first time and referred to committee on **human resources**.

Senate File 2165, by committee on human resources, a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

Read first time and referred to committee on **human resources**.

Senate File 2212, by committee on economic growth/rebuild Iowa, a bill for an act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions.

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

Senate File 2219, by committee on education, a bill for an act relating to the continuation of the Iowa early intervention block grant program and including effective date provisions.

Read first time and referred to committee on **education**.

SENATE AMENDMENT CONSIDERED

Sweeney of Hardin called up for consideration **House File 589**, a bill for an act relating to offenses involving agricultural operations, and providing penalties and remedies, amended by the Senate, and moved that the House concur in the Senate amendment H-8063.

The motion prevailed and the House concurred in the Senate amendment H-8063.

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

On the question "Shall the bill pass?" (H.F. 589)

The ayes were, 69:

Alons	Anderson	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Gaskill	Grassley	Hagenow	Hager
Hanson	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Kelley	Klein
Koester	Lofgren	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Willems	Windschitl	Wittneben	Worthan
Mr. Speaker			
Paulsen			

The nays were, 28:

Abdul-Samad	Cohoon	Gaines	Hall
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kressig	Lensing
Lykam	Mascher	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

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

Kaufmann of Cedar in the chair at 4:45 p.m.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Raecker of Polk

Appropriations Calendar

House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates, was taken up for consideration.

T. Taylor of Linn offered amendment H-8046 filed by him and moved its adoption.

Roll call was requested by T. Taylor of Linn and Abdul-Samad of Polk.

On the question "Shall amendment H-8046 be adopted?" (H.F. 2335)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 56:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Kaufmann, Presiding

Absent or not voting, 4:

Arnold	Paulsen, Spkr.	Raecker	Rasmussen
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Amendment H-8046 lost.

Wolfe of Clinton offered amendment H-8049 filed by her and moved its adoption.

Amendment H-8049 lost.

T. Taylor of Linn offered amendment H-8047 filed by him and moved its adoption.

Roll call was requested by T. Taylor of Linn and Mascher of Johnson.

On the question "Shall amendment H-8047 be adopted?" (H.F. 2335)

The ayes were, 43:

Abdul-Samad	Anderson	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Lukan	Lykam	Mascher
McCarthy	Miller, H.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 55:

Alons	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Klein	Koester	Lofgren
Massie	Miller, L.	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 2:

Arnold Rasmussen

Amendment H-8047 lost.

Upmeyer of Hancock asked and received unanimous consent that House File 2335 be deferred and that the bill retain its place on the calendar.

House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, was taken up for consideration.

Drake of Cass asked for unanimous consent to consider amendment H-8055 filed by him from the floor.

Objection was raised.

Under the provision of Rule 31, related to the timely filing of amendments, amendment H-8055, filed by Drake of Cass, from the floor, was placed out of order, placing amendment H-8066, to amendment H-8055, filed by Drake of Cass from the floor, out of order.

Muhlbauer of Crawford offered amendment H-8042 filed by him and moved its adoption.

Roll call was requested by Muhlbauer of Crawford and Mascher of Johnson.

On the question "Shall amendment H-8042 be adopted?" (H.F. 2336)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 59:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 1:

Arnold

Amendment H-8042 lost.

Muhlbauer of Crawford offered amendment H-8043 filed by him and moved its adoption.

Amendment H-8043 lost.

Muhlbauer of Crawford offered amendment H-8050 filed by him and moved its adoption.

Roll call was requested by Muhlbauer of Crawford and Hunter of Polk.

On the question "Shall amendment H-8050 be adopted?" (H.F. 2336)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 59:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 1:

Arnold

Amendment H-8050 lost.

Speaker Paulsen in the chair at 6:27 p.m.

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

On the question "Shall the bill pass?" (H.F. 2336)

The ayes were, 57:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Miller, L.
Moore	Olson, S.	Paustian	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker Paulsen			

The nays were, 42:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Pearson	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 1:

Arnold

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 589, 2336, 2337 and 2338.**

The House stood at ease at 6:31 p.m., until the fall of the gavel.

The House resumed session at 7:20 p.m., Cownie of Polk in the chair.

QUORUM CALL

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

Speaker Paulsen in the chair at 7:23 p.m.

The House resumed consideration of House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates, previously deferred.

Hall of Woodbury offered amendment H-8044 filed by Hall, et al.

T. Olson of Linn offered amendment H-8067, to amendment H-8044, filed by him from the floor and moved its adoption.

Roll call was requested by T. Olson of Linn and Abdul-Samad of Polk.

On the question "Shall amendment H-8067, to amendment H-8044, be adopted?" (H.F. 2335)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Witneben	Wolfe

The nays were, 58:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman

Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 2:

Arnold Lukan

Amendment H-8067, to amendment H-8044, lost.

Fry of Clarke offered amendment H-8070, to amendment H-8044, filed by him from the floor and moved its adoption.

Roll call was requested by Fry of Clarke and Raecker of Polk.

On the question "Shall amendment H-8070, to amendment H-8044, be adopted?" (H.F. 2335)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden

Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Arnold

Amendment H-8070, to amendment H-8044, was adopted.

Hall of Woodbury moved the adoption of amendment H-8044, as amended.

Amendment H-8044, as amended, was adopted, placing out of order amendment H-8069 filed by Fry of Clarke from the floor.

T. Taylor of Linn offered amendment H-8045 filed by him and moved its adoption.

Roll call was requested by T. Taylor of Linn and Hunter of Polk.

On the question "Shall amendment H-8045 be adopted?" (H.F. 2335)

The ayes were, 43:

Abdul-Samad	Baudler	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kaufmann	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Pettengill	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 56:

Alons	Anderson	Baltimore	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson

Jorgensen	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 1:

Arnold

Amendment H-8045 lost.

Worthan of Buena Vista offered amendment H-8036 filed by him and moved its adoption.

Amendment H-8036 was adopted.

T. Taylor of Linn offered amendment H-8048 filed by him and requested a division as follows:

Division A: Page 1, lines 2 through 17.

Division B: Page 1, lines 18 through 40.

T. Taylor of Linn moved the adoption of amendment H-8048A.

Amendment H-8048A was adopted.

T. Taylor of Linn moved the adoption of amendment H-8048B.

Amendment H-8048B lost.

T. Taylor of Linn offered amendment H-8053 filed by him and moved its adoption.

Roll call was requested by T. Taylor of Linn and Hunter of Polk.

On the question "Shall amendment H-8053 be adopted?" (H.F. 2335)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 59:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 1:

Arnold

Amendment H-8053 lost.

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

On the question "Shall the bill pass?" (H.F. 2335)

The ayes were, 69:

Alons	Anderson	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett

Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kajtazovic	Kaufmann	Klein
Koester	Lofgren	Lukan	Miller, H.
Miller, L.	Moore	Muhlbauer	Olson, S.
Paustian	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Soderberg	Sweeney	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Willems	Windschitl	Wittneben	Worthan
Mr. Speaker			
Paulsen			

The nays were, 30:

Abdul-Samad	Cohoon	Gaines	Gaskill
Heddens	Hunter	Isenhart	Jacoby
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Murphy	Oldson	Olson, R.	Olson, T.
Pearson	Petersen	Shaw	Smith, M.
Steckman	Swaim	Taylor, T.	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 1:

Arnold

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

SENATE MESSAGE CONSIDERED

Senate File 2217, by committee on appropriations, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Read first time and referred to committee on **appropriations**.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2335** be immediately messaged to the Senate.

HOUSE FILE 2389 REFERRED

The Speaker announced that House File 2389, previously placed on the **calendar** was referred to committee on **appropriations**.

SENATE FILE 2146 REFERRED

The Speaker announced that Senate File 2146, previously referred to committee on **local government** was **passed on file**.

PROOF OF PUBLICATION
(House File 2392)

Published copy of House File 2392 and verified proof of publication of said bill in the Dallas County News, a weekly newspaper printed and published in Dallas County, Iowa on February 9, 2012, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

PROOF OF PUBLICATION
(House File 2393)

Published copy of House File 2393 and verified proof of publication of said bill in the Des Moines Register, a daily newspaper printed and published in Polk County, Iowa on February 1, 2012, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

SUBCOMMITTEE ASSIGNMENTS

House File 2333

Appropriations: Wagner, Chair; T. Taylor and Worthan.

House File 2346

Appropriations: Wagner, Chair; Cohoon and Huseman.

House File 2373

Appropriations: Huseman, Chair; Cohoon and Garrett.

House File 2389

Appropriations: Wagner, Chair; Heaton and Heddens.

Senate File 2024

Appropriations: Wagner, Chair; Dolecheck and Hall.

Senate File 2158

Human Resources: Anderson, Chair; Brandenburg and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 661
(Committee of the Whole)**

Appropriations: Heaton, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 661), relating to appropriations for health and human services and including other related provisions and appropriations, and including effective, retroactive, and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2012.

COMMITTEE ON JUDICIARY

House File 604, a bill for an act relating to consideration of the educational setting of a minor child in a child custody proceeding.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2012.

AMENDMENTS FILED

H-8057	H.F.	2340	Iverson of Wright
H-8058	H.F.	2289	Anderson of Page Hall of Woodbury J. Taylor of Woodbury Jorgensen of Woodbury
H-8059	H.F.	2320	Jorgensen of Woodbury
H-8060	H.F.	2305	Jorgensen of Woodbury
H-8061	H.J.R.	2009	Horbach of Tama
H-8064	H.F.	2351	Hagenow of Polk
H-8065	H.F.	2290	Swaim of Davis
H-8068	H.F.	2221	Horbach of Tama
H-8071	H.F.	2292	Isenhart of Dubuque

On motion by Upmeyer of Hancock the House adjourned at 8:22 p.m., until 8:30 a.m., Wednesday, February 29, 2012.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 29, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative J. Taylor of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Thomas Biedenfeld, Speaker's Page from Colfax.

The Journal of Tuesday, February 28, 2012, was approved.

INTRODUCTION OF BILLS

House File 2405, by Kelley, a bill for an act establishing an energy efficiency training curriculum applicable to designated school district employees.

Read first time and referred to committee on **commerce**.

House File 2406, by committee on commerce, a bill for an act relating to eligibility for the renewable energy tax credit.

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

House File 2407, by committee on commerce, a bill for an act requiring the commissioner of insurance to develop a uniform application for use by individuals applying for new health insurance coverage under individual policies or contracts of accident and health insurance and providing for contingent applicability.

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

House File 2408, by committee on commerce, a bill for an act relating to third-party payment of services provided by a doctor of chiropractic.

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

House File 2409, by committee on natural resources, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

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

House File 2410, by committee on natural resources, a bill for an act relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

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

House File 2411, by committee on judiciary, a bill for an act relating to information provided by the department of human services prior to a child foster care placement.

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

House File 2412, by Abdul-Samad and Gaines, a bill for an act providing for a teacher licensure renewal requirement relating to cultural competency training.

Read first time and referred to committee on **education**.

House File 2413, by Abdul-Samad and Gaines, a bill for an act relating to the sealing of certain criminal records and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **judiciary**.

House File 2414, by Abdul-Samad, a bill for an act prohibiting public employers from seeking information regarding felony convictions from job applicants unless required by law.

Read first time and referred to committee on **labor**.

House File 2415, by Abdul-Samad, a bill for an act concerning state agency reporting requirements in regard to grants awarded and minority impact statements.

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

House File 2416, by Lukan, a bill for an act providing an exemption from the computation of the state individual and corporate income tax and franchise tax of income derived from a registered Iowa patent and earned by a qualified Iowa business or resident.

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

SENATE MESSAGES CONSIDERED

Senate File 2092, by committee on judiciary, a bill for an act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice.

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

Senate File 2096, by committee on judiciary, a bill for an act relating to reimbursements for certain state prisoners confined in a county jail.

Read first time and referred to committee on **judiciary**.

Senate File 2097, by committee on veterans affairs, a bill for an act relating to the department of public defense by making changes regarding the Iowa military code and military service, including terminology modifications and leases entered into by the department of public defense and the armory board, and including effective date provisions.

Read first time and referred to committee on **veterans affairs**.

Senate File 2111, by committee on judiciary, a bill for an act relating to crime victims, including restitution plan hearings, crime victim compensation, and the identity theft passport program.

Read first time and referred to committee on **judiciary**.

Senate File 2113, by committee on natural resources and environment, a bill for an act relating to the identification of owners of blinds and stands for hunting deer and making penalties applicable.

Read first time and referred to committee on **natural resources**.

Senate File 2123, by committee on human resources, a bill for an act making changes to the controlled substance schedules, and making penalties applicable.

Read first time and referred to committee on **public safety**.

Senate File 2172, by committee on agriculture, a bill for an act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

Read first time and referred to committee on **agriculture**.

Senate File 2174, by committee on state government, a bill for an act relating to the regulation of persons offering occupational therapy services and making penalties applicable.

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

Senate File 2188, by committee on human resources, a bill for an act relating to the renewal period for foster care licensing.

Read first time and referred to committee on **human resources**.

Senate File 2202, by committee on commerce, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions.

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

Senate File 2203, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions.

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

Senate File 2208, by committee on judiciary, a bill for an act relating to the confidentiality of an arrest warrant.

Read first time and referred to committee on **judiciary**.

Senate File 2220, by committee on education, a bill for an act relating to the licensing of schools of cosmetology arts and sciences and barber schools.

Read first time and referred to committee on **education**.

Senate File 2221, by committee on education, a bill for an act requiring background checks for school bus drivers and making penalties applicable.

Read first time and referred to committee on **education**.

Senate File 2231, by committee on judiciary, 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**.

Senate File 2232, by committee on judiciary, a bill for an act relating to certain multiple driving-related convictions involving one event or occurrence of driving.

Read first time and referred to committee on **judiciary**.

Senate File 2237, by committee on state government, a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

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

Senate File 2242, by committee on human resources, a bill for an act relating to children in out-of-home placements in accordance with a court order.

Read first time and referred to committee on **human resources**.

Senate File 2247, by committee on human resources, a bill for an act relating to terminology changes in Iowa Code references to mental retardation.

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

ADOPTION OF HOUSE RESOLUTION 105

Upmeyer of Hancock called up for consideration **House Resolution 105**, a resolution remembering and honoring the Tuskegee Airmen, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:46 a.m., until the fall of the gavel.

The House resumed session at 4:36 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas
Lukan of Dubuque

De Boef of Keokuk

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2011, a bill for an act relating to the membership of the statewide interoperable communications system board.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2170, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2186, a bill for an act relating to medical assistance eligibility for inmates of public institutions.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2209, a bill for an act prohibiting certain credits for time served while on probation.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2216, a bill for an act relating to the registration of motor trucks, truck tractors, trailers, and semitrailers and providing for apportioned registration of commercial motor vehicles under the international registration plan, and including implementation provisions.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2225, a bill for an act relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, requiring review of training requirements, and providing a remedy.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2240, a bill for an act relating to the powers and duties of county treasurers related to real property by modifying provisions for the payment of taxes and assessments in installments, modifying provisions providing for the apportionment of installment payments on delinquent taxes, and modifying certain tax payment provisions following a tax sale.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2243, a bill for an act creating a licensed social worker loan repayment program and a revolving fund.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2244, a bill for an act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2245, a bill for an act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa veterans home.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2248, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2249, a bill for an act relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, and including effective date provisions.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2260, a bill for an act revising the Iowa nonprofit corporation Act.

Also: That the Senate has on February 29, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2265, a bill for an act providing for notarial acts, providing for fees, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2170, by committee on commerce, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

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

CONSIDERATION OF BILLS
Regular Calendar

House File 2146, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase, was taken up for consideration.

SENATE FILE 2170 SUBSTITUTED FOR HOUSE FILE 2146

J. Smith of Dickinson asked and received unanimous consent to substitute Senate File 2170 for House File 2146.

Senate File 2170, a bill for an act relating to service of notice requirements for holders of a property tax sale certificate of purchase, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2170)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtažovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe

Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

Arnold	De Boef	Lukan	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2146 WITHDRAWN

J. Smith of Dickinson asked and received unanimous consent to withdraw House File 2146 from further consideration by the House.

House File 2230, a bill for an act requiring that land within a levee or drainage district be included in an abstract of title, was taken up for consideration.

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

On the question “Shall the bill pass?” (H.F. 2230)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtažovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt

Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

Arnold	De Boef	Lukan	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 496 WITHDRAWN

Hager of Allamakee asked and received unanimous consent to withdraw House File 496 from further consideration by the House.

SENATE MESSAGES CONSIDERED

Senate File 2244, by committee on veterans affairs, a bill for an act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program.

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

Senate File 2249, by committee on transportation, a bill for an act relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, and including effective date provisions.

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

Senate File 2260, by committee on judiciary, a bill for an act revising the Iowa nonprofit corporation Act.

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

Senate File 2265, by committee on judiciary, a bill for an act providing for notarial acts, providing for fees, and including effective date provisions.

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

Regular Calendar

House Joint Resolution 2009, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to keep and bear arms.

Be It Resolved By The General Assembly Of The State Of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Article I of the Constitution of the State of Iowa is amended by adding the following new section:

Right to keep and bear arms. SEC. 1A. The right of the people to keep and bear arms, shall not be infringed.

Sec. 2. Referral and Publication.

The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

EXPLANATION

This joint resolution proposes an amendment to the Constitution of the State of Iowa providing that the right of the people to keep and bear arms shall not be infringed.

The joint resolution, if adopted, would be referred to the next general assembly for adoption a second time before being submitted to the electorate for ratification, was taken up for consideration.

Windschitl of Harrison offered amendment H-8032 filed by him.

Horbach of Tama asked and received unanimous consent that amendment H-8034, to amendment H-8032, be deferred.

Kaufmann of Cedar in the chair at 5:30 p.m.

Speaker Paulsen in the chair at 5:32 p.m.

Kaufmann of Cedar in the chair at 5:56 p.m.

Horbach of Tama offered amendment H-8061, to amendment H-8032, filed by him.

Schultz of Crawford rose on a point of order under Rule 10, regarding members confining remarks to the question under debate.

The Speaker ruled the point not well taken.

Speaker Paulsen in the chair at 6:39 p.m.

Kaufmann of Cedar in the chair at 6:46 p.m.

Speaker Paulsen in the chair at 6:56 p.m.

Horbach of Tama moved amendment H-8061, to amendment H-8032.

Roll call was requested by McCarthy of Polk and Mascher of Johnson.

On the question "Shall amendment H-8061, to amendment H-8032, be adopted?" (H.J.R. 2009)

The ayes were, 60:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.

Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

The nays were, 38:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 2:

Arnold	Swaim
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Amendment H-8061, to amendment H-8032, was adopted, placing out of order amendment H-8034, to amendment H-8032, filed by Horbach of Tama on February 27, 2012.

Windschitl of Harrison moved the adoption of amendment H-8032, as amended.

Amendment H-8032, as amended, was adopted.

Windschitl of Harrison moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2009)

The yeas were, 61:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lensing	Lofgren	Lukan

Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker			
Paulsen			

The nays were, 37:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 2:

Arnold	Swaim
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The joint resolution having received a constitutional majority was declared to have been adopted, and the title as amended, was agreed to by the House.

HOUSE JOINT RESOLUTION 2005 WITHDRAWN

Windschitl of Harrison asked and received unanimous consent to withdraw House Joint Resolution 2005 from further consideration by the House.

House File 2276, a bill for an act relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce, was taken up for consideration.

SENATE FILE 2127 SUBSTITUTED FOR HOUSE FILE 2276

J. Smith of Dickinson asked and received unanimous consent to substitute Senate File 2127 for House File 2276.

Senate File 2127, a bill for an act relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2127)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Arnold Swaim

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

HOUSE FILE 2276 WITHDRAWN

J. Smith of Dickinson asked and received unanimous consent to withdraw House File 2276 from further consideration by the House.

House File 2285, a bill for an act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing Act and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2285)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Witneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Arnold

Swaim

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

HOUSE FILE 2015 WITHDRAWN

Pettengill of Benton asked and received unanimous consent to withdraw House File 2015 from further consideration by the House.

House File 2215, a bill for an act relating to the justifiable use of reasonable force and providing a remedy, was taken up for consideration.

R. Olson of Polk offered amendment H-8004 filed by him and moved its adoption.

Roll call was requested by R. Olson of Polk and Kressig of Black Hawk.

On the question "Shall amendment H-8004 be adopted?" (H.F. 2215)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer

Van Engelenhoven Windschitl	Vander Linden Worthan	Wagner Mr. Speaker Paulsen	Watts
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Absent or not voting, 2:

Arnold	Swaim
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Amendment H-8004 lost.

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

On the question "Shall the bill pass?" (H.F. 2215)

The ayes were, 60:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

The nays were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 2:

Arnold

Swaim

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

HOUSE FILES 7 AND 573 WITHDRAWN

Windschitl of Harrison asked and received unanimous consent to withdraw House Files 7 and 573 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2009, House Files 2215, 2230, 2285 and Senate Files 2127 and 2170.**

HOUSE FILE 2382 REFERRED

The Speaker announced that House File 2382, previously placed on the **calendar** was referred to committee on **ways and means**.

EXPLANATIONS OF VOTE

On February 29, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2230 – “aye”
Senate File 2170 – “aye”

DE BOEF of Keokuk

On February 29, 2012, I inadvertently voted “yea” on House Joint Resolution 2009, I meant to vote “nay”.

LENSING of Johnson

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 29th day of February, 2012: House File 589.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

SUBCOMMITTEE ASSIGNMENTS**House File 2352**

Ways and Means: Helland, Chair; Jacoby and Sands.

House File 2366

Ways and Means: Helland, Chair; Jacoby and Sands.

House File 2377

Ways and Means: Helland, Chair; Jacoby and Sands.

Senate File 2153

Transportation: Worthan, Chair; Hanson and Rasmussen.

Senate File 2217

Appropriations: Hagenow, Chair; Murphy and Wagner.

Senate File 2219

Education: Dolecheck, Chair; Forristall and Steckman.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 662 Ways and Means**

Providing a sales tax exemption for sales of textbooks for limited time periods annually and including effective date provisions.

AMENDMENTS FILED

H-8072	H.F.	2400	Hunter of Polk
H-8073	H.F.	2316	R. Olson of Polk
H-8074	H.F.	2391	R. Olson of Polk
H-8075	H.F.	2361	Kressig of Black Hawk

On motion by Upmeyer of Hancock the House adjourned at 8:05 p.m., until 8:30 a.m., Thursday, March 1, 2012.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 1, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Drew Klein, clerk for Representative Schultz of Crawford County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alberto Lara, Page from Carlisle.

The Journal of Wednesday, February 29, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas

INTRODUCTION OF BILLS

House File 2417, by committee on commerce, a bill for an act regulating the sale of portable electronics insurance, including by requiring licensure, and providing for fees and penalties.

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

House File 2418, by committee on economic growth/rebuild Iowa, a bill for an act relating to economic development and the use of funds by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority,

by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

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

House File 2419, by committee on economic growth/rebuild Iowa, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

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

House File 2420, by committee on human resources, a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions.

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

House File 2421, by committee on human resources, a bill for an act relating to persons with mental health illnesses and substance-related disorders.

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

House File 2422, by committee on human resources, a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions.

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

House File 2423, by committee on judiciary, a bill for an act related to claims of railroad corporations involving mineral rights underlying land owned by another person.

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

House File 2424, by committee on judiciary, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

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

House File 2425, by committee on judiciary, a bill for an act relating to civil actions, procedures, and remedies and including applicability provisions.

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

House File 2426, 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 and placed on the **calendar**.

House File 2427, by committee on state government, a bill for an act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of electrical or mechanical amusement devices.

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

House File 2428, by committee on transportation, a bill for an act relating to escort and permit requirements for the movement of certain vehicles and combinations of vehicles of excessive size.

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

House File 2429, by committee on judiciary, a bill for an act relating to identity theft, providing penalties, and making penalties applicable.

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

House File 2430, by committee on judiciary, a bill for an act relating to the employment of unauthorized aliens and providing penalties.

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

SENATE MESSAGES CONSIDERED

Senate File 2011, by Hancock, a bill for an act relating to the membership of the statewide interoperable communications system board.

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

Senate File 2186, by committee on human resources, a bill for an act relating to medical assistance eligibility for inmates of public institutions.

Read first time and referred to committee on **human resources**.

Senate File 2209, by committee on judiciary, a bill for an act prohibiting certain credits for time served while on probation.

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

Senate File 2216, by committee on transportation, a bill for an act relating to the registration of motor trucks, truck tractors, trailers, and semitrailers and providing for apportioned registration of commercial motor vehicles under the international registration plan, and including implementation provisions.

Read first time and referred to committee on **transportation**.

Senate File 2225, by committee on education, a bill for an act relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, requiring review of training requirements, and providing a remedy.

Read first time and referred to committee on **human resources**.

Senate File 2240, by committee on local government, a bill for an act relating to the powers and duties of county treasurers related to real property by modifying provisions for the payment of taxes and assessments in installments, modifying provisions providing for the apportionment of installment payments on delinquent taxes, and modifying certain tax payment provisions following a tax sale.

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

Senate File 2243, by committee on human resources, a bill for an act creating a licensed social worker loan repayment program and a revolving fund.

Read first time and referred to committee on **human resources**.

Senate File 2245, by committee on veterans affairs, a bill for an act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa veterans home.

Read first time and referred to committee on **veterans affairs**.

Senate File 2248, by committee on human resources, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services.

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

On motion by Upmeyer of Hancock, the House was recessed at 8:42 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:40 p.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 1, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2218, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

House File 2431, by committee on human resources, a bill for an act relating to redesign of publicly funded mental health and

disability services by requiring certain core services and addressing other services and providing for establishment of regions, making appropriations, and including effective date and applicability provisions.

Read first time and referred to committee on **appropriations**.

House File 2432, by committee on human resources, a bill for an act requiring diabetes management care in public schools.

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

House File 2433, by committee on state government, a bill for an act relating to state agency decision making.

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

SENATE MESSAGE CONSIDERED

Senate File 2218, by committee on judiciary, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

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

SUBCOMMITTEE ASSIGNMENTS

House File 2358

State Government: Vander Linden, Chair; Lensing and Schulte.

House File 2412

Education: Pearson, Chair; Gaines and J. Taylor.

House File 2415

State Government: Iverson, Chair; Helland and Kajtazovic.

Senate File 2011

State Government: Hein, Chair; Jorgensen and Mascher.

Senate File 2096

Judiciary: Pearson, Chair; Oldson and J. Taylor.

Senate File 2111

Judiciary: Baltimore, Chair; Massie and R. Olson.

Senate File 2121

State Government: Jorgensen, Chair; Drake and Hunter.

Senate File 2126

State Government: Hein, Chair; Massie and T. Taylor.

Senate File 2159

Human Resources: Garrett, Chair; Heaton and Petersen.

Senate File 2163

Human Resources: Fry, Chair; Hunter and Schulte.

Senate File 2164

Human Resources: Lofgren, Chair; Fry and Wolfe.

Senate File 2165

Human Resources: Garrett, Chair; Heaton and M. Smith.

Senate File 2172

Agriculture: Deyoe, Chair; Hein and H. Miller.

Senate File 2188

Human Resources: Schulte, Chair; Mascher and Massie.

Senate File 2208

Judiciary: Hagenow, Chair; Alons and M. Smith.

Senate File 2216

Transportation: Watts, Chair; Wenthe and Worthan.

Senate File 2220

Education: Sweeney, Chair; Schulte and Winckler.

Senate File 2221

Education: Dolecheck, Chair; Chambers and Steckman.

Senate File 2231

Judiciary: Garrett, Chair; Gaines and Pearson.

Senate File 2232

Judiciary: Anderson, Chair; Baltimore and Wolfe.

Senate File 2237

State Government: Cownie, Chair; Iverson and Quirk.

Senate File 2242

Human Resources: Schulte, Chair; Massie and Wessel-Kroeschell.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly LSB 6096HC), recognizing National Agriculture Day.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2012.

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Joint Resolution 2006), proposing amendments to the Constitution of the State of Iowa relating to state budgeting by creating a state general fund expenditure limitation, providing for a taxpayers relief fund, requiring authorization for certain bonds, and restricting certain state revenue changes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 29, 2012.

On motion by Helland of Polk the House adjourned at 2:43 p.m., until 10:45 a.m., Friday, March 2, 2012.

JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 2, 2012

The House met pursuant to adjournment at 10:46 a.m., Helland of Polk in the chair.

Prayer was offered by Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Lukan of Dubuque.

The Journal of Thursday, March 1, 2012, was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2010, by committee on appropriations, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to state budgeting by creating a state general fund expenditure limitation, providing for a taxpayers relief fund, requiring authorization for certain bonds, and restricting certain state revenue changes.

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

House File 2434, by committee on state government, a bill for an act relating to government operations and efficiency, school elections, eliminating certain tax credits, and including effective date and applicability provisions.

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

House File 2435, by committee on appropriations, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, and including effective, retroactive, and applicability date provisions.

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

SENATE FILE 2218 REFERRED

The Speaker announced that Senate File 2218, previously **passed on file** was referred to committee on **appropriations**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF ADMINISTRATIVE SERVICES

DAS Fleet Study Report, pursuant to House File 646, 2011 Iowa Acts.

DEPARTMENT OF PUBLIC HEALTH

Iowa Direct Care Worker Advisory Council Report, pursuant to House Files 649 and 2526, 2010 Iowa Acts.

OFFICE OF THE GOVERNOR

2011 Reprieves, Commutations and Pardons Granted Report, pursuant to Article IV, Section 16 of the Iowa Constitution.

SUBCOMMITTEE ASSIGNMENT

Senate File 2097

Veterans Affairs: Vander Linden, Chair; Alons and Wittneben.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 663 Government Oversight

Relating to the examinations of the finances of certain cities.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Senate File 2158, a bill for an act relating to reimbursement of speech pathology services under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2012.

RESOLUTIONS FILED

H.C.R. 106, by committee on agriculture, a concurrent resolution recognizing National Agriculture Day.

Laid over under **Rule 25**.

H.R. 122, by Alons, Muhlbauer, Wenthe, H. Miller, Wolfe, Thede, Kearns, Thomas, Gaskill, Hanson, Abdul-Samad, Mascher, M. Smith, Isenhardt, Berry, Willems, T. Olson, Kelley, Wittneben, Gaines, Shaw, Massie, Worthan, Iverson, J. Smith, Hein, De Boef, Lofgren, Chambers, Huseman, Watts, Baudler, Rayhons, Forristall, Garrett, Brandenburg, Drake, Sands, Soderberg, Grassley, Klein, S. Olson, Paustian, Moore, Sweeney, Dolecheck, Schulte, Horbach, Hanusa, Rasmussen, Van Engelenhoven, Jorgensen, Hagenow, Rogers, Fry, Kaufmann, Deyoe, Koester, Vander Linden, Hager, Baltimore, and Byrnes, a resolution recognizing the year 2012 as the Year of the Farmer Cooperative.

Laid over under **Rule 25**.

H.R. 123, by De Boef, Alons, Hager, Lukan, Lofgren, Sands, Huseman, Pettengill, Tjepkes, Watts, Baudler, Rayhons, L. Miller, Drake, Soderberg, Klein, Iverson, Rasmussen, Van Engelenhoven, Horbach, Arnold, Shaw, and Schultz, a resolution supporting a free, independent, and secure Israel.

Laid over under **Rule 25**.

H.R. 124, by Alons, Hager, Massie, Watts, Schultz, Pearson, Brandenburg, Shaw, and De Boef, a resolution opposing the United Nations Agenda 21 and the nongovernmental organization International Council of Local Environmental Initiatives.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8076	H.F.	2242	Hunter of Polk
H-8077	H.J.R.	2010	Quirk of Chickasaw
H-8078	H.F.	2361	R. Olson of Polk

On motion by Helland of Polk the House adjourned at 10:48 a.m., until 1:00 p.m., Monday, March 5, 2012.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 5, 2012

The House met pursuant to adjournment at 1:01 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jon Anenson, Lutheran Church of Hope, West Des Moines. He was the guest of Representative Hagenow of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Angelo Vignaroli, Page from Des Moines.

The Journal of Friday, March 2, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 108

Upmeyer of Hancock called up for consideration **House Resolution 108**, a resolution honoring the Iowans who were killed in or survived the attack on the USS Indianapolis on July 30, 1945, and moved its adoption.

The motion prevailed and the resolution was adopted.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 5th day of March, 2012: House Files 2150 and 2165.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 2, 2012, he approved and transmitted to the Secretary of State the following bill:

House File 589, an Act relating to an offense involving agricultural operations, and providing penalties, and including effective date provisions.

GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

March 2, 2012

The Honorable John P. Kibbie
President of the Senate
State Capitol
Des Moines, Iowa 50319

Dear Mr. President:

I hereby transmit Senate File 2071, an Act relating to and making supplemental appropriations for fiscal year beginning July 1, 2011, and including effective dates.

Senate File 2071 is, therefore, signed on this date with the following exception, which I hereby disapprove.

I am unable to approve the item designated as Section 1 in its entirety. This item reduces fiscal year 2012 state appropriations for utility expenses in most departments of state government by \$1,000,000. This reduction is not currently necessary as our budgeting practices have restored predictability and stability to the state budget.

For the above reasons, I respectfully disapprove the designated item in accordance with Article III, Section 16, of the Constitution of the State of Iowa. All other items in Senate File 2071 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

PETITION FILED

The following petition was received and placed on file:

By Thomas of Clayton received from 234 constituents of House District 24: “favoring the Iowa Department of Agriculture and Land Stewardship impose a quarantine on importation and/or travel through Iowa of raw walnut material from states with known infestations of Thousand Canker Disease and strongly encourage an increase of the current fines.”

SUBCOMMITTEE ASSIGNMENTS

House File 2431

Appropriations: Schulte, Chair; Heaton and Heddens.

Senate File 2186

Human Resources: Heaton, Chair; Koester and Mascher.

Senate File 2225

Human Resources: Fry, Chair; Anderson and Wessel-Kroeschell.

Senate File 2243

Human Resources: Iverson, Chair; Schulte and M. Smith.

AMENDMENTS FILED

H-8079	H.J.R.	2010	Steckman of Cerro Gordo
H-8080	H.J.R.	2010	Petersen of Polk
H-8081	H.J.R.	2010	Isenhart of Dubuque
H-8082	H.J.R.	2010	Isenhart of Dubuque
H-8083	H.J.R.	2010	Jacoby of Johnson
H-8084	H.J.R.	2010	Isenhart of Dubuque Lensing of Johnson
H-8085	H.J.R.	2010	M. Smith of Marshall
H-8086	H.J.R.	2010	Oldson of Polk
H-8087	H.J.R.	2010	T. Olson of Linn
H-8088	H.F.	2368	Anderson of Page
H-8089	H.J.R.	2010	T. Olson of Linn
H-8090	H.J.R.	2010	Steckman of Cerro Gordo
H-8091	H.J.R.	2010	Isenhart of Dubuque

H-8092	H.J.R.	2010	Isenhart of Dubuque
H-8093	H.J.R.	2010	Isenhart of Dubuque
H-8094	H.J.R.	2010	T. Olson of Linn
H-8095	H.J.R.	2010	Quirk of Chickasaw
H-8096	H.F.	2329	Lukan of Dubuque
H-8097	H.F.	2379	Anderson of Page Wolfe of Clinton
H-8098	H.F.	2289	Baltimore of Boone Anderson of Page
H-8099	H.F.	2409	Swaim of Davis
H-8100	H.F.	2261	Schulte of Linn
H-8101	H.F.	2374	Iverson of Wright
H-8102	H.F.	2380	Koester of Polk
H-8103	H.F.	2409	Willems of Linn
H-8104	H.F.	2409	J. Smith of Dickinson
H-8105	H.F.	2409	J. Smith of Dickinson
H-8106	H.F.	2420	M. Smith of Marshall
H-8107	H.F.	2383	Winckler of Scott
H-8108	H.F.	2421	Anderson of Page M. Smith of Marshall

On motion by Upmeyer of Hancock the House adjourned at 1:23 p.m., until 8:30 a.m., Tuesday, March 6, 2012.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 6, 2012

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Geoff Safford, New Heights Church, Indianola. He was the guest of Representative Fry of Clarke County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Camryn Schultz, daughter of Representative Schultz of Linn.

The Journal of Monday, March 5, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2058, a bill for an act relating to certain records of rural water districts, city utilities, and city enterprises.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2160, a bill for an act relating to allowing financial supplementation to a nursing facility for provision of a private room to a recipient of medical assistance.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2171, a bill for an act relating to third-party payment of services provided by a doctor of chiropractic.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2267, a bill for an act concerning oversight of schools offering postsecondary educational programs by the college student aid commission and making penalties applicable.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2269, a bill for an act relating to the land application of wastewater from on-farm processing operations, and including effective date provisions.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2270, a bill for an act relating to the state comprehensive Alzheimer's disease response strategy.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2279, a bill for an act relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, superintendent management authority, individual development accounts held at credit unions and other financial institutions, and making penalties applicable.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2282, a bill for an act concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2283, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2285, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2288, a bill for an act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2289, a bill for an act relating to the Iowa disaster aid individual assistance grant program administered by the department of human services.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2295, a bill for an act modifying the periods of time to bring civil and criminal actions relating to the sexual abuse of minors.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2303, a bill for an act providing for persons associated with licensed veterinarians, and providing for fees.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2304, a bill for an act requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2306, a bill for an act relating to right to cure notices under the consumer credit code.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2307, a bill for an act relating to the sealing of juvenile delinquency records.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2311, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Also: That the Senate has on March 5, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2312, a bill for an act relating to persons with mental health illnesses and substance-related disorders.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2185, by committee on human resources, a bill for an act relating to the supervision of physician assistants.

Read first time and referred to committee on **human resources**.

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 10:25 a.m., Speaker Paulsen in the chair.

SENATE MESSAGES CONSIDERED

Senate File 2058, by Danielson, a bill for an act relating to certain records of rural water districts, city utilities, and city enterprises.

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

Senate File 2171, by committee on commerce, a bill for an act relating to third-party payment of services provided by a doctor of chiropractic.

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

Senate File 2279, by committee on commerce, a bill for an act relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, superintendent management authority, individual development accounts held at credit unions and other financial institutions, and making penalties applicable.

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

Senate File 2282, by committee on natural resources and environment, a bill for an act concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

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

Senate File 2283, by committee on natural resources and environment, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

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

Senate File 2285, by committee on judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 2344, a bill for an act relating to terminology changes in Iowa Code references to mental retardation, was taken up for consideration.

SENATE FILE 2247 SUBSTITUTED FOR HOUSE FILE 2344

Schulte of Linn asked and received unanimous consent to substitute Senate File 2247 for House File 2344.

Senate File 2247, a bill for an act relating to terminology changes in Iowa Code references to mental retardation, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2247)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Baudler	Kressig	Miller, H.	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2344 WITHDRAWN

Schulte of Linn asked and received unanimous consent to withdraw House File 2344 from further consideration by the House.

House File 2227, a bill for an act relating to child labor requirements administered by the labor commissioner, making penalties applicable, and including effective date provisions, was taken up for consideration.

Horbach of Tama offered amendment H-8005 filed by him and moved its adoption.

Amendment H-8005 was adopted.

Cownie of Polk in the chair at 11:07 a.m.

Running-Marquardt of Linn offered amendment H-8006 filed by her and moved its adoption.

Roll call was requested by Running-Marquardt of Linn and Mascher of Johnson.

On the question "Shall amendment H-8006 be adopted?" (H.F. 2227)

The ayes were, 42:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Pettengill
Quirk	Running-Marquardt	Schulte	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schultz	Shaw

Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Cownie, Presiding			

Absent or not voting, 1:

Swaim

Amendment H-8006 lost.

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

On the question "Shall the bill pass?" (H.F. 2227)

The ayes were, 61:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Cownie, Presiding			

The nays were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 1:

Swaim

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

House File 2231, a bill for an act relating to residency qualifications for memorial hospital commissioners, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2231)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isehart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Cownie,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Swaim

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

HOUSE FILE 2082 WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw House File 2082 from further consideration by the House.

Speaker Paulsen in the chair at 11:40 a.m.

House File 2291, a bill for an act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice, was taken up for consideration.

SENATE FILE 2092 SUBSTITUTED FOR HOUSE FILE 2291

Massie of Warren asked and received unanimous consent to substitute Senate File 2092 for House File 2291.

Senate File 2092, a bill for an act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the office of prosecuting attorneys training coordinator of the department of justice, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2092)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson

Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

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

House File 2292, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable, was taken up for consideration.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8071 filed by him on February 28, 2012.

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

On the question "Shall the bill pass?" (H.F. 2292)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager

Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Swaim Wittneben

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

HOUSE FILE 2291 WITHDRAWN

Massie of Warren asked and received unanimous consent to withdraw House File 2291 from further consideration by the House.

HOUSE FILE 2051 WITHDRAWN

Hein of Jones asked and received unanimous consent to withdraw House File 2051 from further consideration by the House.

House File 2301, a bill for an act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2301)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Petersen Swaim

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

House File 2305, a bill for an act relating to the powers and duties of the department on aging, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8060 filed by him and moved its adoption.

Amendment H-8060 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2305)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

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

House File 2315, a bill for an act creating the manufactured housing program fund, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2315)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 1:

Isenhardt

Absent or not voting, 2:

Pearson

Swaim

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

SPECIAL PRESENTATION

Mascher of Johnson introduced to the House former state representative Dolores Mertz.

The House rose and expressed its welcome.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2227, 2231, 2292, 2301, 2305, 2315** and **Senate Files 2092** and **2247**.

House File 2320, a bill for an act relating to the designation of area agencies on aging, and including effective date provisions, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8033 filed by him and moved its adoption.

Amendment H-8033 was adopted.

Jorgensen of Woodbury offered amendment H-8059 filed by him and moved its adoption.

Amendment H-8059 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2320)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens

Hein	Helland	Horbach	Huseman
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 7:

Cohoon	Hunter	Isenhart	Kearns
Kelley	Petersen	Smith, M.	

Absent or not voting, 1:

Swaim

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Sands of Louisa

House File 2321, a bill for an act amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2321)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Sands Swaim

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

House File 2326, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions, was taken up for consideration.

SENATE FILE 2285 SUBSTITUTED FOR HOUSE FILE 2326

Tjepkes of Webster asked and received unanimous consent to substitute Senate File 2285 for House File 2326.

Senate File 2285, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2285)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Masie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

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

HOUSE FILE 2326 WITHDRAWN

Tjepkes of Webster asked and received unanimous consent to withdraw House File 2326 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2320, 2321** and **Senate File 2285**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2257, a bill for an act relating to requirements for motorists approaching certain stationary vehicles on the highway, and providing penalties.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2280, a bill for an act relating to boiler inspections.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2314, 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.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 12:32 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:36 p.m., Speaker Paulsen in the chair.

SENATE MESSAGES CONSIDERED

Senate File 2160, by committee on human resources, a bill for an act relating to allowing financial supplementation to a nursing facility for provision of a private room to a recipient of medical assistance.

Read first time and referred to committee on **human resources**.

Senate File 2257, by committee on transportation, a bill for an act relating to requirements for motorists approaching certain stationary vehicles on the highway, and providing penalties.

Read first time and referred to committee on **transportation**.

Senate File 2267, by committee on education, a bill for an act concerning oversight of schools offering postsecondary educational programs by the college student aid commission and making penalties applicable.

Read first time and referred to committee on **education**.

Senate File 2269, by committee on agriculture, a bill for an act relating to the land application of wastewater from on-farm processing operations, and including effective date provisions.

Read first time and referred to committee on **agriculture**.

Senate File 2270, by committee on human resources, a bill for an act relating to the state comprehensive Alzheimer's disease response strategy.

Read first time and referred to committee on **human resources**.

Senate File 2280, by committee on commerce, a bill for an act relating to boiler inspections.

Read first time and referred to committee on **labor**.

Senate File 2288, by committee on transportation, a bill for an act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

Read first time and referred to committee on **transportation**.

Senate File 2289, by committee on human resources, a bill for an act relating to the Iowa disaster aid individual assistance grant program administered by the department of human services.

Read first time and referred to committee on **human resources**.

Senate File 2295, by committee on judiciary, a bill for an act modifying the periods of time to bring civil and criminal actions relating to the sexual abuse of minors.

Read first time and referred to committee on **judiciary**.

Senate File 2303, by committee on agriculture, a bill for an act providing for persons associated with licensed veterinarians, and providing for fees.

Read first time and referred to committee on **agriculture**.

Senate File 2304, by committee on judiciary, a bill for an act requiring an aggravated misdemeanor to submit a DNA sample and including effective date provisions.

Read first time and referred to committee on **judiciary**.

Senate File 2306, by committee on judiciary, a bill for an act relating to right to cure notices under the consumer credit code.

Read first time and referred to committee on **judiciary**.

Senate File 2307, by committee on judiciary, a bill for an act relating to the sealing of juvenile delinquency records.

Read first time and referred to committee on **judiciary**.

Senate File 2311, by committee on agriculture, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Read first time and referred to committee on **agriculture**.

Senate File 2312, by committee on human resources, a bill for an act relating to persons with mental health illnesses and substance-related disorders.

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

Senate File 2314, by committee on appropriations, 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**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page

CONSIDERATION OF BILLS Regular Calendar

House File 2340, a bill for an act relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, and

superintendent management authority, and making penalties applicable, was taken up for consideration.

Iverson of Wright offered amendment H-8057 filed by him and moved its adoption.

Amendment H-8057 was adopted.

SENATE FILE 2279 SUBSTITUTED FOR HOUSE FILE 2340

Iverson of Wright asked and received unanimous consent to substitute Senate File 2279 for House File 2340.

Senate File 2279, a bill for an act relating to credit unions, including methods of voting by credit union members and the board of directors, electronic communications to certain credit union members, the composition of the board of directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, superintendent management authority, individual development accounts held at credit unions and other financial institutions, and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2279)

The ayes were, 95:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson

Olson, R.	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 3:

Helland	Pearson	Watts
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Absent or not voting, 2:

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

HOUSE FILE 2340 WITHDRAWN

Iverson of Wright asked and received unanimous consent to withdraw House File 2340 from further consideration by the House.

House File 2372, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions, was taken up for consideration.

SENATE FILE 2202 SUBSTITUTED FOR HOUSE FILE 2372

J. Smith of Dickinson asked and received unanimous consent to substitute Senate File 2202 for House File 2372.

Senate File 2202, a bill for an act relating to matters under the purview of the banking division of the department of commerce, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2202)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Anderson Swaim

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

HOUSE FILE 2372 WITHDRAWN

J. Smith of Dickinson asked and received unanimous consent to withdraw House File 2372 from further consideration by the House.

House File 2328, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions, was taken up for consideration.

Massie of Warren offered amendment H-8027 filed by the committee on judiciary and moved its adoption.

The committee amendment H-8027 was adopted.

SENATE FILE 2203 SUBSTITUTED FOR HOUSE FILE 2328

Massie of Warren asked and received unanimous consent to substitute Senate File 2203 for House File 2328.

Senate File 2203, a bill for an act relating to nonsubstantive Code corrections and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2203)

The ayes were, 97:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Anderson Murphy Swaim

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

HOUSE FILE 2328 WITHDRAWN

Massie of Warren asked and received unanimous consent to withdraw House File 2328 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Dolecheck of Ringgold Hagenow of Polk
Schulte of Linn

House File 2343, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2343)

The ayes were, 95:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore

Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Anderson	Dolecheck	Hagenow	Schulte
Swaim			

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

HOUSE FILE 2247 WITHDRAWN

Arnold of Lucas asked and received unanimous consent to withdraw House File 2247 from further consideration by the House.

House File 2345, a bill for an act relating to the factors considered by the court in a determination of the best interest of the child in custody arrangements, was taken up for consideration.

Under the provision of Rule 31, relating to the timely filing of amendments, amendment H-8112 filed by Hagenow of Polk from the floor, was placed out order.

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

On the question "Shall the bill pass?" (H.F. 2345)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes

Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Anderson Swaim

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

HOUSE FILE 2076 WITHDRAWN

Fry of Clarke asked and received unanimous consent to withdraw House File 2076 from further consideration by the House.

House File 2362, a bill for an act concerning establishing and collecting certain filing fees by the auditor of state, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2362)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worhan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Anderson Swaim

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

Kaufmann of Cedar in the chair at 3:06 p.m.

House File 2363, a bill for an act relating to unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2363)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Kaufmann, Presiding		

The nays were, none.

Absent or not voting, 2:

Anderson Swaim

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

House File 2364, a bill for an act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program, was taken up for consideration.

SENATE FILE 2244 SUBSTITUTED FOR HOUSE FILE 2364

Shaw of Pocahontas asked and received unanimous consent to substitute Senate File 2244 for House File 2364.

Senate File 2244, a bill for an act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the injured veterans grant program, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2244)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Kaufmann, Presiding		

The nays were, none.

Absent or not voting, 2:

Anderson

Swaim

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

HOUSE FILE 2364 WITHDRAWN

Shaw of Pocahontas asked and received unanimous consent to withdraw House File 2364 from further consideration by the House.

House File 2387, a bill for an act relating to improvements to and implementation of laws concerning elder abuse, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2387)

The ayes were, 97:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler

Windschitl Kaufmann, Presiding	Wittneben	Wolfe	Worthan
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The nays were, none.

Absent or not voting, 3:

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

House File 2396, a bill for an act concerning the definitions of “all-terrain vehicle” and “off-road utility vehicle” for purposes of provisions administered by the department of natural resources, was taken up for consideration.

SENATE FILE 2282 SUBSTITUTED FOR HOUSE FILE 2396

J. Smith of Dickinson asked and received unanimous consent to substitute Senate File 2282 for House File 2396.

Senate File 2282, a bill for an act concerning the definitions of “all-terrain vehicle” and “off-road utility vehicle” for purposes of provisions administered by the department of natural resources, was taken up for consideration.

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

On the question “Shall the bill pass?” (S.F. 2282)

The ayes were, 97:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley

Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Kaufmann, Presiding			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILE 2220 WITHDRAWN

Fry of Clarke asked and received unanimous consent to withdraw House File 2220 from further consideration by the House.

HOUSE FILE 2396 WITHDRAWN

J. Smith of Dickinson asked and received unanimous consent to withdraw House File 2396 from further consideration by the House.

Speaker Paulsen in the chair at 3:26 p.m.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Paustian of Scott

House File 2407, a bill for an act requiring the commissioner of insurance to develop a uniform application for use by individuals

applying for new health insurance coverage under individual policies or contracts of accident and health insurance and providing for contingent applicability, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2407)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILE 2105 WITHDRAWN

Fry of Clarke asked and received unanimous consent to withdraw House File 2105 from further consideration by the House.

House File 2395, a bill for an act relating to certain records of rural water districts, city utilities, and city enterprises, was taken up for consideration.

SENATE FILE 2058 SUBSTITUTED FOR HOUSE FILE 2395

Klein of Washington asked and received unanimous consent to substitute Senate File 2058 for House File 2395.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Helland of Polk

Watts of Dallas

Senate File 2058, a bill for an act relating to certain records of rural water districts, city utilities, and city enterprises, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2058)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.

Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Helland	Running-Marquardt	Swaim	Watts
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2242, a bill for an act creating an exception to the statutory rule against perpetuities and making related changes, was taken up for consideration.

Hunter of Polk offered amendment H-8076 filed by him and moved its adoption.

Amendment H-8076 lost.

Pettengill of Benton rose on a point of order under Rule 10, regarding members confining all remarks to the question under debate.

The Speaker ruled the point well taken.

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

On the question "Shall the bill pass?" (H.F. 2242)

The ayes were, 75:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes

Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hall	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jacoby	Jorgensen	Kaufmann
Kelley	Klein	Koester	Lofgren
Lukan	Lykam	Massie	Miller, L.
Moore	Muhlbauer	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wittneben	Worthan	Mr. Speaker Paulsen	

The nays were, 23:

Abdul-Samad	Gaines	Gaskill	Hanson
Heddens	Hunter	Isenhart	Kajtazovic
Kearns	Kressig	Lensing	Mascher
Miller, H.	Murphy	Oldson	Petersen
Smith, M.	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hager of Allamakee

House File 2368, a bill for an act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions, was taken up for consideration.

Anderson of Page offered amendment H-8088 filed by him and moved its adoption.

Amendment H-8088 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2368)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2

Hager

Swaim

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

HOUSE FILE 2395 WITHDRAWN

Klein of Washington asked and received unanimous consent to withdraw House File 2395 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2242, 2343, 2345, 2362, 2363, 2368, 2387, 2407** and **Senate Files 2058, 2202, 2203, 2244, 2279** and **2282**.

HOUSE FILE 2195 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2195 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2277, a bill for an act concerning the authority of a liquor control licensee to keep certain mixed drinks or cocktails on the licensed premises.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2292, a bill for an act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2296, a bill for an act relating to the criminal offense of solicitation to commit murder and providing a penalty.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2308, a bill for an act relating to economic development by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on March 6, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

MICHAEL E. MARSHALL, Secretary

EXPLANATION OF VOTE

On March 6, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2247 – “aye”

KRESSIG of Black Hawk

SUBCOMMITTEE ASSIGNMENTS

Senate File 2113

Natural Resources: J. Smith, Chair; Arnold and Hanson.

Senate File 2185

Human Resources: Koester, Chair; Mascher and Massie.

Senate File 2240

Local Government: Hager, Chair; Baltimore and Wittneben.

Senate File 2245

Veterans Affairs: Chambers, Chair; Berry and Hanusa.

Senate File 2248

State Government: Schulte, Chair; Hein and Kajtazovic.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 664 Administration and Rules

Amending the permanent rules of the House of Representatives.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Senate File 2096, a bill for an act relating to reimbursements for certain state prisoners confined in a county jail.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

Senate File 2231, a bill for an act relating to the practices and procedures of the state public defender.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

Senate File 2232, a bill for an act relating to certain multiple driving-related convictions involving one event or occurrence of driving.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

COMMITTEE ON NATURAL RESOURCES

Senate File 479, a bill for an act providing for the possession of cats classified as bengals and savannahs.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8122** March 5, 2012.

COMMITTEE ON STATE GOVERNMENT

Senate File 2121, a bill for an act relating to the title of the office of citizens' aide.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2012.

COMMITTEE ON TRANSPORTATION

Senate File 2153, a bill for an act increasing the size of the commercial and industrial highway network.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

Senate File 2216, a bill for an act relating to the registration of motor trucks, truck tractors, trailers, and semitrailers and providing for apportioned registration of commercial motor vehicles under the international registration plan, and including implementation provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

AMENDMENTS FILED

H-8109	H.F.	2423	Tjepkes of Webster
H-8110	H.F.	2435	Hunter of Polk
H-8111	H.F.	2435	Kressig of Black Hawk
H-8113	S.F.	2283	Willems of Linn
H-8114	H.F.	2322	Baltimore of Boone
H-8115	H.F.	2394	Kaufmann of Cedar
H-8116	H.F.	2383	Koester of Polk
H-8117	H.F.	2426	Anderson of Page
H-8118	H.F.	2394	Baltimore of Boone
H-8119	S.F.	2146	Kaufmann of Cedar
H-8120	H.F.	2319	Schulte of Linn
H-8121	S.F.	2249	Iverson of Wright
H-8122	S.F.	479	Committee on Natural Resources
H-8123	H.F.	2427	T. Taylor of Linn
H-8124	H.F.	2384	Murphy of Dubuque
			J. Taylor of Woodbury
			Steckman of Cerro Gordo
			Byrnes of Mitchell

H-8125	H.F.	2379	Alons of Sioux R. Olson of Polk
H-8126	S.F.	479	Horbach of Tama

On motion by Upmeyer of Hancock the House adjourned at 4:48 p.m., until 8:30 a.m., Wednesday, March 7, 2012.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 7, 2012

The House met pursuant to adjournment at 8:30 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Sands of Louisa County.

The National Anthem was sung by Matthew Hrdlicka from Des Moines. He was the guest of Representative Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Monica Pearson, Page from Pleasant Hill.

The Journal of Tuesday, March 6, 2012, was approved.

SENATE MESSAGES CONSIDERED

Senate File 2277, by committee on state government, a bill for an act concerning the authority of a liquor control licensee to keep certain mixed drinks or cocktails on the licensed premises.

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

Senate File 2292, by committee on local government, a bill for an act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof.

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

Senate File 2296, by committee on judiciary, a bill for an act relating to the criminal offense of solicitation to commit murder and providing a penalty.

Read first time and referred to committee on **judiciary**.

Senate File 2313, by committee on appropriations, a bill for an act relating to 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**.

The House stood at ease at 8:39 a.m., until the fall of the gavel.

The House resumed session at 10:29 a.m., Cownie of Polk in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Horbach of Tama

CONSIDERATION OF BILLS

Regular Calendar

House File 2275, a bill for an act authorizing the secretary of state to modify fees for businesses newly organizing in this state during an Iowa start a business month, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2275)

The ayes were, 80:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cohoon	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett

Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Huseman
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kelley	Klein	Koester
Kressig	Lofgren	Lukan	Lykam
Massie	Miller, L.	Moore	Muhlbauer
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wittneben	Wolfe	Worthan	Cownie, Presiding

The nays were, 17:

Abdul-Samad	Berry	Gaines	Hunter
Isenhart	Kearns	Lensing	Mascher
McCarthy	Miller, H.	Murphy	Oldson
Olson, R.	Petersen	Taylor, T.	Wessel-Kroeschell
Winckler			

Absent or not voting, 3:

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

House File 2319, a bill for an act relating to elections and voter registration, including technical administration of the law by making modifications to certain filing deadlines, preservation of certain records, special elections to fill certain vacancies in office, absentee voting, voting systems, and ballot summaries, was taken up for consideration.

Schulte of Linn offered amendment H-8120 filed by her.

Gaskill of Wapello offered amendment H-8127, to amendment H-8120, filed by her from the floor and moved its adoption.

Amendment H-8127, to amendment H-8120, was adopted.

Schulte of Linn moved the adoption of amendment H-8120, as amended.

Amendment H-8120, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2319)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Cownie, Presiding

The nays were, none.

Absent or not voting, 4:

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

Speaker Paulsen in the chair at 10:48 a.m.

House File 2323, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2323)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILE 2141 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw House File 2141 from further consideration by the House.

House File 2354, a bill for an act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions, was taken up for consideration.

SENATE FILE 2212 SUBSTITUTED FOR HOUSE FILE 2354

Hanusa of Pottawattamie asked and received unanimous consent to substitute Senate File 2212 for House File 2354.

Senate File 2212, a bill for an act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the economic development authority and including retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2212)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig

Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

HOUSE FILE 2354 WITHDRAWN

Hanusa of Pottawattamie asked and received unanimous consent to withdraw House File 2354 from further consideration by the House.

House File 2383, a bill for an act relating to mandatory reporting of school employee misconduct to the board of educational examiners, was taken up for consideration.

Winckler of Scott offered amendment H-8107 filed by her.

Koester of Polk offered amendment H-8116, to amendment H-8107, filed by him and moved its adoption.

Amendment H-8116, to amendment H-8107, was adopted.

Winckler of Scott moved the adoption of amendment H-8107, as amended.

Amendment H-8107, as amended, was adopted.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Taylor, J. of Woodbury

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

On the question "Shall the bill pass?" (H.F. 2383)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Horbach	Quirk	Swaim	Taylor, J.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2094 WITHDRAWN

Koester of Polk asked and received unanimous consent to withdraw House File 2094 from further consideration by the House.

House File 2393, a bill for an act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof, was taken up for consideration.

SENATE FILE 2292 SUBSTITUTED FOR HOUSE FILE 2393

Hager of Allamakee asked and received unanimous consent to substitute Senate File 2292 for House File 2393.

Senate File 2292, a bill for an act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, Inc. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said Council and the financing including project notes issued thereof, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2292)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton

Heddens	Hein	Helland	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILE 2393 WITHDRAWN

Hager of Allamakee asked and received unanimous consent to withdraw House File 2393 from further consideration by the House.

House File 2403, a bill for an act relating to requirements for a commercial driver's license for certain persons transitioning from military service, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2403)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Wagner Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Horbach Swaim

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

HOUSE FILE 2236 WITHDRAWN

Shaw of Pocahontas asked and received unanimous consent to withdraw House File 2236 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heaton of Henry

Sands of Louisa

House File 2427, a bill for an act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of electrical or mechanical amusement devices, was taken up for consideration.

T. Taylor of Linn offered amendment H-8123 filed by him and moved its adoption.

Amendment H-8123 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2427)

The ayes were, 78:

Abdul-Samad	Anderson	Arnold	Baltimore
Berry	Byrnes	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Hager	Hall	Hanson	Hanusa
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Klein
Koester	Kressig	Lensing	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Petersen	Pettengill	Quirk
Rasmussen	Rayhons	Rogers	Running-Marquardt
Schulte	Schultz	Smith, J.	Smith, M.
Soderberg	Steckman	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 17:

Alons	Baudler	Brandenburg	Chambers
Fry	Grassley	Hagenow	Kaufmann
Kelley	Lofgren	Pearson	Raecker
Shaw	Sweeney	Van Engelenhoven	Vander Linden
Wagner			

Absent or not voting, 5:

Heaton	Horbach	Murphy	Sands
Swaim			

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2275, 2319, 2323, 2383, 2403, 2427** and **Senate Files 2212** and **2292**.

On motion by Upmeyer of Hancock, the House was recessed at 11:18 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:34 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas	Lukan of Dubuque
Olson, S. of Clinton	

CONSIDERATION OF BILLS

Regular Calendar

House File 2322, a bill for an act concerning the review, approval, and establishment of county supervisor districting plans, was taken up for consideration.

Baltimore of Boone offered amendment H-8114 filed by him.

Baltimore of Boone offered amendment H-8130, to amendment H-8114, filed by him from the floor and moved its adoption.

Amendment H-8130, to amendment H-8114, was adopted.

Baltimore of Boone moved the adoption of amendment H-8114, as amended.

Amendment H-8114, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2322)

The ayes were, 84:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Huseman	Isenhardt
Iverson	Jorgensen	Kaufmann	Kearns
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 12:

Hunter	Jacoby	Kajtazovic	Kelley
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Taylor, T.

Absent or not voting, 4:

Arnold

Horbach

Lukan

Olson, S.

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

The House stood at ease at 3:58 p.m., until the fall of the gavel.

The House resumed session at 4:05 p.m., Speaker Paulsen in the chair.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2322** be immediately messaged to the Senate.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 7, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 2150, an Act updating the code references to the internal revenue code, and including effective date and retroactive applicability provisions.

House File 2165, an Act relating to physician orders for scope of treatment.

Senate File 2170, an Act relating to service of notice requirements for holders of a property tax sale certificate of purchase.

SUBCOMMITTEE ASSIGNMENTS

Senate File 451 Reassigned

Education: Dolecheck, Chair; Forristall and Winckler.

Senate File 2160

Human Resources: Heaton, Chair; Koester and Mascher.

Senate File 2257

Transportation: Massie, Chair; Pearson and Wolfe.

Senate File 2267

Education: Jorgensen, Chair; Abdul-Samad and Koester.

Senate File 2269

Agriculture: Moore, Chair; Hein and Thomas.

Senate File 2270

Human Resources: Iverson, Chair; Abdul-Samad and Anderson.

Senate File 2288

Transportation: Windschitl, Chair; Murphy and Pearson.

Senate File 2289

Human Resources: Jorgensen, Chair; Hunter and Massie.

Senate File 2303

Agriculture: S. Olson, Chair; De Boef and H. Miller.

Senate File 2311

Agriculture: Paustian, Chair; Alons, Kelley, Quirk and Shaw.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 2217, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2012.

Pursuant to Rule 31.7, Senate File 2217 was referred to the committee on ways and means.

COMMITTEE ON EDUCATION

Senate File 2221, a bill for an act requiring background checks for school bus drivers and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8133** March 7, 2012.

COMMITTEE ON STATE GOVERNMENT

Senate File 364, a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8128** March 6, 2012.

AMENDMENTS FILED

H-8128	S.F.	364	Committee on State Government
H-8129	S.F.	2283	Hager of Allamakee
H-8131	H.F.	2371	Kearns of Lee
H-8132	H.F.	2435	Abdul-Samad of Polk
H-8133	S.F.	2221	Committee on Education
H-8134	S.F.	2283	J. Smith of Dickinson
H-8135	H.F.	2329	Vander Linden of Mahaska
H-8136	H.F.	2435	M. Smith of Marshall
H-8137	H.F.	2367	Wolfe of Clinton

On motion by Upmeyer of Hancock the House adjourned at 4:07 p.m., until 8:30 a.m., Thursday, March 8, 2012.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 8, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Monsignor Russell Bleich, Episcopal Vicar for the Cedar Rapids Region. He was the guest of Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sydney Fehr, Page from Traer.

The Journal of Wednesday, March 7, 2012, was approved.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 106

Upmeyer of Hancock called up for consideration **House Concurrent Resolution 106**, a concurrent resolution recognizing National Agriculture Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 10:07 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair
Olson, S. of Clinton

Helland of Polk
Soderberg of Plymouth

CONSIDERATION OF BILLS
Regular Calendar

House File 2092, a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Deyoe of Story offered amendment H-8031 filed by the committee on agriculture and moved its adoption.

The committee amendment H-8031 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2092)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Baudler	Helland	Olson, S.	Soderberg
Wittneben			

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

House File 2306, a bill for an act relating to the membership of the medical assistance advisory council, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2306)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Baudler Soderberg Wittneben

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heaton of Henry

House File 2329, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans, was taken up for consideration.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment H-8096 filed by him on March 5, 2012.

Vander Linden of Mahaska offered amendment H-8135 filed by him and moved its adoption.

Amendment H-8135 was adopted.

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

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

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.

Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

House File 2390, a bill for an act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2390)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.

Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Baudler	Hunter	Murphy	Soderberg
Wittneben			

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

HOUSE FILE 2026 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House File 2026 from further consideration by the House.

House File 2394, a bill for an act relating to annual meeting requirements for rural water districts, was taken up for consideration.

Baltimore of Boone offered amendment H-8118 filed by him and moved its adoption.

Amendment H-8118 was adopted.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-8115 filed by him on March 6, 2012.

SENATE FILE 2146 SUBSTITUTED FOR HOUSE FILE 2394

Baltimore of Boone asked and received unanimous consent to substitute Senate File 2146 for House File 2394.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Schultz of Crawford

Senate File 2146, a bill for an act relating to meeting requirements for rural water districts, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-8119 filed by him on March 6, 2012.

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

On the question "Shall the bill pass?" (S.F. 2146)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Shaw	Smith, J.
Smith, M.	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wolfe
Worhan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Baudler	McCarthy	Running-Marquardt	Schultz
Soderberg	Wittneben		

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

House File 2397, a bill for an act relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2397)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Baudler
Wittneben

Muhlbauer

Soderberg

Steckman

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

House File 2409, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable, was taken up for consideration.

J. Smith of Dickinson asked and received unanimous consent to withdraw amendment H-8105 filed by him on March 5, 2012.

Willems of Linn asked and received unanimous consent to withdraw amendment H-8103 filed by him on March 5, 2012.

Swaim of Davis asked and received unanimous consent to withdraw amendment H-8099 filed by him on March 5, 2012.

J. Smith of Dickinson asked and received unanimous consent to withdraw amendment H-8104 filed by him on March 5, 2012.

SENATE FILE 2283 SUBSTITUTED FOR HOUSE FILE 2409

Hager of Allamakee asked and received unanimous consent to substitute Senate File 2283 for House File 2409.

Senate File 2283, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable, was taken up for consideration.

Willems of Linn offered amendment H-8113 filed by him and moved its adoption.

A non-record roll call was requested.

The ayes were 35, nays 52.

Amendment H-8113 lost.

Hager of Allamakee offered amendment H-8129 filed by him and moved its adoption.

Amendment H-8129 was adopted.

J. Smith of Dickinson offered amendment H-8134 filed by him and moved its adoption.

Amendment H-8134 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2283)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Baudler

Soderberg

Wittneben

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

HOUSE FILE 2394 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw House File 2394 from further consideration by the House.

HOUSE FILE 2409 WITHDRAWN

Hager of Allamakee asked and received unanimous consent to withdraw House File 2409 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2092, 2306, 2329, 2390, 2397, House Concurrent Resolution 106** and **Senate Files 2146 and 2283.**

The House stood at ease at 10:51 a.m., until the fall of the gavel.

The House resumed session at 11:53 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILL

Regular Calendar

House File 2367, a bill for an act relating to the liability of an owner, lessee, or occupant of land for injury to a trespasser on the land and including an applicability provision, was taken up for consideration.

Wolfe of Clinton offered amendment H-8137 filed by her.

Hagenow of Polk offered amendment H-8142, to amendment H-8137, filed by him from the floor and moved its adoption.

Amendment H-8142, to amendment H-8137, was adopted.

Hagenow of Polk asked and received unanimous consent to withdraw amendment H-8143, to amendment H-8137, filed by him from the floor.

Wolfe of Clinton moved the adoption of amendment H-8137, as amended.

Amendment H-8137, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2367)

The ayes were, 68:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jacoby	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Muhlbauer	Olson, S.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 30:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Heddens	Hunter	Isenhardt
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Steckman
Swaim	Taylor, T.	Wenthe	Wessel-Kroeschell
Willems	Winckler		

Absent or not voting, 2:

Soderberg

Wittneben

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2367** be immediately messaged to the Senate.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 2012, he approved and transmitted to the Secretary of State the following bill:

Senate File 2127, an Act relating to matters under the purview and authority of the Professional Licensing and Regulation Bureau of the Banking Division of the Department of Commerce.

PETITION FILED

The following petition were received and placed on file:

By Massie of Warren received from a constituent: "I urge you to end the horror of abortion by cosponsoring and seeking roll-call votes on the Iowa Life at Conception Act."

SUBCOMMITTEE ASSIGNMENTS

House File 2283

Ways and Means: Helland, Chair; Paustian and Petersen.

House File 2300

Ways and Means: J. Taylor, Chair; Helland and Petersen.

House File 2359

Ways and Means: Helland, Chair; Byrnes and Thomas.

House File 2418

Ways and Means: Byrnes, Chair; Grassley and Thomas.

House File 2434

Ways and Means: Cownie, Chair; Quirk and Vander Linden.

Senate File 2277

State Government: Iverson, Chair; Jorgensen and Lensing.

Senate File 2296

Judiciary: J. Taylor, Chair; Lensing and Rogers.

Senate File 2304

Judiciary: Alons, Chair; Tjepkes and Wessel-Kroeschell.

Senate File 2306

Judiciary: Baltimore, Chair; Gaines and Massie.

Senate File 2307

Judiciary: Tjepkes, Chair; Heaton and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 662

Ways and Means: Byrnes, Chair; Kajtazovic and Pettengill.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 665 Ways and Means

Providing for a tax credit against 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.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 75), exempting the sales price for the use of self-pay washers and dryers from the sales tax.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Committee Bill (Formerly House File 2070), relating to certain property taxes for joint county-city buildings and including applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Committee Bill (Formerly House Study Bill 660), relating to the administration of the sales and use taxes by modifying provisions related to property purchased for resale and by creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2012.

RESOLUTION FILED

H.R. 125, by Hall, a resolution urging Congress to include political organizations within the scope of the National Do Not Call Registry.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8138	H.F.	2369	Klein of Washington
H-8139	H.F.	2432	L. Miller of Scott
H-8140	H.F.	2380	Koester of Polk
H-8141	H.F.	2380	T. Olson of Linn Schulte of Linn
H-8144	H.F.	2424	Anderson of Page Wolfe of Clinton
H-8145	H.F.	2426	Baltimore of Boone
H-8146	H.J.R.	2010	Winckler of Scott
H-8147	H.J.R.	2010	Oldson of Polk
H-8148	H.J.R.	2010	Jacoby of Johnson
H-8149	H.J.R.	2010	Jacoby of Johnson

H-8150	H.J.R.	2010	Jacoby of Johnson
H-8151	H.F.	2428	Worthan of Buena Vista

On motion by Upmeyer of Hancock the House adjourned at 12:11 p.m., until 10:00 a.m., Friday, March 9, 2012.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 9, 2012

The House met pursuant to adjournment at 10:04 a.m., Hagenow of Polk in the chair.

Prayer was offered by Lauren Page from Cedar Falls. She was the guest of Representative Heaton of Henry County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lauren Page from Cedar Falls. She was the guest of Representative Heaton of Henry.

The Journal of Thursday, March 8, 2012, was approved.

INTRODUCTION OF BILL

House File 2436, by Hall, a bill for an act exempting from the inheritance tax a certain amount of property passing to brothers, sisters, uncles, aunts, first cousins, nieces, and nephews and including applicability provisions.

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

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 665

Ways and Means: Helland, Chair; Jacoby and Kaufmann.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House Joint Resolution 2008, a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Senate File 2163, a bill for an act relating to an exception from state certification for adult day services programs.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Senate File 2164, a bill for an act relating to department of human services' evaluations of criminal or abuse records of employees of health care facilities.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Senate File 2188, a bill for an act relating to the renewal period for foster care licensing.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

AMENDMENTS FILED

H-8152	H.F.	2380	Koester of Polk
H-8153	H.F.	2380	Willems of Linn
H-8154	H.F.	2380	Isenhart of Dubuque
			Koester of Polk
			Byrnes of Mitchell
			Hanson of Jefferson
H-8155	H.F.	2435	Heddens of Story
H-8156	H.F.	2435	Heddens of Story
H-8157	H.F.	2435	Heddens of Story
H-8158	H.F.	2435	Heddens of Story
H-8159	H.F.	2435	Heddens of Story
H-8160	H.F.	2435	Heddens of Story
H-8161	H.F.	2435	Heddens of Story
H-8162	H.F.	2435	Heddens of Story

H-8163	H.F.	2435	Heddens of Story
H-8164	H.F.	2435	Heddens of Story
H-8165	H.F.	2435	Heddens of Story
H-8166	H.J.R.	2010	Petersen of Polk
H-8167	H.J.R.	2010	Petersen of Polk
H-8168	H.J.R.	2010	Petersen of Polk
H-8169	H.J.R.	2010	Lensing of Johnson
H-8170	H.F.	2399	Hagenow of Polk
H-8171	H.F.	2433	Pettengill of Benton

On motion by Heaton of Henry the House adjourned at 10:06 a.m., until 1:00 p.m., Monday, March 12, 2012.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 12, 2012

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

Prayer was offered by Pastor Bob Speirs, St. John's Lutheran Church, Des Moines. He was the guest of Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brennan Haymond, Page from Winfield.

The Journal of Friday, March 9, 2012, was approved.

SENATE MESSAGE CONSIDERED

Senate File 2308, by committee on economic growth/rebuild Iowa, a bill for an act relating to economic development by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

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

On motion by Upmeyer of Hancock, the House was recessed at 1:17 p.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:36 p.m., Speaker Paulsen in the chair.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on judiciary to meet immediately to assign a bill.

The House stood at ease at 3:38 p.m., until the fall of the gavel.

The House resumed session at 6:35 p.m., Speaker Paulsen in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2137, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions.

Also: That the Senate has on March 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2287, a bill for an act requiring American products to be used for public improvements, providing a penalty, and including applicability provisions.

Also: That the Senate has on March 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2298, 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.

Also: That the Senate has on March 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2301, a bill for an act providing for the payment of expenses incurred by a local authority when providing for rescue, maintenance, or disposition of certain animals in commercial establishments.

Also: That the Senate has on March 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 2228, a bill for an act relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2228)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg

Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

De Boef	Miller, H.	Van Engelenhoven
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2264, a bill for an act relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2264)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte

Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

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

House File 2369, a bill for an act relating to the issuance of a burial transit permit, was taken up for consideration.

Klein of Washington offered amendment H-8138 filed by him and moved its adoption.

Amendment H-8138 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2369)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy

Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

House File 2370, a bill for an act relating to civil actions relating to real estate, including mortgage foreclosure actions, was taken up for consideration.

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

On the question “Shall the bill pass?” (H.F. 2370)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isehart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.

Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

House File 2374, a bill for an act relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, was taken up for consideration.

Iverson of Wright offered amendment H-8101 filed by him and moved its adoption.

Amendment H-8101 was adopted.

SENATE FILE 2249 SUBSTITUTED FOR HOUSE FILE 2374

Iverson of Wright asked and received unanimous consent to substitute Senate File 2249 for House File 2374.

Senate File 2249, a bill for an act relating to motorcycle dealer activities at motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, and including effective date provisions, was taken up for consideration.

Iverson of Wright offered amendment H-8121 filed by him and moved its adoption.

Amendment H-8121 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2249)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILE 2374 WITHDRAWN

Iverson of Wright asked and received unanimous consent to withdraw House File 2374 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2228, 2264, 2369, 2370** and **Senate File 2249**.

House File 2379, a bill for an act relating to expunging certain criminal records, was taken up for consideration.

Alons of Sioux offered amendment H-8125 filed by him and R. Olson of Polk and requested a division as follows:

Division A: Page 1, lines 2 through 7.

Division B: Page 1, line 8.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-8125A filed by him and R. Olson of Polk on March 5, 2012.

Anderson of Page offered amendment H-8097 filed by him and moved its adoption.

Amendment H-8097 was adopted.

Alons of Sioux moved amendment H-8125B.

Amendment H-8125B was adopted.

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

On the question "Shall the bill pass?" (H.F. 2379)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens

Hein	Helland	Horbach	Hunter
Huseman	Isehart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILES 2157 AND 2158 WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw House Files 2157 and 2158 from further consideration by the House.

Cownie of Polk in the chair at 7:20 p.m.

House File 2388, a bill for an act relating to maximizing hospital-specific disproportionate share hospital payments, and providing for contingent implementation, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2388)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILE 2065 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2065 from further consideration by the House.

House File 2399, a bill for an act relating to scrap metal transactions, prohibiting certain sales, and providing penalties, was taken up for consideration.

Hagenow of Polk offered amendment H-8170 filed by him and moved its adoption.

Amendment H-8170 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2399)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Cownie, Presiding			

The nays were, 1:

Wagner

Absent or not voting, 2:

De Boef

Van Engelenhoven

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

Speaker Paulsen in the chair at 7:34 p.m.

House File 2400, a bill for an act relating to the policy administration of election and voter registration laws by the secretary of state, including changes to the definition of a general election, 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, the filling of vacancies in city office, and authorizing certain cities to conduct city elections by absentee ballot, and including effective date provisions, was taken up for consideration.

Hunter of Polk offered amendment H-8072 filed by him.

Gaskill of Wapello offered amendment H-8173, to amendment H-8072, filed by her from the floor and moved its adoption.

Amendment H-8173, to amendment H-8072, was adopted.

Hunter of Polk moved the adoption of amendment H-8072, as amended.

Amendment H-8072, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2400)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby

Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lofgren	Lukan	Lykam	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 2:

Lensing Mascher

Absent or not voting, 2:

De Boef Van Engelenhoven

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2379, 2388, 2399 and 2400.**

House File 2402, a bill for an act permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2402)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, 1:

Hunter

Absent or not voting, 2:

De Boef Van Engelenhoven

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

House File 2404, a bill for an act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2404)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILE 2299 WITHDRAWN

Rayhons of Hancock asked and received unanimous consent to withdraw House File 2299 from further consideration by the House.

House File 2428, a bill for an act relating to escort and permit requirements for the movement of certain vehicles and combinations of vehicles of excessive size, was taken up for consideration.

Worthan of Buena Vista offered amendment H-8151 filed by him.

Worthan of Buena Vista asked and received unanimous consent to withdraw amendment H-8187, to amendment H-8151, filed by him from the floor.

Worthan of Buena Vista offered amendment H-8206, to amendment H-8151, filed by him from the floor and moved its adoption.

Amendment H-8206, to amendment H-8151, was adopted.

Worthan of Buena Vista moved the adoption of amendment H-8151, as amended.

Amendment H-8151, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2428)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILE 2282 WITHDRAWN

Worthan of Buena Vista asked and received unanimous consent to withdraw House File 2282 from further consideration by the House.

House File 2289, a bill for an act relating to the nomination and appointment of district judges and associate juvenile judges, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment H-8098 filed by him and Anderson of Page on March 5, 2012.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-8024 filed by him on February 16, 2012.

Anderson of Page offered amendment H-8058 filed by him and Anderson of Page and moved its adoption.

Amendment H-8058 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2289)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall

Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Van Engelenhoven

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

HOUSE FILE 2002 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw House File 2002 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2289, 2402, 2404 and 2428.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

De Boef of Keokuk

Van Engelenhoven of Marion

HOUSE FILE 2006 REFERRED

The Speaker announced that House File 2006, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 2420 REFERRED

The Speaker announced that House File 2420, previously placed on the **calendar** was referred to committee on **ways and means**.

SUBCOMMITTEE ASSIGNMENT

Senate File 2218
(Committee of the Whole)

Appropriations: Hagenow, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Senate File 2172, a bill for an act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Senate File 2269, a bill for an act relating to the land application of wastewater from on-farm processing operations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

Senate File 2311, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, John's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2012.

COMMITTEE ON APPROPRIATIONS

Senate File 2218, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 2012.

Senate File 2314, 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.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 662), providing a sales tax exemption for sales of textbooks for limited time periods annually and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 2012.

Committee Bill (Formerly House File 2334), relating to the issuance of hunting and fishing licenses, providing for fees, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 2012.

RESOLUTION FILED

H.R. 126, by Thede, Garrett, Sweeney, De Boef, Berry, Heddens, Mascher, Gaskill, Wessel-Kroeschell, Gaines, Winckler, Lensing,

Lykam, Kearns, Wittneben, H. Miller, Abdul-Samad, Steckman, M. Smith, Schulte, Hunter, Murphy, Cohoon, Upmeyer, Thomas, J. Taylor, Heaton, Quirk, Petersen, Swaim, Drake, Rayhons, Raecker, Worthan, Jorgensen, Hanusa, Hager, Lukan, Pettengill, L. Miller, Alons, and Koester, a resolution recognizing March 2012 as Iowa Women's History Month.

Laid over under **Rule 25.**

AMENDMENTS FILED

H-8172	S.F.	2216	Watts of Dallas
H-8174	H.F.	2385	Byrnes of Mitchell
H-8175	H.F.	2380	Raecker of Polk Chambers of O'Brien
H-8176	H.F.	2380	Chambers of O'Brien
H-8177	H.F.	2380	J. Taylor of Woodbury
H-8178	H.F.	2380	Chambers of O'Brien
H-8179	H.F.	2380	Chambers of O'Brien
H-8180	H.F.	2380	J. Taylor of Woodbury Chambers of O'Brien Hagenow of Polk Klein of Washington
H-8181	H.F.	2380	Chambers of O'Brien Forristall of Pottawattamie Dolecheck of Ringgold
H-8182	H.F.	2435	M. Smith of Marshall
H-8183	S.F.	2260	Swaim of Davis
H-8184	H.F.	2429	Baltimore of Boone
H-8185	H.F.	2380	J. Taylor of Woodbury Kaufmann of Cedar Paustian of Scott Byrnes of Mitchell
H-8186	H.F.	2380	J. Taylor of Woodbury
H-8188	H.F.	2380	Byrnes of Mitchell
H-8189	H.F.	2380	Winckler of Scott
H-8190	H.F.	2406	Wagner of Linn Quirk of Chickasaw
H-8191	H.F.	2380	Byrnes of Mitchell
H-8192	H.F.	2360	Baltimore of Boone
H-8193	H.F.	2380	Byrnes of Mitchell

H-8194	H.F.	2380	Sweeney of Hardin Alons of Sioux
H-8195	H.F.	2380	Sweeney of Hardin Alons of Sioux
H-8196	H.F.	2380	Steckman of Cerro Gordo Winckler of Scott Chambers of O'Brien Forristall of Pottawattamie Dolecheck of Ringgold
H-8197	H.F.	2380	Winckler of Scott Steckman of Cerro Gordo Chambers of O'Brien Forristall of Pottawattamie Dolecheck of Ringgold
H-8198	H.F.	2380	Winckler of Scott Steckman of Cerro Gordo Chambers of O'Brien Forristall of Pottawattamie Dolecheck of Ringgold
H-8199	H.F.	2380	Winckler of Scott
H-8200	H.F.	2380	Winckler of Scott
H-8201	H.F.	2380	Mascher of Johnson
H-8202	H.F.	2380	Mascher of Johnson
H-8203	H.F.	2380	Winckler of Scott
H-8204	H.F.	2380	Hanson of Jefferson
H-8205	H.F.	2380	Abdul-Samad of Polk
H-8207	H.F.	2380	Mascher of Johnson
H-8208	H.F.	2380	Steckman of Cerro Gordo
H-8209	H.F.	2380	Abdul-Samad of Polk
H-8210	H.F.	2380	Steckman of Cerro Gordo
H-8211	H.F.	2380	Mascher of Johnson Steckman of Cerro Gordo
H-8212	H.F.	2380	Willems of Linn Steckman of Cerro Gordo Hanson of Jefferson Abdul-Samad of Polk
H-8213	H.F.	2435	Sweeney of Hardin Shaw of Pocahontas Alons of Sioux Pearson of Polk
H-8214	H.F.	2380	Winckler of Scott

H-8215	H.F.	2425	Willems of Linn
H-8216	H.F.	2380	Steckman of Cerro Gordo
			Winckler of Scott
			Mascher of Johnson
H-8217	H.F.	2380	Chambers of O'Brien
H-8218	H.F.	2380	Chambers of O'Brien
H-8219	H.F.	2380	Abdul-Samad of Polk
H-8220	H.F.	2380	Steckman of Cerro Gordo
			Winckler of Scott
			Gaines of Polk
			Hanson of Jefferson
			Kelley of Jasper
H-8221	H.F.	2380	Mascher of Johnson
H-8222	H.F.	2380	J. Smith of Dickinson
			Cownie of Polk

On motion by Upmeyer of Hancock the House adjourned at 8:18 p.m., until 8:30 a.m., Tuesday, March 13, 2012.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 13, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Keith Smith, Motor Friends Church, Milo. He was the guest of Representative Garrett of Warren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Willow Huber, Page from Vinton.

The Journal of Monday, March 12, 2012, was approved.

INTRODUCTION OF BILLS

House File 2437, by Mascher, a bill for an act relating to the operations of certain entities established to provide joint emergency response communications services and including effective date and applicability provisions.

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

House File 2438, by Lukan, a bill for an act relating to the rebate of state sales tax to qualified new Iowa businesses.

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

House File 2439, by committee on ways and means, a bill for an act relating to the administration of the sales and use taxes by modifying provisions related to property purchased for resale and by creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date provisions.

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

House File 2440, by committee on ways and means, a bill for an act exempting the sales price for the use of self-pay washers and dryers from the sales tax.

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

House File 2441, by committee on ways and means, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions.

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

House File 2442, by committee on ways and means, a bill for an act relating to the issuance of hunting and fishing licenses, providing for fees, and including effective date provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2137, by Seng, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions.

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

Senate File 2287, by committee on economic growth/rebuild Iowa, a bill for an act requiring American products to be used for public improvements, providing a penalty, and including applicability provisions.

Read first time and referred to committee on **labor**.

Senate File 2298, by committee on state government, 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 provision.

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

Senate File 2301, by committee on commerce, a bill for an act providing for the payment of expenses incurred by a local authority when providing for rescue, maintenance, or disposition of certain animals in commercial establishments.

Read first time and referred to committee on **agriculture**.

Senate File 2315, by committee on human resources, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

Read first time and referred to committee on **appropriations**.

ADOPTION OF HOUSE RESOLUTION 126

Upmeyer of Hancock called up for consideration **House Resolution 126**, a resolution recognizing March 2012 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Sweeney of Hardin introduced the Write Women Back into History Essay Contest Winners.

The House rose and expressed their welcome.

The House stood at ease at 8:44 a.m., until the fall of the gavel.

The House resumed session at 9:40 a.m., Kaufmann of Cedar in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 2290, a bill for an act revising the Iowa nonprofit corporation Act, was taken up for consideration.

Swaim of Davis offered amendment H-8065 filed by him and moved its adoption.

Amendment H-8065 was adopted.

SENATE FILE 2260 SUBSTITUTED FOR HOUSE FILE 2290

Swaim of Davis asked and received unanimous consent to substitute Senate File 2260 for House File 2290.

Senate File 2260, a bill for an act revising the Iowa nonprofit corporation Act, was taken up for consideration.

Swaim of Davis offered amendment H-8183 filed by him and moved its adoption.

Amendment H-8183 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2260)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.

Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Kaufmann, Presiding			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILE 2290 WITHDRAWN

Swaim of Davis asked and received unanimous consent to withdraw House File 2290 from further consideration by the House.

House File 2385, a bill for an act providing for the licensure of applicants with professional employment in mathematics-related or science-related fields as teachers for secondary school-level mathematics and science courses, was taken up for consideration.

Mascher of Johnson rose on a point of order under Rule 10, regarding members confining all remarks to the question under debate.

The Speaker ruled the point not well taken.

Byrnes of Mitchell offered amendment H-8174 filed by him and moved its adoption.

Amendment H-8174 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2385)

The ayes were, 61:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kelley	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Kaufmann, Presiding			

The nays were, 36:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kressig	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Running-Marquardt	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

Absent or not voting, 3:

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

HOUSE FILE 2208 WITHDRAWN

Byrnes of Mitchell asked and received unanimous consent to withdraw House File 2208 from further consideration by the House.

House File 2433, a bill for an act relating to state agency decision making, was taken up for consideration.

Pettengill of Benton offered amendment H-8171 filed by her.

Pettengill of Benton offered amendment H-8224, to amendment H-8171, filed by her from the floor and moved its adoption.

Amendment H-8224, to amendment H-8171, was adopted.

Isenhardt of Dubuque offered amendment H-8225, to amendment H-8171, filed by him from the floor and moved its adoption.

Amendment H-8225, to amendment H-8171, lost.

Isenhardt of Dubuque rose on a point of order that amendment H-8171, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8171, as amended, not germane.

Pettengill of Benton moved to suspend the rules to consider amendment H-8171, as amended.

A non-record roll call was requested.

The ayes were 52, nays 31.

The motion prevailed and the rules were suspended.

Pettengill of Benton moved the adoption of amendment H-8171, as amended.

Amendment H-8171, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2433)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill

Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Iverson	Jacoby	Jorgensen
Kajtazovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, 1:

Isenhardt

Absent or not voting, 3:

De Boef McCarthy Quirk

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

HOUSE FILE 2257 WITHDRAWN

Pettengill of Benton asked and received unanimous consent to withdraw House File 2257 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2385, 2433** and **Senate File 2260**.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a

meeting of the committee on public safety to meet immediately to assign a bill.

The House stood at ease at 10:44 a.m., until the fall of the gavel.

The House resumed session at 2:51 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2443, by Lukan, a bill for an act relating to economic development by establishing a headquarters relocation tax credit program within the economic development authority for corporations that relocate headquarters to the state and including effective date and applicability provisions.

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

QUORUM CALL

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

CONSIDERATION OF BILLS

Regular Calendar

House File 2429, a bill for an act relating to identity theft, providing penalties, and making penalties applicable, was taken up for consideration.

Baltimore of Boone offered amendment H-8184 filed by him.

Baltimore of Boone offered amendment H-8226, to amendment H-8184, filed by him from the floor and moved its adoption.

Amendment H-8226, to amendment H-8184, was adopted.

Baltimore of Boone moved the adoption of amendment H-8184, as amended.

Amendment H-8184, as amended, was adopted.

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

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

The ayes were, 72:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Lykam	Massie
Miller, L.	Moore	Muhlbauer	Olson, S.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Willems
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 26:

Abdul-Samad	Berry	Cohoon	Gaines
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Mascher	McCarthy	Miller, H.
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Steckman	Taylor, T.	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2429** be immediately messaged to the Senate.

House File 2380, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds, was taken up for consideration.

T. Olson of Linn offered amendment H-8141 filed by him and Schulte of Linn and moved its adoption.

Roll call was requested by T. Olson of Linn and T. Taylor of Linn.

On the question "Shall amendment H-8141 be adopted?" (H.F. 2380)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Swaim

Amendment H-8141 was adopted.

Winckler of Scott offered amendment H-8199 filed by her and moved its adoption.

Roll call was requested by Winckler of Scott and Hall of Woodbury.

On the question "Shall amendment H-8199 be adopted?" (H.F. 2380)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

De Boef Swaim

Amendment H-8199 was adopted, placing out of order amendment H-8221 filed by Mascher of Johnson on March 12, 2012.

Raecker of Polk offered amendment H-8175 filed by him and Chambers of O'Brien and moved its adoption.

Amendment H-8175 was adopted.

J. Taylor of Woodbury offered amendment H-8180 filed by J. Taylor, et al., and moved its adoption.

Roll call was requested by J. Taylor of Woodbury and Baltimore of Boone.

On the question "Shall amendment H-8180 be adopted?" (H.F. 2380)

The ayes were, 63:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Thede	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 35:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hunter	Isenhardt	Jacoby
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Taylor, T.
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 2:

De Boef Swaim

Amendment H-8180 was adopted.

Byrnes of Mitchell asked and received unanimous consent that amendment H-8191 be deferred.

Winckler of Scott asked and received unanimous consent that amendment H-8197 be deferred.

The House stood at ease at 4:27 p.m., until the fall of the gavel.

The House resumed session at 4:31 p.m., Hagenow of Polk in the chair.

Hanson of Jefferson offered amendment H-8204 filed by him and moved its adoption.

Roll call was requested by Hanson of Jefferson and Mascher of Johnson.

On the question "Shall amendment H-8204 be adopted?" (H.F. 2380)

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lukan	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester

Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Hagenow, Presiding		

Absent or not voting, 2:

De Boef	Swaim
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Amendment H-8204 lost.

Steckman of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8220 filed by Steckman of Cerro Gordo, et al., on March 12, 2012.

Chambers of O'Brien offered amendment H-8176 filed by him and moved its adoption.

Roll call was requested by Winckler of Scott and Hunter of Polk.

On the question "Shall amendment H-8176 be adopted?" (H.F. 2380)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.

Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Hagenow, Presiding		

The nays were, none.

Absent or not voting, 2:

De Boef Swaim

Amendment H–8176 was adopted.

Koester of Polk asked and received unanimous consent to withdraw amendment H–8140 filed by him on March 8, 2012.

Mascher of Johnson offered amendment H–8202 filed by her and moved its adoption.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall amendment H–8202 be adopted?" (H.F. 2380)

The ayes were, 39:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.

Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Hagenow, Presiding	

Absent or not voting, 2:

De Boef	Swaim
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Amendment H-8202 lost.

J. Taylor of Woodbury offered amendment H-8185 filed by J. Taylor, et al., and moved its adoption.

Amendment H-8185 was adopted.

Mascher of Johnson asked and received unanimous consent that amendment H-8201 be deferred.

Chambers of O'Brien asked and received unanimous consent that amendment H-8179 be deferred.

J. Taylor of Woodbury asked and received unanimous consent that amendment H-8186 be deferred.

Speaker Paulsen in the chair at 5:07 p.m.

Winckler of Scott offered amendment H-8200 filed by her and moved its adoption.

Roll call was requested by Winckler of Scott and Mascher of Johnson.

On the question "Shall amendment H-8200 be adopted?" (H.F. 2380)

The ayes were, 36:

Berry	Cohoon	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kajtazovic	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher

McCarthy	Miller, H.	Muhlbauer	Oldson
Olson, R.	Olson, T.	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 59:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Brandenburg	Byrnes
Chambers	Cownie	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker Paulsen	

Absent or not voting, 5:

De Boef	Horbach	Lukan	Murphy
Swaim			

Amendment H-8200 lost.

Steckman of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8194 filed by her and Alons of Sioux on March 12, 2012.

Steckman of Cerro Gordo asked and received unanimous consent to withdraw amendment H-8195 filed by her and Alons of Sioux on March 12, 2012.

Steckman of Cerro Gordo offered amendment H-8216 filed by Steckman, et al.

Chambers of O'Brien rose on a point of order that amendment H-8216 was not germane.

Steckman of Cerro Gordo requested a division as follows:

Division A: Page 1, lines 2 through 14.

Division B: Page 1, lines 15 through 25.

The Speaker ruled amendment H-8216A not germane.

Windschitl of Harrison in the chair at 5:55 p.m.

The House stood at ease at 5:58 p.m., until the fall of the gavel.

The House resumed session at 6:00 p.m., Speaker Paulsen in the chair.

Upmeyer of Hancock asked and received unanimous consent that House File 2380 be deferred and that the bill retain its place on the calendar. (amendment H-8216B pending)

On motion by Upmeyer of Hancock, the House was recessed at 6:01 p.m., until 7:30 p.m.

EVENING SESSION

The House reconvened at 7:41 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

Upmeyer of Hancock asked for unanimous consent to resume consideration of **House File 2380**, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds, previously deferred. (amendment H-8216B pending)

Steckman of Cerro Gordo moved amendment H-8216B.

Roll call was requested by Steckman of Cerro Gordo and Jacoby of Johnson.

On the question "Shall amendment H-8216B be adopted?" (H.F. 2380)

The ayes were, 61:

Abdul-Samad	Alons	Baltimore	Berry
Brandenburg	Byrnes	Chambers	Cohoon
Cownie	Dolecheck	Gaines	Gaskill
Grassley	Hall	Hanson	Hanusa
Heddens	Hunter	Huseman	Isenhart
Jacoby	Kajtazovic	Kaufmann	Kearns
Kelley	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	McCarthy
Miller, H.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Pettengill	Quirk	Rasmussen	Rogers
Running-Marquardt	Smith, M.	Soderberg	Steckman
Taylor, J.	Taylor, T.	Thede	Thomas
Upmeyer	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe
Mr. Speaker			
Paulsen			

The nays were, 37:

Arnold	Baudler	De Boef	Deyoe
Drake	Forristall	Fry	Garrett
Hagenow	Hager	Heaton	Hein
Helland	Horbach	Iverson	Jorgensen
Klein	Koester	Massie	Miller, L.
Olson, S.	Paustian	Pearson	Raecker
Rayhons	Sands	Schulte	Schultz
Shaw	Smith, J.	Sweeney	Tjepkes
Van Engelenhoven	Vander Linden	Watts	Windschitl
Worthan			

Absent or not voting, 2:

Anderson	Swaim
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Amendment H-8216B was adopted.

Koester of Polk asked and received unanimous consent to withdraw amendment H-8102 filed by him on March 5, 2012.

Winckler of Scott offered amendment H-8198 filed by Winckler, et al., and moved its adoption.

Roll call was requested by Winckler of Scott and Hunter of Polk.

On the question "Shall amendment H-8198 be adopted?" (H.F. 2380)

The ayes were, 98:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Anderson Swaim

Amendment H-8198 was adopted.

Winckler of Scott offered amendment H-8189 filed by her.

Mascher of Johnson offered amendment H-8248, to amendment H-8189, filed by her from the floor and moved its adoption.

Amendment H-8248, to amendment H-8189, was adopted.

Winckler of Scott moved the adoption of amendment H-8189, as amended.

Amendment H-8189, as amended, lost.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8203 filed by her on March 12, 2012.

Chambers of O'Brien offered amendment H-8178 filed by him and moved its adoption.

Amendment H-8178 was adopted.

Chambers of O'Brien asked and received unanimous consent to withdraw amendment H-8218 filed by him on March 12, 2012.

Kaufmann of Cedar in the chair at 8:18 p.m.

Mascher of Johnson offered amendment H-8207 filed by her and moved its adoption.

Amendment H-8207 lost.

Winckler of Scott offered amendment H-8214 filed by her.

Winckler of Scott offered amendment H-8230, to amendment H-8214, filed by her from the floor and moved its adoption.

Amendment H-8230, to amendment H-8214, was adopted.

Winckler of Scott moved the adoption of amendment H-8214, as amended.

Roll call was requested by Winckler of Scott and Abdul-Samad of Polk.

On the question "Shall amendment H-8214 be adopted?" (H.F. 2380)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt

Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Kaufmann, Presiding

Absent or not voting, 1:

Swaim

Amendment H-8214, as amended, lost.

Speaker Paulsen in the chair at 9:25 p.m.

Steckman of Cerro Gordo offered amendment H-8210 filed by her and moved its adoption.

Amendment H-8210 lost.

J. Taylor of Woodbury asked and received unanimous consent to withdraw amendment H-8177 filed by him on March 12, 2012.

Koester of Polk asked and received unanimous consent to withdraw amendment H-8152 filed by him on March 9, 2012.

Abdul-Samad of Polk offered amendment H-8219 filed by him.

Forristall of Pottawattamie rose on a point of order that amendment H-8219 was not germane.

The Speaker ruled the point well taken and amendment H-8219 not germane.

Abdul-Samad of Polk moved to suspend the rules to consider amendment H-8219.

Roll call was requested by Mascher of Johnson and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment H-8219?" (H. F. 2380)

The ayes were, 38:

Abdul-Samad	Anderson	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Koester
Kressig	Lensing	Lykam	Mascher
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Arnold	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Lofgren	Lukan	Massie	Miller, L.
Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker			
Paulsen			

Absent or not voting, 5:

McCarthy	Moore	Olson, R.	Quirk
Swaim			

The motion to suspend the rules lost.

L. Miller of Scott in the chair at 9:39 p.m.

Willems of Linn offered amendment H-8153 filed by him and moved its adoption.

Amendment H-8153 was adopted.

Speaker Paulsen in the chair at 9:45 p.m.

Isenhart of Dubuque offered amendment H-8154 filed by Isenhart, et al., and moved its adoption.

Amendment H-8154 was adopted.

Chambers of O'Brien offered amendment H-8181 filed by Chambers, et al.

Chambers of O'Brien offered amendment H-8217, to amendment H-8181, filed by him and moved its adoption.

Amendment H-8217, to amendment H-8181, was adopted.

Vander Linden of Mahaska offered amendment H-8237, to amendment H-8181, filed by him from the floor and moved its adoption.

Roll call was requested by Mascher of Johnson and Jacoby of Johnson.

On the question "Shall amendment H-8237, to amendment H-8181, be adopted?" (H.F. 2380)

The ayes were, 78:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Byrnes	Cohoon
Cownie	Deyoe	Drake	Fry
Gaines	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Heaton
Heddens	Hein	Hunter	Huseman
Isenhart	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Rasmussen	Rogers

Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, T.	Thede
Thomas	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Winckler
Wittneben	Wolfe		

The nays were, 21:

Baltimore	Brandenburg	Chambers	De Boef
Dolecheck	Forristall	Garrett	Hanusa
Helland	Horbach	Iverson	Koester
Raecker	Rayhons	Taylor, J.	Tjepkes
Upmeyer	Willems	Windschitl	Worthan
Mr. Speaker			
Paulsen			

Absent or not voting, 1:

Swaim

Amendment H-8237, to amendment H-8181, was adopted.

Chambers of O'Brien moved the adoption of amendment H-8181, as amended.

Amendment H-8181, as amended, was adopted.

Byrnes of Mitchell asked and received unanimous consent to withdraw amendment H-8188 filed by him on March 12, 2012.

Byrnes of Mitchell asked and received unanimous consent to withdraw amendment H-8193 filed by him on March 12, 2012.

Steckman of Cerro Gordo offered amendment H-8196 filed by Steckman, et al.

Chambers of O'Brien offered amendment H-8240, to amendment H-8196, filed by him from the floor and moved its adoption.

Amendment H-8240, to amendment H-8196, was adopted.

Steckman of Cerro Gordo moved amendment H-8196, as amended.

Amendment H-8196, as amended, was adopted.

Abdul-Samad of Polk offered amendment H-8205 filed by him.

Forristall of Pottawattamie rose on a point of order that amendment H-8205 was not germane.

The Speaker ruled the point well taken and amendment H-8205 not germane.

Abdul-Samad of Polk moved to suspend the rules to consider amendment H-8205.

Roll call was requested by Abdul-Samad of Polk and McCarthy of Polk.

On the question "Shall the rules be suspended to consider amendment H-8205?" (H.F. 2380)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 1:

Swaim

The motion to suspend the rules lost.

Abdul-Samad of Polk asked and received unanimous consent to withdraw amendment H-8209 filed by him on March 12, 2012.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8211 filed by her and Steckman of Cerro Gordo on March 12, 2012.

Willems of Linn offered amendment H-8212 filed by Willems, et al., and moved its adoption.

Roll call was requested by Willems of Linn and Steckman of Cerro Gordo.

On the question "Shall amendment H-8212 be adopted?" (H.F. 2380)

The ayes were, 39:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Helland	Hunter	Isenhardt	Jacoby
Kajtaovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons

Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Winckler
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 2:

Baudler Swaim

Amendment H-8212 lost.

J. Smith of Dickinson offered amendment H-8222 filed by him and Cownie of Polk.

J. Smith of Dickinson offered amendment H-8242, to amendment H-8222, filed by him and Cownie of Polk from the floor and moved its adoption.

Amendment H-8242, to amendment H-8222, was adopted.

Steckman of Cerro Gordo rose on a point of order that amendment H-8222, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8222, as amended, not germane.

J. Smith of Dickinson asked for unanimous consent to suspend the rules to consider amendment H-8222, as amended.

Objection was raised.

J. Smith of Dickinson moved to suspend the rules to consider amendment H-8222, as amended.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 48, nays 51.

The motion to suspend the rules lost.

Steckman of Cerro Gordo offered amendment H-8208 filed by her and moved its adoption.

Roll call was requested by McCarthy of Polk and Mascher of Johnson.

On the question "Shall amendment H-8208 be adopted?" (H.F. 2380)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 2:

Miller, L. Swaim

Amendment H-8208 lost.

Byrnes of Mitchell offered amendment H-8191 filed by him, previously deferred.

Chambers of O'Brien asked and received unanimous consent to withdraw amendment H-8250, to amendment H-8191, filed by him from the floor.

Byrnes of Mitchell offered amendment H-8241, to amendment H-8191, filed by him from the floor and moved its adoption.

Amendment H-8241, to amendment H-8191, was adopted.

Byrnes of Mitchell moved the adoption of amendment H-8191, as amended.

Amendment H-8191, as amended, was adopted.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8197 filed by Winckler of Scott, et al., on March 12, 2012, previously deferred.

Mascher of Johnson offered amendment H-8201 filed by her, previously deferred.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8232, to amendment H-8201, filed by her and Winckler of Scott from the floor.

Hagenow of Polk in the chair at 11:20 p.m.

Mascher of Johnson moved the adoption of amendment H-8201.

Roll call was requested by Mascher of Johnson and Steckman of Cerro Gordo.

On the question "Shall amendment H-8201 be adopted?" (H.F. 2380)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt

Smith, M.	Steckman	Taylor, T.	Thede
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 61:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Hagenow, Presiding			

Absent or not voting, 1:

Swaim

Amendment H-8201 lost.

Chambers of O'Brien offered amendment H-8179 filed by him, previously deferred.

J. Taylor of Woodbury asked and received unanimous consent to withdraw amendment H-8229, to amendment H-8179, filed by him from the floor.

Chambers of O'Brien offered amendment H-8249, to amendment H-8179, filed by him and J. Taylor of Woodbury from the floor and moved its adoption.

A non-record roll call was requested.

The ayes were 57, nays 33.

Amendment H-8249, to amendment H-8179, was adopted.

Chambers of O'Brien moved the adoption of amendment H-8179, as amended.

Amendment H-8179, as amended, was adopted, placing out of order amendment H-8186 filed by J. Taylor of Woodbury on March 12, 2012.

Upmeyer of Hancock asked and received unanimous consent that House File 2380 be deferred and that the bill retain its place on the calendar.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2112, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status.

Also: That the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2128, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

Also: That the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2275, a bill for an act 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.

Also: That the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2293, 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 effective date provisions.

Also: That the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2294, a bill for an act relating to the authorized activities of auctioneers in conducting a public sale or auction of real estate, and providing penalty provisions.

Also: That the Senate has on March 13, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2302, a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 11:50 p.m., until 8:00 a.m., Wednesday, March 14, 2012.

MORNING SESSION

The House reconvened at 8:06 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative Rogers of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Forrest Glick, Page from Des Moines.

QUORUM CALL

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

The House stood at ease at 8:26 a.m., until the fall of the gavel.

The House resumed session at 8:28 a.m., Kaufmann of Cedar in the chair.

ADOPTION OF HOUSE RESOLUTION 114

Upmeyer of Hancock called up for consideration **House Resolution 114**, a resolution honoring Dr. Gregory L. Geoffroy's remarkable achievements as President of Iowa State University, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:35 a.m., until the fall of the gavel.

The House resumed session at 8:37 a.m., Kaufmann of Cedar in the chair.

The House stood at ease at 8:37 a.m., until the fall of the gavel.

The House resumed session at 10:04 a.m., Speaker Paulsen in the chair.

Upmeyer of Hancock asked for unanimous consent to resume consideration of **House File 2380**, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, school districts, and accredited nonpublic schools; and providing for the retention of certain fees and for the use of certain funds, previously deferred.

The Speaker ruled operation number one of amendment H-8175 out of order.

Chambers of O'Brien asked and received unanimous consent to consider amendment H-8261 filed by him from the floor and moved its adoption.

Amendment H-8261 was adopted.

Kaufmann of Cedar in the chair at 10:22 a.m.

Speaker Paulsen in the chair at 10:45 a.m.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2380)

The ayes were, 53:

Anderson	Arnold	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson

Jorgensen	Kaufmann	Koester	Lofgren
Lukan	Miller, L.	Moore	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker			
Paulsen			

The nays were, 46:

Abdul-Samad	Alons	Berry	Cohoon
De Boef	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhardt
Jacoby	Kajtazovic	Kearns	Kelley
Klein	Kressig	Lensing	Lykam
Mascher	Massie	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Pearson	Petersen	Quirk
Running-Marquardt	Schultz	Shaw	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 1:

Swaim

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2380** be immediately messaged to the Senate.

Rayhons of Hancock asked and received unanimous consent for the immediate consideration of Senate File 2218.

Appropriations Calendar

Senate File 2218, a bill for an act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2218)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

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

INTRODUCTION OF BILL

House File 2444, by Hall, a bill for an act concerning harassment and bullying by students and providing criminal and civil penalties and remedies for failure by parents, guardians, and custodians to prevent such harassment and bullying.

Read first time and referred to committee on **education**.

SENATE MESSAGES CONSIDERED

Senate File 2112, by committee on veterans affairs, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status.

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

Senate File 2128, by Beall, Mathis, Wilhelm, Quirmbach, Schoenjahn, Seng, Bertrand, Bolkcom, Dvorsky, Dotzler, Danielson, Hatch, Horn, Dearden, Fraise, Soddors, Kibbie, Black, Jochum, Ragan, and Anderson, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

Read first time and referred to committee on **commerce**.

Senate File 2293, by committee on commerce, 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 effective date provisions.

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

Senate File 2294, by committee on commerce, a bill for an act relating to the authorized activities of auctioneers in conducting a public sale or auction of real estate, and providing penalty provisions.

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

Senate File 2302, by committee on economic growth/rebuild Iowa, a bill for an act relating to bidding for purchases through a competitive bidding process by the state or political subdivisions.

Read first time and referred to committee on **labor**.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2218** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page
De Boef of Keokuk
Lukan of Dubuque

Baudler of Adair
Horbach of Tama
Moore of Jackson

SENATE FILE 2315 REREFERRED

The Speaker announced that Senate File 2315, previously referred to committee on **appropriations** was rereferred to committee on **human resources**.

EXPLANATION OF VOTE

On March 13, 2012, I inadvertently voted “nay” on amendment H-8200 to House File 2380, I meant to vote “aye”.

ABDUL-SAMAD of Polk

PETITION FILED

The following petition was received and placed on file:

By Shaw of Pocahontas received from Iowa citizens: “to bring House File 2113, relating to the carrying and possession of weapons and providing penalties; and House File 153, relating to the protection of life beginning at conception, to the House Floor for debate and passage.”

SUBCOMMITTEE ASSIGNMENTS

House File 2038

Labor: Klein, Chair; Hunter and Moore.

House File 2278

Labor: Schultz, Chair; Hunter and Moore.

House File 2281

Labor: Watts, Chair; Brandenburg and Hunter.

House File 2296

Labor: L. Miller, Chair; Deyoe and Hunter.

House File 2382

Ways and Means: Soderberg, Chair; Byrnes and Thomas.

House File 2414

Labor: Jorgensen, Chair; Forristall and Hunter.

House File 2419

Ways and Means: Moore, Chair; Byrnes and Willems.

Senate File 2123

Public Safety: Worthan, Chair; Abdul-Samad and S. Olson.

Senate File 2287

Labor: Horbach, Chair; Watts and Willems.

Senate File 2295

Judiciary: Anderson, Chair; Baltimore and R. Olson.

Senate File 2298

State Government: Jorgensen, Chair; Massie and Wenthe.

Senate File 2306 Reassigned

Judiciary: Gaines, Chair; Baltimore and Massie.

Senate File 2313
(Committee of the Whole)

Appropriations: Watts, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Wenthe, Winckler and Worthan.

Senate File 2315

Human Resources: Schulte, Chair; Heaton, Heddens, L. Miller and M. Smith.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8223** March 12, 2012.

RESOLUTIONS FILED

H.R. 127, by Kelley, Byrnes, Sweeney, Isenhardt, Muhlbauer, and Cownie, a resolution in support of extending the federal production tax credit for wind energy.

Laid over under **Rule 25**.

H.R. 128, by J. Taylor, Thomas, Wittneben, Kearns, Thede, Wolfe, Jacoby, Berry, H. Miller, Lykam, Cohoon, M. Smith, Heddens, Kressig, Gaskill, Kajtazovic, Hanson, Hall, T. Olson, Wenthe, Oldson, Petersen, Murphy, Hunter, R. Olson, Steckman, Hager, Paulsen, Fry, Baltimore, Pettengill, Winckler, Forristall, Klein, Paustian, Massie, Soderberg, Sands, Heaton, Drake, Garrett, Brandenburg, Rayhons, Baudler, Watts, Huseman, Lofgren, Alons, Chambers, De Boef, Tjepkes, Upmeyer,

Schulte, Koester, Schultz, Rogers, Hagenow, Pearson, Shaw, J. Smith, Cownie, Byrnes, Grassley, Lukan, S. Olson, Moore, Jorgensen, Sweeney, Dolecheck, Iverson, Windschitl, Worthan, Hanusa, Rasmussen, Van Engelenhoven, and Arnold, a resolution urging Congress and the President of the United States to protect Iowa's Air National Guard units from additional budget cuts.

Laid over under **Rule 25**.

H.R. 129, by Hager, a resolution to urge the United States Senate to enact the Farm Dust Regulation Prevention Act of 2011.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8223	S.F.	2313	Committee on Appropriations
H-8227	H.F.	2422	Fry of Clarke
H-8228	H.F.	2371	Hager of Allamakee
H-8231	S.F.	2314	Moore of Jackson
H-8233	H.F.	2214	Schulte of Linn
H-8234	H.F.	2214	Wenthe of Fayette
H-8235	H.F.	2214	Schulte of Linn
H-8236	H.F.	2214	Schulte of Linn
H-8238	S.F.	2314	Wagner of Linn
H-8239	H.F.	2214	T. Olson of Linn
H-8243	H.F.	2435	Petersen of Polk
H-8244	H.F.	2435	Petersen of Polk
H-8245	H.F.	2214	Hall of Woodbury
H-8246	H.F.	2214	Jorgensen of Woodbury
H-8247	H.F.	2214	Jorgensen of Woodbury
H-8251	H.F.	2214	Jorgensen of Woodbury
H-8252	H.F.	2214	Jorgensen of Woodbury
H-8253	H.F.	2214	Jorgensen of Woodbury
H-8254	H.F.	2214	Wagner of Linn
H-8255	H.F.	2214	Jorgensen of Woodbury
H-8256	H.F.	2214	Wagner of Linn
H-8257	H.F.	2214	L. Miller of Scott
H-8258	H.F.	2214	Brandenburg of Pottawattamie
H-8259	H.F.	2214	L. Miller of Scott

H-8260	H.F.	2435	Isenhart of Dubuque Kajtazovic of Black Hawk
H-8262	H.F.	2214	R. Olson of Polk

On motion by Upmeyer of Hancock the House adjourned at 11:18 a.m., until 11:25 a.m., Wednesday, March 14, 2012.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 14, 2012

The House met pursuant to adjournment at 11:31 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 2398, a bill for an act classifying certain substances as schedule I controlled substances, making penalties applicable, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2398)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler

Windschitl Mr. Speaker Paulsen	Wittneben	Wolfe	Worthan
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The nays were, none.

Absent or not voting, 7:

Kearns Swaim	Muhlbauer Taylor, J.	Olson, R. Watts	Quirk
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2422, a bill for an act relating to sex offender notification, providing penalties, and including effective date provisions, was taken up for consideration.

Fry of Clarke offered amendment H-8227 filed by him and moved its adoption.

Amendment H-8227 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2422)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen

Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2398** and **2422**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2236, a bill for an act relating to the procedures and duties of the Iowa ethics and campaign disclosure board relating to campaign finance and to county redistricting and making penalties applicable and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 12:01 p.m., until 5:30 p.m.

AFTERNOON SESSION

The House reconvened at 5:33 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2445, by committee on ways and means, a bill for an act providing a sales tax exemption for sales of textbooks for limited time periods annually and including effective date provisions.

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

SENATE MESSAGE CONSIDERED

Senate File 2236, by committee on state government, a bill for an act relating to the procedures and duties of the Iowa ethics and campaign disclosure board relating to campaign finance and to county redistricting and making penalties applicable and including effective date provisions.

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Taylor, J. of Woodbury

Watts of Dallas

HOUSE FILE 2178 REFERRED

The Speaker announced that House File 2178, previously placed on the **calendar** was referred to committee on **ways and means**.

EXPLANATION OF VOTE

On March 14, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2398 – “aye”

TAYLOR, J. of Woodbury

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 14, 2012, he approved and transmitted to the Secretary of State the following bills:

Senate File 2058, an Act relating to certain records of rural water districts, city utilities, and city enterprises.

Senate File 2092, an Act relating to informal dispute resolution, by eliminating a program for the establishment and support of locally organized informal dispute resolution centers in the Office of Prosecuting Attorneys Training Coordinator of the Department of Justice.

Senate File 2244, an Act requiring that a veteran be seriously injured or very seriously injured in order to be eligible to receive a grant under the Injured Veterans Grant Program.

Senate File 2282, an Act concerning the definition of “all-terrain vehicle” and “off-road utility vehicle” for purposes of provisions administered by the Department of Natural Resources.

Senate File 2292, an Act to legalize the proceedings of the City Council of Ankeny, Iowa, including all legal notices given, in connection with the making of a contract for the construction of certain improvements to the NE 7th Street Sanitary Sewer Improvement Project with Pirc-Tobin Construction, INC. of Alburnett, Iowa, in connection with, and to legalize said contract, and authorize its performance by said council and the financing including project notes issued thereof.

SUBCOMMITTEE ASSIGNMENT

Senate File 2302

Labor: Brandenburg, Chair; Hanusa and Hunter.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly House Study Bill 664), amending the permanent rules of the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

COMMITTEE ON PUBLIC SAFETY

Senate File 2123, a bill for an act making changes to the controlled substance schedules, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

COMMITTEE ON STATE GOVERNMENT

Senate File 2126, a bill for an act providing for the funding of the duties of the state's social security administrator.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2237, a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2248, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

AMENDMENTS FILED

H-8263	H.F.	2214	Isenhart of Dubuque
H-8264	S.F.	2313	Watts of Dallas
H-8265	H.F.	2410	Sweeney of Hardin
H-8266	H.F.	2214	Isenhart of Dubuque
H-8267	H.F.	2435	Isenhart of Dubuque
H-8268	S.F.	2216	Iverson of Wright
H-8269	S.F.	2311	Sweeney of Hardin

On motion by Upmeyer of Hancock the House adjourned at 5:34 p.m., until 8:30 a.m., Thursday, March 15, 2012.

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 15, 2012

The House met pursuant to adjournment at 8:35 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative Hagenow of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kaitlin Dagele, Page from Sheldon.

The Journals of Tuesday, March 13 and Wednesday, March 14, 2012, were approved.

SENATE MESSAGE CONSIDERED

Senate File 2275, by committee on state government, a bill for an act 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.

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

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 9:21 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILL

Regular Calendar

House File 2318, a bill for an act relating to the transmission and recording of certain death certificates, was taken up for consideration.

Lensing of Johnson offered amendment H-8025 filed by her and Jorgensen of Woodbury.

Amendment H-8025 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2318)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	Gaines	Helland	Raecker
Swaim			

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

HOUSE FILE 2067 WITHDRAWN

Jorgensen of Woodbury asked and received unanimous consent to withdraw House File 2067 from further consideration by the House.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2318** be immediately messaged to the Senate.

On motion by Upmeyer of Hancock, the House was recessed at 9:29 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:07 p.m., Speaker Paulsen in the chair.

HOUSE FILES PLACED ON THE
UNFINISHED BUSINESS CALENDAR

Upmeyer of Hancock asked and received unanimous consent that the following House Files be placed on the unfinished business calendar:

House File 2124	House File 2229
House File 2339	House File 2351
House File 2360	House File 2375
House File 2408	House File 2421

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas
Helland of Polk

Gaines of Polk
Raecker of Polk

HOUSE FILE 2214 REFERRED

The Speaker announced that House File 2214, previously placed on the **calendar** was referred to committee on **appropriations**.

HOUSE FILE 2381 REFERRED

The Speaker announced that House File 2381, previously placed on the **calendar** was referred to committee on **ways and means**.

SUBCOMMITTEE ASSIGNMENTS

House File 2444

Education: Lofgren, Chair; Gaines and Sweeney.

Senate File 2301

Agriculture: Paustian, Chair; Deyoe and Kelley.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 451, a bill for an act relating to the allowable uses for modified allowable growth for programs for returning dropouts and dropout prevention.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8278** March 15, 2012.

Senate File 2219, a bill for an act relating to the continuation of the Iowa early intervention block grant program and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8277** March 15, 2012.

Pursuant to Rule 31.7, Senate File 2219 was referred to the committee on appropriations.

Senate File 2220, a bill for an act relating to the licensing of schools of cosmetology arts and sciences and barber schools.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2012.

Senate File 2267, a bill for an act concerning oversight of schools offering postsecondary educational programs by the college student aid commission and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2012.

COMMITTEE ON HUMAN RESOURCES

Senate File 2159, a bill for an act relating to child support enforcement including protection of child support information.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2160, a bill for an act relating to allowing financial supplementation to a nursing facility for provision of a private room to a recipient of medical assistance.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2165, a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2185, a bill for an act relating to the supervision of physician assistants.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2186, a bill for an act relating to medical assistance eligibility for inmates of public institutions.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2225, a bill for an act relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, requiring review of training requirements, and providing a remedy.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2242, a bill for an act relating to children in out-of-home placements in accordance with a court order.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8276** March 14, 2012.

Senate File 2289, a bill for an act relating to the Iowa disaster aid individual assistance grant program administered by the department of human services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8275** March 14, 2012.

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Without Recommendation** March 14, 2012.

Pursuant to Rule 31.7, Senate File 2315 was referred to the committee on appropriations.

COMMITTEE ON JUDICIARY

Senate File 493, a bill for an act relating to the operations of certain common interest communities.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8273** March 14, 2012.

Senate File 2208, a bill for an act relating to the confidentiality of an arrest warrant.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8272** March 14, 2012.

Senate File 2295, a bill for an act modifying the periods of time to bring civil and criminal actions relating to the sexual abuse of minors.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8271** March 14, 2012.

Senate File 2296, a bill for an act relating to the criminal offense of solicitation to commit murder and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

Senate File 2306, a bill for an act relating to right to cure notices under the consumer credit code.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

COMMITTEE ON LABOR

Senate File 2280, a bill for an act relating to boiler inspections.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 2240, a bill for an act relating to the powers and duties of county treasurers related to real property by modifying provisions for the payment of taxes and assessments in installments, modifying provisions providing for the apportionment of installment payments on delinquent taxes, and modifying certain tax payment provisions following a tax sale.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

COMMITTEE ON STATE GOVERNMENT

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including fee and effective date provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-8270** March 14, 2012.

Pursuant to Rule 31.7, Senate File 430 was referred to the committee on appropriations.

COMMITTEE ON TRANSPORTATION

Senate File 2288, a bill for an act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2012.

COMMITTEE ON VETERANS AFFAIRS

Senate File 2097, a bill for an act relating to the department of public defense by making changes regarding the Iowa military code and military service, including terminology modifications and leases entered into by the department of public defense and the armory board, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2012.

Senate File 2245, a bill for an act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa veterans home.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2012.

AMENDMENTS FILED

H-8270	S.F.	430	Committee on State Government
H-8271	S.F.	2295	Committee on Judiciary
H-8272	S.F.	2208	Committee on Judiciary
H-8273	S.F.	493	Committee on Judiciary
H-8274	H.F.	2351	Hagenow of Polk
H-8275	S.F.	2289	Committee on Human Resources
H-8276	S.F.	2242	Committee on Human Resources
H-8277	S.F.	2219	Committee on Education
H-8278	S.F.	451	Committee on Education
H-8279	H.F.	2435	Heddens of Story

On motion by Upmeyer of Hancock the House adjourned at 4:09 p.m., until 8:15 a.m., Friday, March 16, 2012.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 16, 2012

The House met pursuant to adjournment at 8:20 a.m., Koester of Polk in the chair.

Prayer was offered by Representative Koester of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Koester of Polk.

The Journal of Thursday, March 15, 2012, was approved.

On motion by Lukan of Dubuque the House adjourned at 8:22 a.m., until 1:00 p.m., Monday, March 19, 2012.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 19, 2012

The House met pursuant to adjournment at 1:00 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Tom Hein from New Hope Church, Adel. He was the guest of Representative Hein of Jones County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mikayla Prendegast from Prairie City. She is the great niece of Representative De Boef of Keokuk.

The Journal of Friday, March 16, 2012, was approved.

On motion by Upmeyer of Hancock, the House was recessed at 1:11 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:09 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 19, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2318, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2321, 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 effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 2318, by committee on ways and means, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

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

Senate File 2321, by committee on appropriations, 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 effective date provisions.

Read first time and referred to committee on **appropriations**.

HOUSE FILES REREFERRED TO COMMITTEES

The Speaker announced the following House Files previously placed on the calendar were rereferred to the following committees:

House File 183	Public Safety
House File 398	Public Safety
House File 481	Agriculture
House File 594	Commerce
House File 604	Judiciary
House File 2043	Economic Growth/Rebuild Iowa
House File 2147	Public Safety
House File 2148	Human Resources
House File 2221	Local Government
House File 2238	Judiciary
House File 2261	State Government
House File 2265	Veterans Affairs
House File 2266	Ethics
House File 2307	Commerce
House File 2308	Judiciary
House File 2316	Judiciary
House File 2317	State Government
House File 2327	Judiciary
House File 2330	Transportation
House File 2331	Judiciary
House File 2341	Commerce
House File 2342	Commerce
House File 2348	Environmental Protection
House File 2350	Public Safety
House File 2361	Public Safety
House File 2371	Veterans Affairs

House File 2378	Judiciary
House File 2384	Education
House File 2386	Education
House File 2391	Judiciary
House File 2401	State Government
House File 2406	Commerce
House File 2410	Natural Resources
House File 2411	Judiciary
House File 2423	Judiciary
House File 2424	Judiciary
House File 2425	Judiciary
House File 2426	Judiciary
House File 2430	Judiciary
House File 2432	Human Resources

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 16, 2012, he approved and transmitted to the Secretary of State the following bill:

Senate File 2218, an Act relating to school bus safety, including providing penalties for failure to obey school bus warning lamps and stop signal arms, providing for a school bus safety study and administrative remedies, and making an appropriation.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly House Study Bill 664), amending the permanent rules of the House of Representatives

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2012.

RESOLUTION FILED

H.R. 130, by committee on administration and rules, a resolution amending the permanent rules of the House of Representatives.

Placed on the **calendar**.

AMENDMENTS FILED

H-8280	S.F.	2123	Worthan of Buena Vista
H-8281	S.F.	2311	Isenhart of Dubuque
H-8282	H.F.	2339	Pettengill of Benton
H-8283	S.F.	2313	Thomas of Clayton
H-8284	S.F.	2123	Fry of Clarke
H-8285	H.F.	2421	Schulte of Linn
H-8286	S.F.	2313	Kelley of Jasper
H-8287	S.F.	479	Horbach of Tama
H-8288	S.F.	2312	Anderson of Page
H-8289	S.F.	2314	Wagner of Linn
H-8290	S.F.	2164	Lofgren of Muscatine
			Petersen of Polk
H-8291	H.F.	2435	Petersen of Polk
H-8292	S.F.	2121	Petersen of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:09 p.m., until 8:30 a.m., Tuesday, March 20, 2012.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 20, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Isaiah Brown from Our Savior's Baptist Church, Des Moines. He was the guest of Representative Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rebecca Greenway, Page from Van Meter.

The Journal of Monday, March 19, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 19, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 524, a bill for an act relating to the administration of the special appraiser's fund and the assessment expense fund.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2101, a bill for an act relating to preparation and recording of public land survey corner certificates.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2145, a bill for an act establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

Also: That the Senate has on March 19, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2226, a bill for an act relating to child abuse reports and disposition data.

Also: That the Senate has on March 19, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2245, a bill for an act relating to requirements for the enactment of the state percent of growth and the categorical state percent of growth and including effective date provisions.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2285, a bill for an act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing Act and including effective date provisions.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2320, a bill for an act relating to the designation of area agencies on aging, and including effective date provisions.

Also: That the Senate has on March 19, 2012, amended the House amendment, concurred in the House amendment, as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 365, a bill for an act relating to the placement of a juvenile on youthful offender status in district court.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 19, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2317, a bill for an act relating to the issuance of hunting, fur harvester, and fishing licenses, providing for fees, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE FILES REREFERRED TO COMMITTEES

The Speaker announced the following Senate Files previously placed on the calendar were rereferred to the following committees:

Senate File 364 Ways and Means
Senate File 2174 State Government
Senate File 2209 Judiciary

The House stood at ease at 8:38 a.m., until the fall of the gavel.

The House resumed session at 10:44 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 479, a bill for an act providing for the possession of cats classified as bengals and savannahs, with report of committee recommending amendment and passage, was taken up for consideration.

J. Smith of Dickinson offered amendment H-8122 filed by the committee on natural resources and moved its adoption.

The committee amendment H-8122 was adopted.

Horbach of Tama asked and received unanimous consent to withdraw amendment H-8126 filed by him on March 6, 2012.

Horbach of Tama offered amendment H-8287 filed by him.

Muhlbauer of Crawford rose on a point of order that amendment H-8287 was not germane.

The Speaker ruled the point well taken and amendment H-8287 not germane.

Horbach of Tama moved to suspend the rules to consider amendment H-8287.

A non-record roll call was requested.

The ayes were 53, nays 23.

The motion prevailed and the rules were suspended.

Muhlbauer of Crawford offered amendment H-8306, to amendment H-8287, filed by him from the floor and moved its adoption.

Amendment H-8306, to amendment H-8287, was adopted.

Horbach of Tama moved the adoption of amendment H-8287, as amended.

Amendment H-8287, as amended, was adopted.

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

Rule 75 was invoked.

On the question "Shall the bill pass?" (S.F. 479)

The ayes were, 55:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Raecker
Rasmussen	Rayhons	Rogers	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Jorgensen
Kajtazovic	Kearns	Kelley	Lensing
Lykam	Mascher	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.

Petersen	Pettengill	Quirk	Running-Marquardt
Sands	Steckman	Swaim	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 6:

Arnold	Deyoe	Kressig	McCarthy
Sweeney	Taylor, T.		

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

Wenthe of Fayette in the chair at 11:16 a.m.

Unfinished Business Calendar

House File 2124, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms, was taken up for consideration.

SENATE FILE 2122 SUBSTITUTED FOR HOUSE FILE 2124

Jorgensen of Woodbury asked and received unanimous consent to substitute Senate File 2122 for House File 2124.

Senate File 2122, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2122)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill

Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Wenthe, Presiding	

The nays were, none.

Absent or not voting, 5:

Arnold	Kressig	McCarthy	Sweeney
Taylor, T.			

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

HOUSE FILE 2124 WITHDRAWN

Jorgensen of Woodbury asked and received unanimous consent to withdraw House File 2124 from further consideration by the House.

Speaker Paulsen in the chair at 11:22 a.m.

Regular Calendar

Senate File 2153, a bill for an act increasing the size of the commercial and industrial highway network, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2153)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	Kressig	McCarthy	Sweeney
Taylor, T.			

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

Senate File 2163, a bill for an act relating to an exception from state certification for adult day services programs, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2163)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	Kressig	McCarthy	Sweeney
Taylor, T.			

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

Senate File 2164, a bill for an act relating to department of human services' evaluations of criminal or abuse records of employees of health care facilities, with report of committee recommending passage, was taken up for consideration.

Lofgren of Muscatine offered amendment H-8290 filed by him and Petersen of Polk and moved its adoption.

Amendment H-8290 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2164)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	Kressig	McCarthy	Sweeney
Taylor, T.			

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

Senate File 2172, a bill for an act relating to management of swine, including by providing for biosecurity and development in a

farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2172)

The ayes were, 91:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Iverson	Jacoby	Jorgensen
Kajtažovic	Kearns	Kelley	Klein
Koester	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Swaim	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 3:

Isenhardt	Steckman	Wessel-Kroeschell
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Absent or not voting, 6:

Arnold	Kaufmann	Kressig	McCarthy
Sweeney	Taylor, T.		

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

De Boef of Keokuk in the chair at 11:41 a.m.

Senate File 2188, a bill for an act relating to the renewal period for foster care licensing, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2188)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	De Boef, Presiding	

The nays were, none.

Absent or not voting, 5:

Arnold	Kressig	McCarthy	Sweeney
Taylor, T.			

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

Speaker Paulsen in the chair at 11:46 a.m.

Senate File 2221, a bill for an act requiring background checks for school bus drivers and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8133 filed by the committee on education and moved its adoption.

The committee amendment H-8133 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2221)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold
Sweeney

Horbach

Kressig

McCarthy

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

Unfinished Business Calendar

House File 2351, a bill for an act providing for notarial acts and including effective date provisions, was taken up for consideration.

Hagenow of Polk asked and received unanimous consent to withdraw amendment H-8035 filed by him on February 27, 2012.

Hagenow of Polk asked and received unanimous consent to withdraw amendment H-8064 filed by him on February 28, 2012.

Hagenow of Polk offered amendment H-8274 filed by him and moved its adoption.

Amendment H-8274 was adopted.

SENATE FILE 2265 SUBSTITUTED FOR HOUSE FILE 2351

Hagenow of Polk asked and received unanimous consent to substitute Senate File 2265 for House File 2351.

Senate File 2265, a bill for an act providing for notarial acts, providing for fees, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2265)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

HOUSE FILE 2351 WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2351 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 479, 2122, 2153, 2163, 2164, 2172, 2188, 2221 and 2265.**

On motion by Upmeyer of Hancock, the House was recessed at 11:57 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:25 p.m., Speaker Paulsen in the chair.

SENATE MESSAGES CONSIDERED

Senate File 2316, by committee on appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **appropriations**.

Senate File 2317, by committee on ways and means, a bill for an act relating to the issuance of hunting, fur harvester, and fishing licenses, providing for fees, and including effective date provisions.

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

CONSIDERATION OF BILLS Appropriations Calendar

Senate File 2313, a bill for an act relating to 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.

Watts of Dallas offered amendment H-8223 filed by the committee on appropriations.

Hunter of Polk offered amendment H-8296, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Roll call was requested by Hunter of Polk and Mascher of Johnson.

On the question "Shall amendment H-8296, to the committee amendment H-8223, be adopted?" (S.F. 2313)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 4:

Arnold	Kressig	McCarthy	Sweeney
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Amendment H-8296, to the committee amendment H-8223, lost.

Hunter of Polk offered amendment H-8297, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8297, to the committee amendment H-8223, be adopted?" (S.F. 2313)

The ayes were, 41:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Pearson
Petersen	Pettengill	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Vander Linden	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 55:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 4:

Arnold	Kressig	McCarthy	Sweeney
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Amendment H-8297, to the committee amendment H-8223, lost.

Hunter of Polk offered amendment H-8298, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Roll call was requested by Hunter of Polk and Mascher of Johnson.

On the question "Shall amendment H-8298, to the committee amendment H-8223, be adopted?" (S.F. 2313)

The ayes were, 38:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 4:

Arnold	Kressig	McCarthy	Sweeney
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Amendment H-8298, to the committee amendment H-8223, lost.

Kaufmann of Cedar in the chair at 2:59 p.m.

Hunter of Polk offered amendment H-8299, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Amendment H-8299, to the committee amendment H-8223, lost.

Hunter of Polk offered amendment H-8300, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Raecker of Polk rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

Roll call was requested by Hunter of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8300, to the committee amendment H-8223, be adopted?" (S.F. 2313)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 4:

Hager	Kressig	McCarthy	Sweeney
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Amendment H-8300, to the committee amendment H-8223, lost.

Kelley of Jasper asked and received unanimous consent to withdraw amendment H-8286, to the committee amendment H-8223, filed by him on March 19, 2012.

Kelley of Jasper offered amendment H-8302, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Roll call was requested by Kelley of Jasper and Mascher of Johnson.

On the question "Shall amendment H-8302, to the committee amendment H-8223, be adopted?" (S.F. 2313)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 3:

Kressig	McCarthy	Sweeney
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Amendment H-8302, to the committee amendment H-8223, lost.

Watts of Dallas offered amendment H-8264, to the committee amendment H-8223, filed by him and moved its adoption.

Amendment H-8264, to the committee amendment H-8223, was adopted.

Thomas of Clayton asked and received unanimous consent that amendment H-8283, to the committee amendment H-8223, be deferred.

Thomas of Clayton offered amendment H-8307, to the committee amendment H-8223, filed by him from the floor and moved its adoption.

Raecker of Polk rose on a point of order that amendment H-8307 was not germane, to the committee amendment H-8223.

The Speaker ruled the point well taken and amendment H-8307 not germane, to the committee amendment H-8223.

Thomas of Clayton asked for unanimous consent to suspend the rules to consider amendment H-8307, to the committee amendment H-8223.

Objection was raised.

Thomas of Clayton moved to suspend the rules to consider amendment H-8307, to the committee amendment H-8223.

Roll call was requested by Thomas of Clayton and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8307, to the committee amendment H-8223?" (S.F. 2313)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Huseman	Iverson
Jorgensen	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Kaufmann, Presiding			

Absent or not voting, 5:

Dolecheck	Horbach	Kressig	McCarthy
Sweeney			

The motion to suspend the rules lost, placing out of order amendment H–8283, to the committee amendment H–8223, filed by Thomas of Clayton on March 19, 2012, previously deferred.

Hunter of Polk offered amendment H–8301, to the committee amendment H–8223, filed by him from the floor and moved its adoption.

Amendment H–8301, to the committee amendment H–8223, lost.

Watts of Dallas moved the committee amendment H–8223, as amended.

The committee amendment H–8223, as amended, was adopted.

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

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

The ayes were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Swaim	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

The nays were, 37:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Lensing	Lykam
Mascher	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Smith, M.	Steckman
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 4:

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

Senate File 2314, 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 passage, was taken up for consideration.

Wagner of Linn asked and received unanimous consent to withdraw amendment H-8238 filed by him on March 13, 2012.

Moore of Jackson offered amendment H-8231 filed by him and moved its adoption.

Amendment H-8231 was adopted.

Wagner of Linn offered amendment H-8289 filed by him.

Wagner of Linn offered amendment H-8305, to amendment H-8289, filed by him from the floor and moved its adoption.

Amendment H-8305, to amendment H-8289, was adopted.

Wagner of Linn moved the adoption of amendment H-8289, as amended.

Amendment H-8289, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 2314)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jorgensen
Kajtažovic	Kearns	Kelley	Klein
Koester	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner

Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Kaufmann, Presiding		

The nays were, 2:

Jacoby	Pearson
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Absent or not voting, 4:

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

Speaker Paulsen in the chair at 5:05 p.m.

Unfinished Business Calendar

House File 2360, a bill for an act relating to the authorized activities of a real estate broker or real estate salesperson and the authorized activities of auctioneers in relation thereto, was taken up for consideration.

Baltimore of Boone offered amendment H-8192 filed by him and moved its adoption.

Amendment H-8192 was adopted.

SENATE FILE 2294 SUBSTITUTED FOR HOUSE FILE 2360

Baltimore of Boone asked and received unanimous consent to substitute Senate File 2294 for House File 2360.

Senate File 2294, a bill for an act relating to the authorized activities of auctioneers in conducting a public sale or auction of real estate, and providing penalty provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2294)

The ayes were, 90:

Abdul-Samad	Alons	Anderson	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Dolecheck
Drake	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 6:

Arnold	Baudler	De Boef	Klein
Van Engelenhoven	Vander Linden		

Absent or not voting, 4:

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

HOUSE FILE 2360 WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw House File 2360 from further consideration by the House.

Regular Calendar

Senate File 2269, a bill for an act relating to the land application of wastewater from on-farm processing operations, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2269)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

Unfinished Business Calendar

House File 2421, a bill for an act relating to persons with mental health illnesses and substance-related disorders, was taken up for consideration.

Schulte of Linn offered amendment H-8285 filed by her.

Amendment H-8285 was adopted, placing out of order amendment H-8108 filed by Anderson of Page and M. Smith of Marshall on March 5, 2012.

SENATE FILE 2312 SUBSTITUTED FOR HOUSE FILE 2421

Schulte of Linn asked and received unanimous consent to substitute Senate File 2312 for House File 2421.

Senate File 2312, a bill for an act relating to persons with mental health illnesses and substance-related disorders, was taken up for consideration.

Anderson of Page offered amendment H-8288 filed by him and moved its adoption.

Amendment H-8288 was adopted.

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

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

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall

Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 1:

Swaim

Absent or not voting, 4:

Forristall Kressig McCarthy Sweeney

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

HOUSE FILE 2421 WITHDRAWN

Schulte of Linn asked and received unanimous consent to withdraw House File 2421 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that **Senate Files 2269, 2294, 2312, 2313 and 2314** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page	Arnold of Lucas
Deyoe of Story	Dolecheck of Ringgold
Forristall of Pottawattamie	Hager of Allamakee
Horbach of Tama	Kaufmann of Cedar
Kressig of Black Hawk	McCarthy of Polk
Sweeney of Hardin	Taylor, T. of Linn

SUBCOMMITTEE ASSIGNMENTS

House File 2214

Appropriations: Rogers, Chair; T. Olson and Watts.

Senate File 430

Appropriations: Rogers, Chair; Gaskill and Hagenow.

Senate File 2219

Appropriations: Dolecheck, Chair; Chambers and Winckler.

Senate File 2315

Appropriations: Schulte, Chair; Heaton and Heddens.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 635), relating to the construction and installation of geothermal heat pumps, providing income tax credits for such construction and installation, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 2012.

Committee Bill (Formerly House File 2164), providing a sales tax exemption for the sale of certain items to a substance abuse treatment provider.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 2012.

Committee Bill (Formerly House File 2434), relating to government operations and efficiency, school elections, eliminating certain tax credits, and including effective date and applicability provisions

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 19, 2012.

AMENDMENTS FILED

H-8293	H.F.	2226	Senate Amendment
H-8294	H.F.	524	Senate Amendment
H-8295	H.F.	2245	Senate Amendment
H-8303	S.F.	365	Senate Amendment
H-8304	S.F.	430	Lensing of Johnson
H-8308	S.F.	2038	Kearns of Lee
H-8309	S.F.	2242	Heaton of Henry
H-8310	S.F.	2038	Alons of Sioux
H-8311	S.F.	2296	Anderson of Page
H-8312	S.F.	2293	Petersen of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:25 p.m., until 8:30 a.m., Wednesday, March 21, 2012.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 21, 2012

The House met pursuant to adjournment at 8:31 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by retired Lutheran Pastor Reverend Jerry Crow, from Sioux City. He was the guest of Representative Hall of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joel, Trevor and Morgan Jackson from Des Moines. They are the guests of Representative M. Smith of Marshall.

The Journal of Tuesday, March 20, 2012, was approved.

INTRODUCTION OF BILLS

House File 2446, by Isenhart, a bill for an act relating to the research activities credit for the individual and corporate income tax by making the credit subject to award by the department of revenue, limiting the amount that may be awarded, and including applicability provisions.

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

House File 2447, by committee on ways and means, a bill for an act providing specified tax credits for the construction and installation of geothermal heat pumps, and including effective date and retroactive and other applicability provisions.

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

House File 2448, by committee on ways and means, a bill for an act providing a sales tax exemption for the sale of tangible personal property or services to substance abuse treatment or prevention

programs that receive block grant funding from the Iowa department of public health.

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

SPECIAL PRESENTATION

Van Engelenhoven of Marion presented to the House, the Queen of the 2012 Pella Tulip Festival and her court.

The House rose and expressed its welcome.

The House stood at ease at 8:52 a.m., until the fall of the gavel.

The House resumed session at 1:07 p.m., Hagenow of Polk in the chair.

QUORUM CALL

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

SPECIAL PRESENTATIONS

Jacoby of Johnson introduced to the House former state representative John Patchett.

The House rose and expressed its welcome.

Kajtazovic of Black Hawk introduced to the House former state representative Bill Witt.

The House rose and expressed its welcome.

Speaker Paulsen in the chair at 1:26 p.m.

CONSIDERATION OF BILLS
Regular Calendar

Senate File 2096, a bill for an act relating to reimbursements for certain state prisoners confined in a county jail, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2096)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

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

Senate File 2159, a bill for an act relating to child support enforcement including protection of child support information, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2159)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Iverson	Koester	McCarthy	Swaim
Taylor, T.			

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

Senate File 2160, a bill for an act relating to allowing financial supplementation to a nursing facility for provision of a private room to a recipient of medical assistance, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2160)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, 3:

Massie	Pearson	Shaw
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Absent or not voting, 4:

Iverson Koester McCarthy Swaim

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

Senate File 2186, a bill for an act relating to medical assistance eligibility for inmates of public institutions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2186)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Gaskill	Iverson	Koester	McCarthy
Swaim	Worthan		

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

Senate File 2225, a bill for an act relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, requiring review of training requirements, and providing a remedy, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2225)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Iverson Koester McCarthy Swaim

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

Senate File 2248, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2248)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 1:

Pearson

Absent or not voting, 5:

Horbach	Iverson	Koester	McCarthy
Swaim			

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

Senate File 2280, a bill for an act relating to boiler inspections, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2280)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

Iverson Koester McCarthy Swaim

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

Senate File 2288, an act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2288)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Iverson Koester McCarthy Swaim

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

Senate File 2296, a bill for an act relating to the criminal offense of solicitation to commit murder and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Anderson of Page asked and received unanimous consent to withdraw amendment H-8311 filed by him on March 20, 2012.

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

On the question "Shall the bill pass?" (S.F. 2296)

The ayes were, 84:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Huseman	Isenhardt	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Kressig	Lensing	Lofgren
Lukan	Lykam	Massie	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Willems
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 12:

Abdul-Samad	Berry	Cohoon	Gaines
Hunter	Mascher	Olson, R.	Steckman
Taylor, T.	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 4:

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

Senate File 2185, a bill for an act relating to the supervision of physician assistants, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2185)

The ayes were, 88:

Abdul-Samad	Alons	Arnold	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, H.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 5:

De Boef
Willems

Miller, L.

Pearson

Quirk

Absent or not voting, 7:

Anderson
McCarthy

Baudler
Swaim

Gaines
Taylor, T.

Iverson

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2096, 2159, 2160, 2185, 2186, 2225, 2248, 2280, 2288 and 2296.**

The House stood at ease at 2:13 p.m., until the fall of the gavel.

The House resumed session at 3:14 p.m., Speaker Paulsen in the chair.

The House stood at ease at 3:15 p.m., until the fall of the gavel.

The House resumed session at 3:42 p.m., Speaker Paulsen in the chair.

SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Upmeyer asked and received unanimous consent that the following Senate Files be placed on the Unfinished Business Calendar:

Senate File 413
Senate File 2038
Senate File 2123
Senate File 2158
Senate File 2208
Senate File 2231
Senate File 2267
Senate File 2295

Senate File 451
Senate File 2097
Senate File 2126
Senate File 2165
Senate File 2220
Senate File 2237
Senate File 2289
Senate File 2311

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2301, a bill for an act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2338, a bill for an act relating to appropriations to the judicial branch.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2368, a bill for an act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2369, a bill for an act relating to the issuance of a burial transit permit.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page
Gaines of Polk
Iverson of Wright
McCarthy of Polk

Baudler of Adair
Horbach of Tama
Koester of Polk
Worthan of Buena Vista

EXPLANATION OF VOTE

On March 21, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2096 – “aye”
Senate File 2159 – “aye”
Senate File 2160 – “aye”

Senate File 2186 – “aye”
Senate File 2225 – “aye”
Senate File 2248 – “aye”
Senate File 2280 – “aye”
Senate File 2288 – “aye”
Senate File 2296 – “aye”

KOESTER of Polk

SUBCOMMITTEE ASSIGNMENTS

House File 2347

Ways and Means: Helland, Chair; Sands and Thomas.

House File 2381

Ways and Means: Moore, Chair; Muhlbauer and Paustian.

House File 2416

Ways and Means: Helland, Chair; Kearns and Sands.

House File 2417

Ways and Means: Paustian, Chair; Isenhardt and Pettengill.

House File 2420

Ways and Means: De Boef, Chair; Hein and Petersen.

House File 2436

Ways and Means: Helland, Chair; Sands and Willems.

House File 2438

Ways and Means: Helland, Chair; Kearns and Sands.

House File 2443

Ways and Means: Helland, Chair; Jacoby and Sands.

Senate File 2161

Ways and Means: Helland, Chair; Jacoby and Sands.

Senate File 2217

Ways and Means: Kaufmann, Chair; Cownie, Thomas, Vander Linden and Willems.

Senate File 2308

Ways and Means: Byrnes, Chair; Grassley and Thomas.

Senate File 2318

Ways and Means: Helland, Chair; Paustian and Petersen.

**Senate File 2321
(Committee of the Whole)**

Appropriations: Dolecheck, Chair; Chambers, Cohoon, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 666 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.

H.S.B. 667 Ways and Means

Providing for sales and use taxes collected on farm machinery and equipment.

H.S.B. 668 Ways and Means

Providing for the allocation of moneys from the primary road fund and the disposition of federal aid road funds.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including fee and effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2012.

Pursuant to Rule 31.7, Senate File 430 was referred to the committee on ways and means.

COMMITTEE ON WAYS AND MEANS

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including fee and effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8316** March 21, 2012.

RESOLUTION FILED

H.R. 131, by M. Smith, a resolution amending the House Code of Ethics relating to the basis of an ethics complaint.

Referred to committee on **ethics**.

AMENDMENTS FILED

H-8313	H.F.	2442	Rayhons of Hancock
H-8314	H.F.	2440	Helland of Polk
H-8315	S.F.	2293	Baltimore of Boone
H-8316	S.F.	430	Committee on Ways and Means
H-8317	H.F.	2442	Rayhons of Hancock
H-8318	H.F.	2338	Senate Amendment
H-8319	H.F.	2442	Rayhons of Hancock
H-8320	S.F.	2317	Rayhons of Hancock Lykam of Scott

On motion by Upmeyer of Hancock the House adjourned at 3:43 p.m., until 8:30 a.m., Thursday, March 22, 2012.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 22, 2012

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Colin and Carter Upmeyer, grandsons of Representative Upmeyer of Hancock.

The Journal of Wednesday, March 21, 2012, was approved.

INTRODUCTION OF BILL

House File 2449, by committee on ways and means, a bill for an act relating to government operations and efficiency, school elections, eliminating certain tax credits, and including effective date and applicability provisions.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2092, a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2144, a bill for an act relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2168, a bill for an act relating to the authorized deposit of public funds.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2228, a bill for an act relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2264, a bill for an act relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2305, a bill for an act relating to the powers and duties of the department on aging.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2306, a bill for an act relating to the membership of the medical assistance advisory council.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2321, a bill for an act amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates.

Also: That the Senate has on March 21, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2370, a bill for an act relating to civil actions relating to real estate, including mortgage foreclosure actions.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2379, a bill for an act relating to expunging certain criminal records, and including applicability provisions.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2383, a bill for an act relating to mandatory reporting of school employee misconduct to the board of educational examiners.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2387, a bill for an act relating to improvements to and implementation of laws concerning elder abuse.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2402, a bill for an act permitting the temporary allocation and use of moneys in the veterans trust fund for cemetery grant development purposes.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2403, a bill for an act relating to requirements for a commercial driver's license for certain persons transitioning from military service.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2404, a bill for an act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

Also: That the Senate has on March 21, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2319, a bill for an act relating to the property tax assessments of certain rental property for low-income and moderate income residents.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 8:36 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:16 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILLS

House File 2450, by committee on appropriations, a bill for an act prohibiting the use of automated traffic law enforcement systems, and including effective date provisions.

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

House File 2451, by Isenhardt, Hanson, Kressig, and H. Miller, a bill for an act appropriating moneys to support a local food and farm initiative.

Read first time and referred to committee on **appropriations**.

House File 2452, by Isenhardt, a bill for an act establishing a property tax exemption for property meeting specified energy efficiency and environmental quality standards and meeting certain utility grid standards.

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

SENATE MESSAGE CONSIDERED

Senate File 2319, by committee on ways and means, a bill for an act relating to the property tax assessments of certain rental property for low-income and moderate income residents.

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

SENATE FILE PLACED ON THE
UNFINISHED BUSINESS CALENDAR

Upmeyer of Hancock asked and received unanimous consent to place Senate File 430 on the Unfinished Business Calendar.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22, 2012, he approved and transmitted to the Secretary of State the following bills:

Senate File 2146, an Act relating to meeting requirements for rural water districts.

Senate File 2202, an Act relating to matters under the purview of the Banking Division of the Department of Commerce, and including effective date provisions.

Senate File 2212, an Act relating to economic development by making technical and policy changes related to environmental response projects and to certain programs administered by the Economic Development Authority and including retroactive applicability provisions.

Senate File 2247, an Act relating to terminology changes in Iowa code references to mental retardation.

Senate File 2279, an Act relating to credit unions, including methods of voting by credit union members and the Board of Directors, electronic communications to certain credit union members, the composition of the Board of Directors, assessment of fees for examination and supervision, limited negotiated disclosures of certain confidential information, treatment of ownership shares, superintendent management authority, individual development accounts held at credit unions and other financial institutions, and making penalties applicable.

Senate File 2285, an Act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENT

Senate File 2316 (Committee of the Whole)

Appropriations: Huseman, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 666

Ways and Means: Kaufmann, Chair; Quirk and Soderberg.

House Study Bill 667

Ways and Means: Hein, Chair; De Boef and Quirk.

House Study Bill 668

Ways and Means: Vander Linden, Chair; De Boef and Oldson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 669 Ways and Means**

Relating to retailers maintaining a place of business in this state for purposes of the collection of sales and use taxes, agreements relating to the collection of sales and use taxes in the state, and sales of tangible personal property and services to the state.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 2219, a bill for an act relating to the continuation of the Iowa early intervention block grant program and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8329** March 22, 2012.

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8330** March 22, 2012.

Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8328** March 22, 2012.

Senate File 2321, 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 effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8327** March 21, 2012.

Committee Bill (Formerly House File 2214), prohibiting the use of automated traffic law enforcement systems, and including effective date provisions.

Fiscal Note not required.

Recommended **Do Pass** March 21, 2012.

COMMITTEE ON WAYS AND MEANS

Senate File 364, a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2012.

Committee Bill (Formerly House File 2382), relating to the amount allowable as an innovation fund investment tax credit and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2012.

Committee Bill (Formerly House File 2419), relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2012.

AMENDMENTS FILED

H-8321	H.F.	2369	Senate Amendment
H-8322	H.F.	2336	Senate Amendment
H-8323	H.F.	2335	Senate Amendment

H-8324	H.F.	2305	Senate Amendment
H-8325	H.F.	2228	Senate Amendment
H-8326	H.F.	2168	Senate Amendment
H-8327	S.F.	2321	Committee on Appropriations
H-8328	S.F.	2316	Committee on Appropriations
H-8329	S.F.	2219	Committee on Appropriations
H-8330	S.F.	2315	Committee on Appropriations
H-8331	S.F.	2237	Lukan of Dubuque

On motion by Upmeyer of Hancock the House adjourned at 2:18 p.m., until 10:00 a.m., Friday, March 23, 2012.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 23, 2012

The House met pursuant to adjournment at 10:05 a.m., Sands of Louisa in the chair.

Prayer was offered by Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Sands of Louisa.

The Journal of Thursday, March 22, 2012, was approved.

INTRODUCTION OF BILL

House File 2453, by committee on ways and means, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

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

SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Heaton of Henry asked and received unanimous consent to place the following Senate Files on the Unfinished Business Calendar.

Senate File 364
Senate File 2216
Senate File 2315

Senate File 493
Senate File 2245

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the

House and the President of the Senate, and presented to the Governor for his approval on this 23rd day of March, 2012: House File 2368.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

AMENDMENT FILED

H-8332 S.F. 2289 Isenhart of Dubuque

On motion by Heaton of Henry the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, March 26, 2012.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 26, 2012

The House met pursuant to adjournment at 1:05 p.m., Kaufmann of Cedar in the chair.

Prayer was offered by Reverend Dr. Eric C. Kutzli, Mamrelund Lutheran Church, Stanton. He was the guest of Representative Dolecheck of Ringgold County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Darek Muhlbauer, Page from Audubon.

The Journal of Friday, March 23, 2012, was approved.

INTRODUCTION OF BILL

House File 2454, by committee on ways and means, a bill for an act 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.

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

The House stood at ease at 1:09 p.m., until the fall of the gavel.

The House resumed session at 1:28 p.m., Kaufmann of Cedar in the chair.

ADOPTION OF HOUSE RESOLUTION 132

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of **House Resolution 132**, a resolution recognizing the Hoover Uncommon Public Service Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

Representative Chambers addressed the House after being recognized as the recipient of the Hoover Uncommon Public Service Award.

The House rose and expressed its appreciation.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 26th day of March, 2012: House Files 2101, 2145, 2285, 2301, 2320 and 2402.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 26, 2012, he approved and transmitted to the Secretary of State the following bill:

House File 2368, an Act providing for the issuance of a certificate of birth resulting in stillbirth, providing for a fee, and including effective date provisions.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 668 Reassigned

Ways and Means: Vander Linden, Chair; De Boef and Kearns.

House Study Bill 669

Ways and Means: Helland, Chair; Pettengill and Willems.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 670 Appropriations

Making appropriations to the department of workforce development and including effective date and retroactive applicability provisions.

AMENDMENTS FILED

H-8333	H.F.	2450	T. Olson of Linn
H-8334	H.F.	2450	T. Olson of Linn
H-8335	H.F.	2449	Lensing of Johnson
H-8336	H.F.	2449	Lensing of Johnson
H-8337	H.F.	2449	Hall of Woodbury Gaskill of Wapello
H-8338	H.F.	2449	Lensing of Johnson
H-8339	S.F.	451	Dolecheck of Ringgold
H-8340	H.F.	2449	Thomas of Clayton
H-8341	H.F.	2449	Thomas of Clayton
H-8342	S.F.	2316	Thomas of Clayton
H-8343	H.F.	2450	Murphy of Dubuque
H-8344	S.F.	2123	Baudler of Adair
H-8345	S.F.	2321	T. Taylor of Linn
H-8346	S.F.	2321	Alons of Sioux

On motion by Upmeyer of Hancock the House adjourned at 1:50 p.m., until 8:30 a.m., Tuesday, March 27, 2012.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 27, 2012

The House met pursuant to adjournment at 8:37 a.m., Speaker Paulsen in the chair.

Prayer was offered by Reverend Julia Poulsen from First United Methodist Church, Jefferson. She was the guest of Representative Tjepkes of Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ben Westendorf, South Hardin Student Council President from Radcliffe. He was the guest of Representative Sweeney of Hardin.

The Journal of Monday, March 26, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 26, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2166, a bill for an act relating to the administration of the streamlined sales tax agreement by the department of revenue.

Also: That the Senate has on March 26, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2231, a bill for an act relating to residency qualifications for memorial hospital commissioners.

Also: That the Senate has on March 26, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2388, a bill for an act relating to maximizing hospital-specific disproportionate share hospital payments, and providing for contingent implementation.

Also: That the Senate has on March 26, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2390, a bill for an act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable.

Also: That the Senate has on March 26, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2428, a bill for an act relating to the movement of certain combinations of vehicles on economic export corridors established by the department of transportation.

Also: That the Senate has on March 26, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2164, a bill for an act relating to department of human services' evaluations of criminal or abuse records of employees of health care facilities and child care facilities and homes.

Also: That the Senate has on March 26, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2221, a bill for an act requiring background checks for school bus drivers and making penalties applicable.

Also: That the Senate has on March 26, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2249, a bill for an act relating to motor vehicle dealer activities at fair events, vehicle shows, vehicle exhibitions, and motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, and including effective date provisions.

Also: That the Senate has on March 26, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2260, a bill for an act revising the Iowa nonprofit corporation Act.

Also: That the Senate has on March 26, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Also: That the Senate has on March 26, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2314, 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.

Also: That the Senate has on March 26, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2322, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 11:40 a.m., Speaker Paulsen in the chair.

HOUSE REFUSED TO CONCUR

Worthan of Buena Vista called up for consideration **House File 2335**, a bill for an act relating to appropriations to the justice system, and providing effective dates, amended by the Senate, and moved that the House concur in the Senate amendment H-8323.

The motion lost and the House refused to concur in the Senate amendment H-8323.

Drake of Cass called up for consideration **House File 2336**, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, amended by the Senate, and moved that the House concur in the Senate amendment H-8322.

The motion lost and the House refused to concur in the Senate amendment H-8322.

Worthan of Buena Vista called up for consideration **House File 2338**, a bill for an act relating to appropriations to the judicial branch, amended by the Senate, and moved that the House concur in the Senate amendment H-8318.

The motion lost and the House refused to concur in the Senate amendment H-8318.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2335, 2336 and 2338.**

CONSIDERATION OF BILLS

Appropriations Calendar

Senate File 2321, 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 effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8327 filed by the committee on appropriations.

The House stood at ease at 12:02 p.m., until the fall of the gavel.

The House resumed session at 12:33 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

Kaufmann of Cedar in the chair at 12:52 p.m.

Hall of Woodbury offered amendment H-8361, to the committee amendment H-8327, filed by him, Winckler of Scott, Steckman of Cerro Gordo, Abdul-Samad of Polk, Berry of Black Hawk, Cohoon of Des Moines, Gaines of Polk, Gaskill of Wapello, Hanson of Jefferson, Heddens of Story, Hunter of Polk, Isenhardt of Dubuque, Jacoby of Johnson, Kajtazovic of Black Hawk, Kearns of Lee, Kelley of Jasper, Kressig of Black Hawk, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, McCarthy of Polk, H. Miller of Webster, Muhlbauer of Crawford, Murphy of Dubuque, Oldson of Polk, R. Olson of Polk, T. Olson of Linn, Petersen of Polk, Running-Marquardt of Linn, T. Taylor of Linn, Thede of Scott, Thomas of Clayton, Wessel-Kroeschell

of Story, Wittneben of Emmet and Wolfe of Clinton from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Mascher of Johnson.

On the question “Shall amendment H–8361, to the committee amendment H–8327, be adopted?” (S.F. 2321)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 2:

Fry	Quirk
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Amendment H–8361, to the committee amendment H–8327, lost.

Mascher of Johnson asked and received unanimous consent that amendment H–8358, to the committee amendment H–8327, be deferred.

Steckman of Cerro Gordo asked and received unanimous consent that amendment H-8364, to the committee amendment H-8327, be deferred.

Wolfe of Clinton asked and received unanimous consent that amendment H-8356, to the committee amendment H-8327, be deferred.

Mascher of Johnson asked and received unanimous consent that amendment H-8357, to the committee amendment H-8327, be deferred.

Winckler of Scott asked and received unanimous consent that amendment H-8365, to the committee amendment H-8327, be deferred.

Murphy of Dubuque asked and received unanimous consent that amendment H-8355, to the committee amendment H-8327, be deferred.

Cownie of Polk in the chair at 1:48 p.m.

Wessel-Kroeschell of Story offered amendment H-8362, to the committee amendment H-8327, filed by her, Heddens of Story, Jacoby of Johnson, Mascher of Johnson, Lensing of Johnson, Willems of Linn, Berry of Black Hawk, Kajtazovic of Black Hawk, Kressig of Black Hawk, Winckler of Scott, Hanson of Jefferson, Steckman of Cerro Gordo, Abdul-Samad of Polk, Gaines of Polk, Gaskill of Wapello, Hunter of Polk, Isenhardt of Dubuque, Kearns of Lee, McCarthy of Polk, Muhlbauer of Crawford, Murphy of Dubuque, Oldson of Polk, R. Olson of Polk, T. Olson of Linn, Petersen of Polk, Running-Marquardt of Linn, T. Taylor of Linn, Wittneben of Emmet and Wolfe of Clinton from the floor.

Mascher of Johnson rose on a point of order under Rule 10.

The Speaker ruled the point not well taken.

Kaufmann of Cedar in the chair at 2:30 p.m.

Speaker Paulsen in the chair at 3:10 p.m.

Wessel-Kroeschell of Story moved amendment H-8362, to the committee amendment H-8327.

Roll call was requested by Wessel-Kroeschell of Story and Mascher of Johnson.

On the question "Shall amendment H-8362, to the committee amendment H-8327, be adopted?" (S.F. 2321)

The ayes were, 39:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 3:

Fry	Moore	Quirk
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Amendment H-8362, to the committee amendment H-8327, lost.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment H-8345, to the committee amendment H-8327, filed by him on March 26, 2012.

Dolecheck of Ringgold offered amendment H-8349, to the committee amendment H-8327, filed by him from the floor and moved its adoption.

Amendment H-8349, to the committee amendment H-8327, was adopted, placing out of order amendment H-8363 to the committee

amendment H-8327, filed by Winckler of Scott and Heddens of Story from the floor.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-8350, to the committee amendment H-8327, filed by him from the floor.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment H-8359, to the committee amendment H-8327, filed by her and Heddens of Story from the floor.

Abdul-Samad of Polk offered amendment H-8366, to the committee amendment H-8327, filed by him and Gaines of Polk from the floor and moved its adoption.

Amendment H-8366, to the committee amendment H-8327, was adopted.

Alons of Sioux offered amendment H-8346, to the committee amendment H-8327, filed by him.

Winckler of Scott rose on a point of order that amendment H-8346 was not germane, to the committee amendment H-8327.

The Speaker ruled the point well taken and amendment H-8346 not germane, to the committee amendment H-8327.

Windschitl of Harrison in the chair at 3:35 p.m.

Mascher of Johnson offered amendment H-8358, to the committee amendment H-8327, previously deferred, filed by her from the floor and moved its adoption.

Amendment H-8358, to the committee amendment H-8327, lost.

Steckman of Cerro Gordo offered amendment H-8364, to the committee amendment H-8327, filed by her, Winckler of Scott and Isenhardt of Dubuque from the floor, previously deferred, and moved its adoption.

Amendment H-8364, to the committee amendment H-8327, lost.

Wolfe of Clinton offered amendment H-8356, to the committee amendment H-8327, filed by her and Hanson of Jefferson from the floor, previously deferred, and moved its adoption.

A non-record roll call was requested.

The ayes were 36, nays 54.

Amendment H-8356, to the committee amendment H-8327, lost.

Mascher of Johnson offered amendment H-8357, to the committee amendment H-8327, filed by her from the floor, previously deferred.

Dolecheck of Ringgold rose on a point of order that amendment H-8357 was not germane, to the committee amendment H-8327.

The Speaker ruled the point not well taken and amendment H-8357 germane, to the committee amendment H-8327.

Mascher of Johnson moved amendment H-8357, to the committee amendment H-8327.

Amendment H-8357, to the committee amendment H-8327, lost.

Winckler of Scott offered amendment H-8365, to the committee amendment H-8327, filed by her and Lensing of Johnson from the floor, previously deferred, and moved its adoption.

Amendment H-8365, to the committee amendment H-8327, lost.

Murphy of Dubuque offered amendment H-8355, to the committee amendment H-8327, filed by him from the floor, previously deferred, and moved its adoption.

Roll call was requested by Murphy of Dubuque and R. Olson of Polk.

Rule 75 was invoked.

On the question "Shall amendment H-8355, to the committee amendment H-8327, be adopted?" (S.F. 2321)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Worthan	Windschitl, Presiding

The nays were, 2:

Olson, R. Wolfe

Absent or not voting, 2:

Fry Quirk

Amendment H-8355, to the committee amendment H-8327, was adopted.

Speaker Paulsen in the chair at 4:55 p.m.

Dolecheck of Ringgold moved the adoption of the committee amendment H-8327, as amended.

The committee amendment H-8327, as amended, was adopted.

Massie of Warren rose on a point of order under Rule 10.

The Speaker ruled the point not well taken.

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

On the question "Shall the bill pass?" (S.F. 2321)

The ayes were, 56:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Chambers	Cownie
De Boef	Dolecheck	Drake	Forristall
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

The nays were, 42:

Abdul-Samad	Berry	Byrnes	Cohoon
Deyoe	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kajtazovic	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 2:

Fry Quirk

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 27, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2292, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable.

Also: That the Senate has on March 27, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2312, a bill for an act relating to persons with mental health illnesses and substance-related disorders.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 2455, by committee on government oversight, a bill for an act relating to the examinations of the finances of certain cities and including effective date provisions.

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

SENATE MESSAGE CONSIDERED

Senate File 2322, by committee on ways and means, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2321** be immediately messaged to the Senate.

The House stood at ease at 5:23 p.m., until the fall of the gavel.

The House resumed session at 5:49 p.m., Chambers of O'Brien in the chair.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 413, a bill for an act relating to financial responsibilities of local emergency management commissions, with report of committee recommending amendment and passage, was taken up for consideration.

Tjepkes of Webster offered amendment H-8008 filed by the committee on local government and moved its adoption.

The committee amendment H-8008 was adopted.

Wagner of Linn offered amendment H-8023 filed by him and moved its adoption.

Amendment H-8023 was adopted.

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

On the question "Shall the bill pass?" (S.F. 413)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen

Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Chambers, Presiding

The nays were, none.

Absent or not voting, 4:

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

SENATE AMENDMENT CONSIDERED

J. Smith of Dickinson called up for consideration **House File 2168**, a bill for an act relating to the authorized deposit of public funds, amended by the Senate, and moved that the House concur in the Senate amendment H-8326.

The motion prevailed and the House concurred in the Senate amendment H-8326.

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

On the question "Shall the bill pass?" (H.F. 2168)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann

Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Chambers, Presiding

The nays were, none.

Absent or not voting, 4:

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

Speaker Paulsen in the chair at 6:02 p.m.

Unfinished Business Calendar

Senate File 2097, a bill for an act relating to the department of public defense by making changes regarding the Iowa military code and military service, including terminology modifications and leases entered into by the department of public defense and the armory board, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2097)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes

Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

Senate File 2165, a bill for an act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2165)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

Senate File 2208, a bill for an act relating to the confidentiality of an arrest warrant, with report of committee recommending amendment and passage, was taken up for consideration.

Hagenow of Polk offered amendment H-8272 filed by the committee on judiciary and moved its adoption.

The committee amendment H-8272 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2208)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

Senate File 2216, a bill for an act relating to the registration of motor trucks, truck tractors, trailers, and semitrailers and providing for apportioned registration of commercial motor vehicles under the international registration plan, and including implementation

provisions, with report of committee recommending passage, was taken up for consideration.

Watts of Dallas offered amendment H-8172 filed by him and moved its adoption.

Amendment H-8172 was adopted.

Iverson of Wright asked and received unanimous consent to withdraw amendment H-8268 filed by him on March 14, 2012.

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

On the question "Shall the bill pass?" (S.F. 2216)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Arnold	De Boef	Fry	Horbach
Quirk			

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

Senate File 2220, a bill for an act relating to the licensing of schools of cosmetology arts and sciences and barber schools, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2220)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Arnold	De Boef	Fry	Horbach
Quirk	Watts		

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

Senate File 2231, a bill for an act relating to the practices and procedures of the state public defender, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2231)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Arnold
Horbach

De Boef
Quirk

Fry

Heaton

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

ADOPTION OF HOUSE RESOLUTION 130

Deyoe of Story called up for consideration **House Resolution 130**, as follows:

HOUSE RESOLUTION 130

BY COMMITTEE ON ADMINISTRATION AND RULES

1 A resolution amending the permanent rules of the House
 2 of Representatives.
 3 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,**
 4 That Rule 4, unnumbered paragraph 6 of the Rules of
 5 the House, as adopted by the House of Representatives
 6 during the 2011 Session in House Resolution 11, is
 7 amended to read as follows:
 8 Members of the press may photograph from the press
 9 box, but shall not use artificial lighting without
 10 prior permission from the chief clerk of the house.
 11 Photographs shall not be taken on the house floor when
 12 the members are voting on a question put before the
 13 house. Photographs or video recordings of the voting
 14 boards shall not be taken while a nonrecord roll call
 15 vote is displayed. Photographs may be taken on the
 16 house floor at other times with the consent of the
 17 subject or subjects of the photography.
 18 **BE IT FURTHER RESOLVED,** That Rule 4A of the Rules of
 19 the House, as adopted by the House of Representatives
 20 during the 2011 Session in House Resolution 11, is
 21 amended to read as follows:
 22 **Rule 4A**
 23 Use of Telephonic or Electronic Devices and Video
 24 Streaming in Chamber Restricted
 25 1. A person present in the house chamber while the
 26 house is in order shall mute any cell phone, computer,
 27 or other electronic device under the person's control.

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1 The speaker may remove from the chamber any person
 2 acting in violation of this rule.
 3 2. A member shall not use a cell phone or other
 4 electronic device to audibly transmit or receive
 5 communications while recognized by the presiding

6 officer to speak in debate.

7 3. The speaker shall control the time, place,
8 and manner of use of the house's internet video
9 streaming system on the floor of the house and in the
10 visitors' galleries. However, the speaker shall not
11 edit, censor, or shut off the house's internet video
12 streaming system during debate on the floor of the
13 house.

14 BE IT FURTHER RESOLVED, That Rule 20, unnumbered
15 paragraph 15 of the Rules of the House, as adopted by
16 the House of Representatives during the 2011 Session in
17 House Resolution 11, is amended to read as follows:

18 Each member, employee of the house, and registered
19 lobbyist ~~shall~~ may report violations of this rule
20 immediately to the sergeant-at-arms or the chief clerk.

21 BE IT FURTHER RESOLVED, That Rule 21 of the Rules of
22 the House, as adopted by the House of Representatives
23 during the 2011 Session in House Resolution 11, is
24 amended to read as follows:

25 Rule 21

26 Distribution of Literature and Other Items

27 No person except a member or employee of the house
28 of representatives shall ~~generally~~ distribute or
29 cause to be distributed any pamphlets, material, or
30 other printed literature, or any other items to the

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1 members' desks in the house without authorization. An
2 employee of the house shall ~~generally~~ distribute or
3 cause to be distributed such literature or items only
4 on behalf of the employee's office or staff. Items
5 which are permissible gifts under chapter 68B of the
6 Code may be distributed to the members' desks with the
7 authorization of the chief clerk.

8 All copies of pamphlets, material, or printed
9 literature distributed by a member or employee of the
10 house of representatives shall bear the name of the
11 member or employee's office or staff.

12 Other distributions of pamphlets, material, or
13 other printed literature shall bear their source of
14 origin and be distributed through the legislative
15 post office or to the members' desks by completing
16 a form containing a member's or the chief clerk's
17 authorization, with the authorization form ~~attached~~
18 ~~to one copy of the distribution~~ filed with the chief
19 clerk. The ~~copy with the attached~~ authorization form
20 shall be retained for a reasonable time period by the
21 ~~legislative post office~~ chief clerk.

22 BE IT FURTHER RESOLVED, That Rule 61, unnumbered
23 paragraph 5 of the Rules of the House, as adopted by
24 the House of Representatives during the 2011 Session in

25 House Resolution 11, is amended to read as follows:
26 A bill, joint resolution, or nullification
27 resolution for which a public hearing has been called
28 can be voted to the calendar but cannot be debated
29 until after the public hearing has been held. If a
30 bill, joint resolution, or nullification resolution

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1 for which a public hearing has been called is not
2 debated by the house during the session in which it
3 is introduced, the request for the public hearing is
4 deemed to have lapsed upon adjournment sine die of that
5 session.
6 BE IT FURTHER RESOLVED, That Rule 75 of the Rules of
7 the House, as adopted by the House of Representatives
8 during the 2011 Session in House Resolution 11, is
9 amended to read as follows:
10 Rule 75
11 Voting in the House and Duty of Voting
12 Voting on a question put to members on the floor of
13 the house shall not occur between midnight and 8 a.m.
14 on any legislative day except for voting on a motion to
15 recess, defer, or adjourn. Except as limited in Rule
16 76, every member who is in the house when a question is
17 put shall vote unless the house has excused that member
18 from voting for special reasons; however, such member
19 must have asked to be excused from voting prior to the
20 time the speaker puts the question.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8347 filed by him from the floor.

Deyoe of Story moved the adoption of House Resolution 130.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2168** and **Senate Files 413, 2097, 2165, 2208, 2216, 2220, and 2231.**

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas
Fry of Clarke
Horbach of Tama
Watts of Dallas

De Boef of Keokuk
Heaton of Henry
Moore of Jackson

SPONSOR ADDED
(Amendment H-8213)

Brandenburg of Pottawattamie requested to be added as a sponsor of amendment H-8213 to House File 2435.

SPONSOR ADDED
(Amendment H-8213)

Koester of Polk requested to be added as a sponsor of amendment H-8213 to House File 2435.

COMMUNICATION RECEIVED

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

BOARD OF REGENTS

Span of Control Report, pursuant to Iowa Code section 262.9c.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 670

Appropriations: Schultz, Chair; Hall and Wagner.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 671 Ways and Means

Relating to early school start date provisions, establishing a waiver application fee, and including effective date and applicability provisions.

H.S.B. 672 Ways and Means

Relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 663), relating to the examinations of the finances of certain cities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 26, 2012.

COMMITTEE ON WAYS AND MEANS

Senate File 2318, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 26, 2012.

RESOLUTION FILED

H.R. 133, by Hall, R. Olson, Gaines, Abdul-Samad, M. Smith, Hunter, Cownie, Koester, Wenthe, Oldson, and Petersen, a resolution to honor Music Circuit Presentations for four decades of service to Iowa's live music scene.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8348	S.F.	2295	Baltimore of Boone
H-8351	S.F.	2289	Isenhart of Dubuque

H-8352	S.F.	2316	Kressig of Black Hawk Berry of Black Hawk Kajtazovic of Black Hawk
H-8353	H.F.	2390	Senate Amendment
H-8354	S.F.	2316	Isenhart of Dubuque
H-8360	H.F.	2450	T. Olson of Linn
H-8367	S.F.	2038	Hager of Allamakee
H-8368	S.F.	451	Koester of Polk
H-8369	S.F.	364	Koester of Polk
H-8370	H.F.	2292	Senate Amendment
H-8371	S.F.	2245	Chambers of O'Brien
H-8372	H.F.	2449	Lensing of Johnson
H-8373	S.F.	2316	Oldson of Polk
			Petersen of Polk
			Gaines of Polk
			R. Olson of Polk
H-8374	S.F.	430	Rogers of Black Hawk
H-8375	S.F.	2311	S. Olson of Clinton
			Paustian of Scott
H-8376	S.F.	2316	Cohoon of Des Moines
H-8377	S.F.	451	Koester of Polk

On motion by Upmeyer of Hancock the House adjourned at 6:30 p.m., until 8:30 a.m., Wednesday, March 28, 2012.

JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 28, 2012

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kaleb Chase, Page from Indianola.

The Journal of Tuesday, March 27, 2012, was approved.

The House stood at ease at 8:37 a.m., until the fall of the gavel.

The House resumed session at 10:26 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS

Appropriations Calendar

Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Huseman of Cherokee offered amendment H-8328 filed by the committee on appropriations.

Isenhart of Dubuque offered amendment H-8379, to the committee amendment H-8328, filed by him and Steckman of Cerro Gordo from the floor.

Wagner of Linn rose on a point of order that amendment H-8379 was not germane, to the committee amendment H-8328.

The Speaker ruled the point well taken and amendment H-8379 not germane, to the committee amendment H-8328.

Isenhardt of Dubuque asked and received unanimous consent that amendment H-8354, to the committee amendment H-8328, be deferred.

Cohon of Des Moines offered amendment H-8378, to the committee amendment H-8328, filed by him from the floor and moved its adoption.

Amendment H-8378, to the committee amendment H-8328, lost.

Thomas of Clayton offered amendment H-8342, to the committee amendment H-8328, filed by him and moved its adoption.

Amendment H-8342, to the committee amendment H-8328, lost.

Windschitl of Harrison in the chair at 11:00 a.m.

Kressig of Black Hawk offered amendment H-8352, to the committee amendment H-8328, filed by Kressig of Black Hawk, et al., and moved its adoption.

Roll call was requested by Kressig of Black Hawk and Abdul-Samad of Polk.

On the question "Shall amendment H-8352, to the committee amendment H-8328, be adopted?" (S.F. 2316)

The ayes were, 38:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Arnold	Baltimore	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Worthan
Windschitl, Presiding			

Absent or not voting, 5:

Anderson	Baudler	Fry	Smith, M.
Swaim			

Amendment H-8352, to the committee amendment H-8328, lost.

Speaker Paulsen in the chair at 11:17 a.m.

SPECIAL PRESENTATION

Iverson of Wright introduced to the House former state representative Jim Meyer.

The House rose and expressed its welcome.

Oldson of Polk offered amendment H-8373, to the committee amendment H-8328, filed by Oldson, et al., and moved its adoption.

Roll call was requested by Upmeyer of Hancock and Wagner of Linn.

On the question "Shall amendment H-8373, to the committee amendment H-8328, be adopted?" (S.F. 2316)

The ayes were, 24:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Heddens	Hunter	Isenhart
Jacoby	Kearns	Kelley	Lensing
Lykam	Mascher	McCarthy	Oldson
Olson, R.	Olson, T.	Petersen	Taylor, T.
Wessel-Kroeschell	Willems	Winckler	Wolfe

The nays were, 72:

Alons	Arnold	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Garrett	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kajtazovic
Kaufmann	Klein	Koester	Kressig
Lofgren	Lukan	Massie	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Steckman	Sweeney	Taylor, J.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

Absent or not voting, 4:

Anderson	Fry	Smith, M.	Swaim
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Amendment H-8373, to the committee amendment H-8328, lost.

Cohoon of Des Moines offered amendment H-8376, to the committee amendment H-8328, filed by him and moved its adoption.

Amendment H-8376, to the committee amendment H-8328, was adopted.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8354, to the committee amendment H-8328, filed by him on March 27, 2012, previously deferred.

Isenhart of Dubuque rose on a point of order that the committee amendment H-8328, as amended, was not germane.

The Speaker ruled the point not well taken and the committee amendment H-8328, as amended, was germane.

Huseman of Cherokee moved the adoption of the committee amendment H-8328, as amended.

The committee amendment H-8328, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 2316)

The ayes were, 58:

Alons	Arnold	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 38:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Pearson	Petersen	Quirk
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 4:

Anderson Fry Smith, M. Swaim

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

Unfinished Business Calendar

Senate File 2245, a bill for an act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa veterans home, with report of committee recommending passage, was taken up for consideration.

Chambers of O'Brien offered amendment H-8371 filed by him and moved its adoption.

Amendment H-8371 was adopted.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2245)

The ayes were, 96:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede

Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

Anderson	Fry	Smith, M.	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Iverson of Wright in the chair at 12:03 p.m.

Senate File 2267, a bill for an act concerning oversight of schools offering postsecondary educational programs by the college student aid commission and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

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

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

The ayes were, 96:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz

Shaw	Smith, J.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Iverson, Presiding

The nays were, none.

Absent or not voting, 4:

Anderson	Fry	Smith, M.	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Senate File 2289, a bill for an act relating to the Iowa disaster aid individual assistance grant program administered by the department of human services, with report of committee recommending amendment and passage, was taken up for consideration.

Jorgensen of Woodbury offered amendment H-8275 filed by the committee on human resources and moved its adoption.

The committee amendment H-8275 was adopted.

Isenhardt of Dubuque offered amendment H-8332 filed by him and moved its adoption.

Amendment H-8332 lost.

Isenhardt of Dubuque offered amendment H-8351 filed by him and moved its adoption.

Amendment H-8351 lost.

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

On the question "Shall the bill pass?" (S.F. 2289)

The ayes were, 96:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Iverson, Presiding

The nays were, none.

Absent or not voting, 4:

Anderson	Fry	Smith, M.	Swaim
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2245, 2267, 2289 and 2316.**

On motion by Upmeyer of Hancock, the House was recessed at 12:38 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:31 p.m., Speaker Paulsen in the chair.

The House stood at ease at 2:31 p.m., until the fall of the gavel.

The House resumed session at 4:23 p.m., Kaufmann of Cedar in the chair.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 2441, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions, was taken up for consideration.

SENATE FILE 2137 SUBSTITUTED FOR HOUSE FILE 2441

Paustian of Scott asked and received unanimous consent to substitute Senate File 2137 for House File 2441.

Senate File 2137, a bill for an act relating to certain property taxes for joint county-city buildings and including applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2137)

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lukan	Lykam

Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Kaufmann, Presiding		

The nays were, none.

Absent or not voting, 6:

Anderson	Fry	Hall	Lofgren
Swaim	Van Engelenhoven		

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

HOUSE FILES 2070 AND 2441 WITHDRAWN

Paustian of Scott asked and received unanimous consent to withdraw House Files 2070 and 2441 from further consideration by the House.

Speaker Paulsen in the chair at 4:32 p.m.

House File 2442, a bill for an act relating to the issuance of hunting and fishing licenses, providing for fees, and including effective date provisions, was taken up for consideration.

Rayhons of Hancock offered amendment H-8319 filed by him and moved its adoption.

Amendment H-8319 was adopted, placing out order amendments H-8313 and H-8317 filed by Rayhons of Hancock on March 21, 2012.

SENATE FILE 2317 SUBSTITUTED FOR HOUSE FILE 2442

Rayhons of Hancock asked and received unanimous consent to substitute Senate File 2317 for House File 2442.

Senate File 2317, a bill for an act relating to the issuance of hunting, fur harvester, and fishing licenses, providing for fees, and including effective date provisions, was taken up for consideration.

Rayhons of Hancock offered amendment H-8320 filed by him and Lykam of Scott.

Amendment H-8320 was adopted.

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

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

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Anderson	Fry	Hall	Lukan
Swaim	Van Engelenhoven		

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

HOUSE FILES 2442 AND 2334 WITHDRAWN

Rayhons of Hancock asked and received unanimous consent to withdraw House Files 2442 and 2334 from further consideration by the House.

Unfinished Business Calendar

Senate File 2237, a bill for an act concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque offered amendment H-8331 filed by him and moved its adoption.

Amendment H-8331 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2237)

The ayes were, 88:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Dolecheck
Drake	Forristall	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby

Jorgensen	Kajtažovic	Kaufmann	Kearns
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Smith, J.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 6:

Alons	De Boef	Kelley	Pearson
Raecker	Shaw		

Absent or not voting, 6:

Anderson	Fry	Hall	Smith, M.
Swaim	Van Engelenhoven		

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

SENATE AMENDMENTS CONSIDERED

Klein of Washington called up for consideration **House File 2369**, a bill for an act relating to the issuance of a burial transit permit, amended by the Senate, and moved that the House concur in the Senate amendment H-8321.

The motion prevailed and the House concurred in the Senate amendment H-8321.

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

On the question "Shall the bill pass?" (H.F. 2369)

The ayes were, 95:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Anderson	Fry	Hall	Swaim
Van Engelenhoven			

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

Tjepkes of Webster called up for consideration **House File 2228**, a bill for an act relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to reduce speed in specific situations, amended by the Senate, and moved that the House concur in the Senate amendment H-8325.

The motion prevailed and the House concurred in the Senate amendment H-8325.

Tjepkes of Webster moved that the bill, as amended by the Senate

and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2228)

The ayes were, 92:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Grassley	Hagenow
Hager	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 8:

Anderson	Fry	Gaskill	Hall
Horbach	Smith, M.	Swaim	Van Engelenhoven

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

Hein of Jones called up for consideration **House File 2292**, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable, amended by the Senate amendment H-8370.

Hein of Jones offered amendment H-8382, to the Senate amendment H-8370, filed by him from the floor and moved its adoption.

The motion prevailed and amendment H-8382, to the Senate amendment, was adopted.

Hein of Jones moved that the House concur in the Senate amendment H-8370, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8370, as amended.

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

On the question "Shall the bill pass?" (H.F. 2292)

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 1:

McCarthy

Absent or not voting, 5:

Anderson	Fry	Hall	Swaim
Van Engelenhoven			

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

Rogers of Black Hawk called up for consideration **House File 2390**, a bill for an act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable, amended by the Senate, and moved that the House concur in the Senate amendment H-8353.

The motion prevailed and the House concurred in the Senate amendment H-8353.

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

On the question "Shall the bill pass?" (H.F. 2390)

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson

Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Anderson	Fry	Hall	Swaim
Tjepkes	Van Engelenhoven		

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

Unfinished Business Calendar

Senate File 2038, a bill for an act relating to the duties and requirements of the department of veterans affairs and the commission of veterans affairs, with report of committee recommending passage, was taken up for consideration.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-8310 filed by him on March 20, 2012, placing amendment H-8367 out of order filed by Hager of Allamakee on March 27, 2012.

Kearns of Lee asked and received unanimous consent to withdraw amendment H-8308 filed by him on March 20, 2012.

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

On the question "Shall the bill pass?" (S.F. 2038)

The ayes were, 95:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef

Deyoe	Dolecheck	Drake	Forristall
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker Paulsen	

The nays were, none.

Absent or not voting, 5:

Anderson	Fry	Hall	Swaim
Van Engelenhoven			

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

INTRODUCTION OF BILLS

House File 2456, by Willems, Steckman, Kelley, Berry, Wolfe, Wessel-Kroeschell, Cohoon, M. Smith, Kressig, Gaskill, H. Miller, R. Olson, Thomas, Hall, T. Taylor, Wittneben, Gaines, Kajtazovic, Jacoby, Muhlbauer, Wenthe, Oldson, Isenhardt, Running-Marquardt, Hanson, and T. Olson, a bill for an act creating an individual income tax credit for contributions to an Iowa educational savings plan, promoting the use of such plans, and including retroactive applicability provisions.

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

House File 2457, by committee on appropriations, a bill for an act making appropriations to the department of workforce development and including effective date and retroactive applicability provisions.

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

IMMEDIATE MESSAGES

Helland of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2228, 2292, 2369, 2390** and **Senate Files 2038, 2137, 2237** and **2317**.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2324, a bill for an act making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page
Fry of Clarke
Horbach of Tama
Lukan of Dubuque
Tjepkes of Webster

Baudler of Adair
Hall of Woodbury
Lofgren of Muscatine
Smith, M. of Marshall
Van Engelenhoven of Marion

EXPLANATIONS OF VOTE

On March 28, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2245 – “aye”
Senate File 2267 – “aye”
Senate File 2289 – “aye”
Senate File 2316 – “aye”

M. SMITH of Marshall

On March 28, 2012, I inadvertently voted “aye” on amendment H–8373, to the committee amendment H–8328, to Senate File 2316, I meant to vote “nay”.

WILLEMS of Linn

SUBCOMMITTEE ASSIGNMENTS

House File 2006

Ways and Means: Byrnes, Chair; Kajtazovic and Kaufmann.

House File 2178

Ways and Means: Byrnes, Chair; Kaufmann and Muhlbauer.

House File 2446

Ways and Means: Helland, Chair; Quirk and Sands.

House File 2452

Ways and Means: Helland, Chair; Isenhart and Sands.

Senate File 2319

Ways and Means: Helland, Chair; Petersen and J. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 671

Ways and Means: Cownie, Chair; Isenhart and Paustian.

House Study Bill 672

Ways and Means: Byrnes, Chair; Moore and Muhlbauer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 673 Ways and Means

Relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 2389), establishing a rural Iowa primary care loan repayment program to be administered by the college student aid commission, a rural Iowa primary care trust fund, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2012.

Committee Bill (Formerly House Study Bill 670), making appropriations to the department of workforce development and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 2381), relating to the assessment of moneys on sheep and wool production, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2012.

RESOLUTIONS FILED

H.R. 134, by Upmeyer, Schulte, Helland, Lykam, and Jacoby, a resolution encouraging parents to cook with their children.

Laid over under **Rule 25**.

H.R. 135, by Upmeyer, a resolution honoring Dr. James F. Holsinger.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8380	H.F.	2455	Baltimore of Boone
H-8381	H.F.	2435	Hall of Woodbury
H-8383	H.F.	2439	Isenhart of Dubuque Lukan of Dubuque
H-8384	S.F.	2311	Wittneben of Emmet
H-8385	S.F.	2295	R. Olson of Polk
H-8386	S.F.	2295	R. Olson of Polk

On motion by Helland of Polk the House adjourned at 5:02 p.m., until 8:30 a.m., Thursday, March 29, 2012.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 29, 2012

The House met pursuant to adjournment at 8:35 a.m., Speaker Paulsen in the chair.

Prayer was offered by the University of Northern Iowa Men's Quartet from Cedar Falls. They were the guest of Representative Rogers of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Thomas Biedenfeld, Speaker's Page from Colfax.

The Journal of Wednesday, March 28, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 609, a bill for an act relating to the probate and trust codes and state inheritance tax and including applicability provisions.

Also: That the Senate has on March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2323, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

Also: That the Senate has on March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2427, a bill for an act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of, or for failing to include a security mechanism on, electrical or mechanical amusement devices.

Also: That the Senate has on March 28, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2286, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2324, by committee on appropriations, a bill for an act making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions.

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

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 1:14 p.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2286, by committee on commerce, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

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

SPECIAL PRESENTATION

Van Engelenhoven of Marion introduced to the House former state representative Harold Van Maanen.

The House rose and expressed its welcome.

Upmeyer of Hancock asked and received unanimous consent to consider House File 2457.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 2457, a bill for an act making appropriations to the department of workforce development and including effective date and retroactive applicability provisions, was taken up for consideration.

Hager of Allamakee offered amendment H-8393 filed by him from the floor and moved its adoption.

Amendment H-8393 was adopted.

SENATE FILE 2324 SUBSTITUTED FOR HOUSE FILE 2457

Schultz of Crawford asked and received unanimous consent to substitute Senate File 2324 for House File 2457.

Senate File 2324, a bill for an act making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2324)

The ayes were, 95:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Pearson

Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Anderson	Lensing	Olson, R.	Quirk
Swaim			

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

HOUSE FILE 2457 WITHDRAWN

Schultz of Crawford asked and received unanimous consent to withdraw House File 2457 from further consideration by the House.

Unfinished Business Calendar

Senate File 2123, a bill for an act making changes to the controlled substance schedules, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Fry of Clarke offered amendment H-8284 filed by him.

Fry of Clarke offered amendment H-8391, to amendment H-8284, filed by him from the floor and moved its adoption.

Amendment H-8391, to amendment H-8284, was adopted.

Baudler of Adair offered amendment H-8344, to amendment H-8284, filed by him and moved its adoption.

Amendment H-8344, to amendment H-8284, was adopted.

Fry of Clarke moved the adoption of amendment H-8284, as amended.

Amendment H-8284, as amended, was adopted.

Worthan of Buena Vista offered amendment H-8280 filed by him and moved its adoption.

Amendment H-8280 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2123)

The ayes were, 93:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtažovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 7:

Anderson	Hager	Lensing	Olson, R.
Quirk	Swaim	Watts	

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

Senate File 2126, a bill for an act providing for the funding of the duties of the state's social security administrator, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2126)

The ayes were, 92:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 8:

Anderson	Hager	Horbach	Lensing
Olson, R.	Quirk	Swaim	Watts

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

SENATE AMENDMENTS CONSIDERED

Fry of Clarke called up for consideration **House File 2226**, a bill for an act relating to child abuse reports and disposition data, amended by the Senate, and moved that the House concur in the Senate amendment H-8293.

The motion prevailed and the House concurred in the Senate amendment H-8293.

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

On the question "Shall the bill pass?" (H.F. 2226)

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Anderson	Hager	Lensing	Olson, R.
Quirk	Swaim		

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

Jorgensen of Woodbury called up for consideration **House File 2305**, a bill for an act relating to the powers and duties of the department on aging, amended by the Senate, and moved that the House concur in the Senate amendment H-8324.

The motion prevailed and the House concurred in the Senate amendment H-8324.

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

On the question "Shall the bill pass?" (H.F. 2305)

The ayes were, 93:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer

Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 7:

Anderson	Hager	Helland	Lensing
Olson, R.	Quirk	Swaim	

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2226, 2305** and **Senate Files 2123, 2126** and **2324**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page	Hager of Allamakee
Helland of Polk	Horbach of Tama
Lensing of Johnson	Watts of Dallas

SPONSOR ADDED (House Resolution 115)

Kearns of Lee requested to be added as a sponsor of House Resolution 115

SPONSOR ADDED (House Resolution 115)

Thomas of Clayton requested to be added as a sponsor of House Resolution 115.

EXPLANATION OF VOTE

On March 29, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2226 – “aye”
House File 2305 – “aye”
Senate File 2123 – “aye”
Senate File 2126 – “aye”

HAGER of Allamakee

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 2101, an Act relating to preparation and recording of public land survey corner certificates.

House File 2145, an Act establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

House File 2285, an Act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing act and including effective date provisions.

House File 2301, an Act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility.

House File 2320, an Act relating to the designation of area agencies on aging, and including effective date provisions.

House File 2402, an Act permitting the temporary allocation and use of moneys in the Veterans Trust Fund for cemetery grant development purposes.

Senate File 2203, an Act relating to nonsubstantive code corrections and including effective date provisions.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 673

Ways and Means: Paustian, Chair; Jacoby and Moore.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 674 Appropriations

Relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2217, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2012.

RESOLUTION FILED

H.R. 136, by Upmeyer and Kaufmann, a resolution honoring the courage, determination, and dedication of Cheyanne Boddicker in swimming the English Channel.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8387	S.F.	451	Koester of Polk
H-8388	H.F.	609	Senate Amendment
H-8389	H.F.	2427	Senate Amendment

H-8390	H.F.	2323	Senate Amendment
H-8392	H.F.	2450	Wenthe of Fayette Hall of Woodbury
H-8394	H.F.	2450	Gaskill of Wapello
H-8395	S.F.	2318	L. Miller of Scott
H-8396	H.F.	2450	Isenhart of Dubuque
H-8397	H.F.	2229	Windschitl of Harrison Chambers of O'Brien Lykam of Scott Tjepkes of Webster Rasmussen of Buchanan
H-8398	H.F.	2435	Hall of Woodbury

On motion by Upmeyer of Hancock the House adjourned at 1:59 p.m., until 10:30 a.m., Friday, March 30, 2012.

JOURNAL OF THE HOUSE

Eighty-second Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 30, 2012

The House met pursuant to adjournment at 10:31 a.m., Lukan of Dubuque in the chair.

Prayer was offered by Claire English from Dyersville. She was the guest of Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bennett English from Dyersville. He was the guest of Representative Lukan of Dubuque.

The Journal of Thursday, March 29, 2012, was approved.

INTRODUCTION OF BILLS

House File 2458, by committee on appropriations, a bill for an act establishing a rural Iowa primary care loan repayment program and trust fund to be administered by the college student aid commission.

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

House File 2459, by committee on ways and means, a bill for an act relating to the assessment of moneys on sheep and wool production, and including effective date provisions.

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

ADOPTION OF HOUSE RESOLUTION 113

Sands of Louisa called up for consideration **House Resolution 113**, a resolution to recognize Iowa Mold Tooling on its 50th anniversary, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 115

Sands of Louisa called up for consideration **House Resolution 115**, a resolution to recognize March 30, 2012, as Vietnam Veterans Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 122

Sands of Louisa called up for consideration **House Resolution 122**, a resolution recognizing the year 2012 as the Year of the Farmer Cooperative, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 134

Sands of Louisa called up for consideration **House Resolution 134**, a resolution encouraging parents to cook with their children, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 135

Sands of Louisa called up for consideration **House Resolution 135**, a resolution honoring Dr. James F. Holsinger, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 133

Sands of Louisa called up for consideration **House Resolution 133**, a resolution to honor Music Circuit Presentations for four decades of service to Iowa's live music scene, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Sands of Louisa the House adjourned at 10:37 a.m., until 1:00 p.m., Monday, April 2, 2012.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 2, 2012

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

Prayer was offered by Pastor Rich Taylor from Holmes and Samuel Lutheran Churches in Holmes and Eagle Grove. He was the guest of Representative Iverson of Wright County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kalie Palmer, Page from Norwalk.

The Journal of Friday, March 30, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 136

Upmeyer of Hancock called up for consideration **House Resolution 136**, a resolution honoring the courage, determination, and dedication of Cheyanne Boddicker in swimming the English Channel, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATIONS

Upmeyer of Hancock introduced to the House former state representative Dan Boddicker.

The House rose and expressed its welcome.

Soderberg of Plymouth introduced to the House the Orange City Tulip Festival Queen and her court.

The House rose and expressed its welcome.

On motion by Upmeyer of Hancock, the House was recessed at 1:20 p.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:12 p.m., Speaker Paulsen in the chair.

The House stood at ease at 4:12 p.m., until the fall of the gavel.

The House resumed session at 5:30 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2460, by committee on ways and means, a bill for an act relating to Iowa's urban renewal law and incremental property taxes by modifying provisions relating to the duration of urban renewal areas, the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions.

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

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2nd day of April, 2012: House Files 2168, 2321, 2370, 2379, 2383, 2387, 2390 and 2403.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 2012, he approved and transmitted to the Secretary of State the following bills:

Senate File 2096, an Act relating to reimbursements for certain state prisoners confined in a county jail.

Senate File 2122, an Act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

Senate File 2153, an Act increasing the size of the commercial and industrial highway network.

Senate File 2159, an Act relating to child support enforcement including protection of child support information.

Senate File 2160, an Act relating to allowing financial supplementation to a nursing facility for provision of a private room to a recipient of medical assistance.

Senate File 2163, an Act relating to an exception from state certifications for adult day services programs.

Senate File 2172, an Act relating to management of swine, including by providing for biosecurity and development in a farrowing and gestating operation which is part of a confinement feeding operation, and making penalties applicable.

Senate File 2185, an Act relating to the supervision of physician assistants.

Senate File 2186, an Act relating to medical assistance eligibility for inmates of public institutions.

Senate File 2188, an Act relating to the renewal period for foster care licensing.

Senate File 2225, an Act relating to child abuse by prohibiting retaliation for reporting, providing for implementation of reporting policies at postsecondary institutions, requiring review of training requirements, and providing a remedy.

Senate File 2248, an Act relating to the licensed professionals authorized to prescribe respiratory care services.

Senate File 2269, an Act relating to the land application of wastewater from on-farm processing operations, and including effective date provisions.

Senate File 2280, an Act relating to boiler inspections.

Senate File 2288, an Act relating to requirements for drivers of vehicles at railroad grade crossings upon the approach or presence of railroad track equipment, and making a penalty applicable.

Senate File 2294, an Act relating to the authorized activities of auctioneers in conducting a public sale or auction of real estate, and providing penalty provisions.

Senate File 2296, an Act relating to the criminal offense of solicitation to commit murder and providing a penalty.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 674

Appropriations: Wagner, Chair; Hagenow and T. Olson.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 540), relating to city and county authority to address slum and blight and economic development by modifying Iowa's urban renewal law, providing for a future repeal of Iowa's urban renewal law, authorizing cities and counties to establish project development areas and to utilize tax increment financing for certain projects, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 2, 2012.

Committee Bill (Formerly House Study Bill 671), relating to early school start date provisions, establishing a waiver application fee, and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 2, 2012.

RESOLUTION FILED

H.R. 137, by Petersen, Thomas, and Vander Linden, a resolution recognizing April 2012 as Window Safety Awareness Month for Iowa's children and families.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8399 H.F. 2449 R. Olson of Polk

H-8400	H.F.	2449	Steckman of Cerro Gordo Forristall of Pottawattamie
H-8401	S.F.	2311	S. Olson of Clinton Paustian of Scott
H-8402	H.F.	2435	Shaw of Pocahontas
H-8403	H.F.	2449	Hall of Woodbury Gaskill of Wapello
H-8404	S.F.	2171	Wessel-Kroeschell of Story
H-8405	S.F.	430	Rogers of Black Hawk

On motion by Upmeyer of Hancock the House adjourned at 5:31 p.m., until 8:30 a.m., Tuesday, April 3, 2012.

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 3, 2012

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Matt Larson from Burr Oak and Hesper Lutheran Churches. He was the guest of Representative Hager of Allamakee County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by James Eimers, Page from Ankeny.

The Journal of Monday, April 2, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 137

Upmeyer of Hancock called up for consideration **House Resolution 137**, a resolution recognizing April 2012 as Window Safety Awareness Month for Iowa's children and families, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 10:44 a.m., Kaufmann of Cedar in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

Senate File 364, a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Koester of Polk offered amendment H-8128 filed by the committee on state government and moved its adoption.

The committee amendment H-8128 was adopted.

Koester of Polk offered amendment H-8369 filed by him and moved its adoption.

Amendment H-8369 was adopted.

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

On the question "Shall the bill pass?" (S.F. 364)

The ayes were, 91:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Raecker
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Kaufmann,	
		Presiding	

The nays were, 6:

Helland	Pearson	Rasmussen	Schultz
Shaw	Watts		

Absent or not voting, 3:

Paulsen, Spkr. Swaim Van Engelenhoven

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

Senate File 2311, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Wittneben of Emmet offered amendment H-8384 filed by him.

Paustian of Scott rose on a point of order that amendment H-8384 was not germane.

The Speaker ruled the point well taken and amendment H-8384 not germane.

Wittneben of Emmet moved to suspend the rules to consider amendment H-8384.

Roll call was requested by Wittneben of Emmet and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment H-8384?" (S.F. 2311)

The ayes were, 27:

Abdul-Samad	Berry	Cphoon	Gaines
Hager	Hall	Hanson	Heddens
Hunter	Isenhardt	Kearns	Kelley
Kressig	Lensing	Mascher	Murphy
Olson, R.	Olson, T.	Petersen	Steckman
Taylor, T.	Thede	Wenthe	Wessel-Kroeschell
Winckler	Wittneben	Wolfe	

The nays were, 69:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Gaskill	Grassley	Hagenow	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jacoby	Jorgensen
Kajtazovic	Klein	Koester	Lofgren
Lukan	Lykam	Massie	McCarthy
Miller, L.	Moore	Muhlbauer	Oldson
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Willems	Windschitl	Worthan
Kaufmann, Presiding			

Absent or not voting, 4:

Miller, H.	Paulsen, Spkr.	Swaim	Van Engelenhoven
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The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8281 filed by him and moved its adoption.

A non-record roll call was requested.

The ayes were 18, nays 65.

Amendment H-8281 lost.

Sweeney of Hardin asked and received unanimous consent to withdraw amendment H-8269 filed by her on March 14, 2012.

Paustian of Scott asked and received unanimous consent to withdraw amendment H-8375 filed by him and S. Olson of Clinton on March 27, 2012.

Paustian of Scott offered amendment H-8401 filed by him and S. Olson of Clinton.

Amendment H-8401 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2311)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Kaufmann, Presiding		

The nays were, none.

Absent or not voting, 2:

Isenhardt Van Engelenhoven

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

Speaker Paulsen in the chair at 11:11 a.m.

HOUSE RECEDES

Schulte of Linn called up for consideration **Senate File 2312**, a bill for an act relating to persons with mental health illnesses and substance-related disorders, amended by the House and moved that the House recede from its amendment.

The motion prevailed and the House recesses.

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

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

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Van Engelenhoven

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

SENATE AMENDMENT CONSIDERED

Iverson of Wright called up for consideration **House File 2427**, a bill for an act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of, or for failing to include a security mechanism on, electrical or mechanical amusement devices, amended by the Senate, and moved that the House concur in the Senate amendment H-8389.

The motion prevailed and the House concurred in the Senate amendment H-8389.

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

On the question "Shall the bill pass?" (H.F. 2427)

The ayes were, 81:

Abdul-Samad	Anderson	Arnold	Baltimore
Berry	Byrnes	Chambers	Cohoon
Cownie	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kearns	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Schulte
Smith, J.	Smith, M.	Soderberg	Steckman
Taylor, J.	Taylor, T.	Thede	Thomas

Tjepkes	Upmeyer	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 18:

Alons	Baudler	Brandenburg	De Boef
Fry	Grassley	Heddens	Kaufmann
Kelley	Olson, R.	Pearson	Raecker
Sands	Schultz	Shaw	Swaim
Sweeney	Watts		

Absent or not voting, 1:

Van Engelenhoven

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2427** and **Senate Files 364, 2311 and 2312.**

Ways and Means Calendar

Senate File 2217, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2217)

The ayes were, 76:

Abdul-Samad	Anderson	Arnold	Berry
Brandenburg	Chambers	Cohon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Gaines	Garrett	Gaskill
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Jacoby	Kajtazovic	Kaufmann
Kearns	Kelley	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paustian
Petersen	Quirk	Raecker	Rayhons
Rogers	Running-Marquardt	Schulte	Smith, M.
Steckman	Swaim	Sweeney	Taylor, T.
Thomas	Tjepkes	Upmeyer	Wagner
Wenthe	Wessel-Kroeschell	Willems	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 23:

Alons	Baltimore	Baudler	Byrnes
Fry	Grassley	Iverson	Jorgensen
Klein	Olson, R.	Pearson	Pettengill
Rasmussen	Sands	Schultz	Shaw
Smith, J.	Soderberg	Taylor, J.	Thede
Vander Linden	Watts	Winckler	

Absent or not voting, 1:

Van Engelenhoven

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

Senate File 2318, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

L. Miller of Scott offered amendment H-8395 filed by her.

Amendment H-8395 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2318)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 2:

Horbach Pearson

Absent or not voting, 1:

Van Engelenhoven

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2217** and **2318**.

On motion by Upmeyer of Hancock, the House was recessed at 11:37 a.m., until 12:45 p.m.

AFTERNOON SESSION

The House reconvened at 12:55 p.m., Hagenow of Polk in the chair.

The House stood at ease at 12:56 p.m., until the fall of the gavel.

The House resumed session at 2:14 p.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS

Appropriations Calendar

House File 2450, a bill for an act prohibiting the use of automated traffic law enforcement systems, and including effective date provisions, was taken up for consideration.

Murphy of Dubuque offered amendment H-8343 filed by him.

Gaskill of Wapello offered amendment H-8394, to amendment H-8343, filed by her and moved its adoption.

Amendment H-8394, to amendment H-8343, was adopted.

Murphy of Dubuque moved the adoption of amendment H-8343, as amended.

Amendment H-8343, as amended, lost.

Wenthe of Fayette offered amendment H-8392 filed by him and Hall of Woodbury.

Isenhart of Dubuque offered amendment H-8396, to amendment H-8392, filed by him and moved its adoption.

Amendment H-8396, to amendment H-8392, lost.

Wenthe of Fayette moved the adoption of amendment H-8392.

Roll call was requested by Wenthe of Fayette and Mascher of Johnson.

On the question "Shall amendment H-8392 be adopted?" (H.F. 2450)

The ayes were, 42:

Abdul-Samad	Berry	Brandenburg	Cohoon
Forristall	Gaines	Gaskill	Hall
Hanson	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Quirk	Running-Marquardt	Schulte	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 54:

Alons	Arnold	Baudler	Byrnes
Chambers	De Boef	Deyoe	Dolecheck
Drake	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schultz	Shaw
Smith, J.	Soderberg	Swaim	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 4:

Anderson	Baltimore	Cownie	Heaton
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Amendment H-8392 lost.

H. Miller of Webster offered amendment H-8408 filed by her and Wolfe of Clinton from the floor.

Amendment H-8408 lost.

T. Olson of Linn offered amendment H-8333 filed by him and moved its adoption.

Amendment H-8333 lost.

Windschitl of Harrison in the chair at 3:25 p.m.

Speaker Paulsen in the chair at 3:28 p.m.

T. Olson of Linn offered amendment H-8334 filed by him and moved its adoption.

Amendment H-8334 lost.

Cownie of Polk in the chair at 3:41 p.m.

T. Olson of Linn offered amendment H-8360 filed by him and moved its adoption.

Roll call was requested by T. Olson of Linn and Mascher of Johnson.

On the question "Shall amendment H-8360 be adopted?" (H.F. 2450)

The ayes were, 39:

Berry	Cohoon	Gaines	Gaskill
Hall	Hanson	Heaton	Heddens
Isenhardt	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Quirk	Running-Marquardt	Schulte
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Hein
Helland	Horbach	Hunter	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schultz	Shaw	Smith, J.	Soderberg
Swaim	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Cownie, Presiding

Absent or not voting, 1:

Abdul-Samad

Amendment H-8360 lost.

The House stood at ease at 3:47 p.m., until the fall of the gavel.

The House resumed session at 6:57 p.m., Speaker Paulsen in the chair.

Cownie of Polk in the chair at 7:23 p.m.

Speaker Paulsen in the chair at 7:50 p.m.

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

On the question "Shall the bill pass?" (H.F. 2450)

The ayes were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Fry
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Helland	Horbach
Hunter	Huseman	Iverson	Jorgensen
Kelley	Klein	Koester	Lofgren
Lukan	Massie	McCarthy	Moore

Murphy	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schultz	Shaw	Smith, J.
Soderberg	Swaim	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Wittneben
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 42:

Abdul-Samad	Berry	Brandenburg	Cphoon
Drake	Forristall	Gaines	Hanson
Hanusa	Heaton	Heddens	Hein
Isenhardt	Jacoby	Kajtazovic	Kaufmann
Kearns	Kressig	Lensing	Lykam
Mascher	Miller, H.	Miller, L.	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Petersen	Quirk	Schulte
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wolfe		

Absent or not voting, none.

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

HOUSE FILES 2048 AND 2214 WITHDRAWN

Rogers of Black Hawk asked and received unanimous consent to withdraw House Files 2048 and 2214 from further consideration by the House.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 3, 2012, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

House File 2292, a bill for an act relating to confinement feeding operations confining fish, and making penalties applicable.

Also: That the Senate has on April 3, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 413, a bill for an act relating to financial responsibilities of local emergency management commissions.

Also: That the Senate has on April 3, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2208, a bill for an act relating to the confidentiality of an arrest warrant.

Also: That the Senate has on April 3, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2216, a bill for an act relating to apportioned registration of commercial motor vehicles under the international registration plan, and including implementation provisions.

Also: That the Senate has on April 3, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2245, a bill for an act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa veterans home.

Also: That the Senate has on April 3, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2289, a bill for an act relating to the Iowa disaster aid individual assistance grant program administered by the department of human services.

Also: That the Senate has on April 3, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2321, 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 effective date provisions.

Also: That the Senate has on April 3, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2325, a bill for an act relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

Also: That the Senate has on April 3, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2327, a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for a tax credit and including effective date and applicability provisions.

Also: That the Senate has on April 3, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2329, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

Also: That the Senate has on April 3, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2330, a bill for an act relating to retailers maintaining a place of business in this state for purposes of the collection of sales and use taxes, agreements relating to the collection of sales and use taxes in the state, and sales of tangible personal property and services to the state.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2329, by committee on ways and means, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2450** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk
Baltimore of Boone
Heaton of Henry
Van Engelenhoven of Marion

Anderson of Page
Cownie of Polk
Paulsen of Linn

REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following corrections were made:

Senate File 364

I directed the House Legal Counsel to reconcile the two adopted amendments by including all of the new language and removing the lead-in and current Code language adopted in operation 1 of H-8128, as that Code section was later amended in operation 1 of

H-8369. The reconciled amendments resulted in complete sentences and fully reflected the intent of the House.

W. CHARLES SMITHSON
Chief Clerk of the House

SPONSOR ADDED
(House Resolution 120)

H. Miller of Webster requested to be added as a sponsor of House Resolution 120.

EXPLANATION OF VOTE

On April 3, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 364 – “aye”

Amendment H-8384 – suspend rules – (S.F. 2311) – “nay”

PAULSEN, SPKR.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 3rd day of April, 2012: House Files 2092, 2144, 2166, 2264, 2306, 2369 and 2404.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

AMENDMENTS FILED

H-8406	S.F.	2295	Baltimore of Boone R. Olson of Polk
H-8407	S.F.	2295	Baltimore of Boone

H-8409	S.F.	2112	Windschitl of Harrison Chambers of O'Brien Lykam of Scott Tjepkes of Webster Rasmussen of Buchanan
H-8410	S.F.	2112	Windschitl of Harrison
H-8411	H.F.	2435	Berry of Black Hawk
H-8412	S.F.	2293	Pettengill of Benton
H-8413	S.F.	2315	Schulte of Linn L. Miller of Scott
			Heaton of Henry Winckler of Scott
			Heddens of Story M. Smith of Marshall
			Fry of Clarke
H-8414	S.F.	2293	Horbach of Tama

On motion by Upmeyer of Hancock the House adjourned at 8:05 p.m., until 8:30 a.m., Wednesday, April 4, 2012.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Sixty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 4, 2012

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Fry of Clarke County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sydney Fehr, Page from Traer.

The Journal of Tuesday, April 3, 2012, was approved.

INTRODUCTION OF BILLS

House File 2461, by Helland, a bill for an act relating to legal actions involving nuisances affecting agriculture.

Read first time and referred to committee on **agriculture**.

House File 2462, by committee on ways and means, a bill for an act relating to early school start date provisions, establishing a waiver application fee, making an appropriation, and including effective date and applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 2325, by committee on ways and means, a bill for an act relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

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

Senate File 2327, by committee on appropriations, a bill for an act providing for charitable food donations to food banks and similar organizations, including by providing for a tax credit and including effective date and applicability provisions.

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

Senate File 2330, by committee on ways and means, a bill for an act relating to retailers maintaining a place of business in this state for purposes of the collection of sales and use taxes, agreements relating to the collection of sales and use taxes in the state, and sales of tangible personal property and services to the state.

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

QUORUM CALL

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

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2453, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

SENATE FILE 2329 SUBSTITUTED FOR HOUSE FILE 2453

Lukan of Dubuque asked and received unanimous consent to substitute Senate File 2329 for House File 2453.

Senate File 2329, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

Kaufmann of Cedar in the chair at 8:51 a.m.

Upmeyer of Hancock asked and received unanimous consent that Senate File 2329 be deferred and that the bill retain its place on the calendar.

Unfinished Business Calendar

House File 2229, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status, was taken up for consideration.

Upmeyer of Hancock asked and received unanimous consent that House File 2229 be deferred and that the bill retain its place on the calendar.

Ways and Means Calendar

Senate File 2329, a bill for an act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site, with report of committee recommending passage, previously deferred, was taken up for consideration.

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

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

The ayes were, 53:

Anderson	Arnold	Baudler	Berry
Brandenburg	Byrnes	Chambers	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Garrett	Gaskill	Grassley
Hein	Huseman	Isenhardt	Iverson
Jacoby	Kajtazovic	Kearns	Kelley
Koester	Kressig	Lukan	Lykam
Massie	Miller, H.	Moore	Muhlbauer
Murphy	Oldson	Olson, S.	Olson, T.
Paulsen, Spkr.	Petersen	Rasmussen	Rayhons
Running-Marquardt	Schulte	Smith, M.	Steckman
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Willems	Wittneben	Wolfe	Worthan
Kaufmann, Presiding			

The nays were, 43:

Abdul-Samad	Alons	Baltimore	Forristall
Fry	Gaines	Hagenow	Hall
Hanson	Hanusa	Heaton	Heddens
Helland	Horbach	Hunter	Jorgensen
Klein	Lensing	Lofgren	Mascher
Miller, L.	Olson, R.	Paustian	Pearson
Pettengill	Raecker	Rogers	Sands
Schultz	Shaw	Smith, J.	Soderberg
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Vander Linden	Wagner	Watts
Wessel-Kroeschell	Winckler	Windschitl	

Absent or not voting, 4:

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

Unfinished Business Calendar

House File 2229, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status, previously deferred, was taken up for consideration.

Windschitl of Harrison asked and received unanimous consent to withdraw amendment H-8397 filed by Windschitl of Harrison, et al., on March 29, 2012.

SENATE FILE 2112 SUBSTITUTED FOR HOUSE FILE 2229

Windschitl of Harrison asked and received unanimous consent to substitute Senate File 2112 for House File 2229.

Senate File 2112, a bill for an act allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word "VETERAN" to indicate veteran status, was taken up for consideration.

Windschitl of Harrison offered amendment H-8409 filed by Windschitl, et al., and moved its adoption.

Amendment H-8409 was adopted.

Windschitl of Harrison offered amendment H-8410 filed by him and moved its adoption.

Amendment H-8410 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2112)

The ayes were, 95:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, 1:

Vander Linden

Absent or not voting, 4:

Abdul-Samad Hager McCarthy Quirk

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

HOUSE FILES 2419 AND 2237 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House Files 2419 and 2237 from further consideration by the House.

HOUSE FILES 2028 AND 2229 WITHDRAWN

Lykam of Scott asked and received unanimous consent to withdraw House Files 2028 and 2229 from further consideration by the House.

The House stood at ease at 9:22 a.m., until the fall of the gavel.

The House resumed session at 9:45 a.m., Anderson of Page in the chair.

Ways and Means Calendar

House File 2459, a bill for an act relating to the assessment of moneys on sheep and wool production, and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 96:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall

Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Anderson, Presiding

The nays were, 1:

Willems

Absent or not voting, 3:

McCarthy Quirk Swaim

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

HOUSE FILE 2381 WITHDRAWN

Moore of Jackson asked and received unanimous consent to withdraw House File 2381 from further consideration by the House.

Unfinished Business Calendar

Senate File 451, a bill for an act relating to the allowable uses for modified allowable growth for programs for returning dropouts and dropout prevention, with report of committee recommending amendment and passage, was taken up for consideration.

Forristall of Pottawattamie asked and received unanimous consent to withdraw the committee amendment H-8278 filed by the committee on education on March 15, 2012.

Dolecheck of Ringgold offered amendment H-8339 filed by him.

Koester of Polk asked and received unanimous consent to withdraw amendment H-8368, to amendment H-8339, filed by him on March 27, 2012.

Koester of Polk offered amendment H-8387, to amendment H-8339, filed by him and moved its adoption.

Amendment H-8387, to amendment H-8339, was adopted, placing out of order amendment H-8377, to amendment H-8339, filed by Koester of Polk on March 27, 2012.

Dolecheck of Ringgold moved the adoption of amendment H-8339, as amended.

Amendment H-8339, as amended, was adopted.

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

On the question "Shall the bill pass?" (S.F. 451)

The ayes were, 92:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heddens	Hein	Helland
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Tjepkes	Upmeyer

Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Anderson, Presiding

The nays were, 6:

Gaskill	Heaton	Schulte	Steckman
Thomas	Willems		

Absent or not voting, 2:

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

IMMEDIATE MESSAGES

Windschitl of Harrison asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2459** and **Senate Files 451, 2112 and 2329.**

On motion by Windschitl of Harrison, the House was recessed at 10:09 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:58 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2311, a bill for an act revising provisions affecting the administration of the department of agriculture and land stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Also: That the Senate has on April 4, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on April 4, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2317, a bill for an act relating to the issuance of hunting, fur dealer, fur harvester, and fishing licenses, providing for fees, and including effective date provisions.

Also: That the Senate has on April 4, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2318, a bill for an act relating to the Iowa health information network, providing for fees, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 3:00 p.m., until the fall of the gavel.

The House resumed session at 4:56 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

SENATE AMENDMENTS CONSIDERED

Wagner of Linn called up for consideration **House File 524**, a bill for an act relating to the administration of the special appraiser's fund and the assessment expense fund, amended by the Senate, and moved that the House concur in the Senate amendment H-8294.

The motion prevailed and the House concurred in the Senate amendment H-8294.

Wagner of Linn moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon

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

On the question "Shall the bill pass?" (H.F. 524)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

Hagenow of Polk called up for consideration **House File 609**, a bill for an act relating to the probate and trust codes and state inheritance tax and including applicability provisions, amended by the Senate amendment H-8388.

Baltimore of Boone offered amendment H-8418, to the Senate

amendment H-8388, filed by him from the floor and moved its adoption.

A non-record roll call was requested.

The ayes were 58, nays 28.

Amendment H-8418, to the Senate amendment H-8388, was adopted.

Hagenow of Polk moved that the House concur in the Senate amendment H-8388, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8388, as amended.

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

On the question "Shall the bill pass?" (H.F. 609)

The ayes were, 75:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanusa	Heaton	Hein	Horbach
Huseman	Iverson	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, L.	Moore	Muhlbauer	Olson, S.
Olson, T.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Taylor, T.	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wittneben	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 21:

Abdul-Samad	Berry	Gaines	Hanson
Heddens	Hunter	Isenhart	Jacoby
Lensing	Miller, H.	Murphy	Oldson
Olson, R.	Petersen	Smith, M.	Steckman
Swaim	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 4:

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

Swaim of Davis in the chair at 5:22 p.m.

Unfinished Business Calendar

Senate File 2158, a bill for an act relating to reimbursement of speech pathology services under the medical assistance program, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2158)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Horbach	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.

Olson, S.	Olson, T.	Paulsen, Spkr.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Swaim, Presiding	

The nays were, none.

Absent or not voting, 5:

De Boef	Dolecheck	Helland	Quirk
Rasmussen			

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

Speaker Paulsen in the chair at 5:28 p.m.

Kaufmann of Cedar in the chair at 5:29 p.m.

SENATE AMENDMENT CONSIDERED

Baltimore of Boone called up for consideration **House File 2323**, a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property, amended by the Senate, and moved that the House concur in the Senate amendment H-8390.

The motion prevailed and the House concurred in the Senate amendment H-8390.

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

On the question "Shall the bill pass?" (H.F. 2323)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
Deyoe	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, none.

Absent or not voting, 5:

De Boef	Dolecheck	Helland	Quirk
Rasmussen			

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

Speaker Paulsen in the chair at 5:32 p.m.

Unfinished Business Calendar

House File 2339, 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 effective date provisions, was taken up for consideration.

Pettengill of Benton offered amendment H-8282 filed by her and moved its adoption.

Amendment H-8282 was adopted.

SENATE FILE 2293 SUBSTITUTED FOR HOUSE FILE 2339

Pettengill of Benton asked and received unanimous consent to substitute Senate File 2293 for House File 2339.

Senate File 2293, 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 effective date provisions, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment H-8315 filed by him on March 21, 2012.

Petersen of Polk asked and received unanimous consent to withdraw amendment H-8312 filed by her on March 20, 2012.

Pettengill of Benton offered amendment H-8415 filed by her from the floor and moved its adoption.

Amendment H-8415 was adopted.

Pettengill of Benton offered amendment H-8412 filed by her and moved its adoption.

Roll call was requested by Oldson of Polk and Jacoby of Johnson.

On the question "Shall amendment H-8412 be adopted?" (S.F. 2293)

The ayes were, 54:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Hein	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rayhons

Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

The nays were, 41:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heaton
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kaufmann	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Running-Marquardt	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 5:

De Boef	Dolecheck	Helland	Quirk
Rasmussen			

Amendment H-8412 was adopted.

Horbach of Tama offered amendment H-8414 filed by him.

Petersen of Polk offered amendment H-8417, to amendment H-8414, filed by her from the floor and moved its adoption.

Roll call was requested by Horbach of Tama and Koester of Polk.

On the question "Shall amendment H-8417, to amendment H-8414, be adopted?" (S.F. 2293)

The ayes were, 34:

Abdul-Samad	Berry	Cohoon	Gaines
Heddens	Hein	Hunter	Isenhart
Jacoby	Kajtazovic	Kearns	Kelley
Kressig	Lensing	Lykam	Mascher
McCarthy	Miller, H.	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wolfe		

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Drake	Forristall
Fry	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Muhlbauer	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rayhons	Rogers	Sands	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Thede	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

Absent or not voting, 6:

De Boef	Dolecheck	Helland	Quirk
Rasmussen	Schulte		

Amendment H–8417, to amendment H–8414, lost.

Horbach of Tama moved the adoption of amendment H–8414.

Roll call was requested by Horbach of Tama and Upmeyer of Hancock.

On the question "Shall amendment H–8414 be adopted?" (S.F. 2293)

The ayes were, 76:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Horbach	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Klein	Koester	Lofgren
Lukan	Lykam	Massie	McCarthy
Miller, L.	Moore	Muhlbauer	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Pettengill	Raecker	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Sweeney	Taylor, J.	Thomas	Tjepkes

Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 19:

Abdul-Samad	Berry	Gaines	Hunter
Kearns	Kelley	Kressig	Lensing
Mascher	Miller, H.	Murphy	Oldson
Petersen	Steckman	Swaim	Taylor, T.
Thede	Winckler	Wolfe	

Absent or not voting, 5:

De Boef	Dolecheck	Helland	Quirk
Rasmussen			

Amendment H-8414 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2293)

The ayes were, 66:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cownie	Deyoe	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanusa	Heaton	Heddens	Hein
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	McCarthy	Miller, L.
Moore	Muhlbauer	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Windschitl
Worthan	Mr. Speaker Paulsen		

The nays were, 29:

Abdul-Samad	Cohoon	Gaines	Hanson
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Miller, H.	Murphy
Oldson	Olson, R.	Olson, T.	Petersen
Steckman	Swaim	Taylor, T.	Thede
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 5:

De Boef	Dolecheck	Helland	Quirk
Rasmussen			

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

HOUSE FILE 2339 WITHDRAWN

Pettengill of Benton asked and received unanimous consent to withdraw House File 2339 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 524, 609, 2323** and **Senate Files 2158** and **2293**.

Steckman of Cerro Gordo asked for unanimous consent for the immediate consideration of House File 2245.

Objection was raised.

Steckman of Cerro Gordo moved to suspend the rules for the immediate consideration of House File 2245.

Roll call was requested by Steckman of Cerro Gordo and Murphy of Dubuque.

On the question "Shall the rules be suspended?" (H.F. 2245)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 56:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	Deyoe	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Raecker	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Mr. Speaker Paulsen

Absent or not voting, 6:

De Boef	Dolecheck	Helland	Quirk
Rasmussen	Swaim		

The motion to suspend the rules lost.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

De Boef of Keokuk	Dolecheck of Ringgold
Hager of Allamakee	Helland of Polk
Rasmussen of Buchanan	Schulte of Linn

EXPLANATIONS OF VOTE

On April 4, 2012, I inadvertently voted “aye” on amendment H–8417, to amendment H–8414, to Senate File 2293, I meant to vote “nay”.

HEIN of Jones

On April 4, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2329 – “aye”

WENTHE of Fayette

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 2168, an Act relating to the authorized deposit of public funds.

House File 2321, an Act amending provisions in the uniform commercial code relating to secured transactions, and including effective date provisions.

House File 2370, an Act relating to civil actions relating to real estate, including mortgage foreclosure actions.

House File 2379, an Act relating to expunging certain criminal records, and including applicability provisions.

House File 2383, an Act relating to mandatory reporting of school employee misconduct to the Board of Educational Examiners.

House File 2387, an Act relating to improvements to and implementation of laws concerning elder abuse.

House File 2390, an Act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable.

House File 2403, an Act relating to requirements for a commercial driver’s license for certain persons transitioning from military service.

Senate File 2221, an Act requiring background checks for school bus drivers and making penalties applicable.

Senate File 2249, an Act relating to motor vehicle dealer activities at fair events, vehicle shows, vehicle exhibitions, and motorcycle rallies and to the definition of travel trailer for purposes of travel trailer dealer requirements, and including effective date provisions.

Senate File 2260, an Act revising the Iowa Nonprofit Corporation Act.

Senate File 2265, an Act providing for notarial acts, providing for fees, and including effective date provisions.

Senate File 2314, 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.

Senate File 2324, an Act making appropriations to the Department of Workforce Development for certain purposes and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENT

House File 2297

Appropriations: Chambers, Chair; Hall and Wagner.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 675 Appropriations

Making appropriations to the commission of veterans affairs for the provision of veterans services, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 674), relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 672), relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 2012.

Committee Bill (Formerly House Study Bill 673), relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2012.

Committee Bill (Formerly House File 2420), relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2012.

RESOLUTION FILED

H.R. 138, by Helland, Sweeney, Moore, Paustian, Klein, De Boef, Quirk, Muhlbauer, H. Miller, and Sands, a resolution to urge the United States Congress not to enact House Resolution 3798, the Egg Products Inspection Act Amendments of 2012.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8416 H.F. 2462 Forristall of Pottawattamie
Hein of Jones

On motion by Upmeyer of Hancock the House adjourned at 6:15 p.m., until 8:30 a.m., Thursday, April 5, 2012.

JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Sixty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 5, 2012

The House met pursuant to adjournment at 8:37 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Ryan Perz from Cornerstone Baptist Church, Orange City. He was the guest of Representatives Alons of Sioux County and Soderberg of Plymouth County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alexandra Byrnes, Abbie Miller and Kayla Uthe from Osage. They were the guests of Representative Byrnes of Mitchell.

The Journal of Wednesday, April 4, 2012, was approved.

INTRODUCTION OF BILLS

House File 2463, by committee on ways and means, a bill for an act relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions.

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

House File 2464, by committee on ways and means, a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2399, a bill for an act relating to scrap metal transactions, prohibiting certain sales, and providing penalties.

Also: That the Senate has on April 4, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2328, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 8:41 a.m., until 1:30 p.m.

AFTERNOON SESSION

The House reconvened at 1:40 p.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2328, by committee on ways and means, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions.

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

The House stood at ease at 1:48 p.m., until the fall of the gavel.

The House resumed session at 1:53 p.m., Speaker Paulsen in the chair.

SENATE AMENDMENT CONSIDERED

Shaw of Pocahontas called up for consideration **House File 2399**, a bill for an act relating to scrap metal transactions, prohibiting

certain sales, and providing penalties, amended by the Senate, and moved that the House concur in the Senate amendment H-8419.

The motion prevailed and the House concurred in the Senate amendment H-8419.

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

On the question "Shall the bill pass?" (H.F. 2399)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 1:

Wagner

Absent or not voting, 5:

Helland	Klein	Oldson	Swaim
Sweeney			

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2399** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Helland of Polk
Oldson of Polk

Klein of Washington
Sweeney of Hardin

SENATE FILE 2325 REFERRED

The Speaker announced that Senate File 2325, previously referred to committee on **ways and means** was **passed on file**.

SUBCOMMITTEE ASSIGNMENTS

House File 2456

Ways and Means: Helland, Chair; Kajtazovic and Sands.

Senate File 2327

Ways and Means: Helland, Chair; Petersen and Sands.

Senate File 2330

Ways and Means: Helland, Chair; Jacoby and Pettengill.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 675

Appropriations: Chambers, Chair; Hall and Wagner.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 675), making appropriations to the commission of veterans affairs for the provision of veterans services, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2012.

Committee Bill (Formerly House File 2297), making a transfer to the veterans trust fund and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2012.

AMENDMENTS FILED

H-8420	H.F.	2462	J. Smith of Dickinson Paustian of Scott
H-8421	H.F.	2464	M. Smith of Marshall

On motion by Upmeyer of Hancock the House adjourned at 2:02 p.m., until 8:30 a.m., Friday, April 6, 2012.

JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 6, 2012

The House met pursuant to adjournment at 8:30 a.m., Koester of Polk in the chair.

Prayer was offered by Representative Koester of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Koester of Polk.

The Journal of Thursday, April 5, 2012, was approved.

INTRODUCTION OF BILLS

House File 2465, by committee on appropriations, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

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

House File 2466, by committee on appropriations, a bill for an act making appropriations to the commission of veterans affairs for the provision of veterans services, and including effective date provisions.

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

House File 2467, by committee on ways and means, a bill for an act relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

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

SPONSOR WITHDRAWN
(Amendment H-8413 to Senate File 2315)

M. Smith of Marshall requested to be withdrawn as a sponsor of amendment H-8413 to Senate File 2315.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 5, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 2092, an Act providing for the year-round operation of farmers markets, and including effective date provisions.

House File 2144, an Act relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

House File 2166, an Act relating to the administration of the streamlined sales tax agreement by the Department of Revenue.

House File 2264, an Act relating to interment rights of certain veterans and their spouses in cemeteries owned and controlled by governmental subdivisions.

House File 2306, an Act relating to the membership of the Medical Assistance Advisory Council.

House File 2369, an Act relating to vital statistics, including the issuance of a burial transit permit and the transmission and recording of certain death certificates, and including effective date provisions.

House File 2404, an Act relating to the extension of the effective date of a driver's license for a person serving on active duty in military service.

Senate File 2038, an Act relating to the duties and requirements of the Department of Veterans Affairs and the Commission of Veterans Affairs.

Senate File 2137, an Act relating to certain property taxes for joint county-city buildings and including applicability provisions.

Senate File 2165, an Act relating to the documentation required to prepare a notice of alleged paternity and support debt in administrative paternity proceedings.

Senate File 2220, an Act relating to the licensing of schools of cosmetology arts and sciences and barber schools.

Senate File 2231, an Act relating to the practices and procedures of the state public defender.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

CITIZENS' AIDE/OMBUDSMAN

Annual Report, pursuant to Iowa Code section 2C.

DEPARTMENT OF NATURAL RESOURCES

State Geologist and the Iowa Geological and Water Survey Report, pursuant to Iowa Code section 7A.4(2).

DEPARTMENT OF PUBLIC HEALTH

Problem Gambling Treatment and Prevention Report, pursuant to Iowa Code section 135.150.

DEPARTMENT OF REVENUE

Motor Fuel Retailers Gallons Report, pursuant to Iowa Code section 452A.33.

On motion by Lukan of Dubuque the House adjourned at 8:51 a.m., until 1:00 p.m., Monday, April 9, 2012.

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 9, 2012

The House met pursuant to adjournment at 1:04 p.m., Speaker Paulsen in the chair.

Prayer was offered by Alexandra Beem from Clive. She was the guest of Representative Cownie of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by eleven grandchildren of Representative De Boef of Keokuk.

The Journal of Friday, April 6, 2012, was approved.

The House stood at ease at 1:30 p.m., until the fall of the gavel.

The House resumed session at 1:44 p.m., Speaker Paulsen in the chair.

The House stood at ease at 1:50 p.m., until the fall of the gavel.

The House resumed session at 1:57 p.m., Speaker Paulsen in the chair.

The House stood at ease at 1:57 p.m., until the fall of the gavel.

The House resumed session at 3:38 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2468, by committee on appropriations, a bill for an act relating to transfers to the veterans trust fund and including effective date provisions.

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

The House stood at ease at 3:49 p.m., until the fall of the gavel.

The House resumed session at 4:06 p.m., Kaufmann of Cedar in the chair.

CONSIDERATION OF BILLS Regular Calendar

House File 2455, a bill for an act relating to the examinations of the finances of certain cities and including effective date provisions, was taken up for consideration.

Baltimore of Boone offered amendment H-8380 filed by him and moved its adoption.

Amendment H-8380 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2455)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Murphy	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven

Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, none.

Absent or not voting, 4:

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

Appropriations Calendar

House File 2458, a bill for an act establishing a rural Iowa primary care loan repayment program and trust fund to be administered by the college student aid commission, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2458)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Murphy	Olson, R.	Olson, S.
Olson, T.	Paulsen, Spkr.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim

Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, none.

Absent or not voting, 4:

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

HOUSE FILE 2389 WITHDRAWN

Wagner of Linn asked and received unanimous consent to withdraw House File 2389 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2455 and 2458.**

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 9, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions.

Also: That the Senate has on April 9, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2112, a bill for an act relating to transportation, including by providing for the registration and titling of military vehicles and allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with

the word "VETERAN" to indicate veteran status and allowing the commission of veterans affairs to allocate certain funds.

Also: That the Senate has on April 9, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2333, a bill for an act providing a sales tax exemption for the sale of tangible personal property or services to substance abuse treatment or prevention programs that receive block grant funding from the Iowa department of public health.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 4:21 p.m., until the fall of the gavel.

The House resumed session at 4:31 p.m., Kaufmann of Cedar in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Forristall of Pottawattamie

Oldson of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 9th day of April, 2012: House Files 524, 2226, 2228, 2231, 2292, 2305, 2323, 2388, 2427 and 2428.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

AMENDMENTS FILED

H-8422	H.F.	2465	Thomas of Clayton
H-8423	H.F.	2435	Heddens of Story Heaton of Henry
H-8424	H.F.	2462	Mascher of Johnson
H-8425	H.F.	2337	Senate Amendment

H-8426	H.F.	2465	Winckler of Scott Dolecheck of Ringgold
H-8427	H.F.	2449	Thomas of Clayton
H-8428	H.F.	2465	Isenhart of Dubuque Hanson of Jefferson
H-8429	H.F.	2465	Winckler of Scott Abdul-Samad of Polk Cohoon of Des Moines Gaskill of Wapello Hanson of Jefferson Hunter of Polk Kajtazovic of Black Hawk Kelley of Jasper Lensing of Johnson Mascher of Johnson Murphy of Dubuque Petersen of Polk Steckman of Cerro Gordo Thede of Scott Wessel-Kroeschell of Story
H-8430	H.F.	2465	Wittneben of Emmet Heddens of Story Berry of Black Hawk Gaines of Polk Hall of Woodbury Hunter of Polk Kearns of Lee Kressig of Black Hawk Lykam of Scott H. Miller of Webster R. Olson of Polk M. Smith of Marshall T. Taylor of Linn Thomas of Clayton
			Heddens of Story Berry of Black Hawk Gaines of Polk Hall of Woodbury Hunter of Polk Kearns of Lee Kressig of Black Hawk Lykam of Scott H. Miller of Webster R. Olson of Polk M. Smith of Marshall T. Taylor of Linn Wenthe of Fayette Willems of Linn Wittneben of Emmet
			Abdul-Samad of Polk Cohoon of Des Moines Gaskill of Wapello Hanson of Jefferson Kajtazovic of Black Hawk Kelley of Jasper Lensing of Johnson Mascher of Johnson Murphy of Dubuque Petersen of Polk Steckman of Cerro Gordo Thede of Scott Wessel-Kroeschell of Story Winckler of Scott Wolfe of Clinton

On motion by Upmeyer of Hancock the House adjourned at 4:37 p.m., until 8:30 a.m., Tuesday, April 10, 2012.

JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 10, 2012

The House met pursuant to adjournment at 8:36 a.m., Speaker Paulsen in the chair.

Prayer was offered by Rev. Dr. Paczkawski from Westminster Presbyterian Church, Des Moines. He was the guest of Representative Hagenow of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eli Kirschbaum, Page from Bettendorf.

The Journal of Monday, April 9, 2012, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 9, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2333, by committee on ways and means, a bill for an act providing a sales tax exemption for the sale of tangible personal property or services to substance abuse treatment or prevention programs that receive block grant funding from the Iowa department of public health.

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

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Paulsen invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the Second Regular Session of the Eighty-fourth General Assembly were presented to the following Pages by Speaker Paulsen, Majority Leader Upmeyer and Minority Leader McCarthy:

Carter Bell	Thomas Biedenfeld
Kaleb Chase	Margaret Chelsvig
Lane Christophersen	Kaitlin Dagle
James Eimers	Sidney Fehr
Forest Glick, Jr.	Rebecca Greenway
Bradley Hobart	Willow Huber
Nicholas Huffman	Eli Kirschbaum
Alberto Lara	Nora McKenzie
Darek Muhlbauer	Kalie Palmer
Monica Pearson	Katelyn Terhark
Brennan Trees-Haymond	Angelo Vignaroli

The House rose and expressed its appreciation.

The House stood at ease at 9:02 a.m., until the fall of the gavel.

The House resumed session at 9:15 a.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2284, by committee on education, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

Read first time and referred to committee on **education**.

The House stood at ease at 9:27 a.m., until the fall of the gavel.

The House resumed session at 9:38 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2462, a bill for an act relating to early school start date provisions, establishing a waiver application fee, making an appropriation, and including effective date and applicability provisions, was taken up for consideration.

The House stood at ease at 9:39 a.m., until the fall of the gavel.

The House resumed session at 10:36 a.m., Speaker Paulsen in the chair.

The House resumed consideration of House File 2462.

J. Smith of Dickinson offered amendment H-8420 filed by him and Paustian of Scott.

Roll call was requested by Mascher of Johnson and M. Smith of Marshall.

On the question "Shall amendment H-8420 be adopted?" (H.F. 2462)

The ayes were, 100:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.

Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, none.

Amendment H-8420 was adopted.

Forristall of Pottawattamie offered amendment H-8416 filed by him and Hein of Jones.

Cownie of Polk rose on a point of order that amendment H-8416 was not germane.

The Speaker ruled the point well taken and amendment H-8416 not germane.

Forristall of Pottawattamie asked for unanimous consent to suspend the rules to consider amendment H-8416.

Objection was raised.

Forristall of Pottawattamie moved to suspend the rules to consider amendment H-8416.

A non-record roll call was requested.

The ayes were 9, nays 54.

The motion to suspend the rules lost.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8424 filed by her on April 9, 2012.

Windschitl of Harrison in the chair at 11:13 a.m.

Upmeyer of Hancock rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

Pettengill of Benton rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

Speaker Paulsen in the chair at 12:03 p.m.

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

On the question "Shall the bill pass?" (H.F. 2462)

The ayes were, 56:

Abdul-Samad	Anderson	Arnold	Baltimore
Baudler	Cownie	De Boef	Dolecheck
Drake	Fry	Gaines	Garrett
Grassley	Hagenow	Hanson	Hein
Horbach	Hunter	Huseman	Iverson
Kaufmann	Kelley	Lukan	Massie
McCarthy	Miller, H.	Muhlbauer	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Pettengill	Quirk	Raecker
Rayhons	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Swaim	Sweeney	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 44:

Alons	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Deyoe	Forristall
Gaskill	Hager	Hall	Hanusa
Heaton	Heddens	Helland	Isenhardt
Jacoby	Jorgensen	Kajtazovic	Kearns
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Miller, L.
Moore	Murphy	Petersen	Rasmussen
Rogers	Soderberg	Steckman	Taylor, J.
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wolfe

Absent or not voting, none.

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

On motion by Upmeyer of Hancock, the House was recessed at 12:10 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:21 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 451, a bill for an act relating to the allowable uses for modified allowable growth for programs for returning dropouts and dropout prevention.

Also: That the Senate has on April 10, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2326, a bill for an act relating to qualification for and receipt of the wind energy and renewable energy tax credits.

Also: That the Senate has on April 10, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2332, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2332, by committee on ways and means, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2462** be immediately messaged to the Senate.

The House stood at ease at 2:22 p.m., until the fall of the gavel.

The House resumed session at 4:02 p.m., Speaker Paulsen in the chair.

The House stood at ease at 4:10 p.m., until the fall of the gavel.

The House resumed session at 4:16 p.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2326, by committee on ways and means, a bill for an act relating to qualification for and receipt of the wind energy and renewable energy tax credits.

Read first time and referred to committee on **commerce**.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2463, a bill for an act relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions, was taken up for consideration.

SENATE FILE 2325 SUBSTITUTED FOR HOUSE FILE 2463

Paustian of Scott asked and received unanimous consent to substitute Senate File 2325 for House File 2463.

Senate File 2325, a bill for an act relating to the income tax checkoffs for the child abuse prevention program fund and the veterans trust fund and volunteer fire fighter preparedness fund, and including retroactive applicability provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2325)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

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

HOUSE FILE 2463 WITHDRAWN

Paustian of Scott asked and received unanimous consent to withdraw House File 2463 from further consideration by the House.

House File 2464, a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions, was taken up for consideration.

M. Smith of Marshall offered amendment H-8421 filed by him and moved its adoption.

Amendment H-8421 was adopted.

Jorgensen of Woodbury offered amendment H-8436 filed by him from the floor and moved its adoption.

Amendment H-8436 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2464)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 5:

Arnold
Thomas

Horbach

Murphy

Pettengill

Absent or not voting, 1:

Swaim

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

HOUSE REFUSED TO CONCUR

Schultz of Crawford called up for consideration **House File 2337**, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions, amended by the Senate amendment H-8425.

Kelley of Jasper asked and received unanimous consent to withdraw amendment H-8437, to the Senate amendment H-8425, filed by him and Gaines of Polk from the floor.

Schultz moved that the House concur in the Senate amendment H-8425.

The motion lost and the House refused to concur in the Senate amendment H-8425.

The House stood at ease at 4:49 p.m., until the fall of the gavel.

The House resumed session at 4:50 p.m., Speaker Paulsen in the chair.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2337, 2464** and **Senate File 2325**.

Upmeyer of Hancock asked and received unanimous consent to consider House File 2465.

Appropriations Calendar

House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Kaufmann of Cedar in the chair at 5:06 p.m.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment H-8431 filed by her, Abdul-Samad of Polk, Berry of Black Hawk, Cohoon of Des Moines, Gaines of Polk, Gaskill of Wapello, Hanson of Jefferson, Heddens of Story, Hunter of Polk, Isenhardt of Dubuque, Kajtazovic of Black Hawk, Kearns of Lee, Kelley of Jasper, Kressig of Black Hawk, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, H. Miller of Webster, R. Olson of Polk, Petersen of Polk, M. Smith of Marshall, Steckman of Cerro Gordo, T. Taylor of Linn, Thede of Scott, Wenthe of Fayette, Willems of Linn, Winckler of Scott, Wittneben of Emmet and Wolfe of Clinton from the floor, placing out of order amendment H-8438 filed by Wagner of Linn from the floor.

Petersen of Polk offered amendment H-8435 filed by her from the floor and moved its adoption.

Roll call was requested by Petersen of Polk and T. Taylor of Linn.

On the question "Shall amendment H-8435 be adopted?" (H.F. 2465)

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson

Jacoby	Jorgensen	Kajtazovic	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, none.

Absent or not voting, 1:

Swaim

Amendment H–8435 was adopted.

Speaker Paulsen in the chair at 5:17 p.m.

Heddens of Story offered amendment H–8430 filed by Heddens, et al.

Wagner of Linn requested a division as follows:

Division A: Page 1, lines 2 through 3.

Division B: Page 1, lines 4 through 5.

Heddens of Story moved amendment H–8430A.

Roll call was requested by Heddens of Story and Raecker of Polk.

On the question "Shall amendment H–8430A be adopted?" (H.F. 2465)

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill

Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Baudler Swaim

Amendment H-8430A was adopted.

Heddens of Story moved amendment H-8430B.

Roll call was requested by Heddens of Story and Mascher of Johnson.

On the question "Shall amendment H-8430B be adopted?" (H.F. 2465)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 3:

Dolecheck	Schulte	Swaim
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Amendment H-8430B lost.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-8442 filed by him, Watts of Dallas, Shaw of Pocahontas, Massie of Warren and Pearson of Polk from the floor.

Quirk of Chickasaw offered amendment H-8434 filed by him and Jacoby of Johnson from the floor and moved its adoption.

Roll call was requested by T. Olson of Linn and Raecker of Polk.

On the question "Shall amendment H-8434 be adopted?" (H.F. 2465)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren

Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 1:

Horbach

Absent or not voting, 3:

Dolecheck Helland Swaim

Amendment H-8434 was adopted.

Winckler of Scott offered amendment H-8439 filed by her, Abdul-Samad of Polk, Berry of Black Hawk, Cohoon of Des Moines, Gaines of Polk, Gaskill of Wapello, Hanson of Jefferson, Heddens of Story, Hunter of Polk, Isenhart of Dubuque, Jacoby of Johnson, Kajtazovic of Black Hawk, Kearns of Lee, Kelley of Jasper, Kressig of Black Hawk, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, H. Miller of Webster, Muhlbauer of Crawford, Oldson of Polk, R. Olson of Polk, T. Olson of Linn, Petersen of Polk, Steckman of Cerro Gordo, T. Taylor of Linn, Thede of Scott, Wenthe of Fayette, Wessel-Kroeschell of Story, Willems of Linn, and Wittneben of Emmet from the floor and moved its adoption.

Roll call was requested by Raecker of Polk and Wagner of Linn.

On the question "Shall amendment H-8439 be adopted?" (H.F. 2465)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing

Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 2:

Kaufmann	Swaim
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Amendment H-8439 lost.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8422 filed by him on April 9, 2012.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8426 filed by her and Dolecheck of Ringgold on April 9, 2012.

Winckler of Scott asked and received unanimous consent that amendment H-8445 be deferred.

Hagenow of Polk in the chair at 5:50 p.m.

Isenhardt of Dubuque offered amendment H-8428 filed by him and Hanson of Jefferson.

Wagner of Linn rose on a point of order that amendment H-8428 was not germane.

The Speaker ruled the point well taken and amendment H-8428 not germane.

Wagner of Linn offered amendment H-8444 filed by him from the floor and moved its adoption.

Roll call was requested by McCarthy of Polk and Raecker of Polk.

On the question "Shall amendment H-8444 be adopted?" (H.F. 2465)

The ayes were, 90:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhart	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 7:

Hunter	Iverson	Lensing	Mascher
Pearson	Taylor, T.	Winckler	

Absent or not voting, 2:

Baltimore	Swaim
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Under the provision of Rule 76, conflict of interest, Shaw of Pocahontas refrained from voting.

Amendment H-8444 was adopted.

Winckler of Scott offered amendment H-8429 filed by Winckler of Scott, et al., and moved its adoption.

Roll call was requested by Steckman of Cerro Gordo and Raecker of Polk.

On the question "Shall amendment H-8429 be adopted?" (H.F. 2465)

The ayes were, 40:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Taylor, J.	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 2:

Hager	Swaim
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Amendment H-8429 lost.

Wagner of Linn offered amendment H-8441 filed by him from the floor and moved its adoption.

A non-record roll call was requested.

The ayes were 55, nays 33.

Amendment H-8441 was adopted.

Murphy of Dubuque offered amendment H-8432 filed by him from the floor and moved its adoption.

Roll call was requested by Wagner of Linn and Murphy of Dubuque.

On the question "Shall amendment H-8432 be adopted?" (H.F. 2465)

The ayes were, none.

The nays were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell

Willems
Wolfe

Winckler
Worthan

Windschitl
Mr. Speaker
Paulsen

Wittneben

Absent or not voting, 1:

Swaim

Amendment H-8432 lost.

Wagner of Linn offered amendment H-8440 filed by him from the floor and moved its adoption.

Amendment H-8440 was adopted.

Thomas of Clayton offered amendment H-8446 filed by him from the floor and moved its adoption.

Amendment H-8446 lost.

Winckler of Scott offered amendment H-8445 filed by her and Dolecheck of Ringgold from the floor, previously deferred.

Winckler of Scott offered amendment H-8447, to amendment H-8445, filed by her and Dolecheck of Ringgold from the floor and moved its adoption.

Amendment H-8447, to amendment H-8445, was adopted.

Winckler of Scott moved the adoption of amendment H-8445, as amended.

Roll call was requested by Winckler of Scott and Raecker of Polk.

On the question "Shall amendment H-8445 be adopted?" (H.F. 2465)

The ayes were, 99:

Abdul-Samad
Baltimore
Byrnes
De Boef
Forristall
Gaskill

Alons
Baudler
Chambers
Deyoe
Fry
Grassley

Anderson
Berry
Cohoon
Dolecheck
Gaines
Hagenow

Arnold
Brandenburg
Cownie
Drake
Garrett
Hager

Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Swaim

Amendment H-8445, as amended, was adopted.

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

On the question "Shall the bill pass?" (H.F. 2465)

The ayes were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer

Van Engelenhoven Windschitl	Vander Linden Worthan	Wagner Mr. Speaker Paulsen	Watts
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The nays were, 40:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Pearson	Petersen	Quirk
Running-Marquardt	Smith, M.	Steckman	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

Absent or not voting, 1:

Swaim

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2465** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Baudler of Adair
Dolecheck of Ringgold	Hager of Allamakee
Helland of Polk	Kaufmann of Cedar
Schulte of Linn	

SUBCOMMITTEE ASSIGNMENTS

Senate File 2322

Ways and Means: Moore, Chair; Hein and Jacoby.

Senate File 2328

Ways and Means: Helland, Chair; Kaufmann and Quirk.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 667), providing for sales and use taxes collected on farm machinery and equipment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 10, 2012.

Committee Bill (Formerly House File 2359), relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 10, 2012.

RESOLUTION FILED

H.R. 139, by Paulsen, Schulte, and T. Taylor, a resolution honoring the Cedar Rapids Kennedy High School's show choir, Happiness, Inc., for winning the Show Choir Nationals 2012 championships.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8433	H.F.	2375	Iverson of Wright
H-8443	H.F.	2460	Soderberg of Plymouth

On motion by Upmeyer of Hancock the House adjourned at 6:48 p.m., until 8:30 a.m., Wednesday, April 11, 2012.

JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 11, 2012

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Father Ken Gehling from Mercy Medical Center Chapel, Mason City. He was the guest of Representative Steckman of Cerro Gordo County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katelyn Terhark, Page from Corwith.

The Journal of Tuesday, April 10, 2012, was approved.

The House stood at ease at 8:48 a.m., until the fall of the gavel.

The House resumed session at 9:12 a.m., Speaker Paulsen in the chair.

The House stood at ease at 9:14 a.m., until the fall of the gavel.

The House resumed session at 10:42 a.m., Speaker Paulsen in the chair.

The House stood at ease at 10:48 a.m., until the fall of the gavel.

The House resumed session at 11:39 a.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 364, a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties.

Also: That the Senate has on April 11, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act relating to residential contractors and providing a penalty.

MICHAEL E. MARSHALL, Secretary

Schultz of Crawford in the chair at 11:44 a.m.

Speaker Paulsen in the chair at 11:50 a.m.

QUORUM CALL

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

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2460, a bill for an act relating to Iowa's urban renewal law and incremental property taxes by modifying provisions relating to the duration of urban renewal areas, the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions, was taken up for consideration.

Cownie of Polk in the chair at 12:01 p.m.

Soderberg of Plymouth offered amendment H-8443 filed by him.

Sands of Louisa asked and received unanimous consent to withdraw amendment H-8450, to amendment H-8443, filed by him and Soderberg of Plymouth from the floor.

Speaker Paulsen in the chair at 12:23 p.m.

Sands of Louisa offered amendment H-8452, to amendment H-8443, filed by him and Soderberg of Plymouth from the floor and moved its adoption.

Amendment H-8452, to amendment H-8443, was adopted.

Cownie of Polk in the chair at 12:46 p.m.

Soderberg of Plymouth moved the adoption of amendment H-8443, as amended.

Amendment H-8443, as amended, was adopted.

Speaker Paulsen in the chair at 1:11 p.m.

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

On the question "Shall the bill pass?" (H.F. 2460)

The ayes were, 54:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Chambers	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Iverson	Kaufmann
Klein	Koester	Lofgren	Lukan
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

The nays were, 43:

Abdul-Samad	Berry	Byrnes	Cohoon
Cownie	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, J.	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2460** be immediately messaged to the Senate.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on education to meet immediately.

On motion by Upmeyer of Hancock, the House was recessed at 1:39 p.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 4:12 p.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS

Ways and Means Calendar

House File 2448, a bill for an act providing a sales tax exemption for the sale of tangible personal property or services to substance abuse treatment or prevention programs that receive block grant funding from the Iowa department of public health, was taken up for consideration.

SENATE FILE 2333 SUBSTITUTED FOR HOUSE FILE 2448

Moore of Jackson asked and received unanimous consent to substitute Senate File 2333 for House File 2448.

Senate File 2333, a bill for an act providing a sales tax exemption for the sale of tangible personal property or services to substance abuse treatment or prevention programs that receive block grant funding from the Iowa department of public health, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2333)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heddens	Hein	Helland
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, none.

Absent or not voting, 6:

Arnold	Baudler	Heaton	Horbach
Quirk	Van Engelenhoven		

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

Appropriations Calendar

House File 2466, a bill for an act making appropriations to the commission of veterans affairs for the provision of veterans services,

and including effective date provisions, was taken up for consideration.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2466)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heddens	Hein	Helland
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 7:

Arnold	Baudler	Heaton	Horbach
Quirk	Van Engelenhoven	Watts	

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

HOUSE FILES 2164 AND 2448 WITHDRAWN

Moore of Jackson asked and received unanimous consent to withdraw House Files 2164 and 2448 from further consideration by the House.

SENATE AMENDMENT CONSIDERED

Koester of Polk called up for consideration **Senate File 364**, a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8451 to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8451, to the House amendment.

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

On the question "Shall the bill pass?" (S.F. 364)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heddens	Hein	Helland
Hunter	Huseman	Isenhart	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes

Upmeyer	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 7:

Arnold	Baudler	Heaton	Horbach
McCarthy	Quirk	Van Engelenhoven	

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

Ways and Means Calendar

House File 2467, a bill for an act relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2467)

The ayes were, 89:

Abdul-Samad	Alons	Anderson	Baltimore
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Fry	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heddens	Hein	Helland	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Smith, J.	Smith, M.

Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, 3:

Schultz	Shaw	Wagner
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Absent or not voting, 8:

Arnold	Baudler	Forristall	Heaton
Horbach	Kaufmann	Quirk	Van Engelenhoven

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

HOUSE INSISTS

Upmeyer of Hancock called up for consideration **Senate File 2313**, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and moved that the House insist on its amendment.

A non-record roll call was requested.

The ayes were 52, nays 38.

The motion prevailed and the House insisted on its amendment.

CONFERENCE COMMITTEE APPOINTED (Senate File 2313)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2313: Watts of Dallas, Rogers of Black Hawk, J. Smith of Dickinson, Kelley of Jasper and Hunter of Polk.

HOUSE INSISTS

Upmeyer of Hancock called up for consideration **Senate File 2316**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund,

the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED
(Senate File 2316)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2316: Huseman of Cherokee, Chambers of O'Brien, Hein of Jones, Cohoon of Des Moines and Quirk of Chickasaw.

HOUSE INSISTS

Upmeyer of Hancock called up for consideration **Senate File 2321**, 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 effective date provisions and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED
(Senate File 2321)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2321: Dolecheck of Ringgold, Jorgensen of Woodbury, Cownie of Polk, Winckler of Scott and Steckman of Cerro Gordo.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2466, 2467** and **Senate Files 364, 2313, 2316, 2321** and **2333**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Arnold of Lucas	Baudler of Adair
Forristall of Pottawattamie	Heaton of Henry
Horbach of Tama	Kaufmann of Cedar
Van Engelenhoven of Marion	Watts of Dallas

The House stood at ease at 4:38 p.m., until the fall of the gavel.

The House resumed session at 6:36 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2012, insisted on its amendment to House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates, and the members of the Conference Committee on the part of the Senate are: The Senator from Dubuque, Senator Hancock, Chair; the Senator from Linn, Senator Hogg; the Senator from Lee, Senator Fraise; the Senator from Harrison, Senator Seymour; the Senator from Polk, Senator Whitver.

Also: That the Senate has on April 11, 2012, insisted on its amendment to House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and the members of the Conference Committee on the part of the Senate are: The Senator from Jasper, Senator Black, Chair; the Senator from Polk, Senator Dearden; the Senator from Howard, Senator Wilhelm; the Senator from Pottawattamie, Senator Houser; the Senator from Washington, Senator Greiner.

Also: That the Senate has on April 11, 2012, insisted on its amendment to House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Black Hawk, Senator Dotzler, Chair; the Senator from Scott, Senator Seng; the Senator from Linn, Senator Mathis; the Senator from Butler, Senator Dix; the Senator from Boone, Senator Bertrand.

Also: That the Senate has on April 11, 2012, insisted on its amendment to House File 2338, a bill for an act relating to appropriations to the judicial branch, and the members of the Conference Committee on the part of the Senate are: The Senator from

Linn, Senator Hogg, Chair; the Senator from Dubuque, Senator Hancock; the Senator from Lee, Senator Fraise; the Senator from Sac, Senator Kettering; the Senator from Scott, Senator Smith.

Also: That the Senate has on April 11, 2012, appointed the Conference Committee to Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and the members of the Conference Committee on the part of the Senate are: The Senator from Dubuque, Senator Jochum, Chair; the Senator from Black Hawk, Senator Danielson; the Senator from Jackson, Senator Bowman; the Senator from Worth, Senator Bartz; the Senator from Montgomery, Senator Ernst.

Also: That the Senate has on April 11, 2012, appointed the Conference Committee to Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator McCoy, Chair; the Senator from Webster, Senator Beall; the Senator from Johnson, Senator Dvorsky; the Senator from Benton, Senator Kapucian; the Senator from Woodbury, Senator Anderson.

Also: That the Senate has on April 11, 2012, appointed the Conference Committee to Senate File 2321, 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 effective date provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Fayette, Senator Schoenjahn, Chair; The Senator from Story, Senator Quirnbach; the Senator from Linn, Senator Horn; the Senator from Scott, Senator Hamerlinck; the Senator from Lucas, Senator McKinley.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED
(House File 2335)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 2335: Worthan of Buena Vista, Horbach of Tama, Arnold of Lucas, T. Taylor of Linn and Wolfe of Clinton.

CONFERENCE COMMITTEE APPOINTED
(House File 2336)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate

concerning House File 2336: Drake of Cass, Paustian of Scott, Alons of Sioux, Muhlbauer of Crawford and Lykam of Scott.

CONFERENCE COMMITTEE APPOINTED
(House File 2337)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 2337: Schultz of Crawford, J. Taylor of Woodbury, Baltimore of Boone, Hall of Woodbury and Jacoby of Johnson.

CONFERENCE COMMITTEE APPOINTED
(House File 2338)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 2338: Worthan of Buena Vista, Horbach of Tama, Arnold of Lucas, T. Taylor of Linn and Wolfe of Clinton.

SUBCOMMITTEE ASSIGNMENT

Senate File 2284

Education: Chambers, Chair; Forristall and Steckman.

AMENDMENTS FILED

H-8448	H.F.	2435	Heddens of Story Heaton of Henry
H-8449	H.F.	2449	Heddens of Story Heaton of Henry
H-8453	S.F.	466	Senate Amendment
H-8454	S.F.	430	Rogers of Black Hawk

On motion by Upmeyer of Hancock the House adjourned at 6:38 p.m., until 8:30 a.m., Thursday, April 12, 2012.

JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 12, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Mary Mathis from Robins. She was the guest of Speaker Paulsen of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brennan Haymond, Page from Winfield.

The Journal of Wednesday, April 11, 2012, was approved.

INTRODUCTION OF BILLS

House File 2469, by T. Olson, a bill for an act concerning the administration of epinephrine in public and nonpublic schools, and including effective date and applicability provisions.

Read first time and referred to committee on **education**.

House File 2470, by committee on ways and means, a bill for an act providing for sales and use taxes collected on farm machinery and equipment.

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

ADOPTION OF HOUSE RESOLUTION 120

Upmeyer of Hancock called up for consideration **House Resolution 120**, a resolution recognizing November 2012 as COPD Awareness Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 9:10 a.m., until the fall of the gavel.

The House resumed session at 9:40 a.m., Kaufmann of Cedar in the chair.

The House stood at ease at 9:43 a.m., until the fall of the gavel.

The House resumed session at 10:24 a.m., Speaker Paulsen in the chair.

On motion by Upmeyer of Hancock, the House was recessed at 10:25 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:09 p.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2467, a bill for an act relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the department of natural resources, establishing fees, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 12, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 524, an Act relating to the administration of the special appraiser's fund and the assessment expense fund.

House File 2226, an Act relating to child abuse reports and disposition data.

House File 2228, an Act relating to requirements for a motor vehicle operator to have control of the vehicle at all times and to change lanes or reduce speed in specific situations, and providing penalties.

House File 2231, an Act relating to residency qualifications for memorial hospital commissioners.

House File 2292, an Act relating to confinement feeding operations confining fish, and making penalties applicable.

House File 2305, an Act relating to the powers and duties of the Department of Aging.

House File 2323, an Act relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

House File 2388, an Act relating to maximizing hospital-specific disproportionate share hospital payments and providing for contingent implementation.

House File 2427, an Act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of, or for failing to include a security mechanism on, electrical or mechanical amusement devices.

House File 2428, an Act relating to the movement of certain combinations of vehicles on economic export corridors established by the Department of Transportation.

Senate File 413, an Act relating to financial responsibilities of local emergency management commissions.

Senate File 2097, an Act relating to the Department of Public Defense by making changes regarding the Iowa military code and military service, including terminology modifications and leases entered into by the Department of Public Defense and the Army Board, and including effective date provisions.

Senate File 2126, an Act providing for the funding of the duties of the state's social security administration.

Senate File 2164, an Act relating to Department of Human Services' evaluations of criminal or abuse records of employees of health care facilities and child care facilities and homes.

Senate File 2208, an Act relating to the confidentiality of an arrest warrant.

Senate File 2245, an Act requiring a study and report on the establishment of a dual diagnosis treatment program for posttraumatic stress at the Iowa Veterans Home.

Senate File 2267, an Act concerning oversight of schools offering postsecondary educational programs by the College Student Aid Commission and making penalties applicable.

Senate File 2289, an Act relating to the Iowa Disaster Aid Individual Assistance Grant Program administered by the Department of Human Services.

Senate File 2312, an Act relating to persons with mental health illnesses and substance-related disorders.

Senate File 2318, an Act relating to the Iowa Health Information Network, providing for fees, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 2469

Education: L. Miller, Chair; Forristall and Steckman.

Senate File 2332

Ways and Means: Vander Linden, Chair; Byrnes and Muhlbauer.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2328, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 12, 2012.

RESOLUTION FILED

H.R. 140, by Mascher, a resolution to recognize the dance marathon students at the University of Iowa for their fundraising efforts for the University of Iowa Children's Hospital.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8455 S.F. 2286 Horbach of Tama

On motion by Upmeyer of Hancock the House adjourned at 2:10 p.m., until 10:00 a.m., Friday, April 13, 2012.

JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 13, 2012

The House met pursuant to adjournment at 10:02 a.m., Sands of Louisa in the chair.

Prayer was offered by Representative Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Sands of Louisa.

The Journal of Thursday, April 12, 2012, was approved.

INTRODUCTION OF BILL

House File 2471, by committee on ways and means, a bill for an act relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 12, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

COMMUNICATION RECEIVED

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

AUDITOR OF STATE

Single Audit Report, pursuant to U.S. Office of Management and Budget Circular A-133.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2322, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 2012.

RESOLUTION FILED

H.R. 141, by Baltimore, Deyoe, Wessel-Kroeschell, and Heddens, a resolution to honor the Iowa State University's women's volleyball team.

Laid over under **Rule 25**.

On motion by Heaton of Henry the House adjourned at 10:05 a.m., until 1:00 p.m., Monday, April 16, 2012.

JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 16, 2012

The House met pursuant to adjournment at 1:06 p.m., Speaker Paulsen in the chair.

Prayer was offered by Father Ray Atwood from St. Peters Catholic Church, New Haven. He was the guest of Representative Byrnes of Mitchell County.

PLEDGE OF ALLEGIANCE

The National Anthem was sung by Jess Faselt of Rural Johnson County. She was the guest of Representative Klein of Washington.

The Journal of Friday, April 13, 2012, was approved.

SENATE MESSAGE CONSIDERED

Senate File 2336, by committee on appropriations, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

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

SPECIAL PRESENTATION

Running-Marquardt of Linn introduced to the House former state legislator Richard Running.

The House rose and expressed its welcome.

The House stood at ease at 1:39 p.m., until the fall of the gavel.

The House resumed session at 1:54 p.m., Speaker Paulsen in the chair.

CONFERENCE COMMITTEE APPOINTMENT REASSIGNED
(Senate File 2321)

The Speaker announced Willems of Linn will replace Steckman of Cerro Gordo on the conference committee for Senate File 2321.

RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on education to meet at 3:30 p.m. today.

The House stood at ease at 1:55 p.m., until the fall of the gavel.

The House resumed session at 5:57 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 675, a bill for an act concerning mechanics' liens including the establishment of a state construction registry for residential construction property, and including effective date and applicability provisions.

Also: That the Senate has on April 16, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2455, a bill for an act relating to the examinations of the finances of certain cities and including effective date provisions.

Also: That the Senate has on April 16, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2283, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

PETITIONS FILED

The following petitions were received and placed on file:

By Upmeyer of Hancock received from several Iowans: “we support fully funding and fully staffing our judicial branch.”

By Upmeyer of Hancock received from several Iowans: “In the interest of freedom, and the right of individuals to protect themselves and their families, I urge you to both sponsor/cosponsor and seek roll-call votes on the Constitutional Carry bill that will be introduced this year.”

By Upmeyer of Hancock received from approximately 25,000 Iowans: “asking you to do what is right by standing for God’s institution of one man-one woman marriage.”

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 16th day of April, 2012: House File 2399.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

COMMUNICATION RECEIVED

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

IOWA ECONOMIC DEVELOPMENT AUTHORITY
Iowa Commission on Volunteer Service

Quarterly Report, pursuant to Iowa Code section 15H.2.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8458** April 16, 2012.

RESOLUTION FILED

H.R. 142, by Kressig, Kelley, Wenthe, Berry, T. Olson, Winckler, Jacoby, Petersen, Gaskill, Kearns, Murphy, Kajtazovic, Thomas, Mascher, Abdul-Samad, T. Taylor, Steckman, Running-Marquardt, Isenhardt, Wolfe, Thede, H. Miller, Hunter, Wessel-Kroeschell, Lensing, Lykam, Cohoon, M. Smith, Quirk, Oldson, Willems, Muhlbauer, Gaines, Wittneben, R. Olson, Rasmussen, Lofgren, Schultz, Rogers, and Huseman, a resolution to honor the University of Northern Iowa's Women's Rugby Club.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8456	S.F.	2283	Senate Amendment
H-8457	H.F.	675	Senate Amendment
H-8458	S.F.	2284	Committee on Education

On motion by Upmeyer of Hancock the House adjourned at 5:57 p.m., until 8:30 a.m., Tuesday, April 17, 2012.

JOURNAL OF THE HOUSE

One Hundredth Calendar Day - Seventieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 17, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor John Raab from Trinity United Methodist Church, Keokuk. He was the guest of Representative Kearns of Lee County.

Choral presentation was given by the Cedar Rapids Kennedy High School show choir, Happiness, Inc. They were the guests of Speaker Paulsen of Linn, T. Taylor of Linn and Schulte of Linn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by James Eimers, Page from Ankeny.

The Journal of Monday, April 16, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 139

Upmeyer of Hancock called up for consideration **House Resolution 139**, a resolution honoring the Cedar Rapids Kennedy High School's show choir, Happiness, Inc., for winning the Show Choir Nationals 2012 championships, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 8:55 a.m., Speaker Paulsen in the chair.

The House stood at ease at 9:07 a.m., until the fall of the gavel.

The House resumed session at 9:18 a.m., Speaker Paulsen in the chair.

The House stood at ease at 9:18 a.m., until the fall of the gavel.

The House resumed session at 10:58 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILL Ways and Means Calendar

Senate File 2322, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2322)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven

Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 1:

Hunter

Absent or not voting, 3:

Byrnes

Horbach

Quirk

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2322** be immediately messaged to the Senate.

On motion by Upmeyer of Hancock, the House was recessed at 11:03 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:03 p.m., Speaker Paulsen in the chair.

SPECIAL PRESENTATION

Raecker of Polk introduced to the House former Governor Robert D. Ray.

The House rose and expressed its welcome.

The House stood at ease at 1:32 p.m., until the fall of the gavel.

The House resumed session at 1:59 p.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS
Unfinished Business Calendar

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Chambers of O'Brien offered amendment H-8458 filed by the committee on education.

Chambers of O'Brien offered amendment H-8461, to the committee amendment H-8458, filed by him from the floor and moved its adoption.

Amendment H-8461, to the committee amendment H-8458, was adopted.

Chambers of O'Brien offered amendment H-8462, to the committee amendment H-8458, filed by him from the floor and moved its adoption.

Amendment H-8462, to the committee amendment H-8458, was adopted.

Chambers of O'Brien moved the adoption of the committee amendment H-8458, as amended.

Roll call was requested by Mascher of Johnson and Hunter of Polk.

On the question "Shall the committee amendment H-8458, as amended, be adopted?" (S.F. 2284)

The ayes were, 55:

Anderson	Arnold	Baltimore	Baudler
Brandenburg	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Huseman	Iverson	Jorgensen
Kaufmann	Klein	Koester	Lofgren

Lukan	Miller, L.	Moore	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 43:

Abdul-Samad	Alons	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	Massie
McCarthy	Miller, H.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, T.	Pearson
Petersen	Quirk	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 2:

Byrnes	Horbach
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The committee amendment H-8458, as amended, was adopted.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2284)

The ayes were, 54:

Anderson	Arnold	Baltimore	Baudler
Brandenburg	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Koester	Lofgren
Lukan	Miller, L.	Moore	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven

Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 45:

Abdul-Samad	Alons	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Klein
Kressig	Lensing	Lykam	Mascher
Massie	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Pearson	Petersen	Quirk	Schultz
Shaw	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 1:

Byrnes

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

SENATE AMENDMENTS CONSIDERED

Baltimore of Boone called up for consideration **House File 675**, a bill for an act concerning mechanics' liens including the establishment of a state construction registry for residential construction property, and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8457.

The motion prevailed and the House concurred in the Senate amendment H-8457.

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

On the question "Shall the bill pass?" (H.F. 675)

The ayes were, 75:

Anderson	Arnold	Baltimore	Baudler
Brandenburg	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hall	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Massie	McCarthy	Miller, L.
Moore	Oldson	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Willems
Windschitl	Worthan	Mr. Speaker Paulsen	

The nays were, 24:

Abdul-Samad	Alons	Berry	Chambers
Gaines	Gaskill	Hanson	Huseman
Kaufmann	Kearns	Lensing	Mascher
Miller, H.	Muhlbauer	Murphy	Olson, R.
Quirk	Steckman	Swaim	Wenthe
Wessel-Kroeschell	Winckler	Wittneben	Wolfe

Absent or not voting, 1:

Byrnes

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

Hager of Allamakee called up for consideration **Senate File 2283**, a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8456 to the House amendment.

The motion prevailed and the House concurred in the Senate amendment H-8456, to the House amendment.

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

On the question "Shall the bill pass?" (S.F. 2283)

The ayes were, 97:

Abdul-Samad	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtažovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Alons	Byrnes	Miller, L.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Ways and Means Calendar

Senate File 2328, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including the administration of income taxes, sales and use taxes, franchise fees, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2328)

The ayes were, 75:

Abdul-Samad	Anderson	Arnold	Baltimore
Baudler	Cohoon	Deyoe	Dolecheck
Drake	Forristall	Gaines	Garrett
Gaskill	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Huseman	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Petersen	Quirk
Raecker	Rasmussen	Rayhons	Running-Marquardt
Sands	Schulte	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 24:

Alons	Berry	Brandenburg	Chambers
Cownie	De Boef	Fry	Grassley
Hager	Hunter	Iverson	Klein
Massie	Olson, R.	Paustian	Pearson
Pettengill	Rogers	Schultz	Shaw
Smith, J.	Thomas	Watts	Windschitl

Absent or not voting, 1:

Byrnes

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

The House stood at ease at 2:35 p.m., until the fall of the gavel.

The House resumed session at 3:00 p.m., Speaker Paulsen in the chair.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 675** and **Senate Files 2283, 2284** and **2328**.

Unfinished Business Calendar

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including fee and effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Rogers of Black Hawk offered amendment H-8270 filed by the committee on state government.

Rogers of Black Hawk offered amendment H-8460, to the committee amendment H-8270, filed by him from the floor and requested a division as follows:

Division A: Page 1, line 4.

Division B: Page 1, lines 5 through 14.

Rogers of Black Hawk asked and received unanimous consent to withdraw amendment H-8460A, to the committee amendment H-8270, filed by him from the floor.

Rogers of Black Hawk moved the adoption of amendment H-8460B, to the committee amendment H-8270.

Amendment H-8460B, to the committee amendment H-8270, was adopted.

Rogers of Black Hawk offered amendment H-8374, to the committee amendment H-8270, filed by him and moved its adoption.

Amendment H-8374, to the committee amendment H-8270, was adopted.

Rogers of Black Hawk offered amendment H-8405, to the committee amendment H-8270, filed by him and moved its adoption.

Amendment H-8405, to the committee amendment H-8270, was adopted.

Rogers of Black Hawk asked and received unanimous consent to withdraw amendment H-8454, to the committee amendment H-8270, filed by him on April 11, 2012.

Lensing of Johnson asked and received unanimous consent to withdraw amendment H-8304, to the committee amendment H-8270, filed by her on March 20, 2012.

Rogers of Black Hawk moved the adoption of the committee amendment H-8270, as amended.

The committee amendment H-8270, as amended, was adopted.

Rogers of Black Hawk offered amendment H-8316 filed by the committee on ways and means and moved its adoption.

The committee amendment H-8316 was adopted.

Rogers of Black Hawk offered amendment H-8463 filed by him from the floor and moved its adoption.

Amendment H-8463 was adopted.

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

On the question "Shall the bill pass?" (S.F. 430)

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 7:

Gaskill	Jacoby	Massie	McCarthy
Olson, R.	Pearson	Shaw	

Absent or not voting, 1:

Byrnes

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 430** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Alons of Sioux
Horbach of Tama

Byrnes of Mitchell
Miller, L. of Scott

EXPLANATION OF VOTE

On April 17, 2012, I inadvertently voted “aye” on Senate File 2284, I meant to vote “nay”.

RUNNING-MARQUARDT of Linn

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2332, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 2012.

AMENDMENT FILED

H-8459 H.F. 2435 Heaton of Henry

On motion by Upmeyer of Hancock the House adjourned at 3:20 p.m., until 8:30 a.m., Wednesday, April 18, 2012.

JOURNAL OF THE HOUSE

One Hundred-first Calendar Day - Seventy-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 18, 2012

The House met pursuant to adjournment at 8:39 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alberto Lara, Page from Carlisle.

The Journal of Tuesday, April 17, 2012, was approved.

On motion by Upmeyer of Hancock, the House was recessed at 8:46 a.m., until 10:00 a.m.

The House reconvened at 10:06 a.m., Speaker Paulsen in the chair.

Kaufmann of Cedar in the chair at 10:07 a.m.

The House stood at ease at 10:46 a.m., until the fall of the gavel.

The House resumed session at 11:12 a.m., Speaker Paulsen in the chair.

On motion by Speaker Paulsen, the House was recessed at 11:13 a.m., until 2:30 p.m.

AFTERNOON SESSION

The House resumed session at 5:00 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2343, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

Also: That the Senate has on April 18, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2422, a bill for an act relating to sex offender notification in a nursing facility, residential care facility, or assisted living program, providing penalties, and including effective date provisions.

Also: That the Senate has on April 18, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

Also: That the Senate has on April 18, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2335, 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.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2335, by committee on appropriations, 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 and referred to committee on **appropriations**.

HOUSE INSISTS

Chambers of O'Brien called up for consideration **Senate File 2284**, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions and moved that the House insist on its amendment.

A non-record roll call was requested.

The ayes were 57, nays 37.

The motion prevailed and the House insisted on its amendment.

CONFERENCE COMMITTEE APPOINTED
(Senate File 2284)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2284: Chambers of O'Brien, Dolecheck of Ringgold, Forristall of Pottawattamie, Mascher of Johnson and Steckman of Cerro Gordo.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 2470, a bill for an act providing for sales and use taxes collected on farm machinery and equipment, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2470)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen

Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, 2:

Hunter	Kearns
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Absent or not voting, 5:

Gaines	Iverson	Quirk	Shaw
Wenthe			

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2470** and **Senate File 2284**.

Appropriations Calendar

House File 2435, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, and including effective, retroactive, and applicability date provisions, was taken up for consideration.

Heaton of Henry offered amendment H-8459 filed by him and moved its adoption.

Roll call was requested by Heddens of Story and M. Smith of Marshall.

On the question "Shall amendment H-8459 be adopted?" (H.F. 2435)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Jacoby	Jorgensen
Kajtažovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker Paulsen	

The nays were, none.

Absent or not voting, 5:

Gaines	Iverson	Quirk	Shaw
Wenthe			

Amendment H-8459 was adopted, placing out of order the following amendments:

H-8110 filed by Hunter of Polk on March 6, 2012.

H-8111 filed by Kressig of Black Hawk on March 6, 2012.

H-8132 filed by Abdul-Samad of Polk on March 7, 2012.

H-8136 filed by M. Smith of Marshall on March 7, 2012.

H-8155 filed by Heddens of Story on March 9, 2012.

H-8156 filed by Heddens of Story on March 9, 2012.

H-8157 filed by Heddens of Story on March 9, 2012.

H-8158 filed by Heddens of Story on March 9, 2012.

H-8159 filed by Heddens of Story on March 9, 2012.

H-8160 filed by Heddens of Story on March 9, 2012.

H-8161 filed by Heddens of Story on March 9, 2012.

H-8162 filed by Heddens of Story on March 9, 2012.

H-8163 filed by Heddens of Story on March 9, 2012.

H-8164 filed by Heddens of Story on March 9, 2012.

H-8165 filed by Heddens of Story on March 9, 2012.

H-8182 filed by M. Smith of Marshall on March 12, 2012.

H-8213 filed by Sweeney of Hardin, et al., on March 12, 2012.

H-8243 filed by Petersen of Polk on March 13, 2012.

H-8244 filed by Petersen of Polk on March 13, 2012.

H-8260 filed by Isenhart of Dubuque and Kajtazovic of Black Hawk on March 13, 2012.

H-8267 filed by Isenhart of Dubuque on March 14, 2012.

H-8279 filed by Heddens of Story on March 15, 2012.

H-8291 filed by Petersen of Polk on March 19, 2012.

H-8381 filed by Hall of Woodbury on March 28, 2012.

H-8398 filed by Hall of Woodbury on March 29, 2012.

H-8402 to amendment H-8213 filed by Shaw of Pocahontas on April 2, 2012.

H-8411 filed by Berry of Black Hawk on April 3, 2012.

H-8423 filed by Heddens of Story and Heaton of Henry on April 9, 2012.

H-8448 filed by Heddens of Story and Heaton of Henry on April 11, 2012.

SENATE FILE 2336 SUBSTITUTED FOR HOUSE FILE 2435

Heaton of Henry asked and received unanimous consent to substitute Senate File 2336 for House File 2435.

Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions, was taken up for consideration.

Heaton of Henry offered amendment H-8464 filed by him from the floor.

Kressig of Black Hawk offered amendment H-8473, to amendment H-8464, filed by him from the floor and moved its adoption.

Roll call was requested by Kressig of Black Hawk and Abdul-Samad of Polk.

On the question "Shall amendment H-8473, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Koester	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 3:

Iverson	Quirk	Wenthe
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Amendment H-8473, to amendment H-8464, lost.

Heddens of Story offered amendment H-8488, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Hunter of Polk.

On the question "Shall amendment H-8488, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker Paulsen			

Absent or not voting, 5:

Baudler	Iverson	Quirk	Schulte
Wenthe			

Amendment H-8488, to amendment H-8464, lost.

Abdul-Samad of Polk offered amendment H-8468, to amendment H-8464, filed by him from the floor and moved its adoption.

Roll call was requested by Abdul-Samad of Polk and Hunter of Polk.

On the question "Shall amendment H-8468, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hein	Hunter	Isenhart	Jacoby
Kajtažovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 55:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Helland	Huseman	Jorgensen
Kaufmann	Klein	Koester	Lofgren
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 7:

Horbach	Iverson	Lukan	McCarthy
Quirk	Watts	Wenthe	

Amendment H-8468, to amendment H-8464, lost.

Petersen of Polk offered amendment H-8470, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Petersen of Polk and Abdul-Samad of Polk.

On the question "Shall amendment H-8470, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 37:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker Paulsen		

Absent or not voting, 5:

Iverson	Kearns	Lukan	Quirk
Wenthe			

Amendment H-8470, to amendment H-8464, lost.

Heddens of Story offered amendment H-8477, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Abdul-Samad of Polk.

Kaufmann of Cedar in the chair at 5:46 p.m.

On the question "Shall amendment H-8477, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 37:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Klein	Koester
Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 5:

Iverson	Lukan	McCarthy	Quirk
Wenthe			

Amendment H-8477, to amendment H-8464, lost.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8467, to amendment H-8464, filed by him from the floor.

Isenhart of Dubuque offered amendment H-8474, to amendment H-8464, filed by him and Kajtazovic of Black Hawk from the floor.

Heaton of Henry rose on a point of order that amendment H-8474 was not germane, to amendment H-8464.

The Speaker ruled the point not well taken and amendment H-8474 germane, to amendment H-8464.

Isenhart of Dubuque moved the adoption of amendment H-8474 to amendment H-8464.

Roll call was requested by Isenhart of Dubuque and Abdul-Samad of Polk.

On the question "Shall amendment H-8474, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Klein	Koester
Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 4:

Iverson	Lukan	Quirk	Wenthe
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Amendment H-8474, to amendment H-8464, lost.

Hunter of Polk offered amendment H-8469, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8469, to amendment H-8464, lost.

Chambers of O'Brien offered amendment H-8475, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8475, to amendment H-8464, was adopted.

M. Smith of Marshall offered amendment H-8490, to amendment H-8464, filed by him, Abdul-Samad of Polk, Berry of Black Hawk, Cohoon of Des Moines, Gaines of Polk, Gaskill of Wapello, Hall of Woodbury, Hanson of Jefferson, Heddens of Story, Hunter of Polk, Isenhardt of Dubuque, Jacoby of Johnson, Kajtazovic of Black Hawk, Kearns of Lee, Kelley of Jasper, Kressig of Black Hawk, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, H. Miller of Webster, Muhlbauer of Crawford, Murphy of Dubuque, Oldson of Polk, R. Olson of Polk, T. Olson of Linn, Petersen of Polk, Running-Marquardt of Linn, Steckman of Cerro Gordo, Swaim of Davis, T. Taylor of Linn, Thede of Scott, Thomas of Clayton, Wessel-Kroeschell of Story, Willems of Linn, Winckler of Scott, Wittneben of Emmet and Wolfe of Clinton from the floor and moved its adoption.

Amendment H-8490, to amendment H-8464, lost.

Berry of Black Hawk asked and received unanimous consent to withdraw amendment H-8472, to amendment H-8464, filed by her from the floor.

Speaker Paulsen in the chair at 6:40 p.m.

Sweeney of Hardin offered amendment H-8489, to amendment H-8464, filed by her, Rogers of Black Hawk, De Boef of Keokuk, Pettengill of Benton, Tjepkes of Webster, Lofgren of Muscatine, Brandenburg of Pottawattamie, Chambers of O'Brien, Huseman of Cherokee, Hagenow of Polk, Grassley of Butler, Dolecheck of Ringgold, Fry of Clarke, Hanusa of Pottawattamie, J. Taylor of Woodbury, Van Engelenhoven of Marion, Klein of Washington, Worthan of Buena Vista, Byrnes of Mitchell, Soderberg of Plymouth, Raecker of Polk, Hager of Allamakee, Massie of Warren, Rayhons of Hancock, Baudler of

Adair, Alons of Sioux, Vander Linden of Mahaska, J. Smith of Dickinson, Hein of Jones, Koester of Polk, Schultz of Crawford, Deyoe of Story, Helland of Polk, Pearson of Polk, Drake of Cass, Garrett of Warren, Forristall of Pottawattamie, L. Miller of Scott, Rasmussen of Buchanan, Watts of Dallas, Upmeyer of Hancock, Windschitl of Harrison, Jorgensen of Woodbury, Anderson of Page, Shaw of Pocahontas and Lukan of Dubuque from the floor and moved its adoption.

Roll call was requested by Sweeney of Hardin and J. Taylor of Woodbury.

On the question "Shall amendment H-8489, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 37:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

Absent or not voting, 5:

Iverson	Lukan	Quirk	Thomas
Wenthe			

Amendment H-8489, to amendment H-8464, was adopted.

Hagenow of Polk in the chair at 6:56 p.m.

Heddens of Story offered amendment H-8479, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Hunter of Polk.

On the question "Shall amendment H-8479, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 56:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Hagenow, Presiding

Absent or not voting, 6:

Iverson	Lukan	Quirk	Schultz
Shaw	Wenthe		

Amendment H-8479, to amendment H-8464, lost.

Kearns of Lee offered amendment H-8492, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8492, to amendment H-8464, lost.

Heaton of Henry offered amendment H-8485, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8485, to amendment H-8464, was adopted.

Speaker Paulsen in the chair at 7:08 p.m.

Heddens of Story offered amendment H-8482, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Abdul-Samad of Polk.

On the question "Shall amendment H-8482, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 37:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett

Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 5:

Hall	Iverson	Lukan	Quirk
Wenthe			

Amendment H-8482, to amendment H-8464, lost.

Heaton of Henry offered amendment H-8484, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8484, to amendment H-8464, was adopted placing out of order amendment H-8487, to amendment H-8464, filed by Kressig of Black Hawk, Kajtazovic of Black Hawk and Berry of Black Hawk from the floor.

Kaufmann of Cedar in the chair at 7:25 p.m.

Kressig of Black Hawk offered amendment H-8494, to amendment H-8464, filed by him, Kajtazovic of Black Hawk and Berry of Black Hawk from the floor and moved its adoption.

Amendment H-8494, to amendment H-8464, lost.

Hall of Woodbury offered amendment H-8466, to amendment H-8464, filed by him from the floor and moved its adoption.

Roll call was requested by Hall of Woodbury and Abdul-Samad of Polk.

On the question "Shall amendment H-8466, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Baudler	Berry	Cohoon
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtažovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 57:

Alons	Anderson	Arnold	Baltimore
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Jorgensen	Klein	Koester	Lofgren
Massie	Miller, L.	Moore	Olson, S.
Paulsen, Spkr.	Paustian	Pearson	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Kaufmann, Presiding			

Absent or not voting, 5:

Iverson	Lukan	McCarthy	Quirk
Wenthe			

Amendment H–8466, to amendment H–8464, lost.

Heddens of Story offered amendment H–8478, to amendment H–8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Mascher of Johnson.

On the question "Shall amendment H–8478, to amendment H–8464, be adopted?" (S.F. 2336)

The ayes were, 37:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Willems	Winckler	Wittneben
Wolfe			

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Klein	Koester
Lofgren	Massie	Miller, L.	Moore
Olson, S.	Paulsen, Spkr.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wessel-Kroeschell
Windschitl	Worthan	Kaufmann, Presiding	

Absent or not voting, 4:

Iverson	Lukan	Quirk	Wenthe
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Amendment H-8478, to amendment H-8464, lost.

Heddens of Story asked and received unanimous consent to withdraw amendment H-8476, to amendment H-8464, filed by her from the floor.

Heddens of Story offered amendment H-8481, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by Heddens of Story and Mascher of Johnson.

On the question "Shall amendment H-8481, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 56:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Jorgensen	Klein	Koester	Lofgren
Massie	Miller, L.	Moore	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Kaufmann, Presiding

Absent or not voting, 6:

Hager	Iverson	Lukan	Paulsen, Spkr.
Quirk	Wenthe		

Amendment H-8481, to amendment H-8464, lost.

Heddens of Story offered amendment H-8480, to amendment H-8464, filed by her from the floor and moved its adoption.

Amendment H-8480, to amendment H-8464, lost.

Speaker Paulsen in the chair at 8:12 p.m.

Mascher of Johnson offered amendment H-8483, to amendment H-8464, filed by her and Abdul-Samad of Polk, Berry of Black Hawk, Cohoon of Des Moines, Gaines of Polk, Gaskill of Wapello, Hall of Woodbury, Hanson of Jefferson, Heddens of Story, Hunter of Polk, Isenhardt of Dubuque, Jacoby of Johnson, Kajtazovic of Black Hawk, Kearns of Lee, Kelley of Jasper, Kressig of Black Hawk, Lensing of Johnson, Lykam of Scott, McCarthy of Polk, H. Miller of Webster, Muhlbauer of Crawford, Murphy of Dubuque, Oldson of Polk, R. Olson of Polk, T. Olson of Linn, Petersen of Polk, Running-Marquardt of Linn, M. Smith of Marshall, Steckman of Cerro Gordo, T. Taylor of Linn, Thede of Scott, Thomas of Clayton, Wessel-Kroeschell of Story, Winckler of Scott, Wittneben of Emmet and Wolfe of Clinton and moved its adoption.

Roll call was requested by Mascher of Johnson and T. Taylor of Linn.

On the question "Shall amendment H-8483, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven

Vander Linden Worthan	Wagner Mr. Speaker Paulsen	Watts	Windschitl
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Absent or not voting, 4:

Iverson	Lukan	Quirk	Wenthe
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Amendment H-8483, to amendment H-8464, lost.

L. Miller of Scott offered amendment H-8493, to amendment H-8464, filed by her from the floor and moved its adoption.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

On the question "Shall amendment H-8493, to amendment H-8464, be adopted?" (S.F. 2336)

The ayes were, 55:

Alons	Arnold	Baltimore	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Massie	Miller, L.	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker Paulsen	

The nays were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Pearson	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 6:

Anderson
Quirk

Iverson
Wenthe

Lukan

Moore

Amendment H-8493, to amendment H-8464, was adopted.

Windschitl of Harrison in the chair at 8:44 p.m.

Petersen of Polk asked and received unanimous consent to withdraw amendment H-8471, to amendment H-8464, filed by her from the floor.

Gaskill of Wapello offered amendment H-8491, to amendment H-8464, filed by her from the floor and moved its adoption.

Amendment H-8491, to amendment H-8464, lost.

M. Smith of Marshall offered amendment H-8496, to amendment H-8464, filed by him from the floor and moved its adoption.

Amendment H-8496, to amendment H-8464, lost.

Heaton of Henry moved the adoption of amendment H-8464, as amended.

A non-record roll call was requested.

The ayes were 55, nays 37.

Amendment H-8464, as amended, was adopted.

Speaker Paulsen in the chair at 9:03 p.m.

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

On the question "Shall the bill pass?" (S.F. 2336)

The ayes were, 58:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Sweeney
Taylor, J.	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 38:

Abdul-Samad	Berry	Cphoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 4:

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

HOUSE FILE 2435 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2435 from further consideration by the House.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2336** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page	Baudler of Adair
Hager of Allamakee	Horbach of Tama
Iverson of Wright	Lukan of Dubuque
Moore of Jackson	Paulsen, Spkr.
Schulte of Linn	Schultz of Crawford
Shaw of Pocahontas	Watts of Dallas

EXPLANATIONS OF VOTE

On April 18, 2012, I inadvertently voted “nay” on amendment H-8489, to amendment H-8464, to Senate File 2336. I meant to vote “aye”.

MUHLBAUER of Crawford

On April 18, 2012, I inadvertently voted “nay” on amendment H-8478, to amendment H-8464, to Senate File 2336. I meant to vote “aye”.

WESSEL-KROESCHELL of Story

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 17th day of April, 2012: House File 2467.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

AMENDMENTS FILED

H-8465	S.F.	2332	Vander Linden of Mahaska
H-8486	H.F.	2422	Senate Amendment
H-8495	H.F.	2449	Isenhart of Dubuque

On motion by Upmeyer of Hancock the House adjourned at 9:12 p.m., until 8:30 a.m., Thursday, April 19, 2012.

JOURNAL OF THE HOUSE

One Hundred-second Calendar Day - Seventy-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 19, 2012

The House met pursuant to adjournment at 8:35 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Lofgren of Muscatine County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sydney Fehr, Page from Traer.

The Journal of Wednesday, April 18, 2012, was approved.

On motion by Upmeyer of Hancock, the House was recessed at 8:36 a.m., until 10:30 a.m.

The House reconvened at 10:48 a.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2012, appointed the Conference Committee to Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Story, Senator Quirnbach, Chair; the Senator from Fayette, Senator Schoenjahn; the Senator from Jackson, Senator Bowman; the Senator from Scott, Senator Hamerlinck; the Senator from Shelby, Senator Boettger.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 10:49 a.m., until the fall of the gavel.

The House resumed session at 3:45 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2472, by Upmeyer, a bill for an act 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, and including effective date provisions.

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

CONSIDERATION OF BILLS
Ways and Means Calendar

Senate File 2332, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Vander Linden of Mahaska offered amendment H-8465 filed by him and moved its adoption.

Amendment H-8465 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2332)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isehart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lykam	Mascher

Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

Regular Calendar

House Joint Resolution 2008, a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date, with report of committee recommending passage, was taken up for consideration.

L. Miller of Scott moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 2008)

The yeas were, 98:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter

Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Hanson Wenthe

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 2008** and **Senate File 2332**.

The House stood at ease at 4:08 p.m., until the fall of the gavel.

The House resumed session at 4:32 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson

Lofgren of Muscatine

EXPLANATION OF VOTE

On April 18, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Amendment H-8474 to amendment H-8464 (S.F. 2336) – “nay”

QUIRK of Chickasaw

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 19, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 2399, an Act relating to scrap metal transactions, prohibiting certain sales, and providing penalties.

House File 2467, an Act relating to the regulation of snowmobiles, all-terrain vehicles, and watercraft by the Department of Natural Resources, establishing fees, and making penalties applicable.

Senate File 2112, an Act relating to transportation, including by providing for the registration and titling of military vehicles and allowing a veteran to request that the veteran's driver's license or nonoperator's identification card be marked with the word “veteran” to indicate veteran status and allowing the Commission of Veterans Affairs to allocate certain funds.

Senate File 2158, an Act relating to reimbursement of speech pathology services under the medical assistance program.

Senate File 2216, an Act relating to apportioned registration of commercial motor vehicles under the international registration plan, and including implementation provisions.

Senate File 2217, an Act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Senate File 2311, an Act revising provisions affecting the administration of the Department of Agriculture and Land Stewardship, including associated regulations and licensing, as it relates to biofuels, weather and market information, internet publications, soil and water conservation, feed, vaccinations, tuberculosis, brucellosis, classical swine fever, Johne's disease, treatment for sheep, branding, manufactured articles, grain, pesticides, coal mining, and weights and measures, making penalties applicable, and including applicability provisions.

Senate File 2317, an Act relating to the issuance of hunting, fur dealer, fur harvester, and fishing licenses, providing for fees, and including effective date provisions.

Senate File 2325, an Act relating to the income tax checkoffs for the Child Abuse Prevention Program Fund and the Veterans Trust Fund and Volunteer Fire Fighter Preparedness Fund, and including retroactive applicability provisions.

Senate File 2329, an Act relating to the rebate of state sales tax to the owner or operator of a baseball and softball tournament facility and movie site.

RESOLUTIONS FILED

H.R. 143, by Gaskill, Heaton, De Boef, Drake, Garrett, Forristall, L. Miller, Rayhons, Baudler, Watts, Huseman, Chambers, Alons, Lofgren, Tjepkes, Anderson, Deyoe, Koester, Rogers, Schulte, Fry, Sands, Soderberg, Cownie, Grassley, Jorgensen, Van Engelenhoven, Rasmussen, Hanusa, Dolecheck, Sweeney, Hagenow, Byrnes, Hein, J. Smith, Vander Linden, T. Taylor, Abdul-Samad, Mascher, Berry, Cohoon, Lykam, Winckler, Lensing, Wessel-Kroeschell, Hunter, Isenhardt, Thede, H. Miller, Kearns, Thomas, Wittneben, Wolfe, Running-Marquardt, Steckman, Kajtazovic, Hanson, Hall, M. Smith, R. Olson, Kressig, Gaines, Kelley, Jacoby, T. Olson, Muhlbauer, Oldson, Petersen, and Murphy, a resolution supporting the use of drug courts in the criminal justice system.

Laid over under **Rule 25**.

H.R. 144, by Garrett, a resolution recognizing September 23, 2012, as Angelman Syndrome Day in Iowa.

Laid over under **Rule 25**.

H.R. 145, by Sands, a resolution honoring the memory of the six Littleton brothers who died during the Civil War.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8497	S.F.	2315	Schulte of Linn
H-8498	S.F.	2315	Schulte of Linn
H-8499	H.F.	2471	Helland of Polk
H-8500	S.F.	2315	Schulte of Linn

On motion by Upmeyer of Hancock the House adjourned at 4:33 p.m., until 10:00 a.m., Friday, April 20, 2012.

JOURNAL OF THE HOUSE

One Hundred-third Calendar Day - Seventy-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 20, 2012

The House met pursuant to adjournment at 10:06 a.m., Sands of Louisa in the chair.

Prayer was offered by Representative Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Sands of Louisa.

The Journal of Thursday, April 19, 2012, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2458, a bill for an act establishing a rural Iowa primary care loan repayment program and trust fund to be administered by the college student aid commission.

Also: That the Senate has on April 19, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2459, a bill for an act relating to the assessment of moneys on sheep and wool production, and including effective date provisions.

Also: That the Senate has on April 19, 2012, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Heaton of Henry the House adjourned at 10:08 a.m., until 1:00 p.m., Monday, April 23, 2012.

JOURNAL OF THE HOUSE

One Hundred-sixth Calendar Day - Seventy-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 23, 2012

The House met pursuant to adjournment at 1:02 p.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Alons from Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eli Kirschbaum, Page from Bettendorf.

The Journal of Friday, April 20, 2012, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2338, a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 2338, by committee on appropriations, a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

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

ADOPTION OF HOUSE RESOLUTION 144

Garrett of Warren called up for consideration **House Resolution 144**, a resolution recognizing September 23, 2012, as Angelman Syndrome Day in Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 1:11 p.m., until the fall of the gavel.

The House resumed session at 2:40 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 23, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 563, a bill for an act creating the transparency in private attorney contracts Act.

Also: That the Senate has on April 23, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2464, a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions.

Also: That the Senate has on April 23, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 430, a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including effective date provisions.

Also: That the Senate has on April 23, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2332, a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

Also: That the Senate has on April 23, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2339, a bill for an act increasing the amount available for allocation to the brownfields and grayfields redevelopment tax credits under the aggregate tax credit limit and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

HOUSE INSISTS

Heaton of Henry called up for consideration **Senate File 2336**, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED (Senate File 2336)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2336: Heaton of Henry, Windschitl of Harrison, L. Miller of Scott, Heddens of Story and Wessel-Kroeschell of Story.

HOUSE REFUSED TO CONCUR

Iverson of Wright called up for consideration **Senate File 466**, a bill for an act relating to residential contractors and providing a penalty, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8453 to the House amendment.

Roll call was requested by McCarthy of Polk and T. Olson of Linn.

On the question "Shall the House concur in the Senate amendment H-8453 to the House amendment?" (S.F. 466)

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer

Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kaufmann
Klein	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

Absent or not voting, 3:

Isenhardt	Koester	Taylor, J.
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The motion lost and the House refused to concur in the Senate amendment H-8453, to the House amendment.

SENATE AMENDMENT CONSIDERED

Fry of Clarke called up for consideration **House File 2422**, a bill for an act relating to sex offender notification in a nursing facility, residential care facility, or assisted living program, providing penalties, and including effective date provisions, amended by the Senate amendment H-8486.

Fry of Clarke offered amendment H-8503, to the Senate amendment H-8486, filed by him from the floor and moved its adoption.

The motion prevailed and amendment H-8503, to the Senate amendment H-8486, was adopted.

Fry of Clarke moved that the House concur in the Senate amendment H-8486, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8486, as amended.

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

On the question "Shall the bill pass?" (H.F. 2422)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

CONSIDERATION OF BILL
Ways and Means Calendar

House File 2471, a bill for an act relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions, was taken up for consideration.

Helland of Polk offered amendment H-8499 filed by him and moved its adoption.

Amendment H-8499 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2471)

The ayes were, 83:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kelley	Klein	Kressig
Lofgren	Lukan	Lykam	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, S.	Olson, T.	Paustian
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 14:

Cohoon	Hunter	Kearns	Lensing
Mascher	McCarthy	Oldson	Olson, R.
Pearson	Petersen	Taylor, T.	Wessel-Kroeschell
Winckler	Wittneben		

Absent or not voting, 3:

Isenhart	Koester	Taylor, J.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2359 WITHDRAWN

Lofgren of Muscatine asked and received unanimous consent to withdraw House File 2359 from further consideration by the House.

SENATE MESSAGE CONSIDERED

Senate File 2339, by committee on ways and means, a bill for an act increasing the amount available for allocation to the brownfields and grayfields redevelopment tax credits under the aggregate tax credit limit and including effective date provisions.

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2422, 2471** and **Senate Files 466** and **2336**.

The House stood at ease at 3:26 p.m., until the fall of the gavel.

The House resumed session at 5:20 p.m., Speaker Paulsen in the chair.

The House stood at ease at 5:21 p.m., until the fall of the gavel.

The House resumed session at 5:48 p.m., Speaker Paulsen in the chair.

SENATE AMENDMENT CONSIDERED

Garrett of Warren called up for consideration **House File 563**, a bill for an act creating the transparency in private attorney contracts Act, amended by the Senate, and moved that the House concur in the Senate amendment H-8505.

The motion prevailed and the House concurred in the Senate amendment H-8505.

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

On the question "Shall the bill pass?" (H.F. 563)

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 4:

Berry Isenhart Lukan Taylor, J.

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 563** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Koester of Polk Lukan of Dubuque
Taylor, J. of Woodbury

EXPLANATION OF VOTE

On April 23, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2422 – “aye”
House File 2471 – “aye”
Senate File 466 – “nay”

KOESTER of Polk

AMENDMENTS FILED

H-8501	H.F.	2454	Soderberg of Plymouth
H-8502	S.F.	2315	Schulte of Linn
H-8504	H.F.	2454	Petersen of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:52 p.m., until 8:30 a.m., Tuesday, April 24, 2012.

JOURNAL OF THE HOUSE

One Hundred-seventh Calendar Day - Seventy-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 24, 2012

The House met pursuant to adjournment at 8:39 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Rogers of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nicholas Huffman, Page from Norwalk.

The Journal of Monday, April 23, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 146

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of **House Resolution 146**, a resolution recognizing Mike Glover for over three decades of journalistic service to the people of Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:48 a.m., until the fall of the gavel.

The House resumed session at 12:22 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2012, appointed the Conference Committee to Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator Hatch, Chair; the Senator from Johnson, Senator Bolcom; the Senator from Cerro Gordo, Senator Ragan; the Senator from Osceola, Senator Johnson; the Senator from Story, Senator Bacon.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILL Appropriations Calendar

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Schulte of Linn asked and received unanimous consent that the committee amendment H-8330 be deferred.

Schulte of Linn offered amendment H-8413 filed by Schulte, et al.

Schulte of Linn offered amendment H-8498, to amendment H-8413, filed by her and moved its adoption.

Roll call was requested by McCarthy of Polk and Hunter of Polk.

On the question "Shall amendment H-8498, to amendment H-8413, be adopted?" (S.F. 2315)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall

Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Worthan	Mr. Speaker Paulsen		

The nays were, 1:

Wolfe

Absent or not voting, 5:

Berry	Lukan	Shaw	Taylor, J.
Watts			

Amendment H–8498, to amendment H–8413, was adopted.

Schulte of Linn offered amendment H–8502, to amendment H–8413, filed by her and moved its adoption.

Roll call was requested by M. Smith of Marshall and T. Olson of Linn.

On the question “Shall amendment H–8502, to amendment H–8413, be adopted?” (S.F. 2315)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley

Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Berry	Dolecheck	Lukan	Shaw
Taylor, J.	Watts		

Amendment H-8502, to amendment H-8413, was adopted, placing out of order amendment H-8500 filed by Schulte of Linn on April 19, 2012.

Schulte of Linn offered amendment H-8506, to amendment H-8413, filed by her from the floor and moved its adoption.

Amendment H-8506, to amendment H-8413, was adopted.

Schulte of Linn moved the adoption of amendment H-8413, as amended.

Amendment H-8413, as amended, was adopted, placing out of order amendment H-8330, previously deferred, filed by the committee on appropriations on March 22, 2012.

Schulte of Linn offered amendment H-8497 filed by her and moved its adoption.

Amendment H-8497 was adopted.

Cownie of Polk in the chair at 12:44 p.m.

Speaker Paulsen in the chair at 12:52 p.m.

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

On the question "Shall the bill pass?" (S.F. 2315)

The ayes were, 66:

Abdul-Samad	Alons	Anderson	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cownie	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Hunter	Huseman	Isenhardt
Iverson	Kajtazovic	Kelley	Klein
Koester	Kressig	Lukan	Massie
Miller, L.	Moore	Oldson	Olson, R.
Olson, T.	Paustian	Pearson	Petersen
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Soderberg	Sweeney
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 32:

Arnold	Cohoon	De Boef	Gaskill
Hall	Hanson	Heddens	Jacoby
Jorgensen	Kaufmann	Kearns	Lensing
Lofgren	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Olson, S.
Pettengill	Smith, M.	Steckman	Swaim
Taylor, T.	Thede	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

Absent or not voting, 2:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2315** be immediately messaged to the Senate.

On motion by Upmeyer of Hancock, the House was recessed at 1:01 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:35 p.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Dolecheck of Ringgold
Shaw of Pocahontas
Watts of Dallas

Lukan of Dubuque
Taylor, J. of Woodbury

SENATE FILE 2338 REFERRED

The Speaker announced that Senate File 2338, previously **passed on file** was referred to committee on **ways and means**.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 24th day of April, 2012: House Files 675, 2343, 2455, 2458 and 2459.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

SUBCOMMITTEE ASSIGNMENTS

House File 2472

Ways and Means: Paustian, Chair; Byrnes and Muhlbauer.

Senate File 2338

Ways and Means: Cownie, Chair; Quirk and Vander Linden.

COMMITTEE RECOMMENDATIONS

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

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2338, a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 24, 2012.

Committee Bill (Formerly House File 2418), relating to economic development and the use of funds by affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 24, 2012.

AMENDMENTS FILED

H-8507	S.F.	2338	Isenhart of Dubuque
H-8508	S.F.	2338	Isenhart of Dubuque

Upmeyer of Hancock moved that the House adjourn until 10:00 a.m., Wednesday, April 25, 2012.

A non-record roll call was requested.

The ayes were 51, nays 9.

The motion prevailed and the House adjourned at 3:42 p.m., until 10:00 a.m., Wednesday, April 25, 2012.

JOURNAL OF THE HOUSE

One Hundred-eighth Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 25, 2012

The House met pursuant to adjournment at 10:03 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative De Boef of Keokuk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sidney Fehr, Page from Traer.

The Journal of Tuesday, April 24, 2012, was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 24, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2460, a bill for an act relating to Iowa's urban renewal law and incremental taxes by modifying provisions relating to the duration of urban renewal areas, the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF HOUSE RESOLUTION 145

Sands of Louisa called up for consideration **House Resolution 145**, a resolution honoring the memory of the six Littleton brothers who died during the Civil War, and moved its adoption.

The motion prevailed and the resolution was adopted.

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

The House resumed session at 11:35 a.m., Kaufmann of Cedar in the chair.

Upmeyer of Hancock asked and received unanimous consent to consider House File 2392, House File 2472 and Senate File 2338.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 25, 2012, passed the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 2008, a joint resolution nullifying a department of human services rule relating to reimbursement of physicians for services rendered in a facility setting, and including an effective date.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Regular Calendar

House File 2392, a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2392)

The ayes were, 63:

Anderson	Arnold	Baudler	Byrnes
Chambers	Cohoon	Cownie	Deyoe
Dolecheck	Drake	Forristall	Gaines
Garrett	Gaskill	Grassley	Hager
Heaton	Heddens	Hein	Helland

Horbach	Huseman	Isenhardt	Kearns
Kelley	Koester	Kressig	Lofgren
Lukan	Lykam	Massie	McCarthy
Miller, H.	Miller, L.	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paulsen, Spkr.	Paustian	Petersen	Pettengill
Quirk	Rasmussen	Rayhons	Rogers
Running-Marquardt	Swaim	Sweeney	Taylor, T.
Thomas	Tjepkes	Upmeyer	Watts
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe	Worthan	Kaufmann, Presiding	

The nays were, 31:

Abdul-Samad	Alons	Berry	Brandenburg
De Boef	Fry	Hagenow	Hall
Hanson	Hanusa	Hunter	Iverson
Jorgensen	Kajtazovic	Klein	Mascher
Moore	Pearson	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Taylor, J.	Thede
Vander Linden	Wagner	Windschitl	

Absent or not voting, 6:

Baltimore	Jacoby	Lensing	Raecker
Van Engelenhoven	Wenthe		

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

Speaker Paulsen in the chair at 11:43 a.m.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

House File 2472, a bill for an act 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, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** April 24, 2012.

Ways and Means Calendar

House File 2472, a bill for an act 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, and including effective date provisions, was taken up for consideration.

Pettengill of Benton rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

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

On the question "Shall the bill pass?" (H.F. 2472)

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhardt	Iverson	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wessel-Kroeschell

Willems
Wolfe

Winckler
Worthan

Windschitl
Mr. Speaker
Paulsen

Wittneben

The nays were, none.

Absent or not voting, 5:

Baltimore
Wenthe

Jacoby

Lensing

Van Engelenhoven

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

Senate File 2338, a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Isenhart of Dubuque offered amendment H-8507 filed by him.

Cownie of Polk rose on a point of order that amendment H-8507 was not germane.

The Speaker ruled the point well taken and amendment H-8507 not germane.

Isenhart of Dubuque asked and received unanimous consent that amendment H-8508 be deferred.

Isenhart of Dubuque offered amendment H-8510 filed by him and Kaufmann of Cedar from the floor.

Cownie of Polk rose on a point of order that amendment H-8510 was not germane.

The Speaker ruled the point well taken and amendment H-8510 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8510.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8510.

Roll call was requested by Isenhart of Dubuque and McCarthy of Polk.

On the question "Shall the rules be suspended to consider amendment H-8510?" (S.F. 2338)

The ayes were, 34:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Kajtazovic	Kearns
Kelley	Kressig	Lykam	Mascher
McCarthy	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Smith, M.
Steckman	Swaim	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 58:

Alons	Anderson	Arnold	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Lofgren
Lukan	Massie	Miller, L.	Moore
Olson, S.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

Absent or not voting, 8:

Baltimore	Jacoby	Kaufmann	Koester
Lensing	Miller, H.	Van Engelenhoven	Wenthe

The motion to suspend the rules lost.

Isenhart of Dubuque offered amendment H-8511 filed by him from the floor.

Cownie of Polk rose on a point of order that amendment H-8511 was not germane.

The Speaker ruled the point well taken and amendment H-8511 not germane.

Isenhart of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8511.

Objection was raised.

Isenhart of Dubuque moved to suspend the rules to consider amendment H-8511.

Roll call was requested by Isenhart of Dubuque and McCarthy of Polk.

On the question "Shall the rules be suspended to consider amendment H-8511?" (S.F. 2338)

The ayes were, 35:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Kajtazovic	Kearns
Kelley	Kressig	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, T.	Petersen	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 58:

Alons	Anderson	Arnold	Baudler
Brandenburg	Byrnes	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Iverson	Jorgensen	Klein	Lofgren
Lukan	Lykam	Massie	Miller, L.
Moore	Olson, S.	Paustian	Pearson
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer

Vander Linden Worthan	Wagner Mr. Speaker Paulsen	Watts	Windschitl
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Absent or not voting, 7:

Baltimore Lensing	Jacoby Van Engelenhoven	Kaufmann Wenthe	Koester
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The motion to suspend the rules lost.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment H-8508, previously deferred, filed by him on April 24, 2012.

Mascher of Johnson rose on a point of order under Rule 10.

The Speaker ruled the point not well taken.

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

On the question "Shall the bill pass?" (S.F. 2338)

The ayes were, 93:

Abdul-Samad	Alons	Anderson	Arnold
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Iverson	Jorgensen
Kajtažovic	Kearns	Kelley	Klein
Kressig	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner

Watts	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 7:

Baltimore	Jacoby	Kaufmann	Koester
Lensing	Van Engelenhoven	Wenthe	

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2392, 2472** and **Senate File 2338**.

The House stood at ease at 12:30 p.m., until the fall of the gavel.

The House resumed session at 3:06 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2473, by committee on ways and means, a bill for an act relating to economic development and the use of funds by establishing programs and funds, affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions.

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone
Koester of Polk
Raecker of Polk

Kaufmann of Cedar
Lensing of Johnson
Van Engelenhoven of Marion

AMENDMENT FILED

H-8509 H.F. 2460 Senate Amendment

On motion by Upmeyer of Hancock the House adjourned at 3:07 p.m., until 10:00 a.m., Thursday, April 26, 2012.

JOURNAL OF THE HOUSE

One Hundred-ninth Calendar Day - Seventy-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 26, 2012

The House met pursuant to adjournment at 10:02 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative J. Taylor of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by J. Taylor of Woodbury.

The Journal of Wednesday, April 25, 2012, was approved.

INTRODUCTION OF BILL

House File 2474, by Hall, a bill for an act directing the department of administrative services to establish policies to minimize health care cost increases while maintaining adequate coverage for state employees.

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

On motion by Upmeyer of Hancock, the House was recessed at 10:05 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:06 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 26, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2472, a bill for an act 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, and including effective date provisions.

Also: That the Senate has on April 26, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2342, a bill for an act relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sales and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions.

MICHAEL E. MARSHALL, Secretary

RESOLUTION FILED

H.R. 147, by Hall, a resolution to recognize the destructive nature of invasive species in the state and to encourage our state to make protection of our natural resources from these destructive pests a priority.

Laid over under **Rule 25**.

On motion by Upmeyer of Hancock the House adjourned at 3:06 p.m., until 10:00 a.m., Friday, April 27, 2012.

JOURNAL OF THE HOUSE

One Hundred-tenth Calendar Day - Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, April 27, 2012

The House met pursuant to adjournment at 10:04 a.m., Lukan of Dubuque in the chair.

Prayer was offered by Coy Clark from Des Moines. He was the guest of Representative Lukan of Dubuque County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Coy Clark from Des Moines. He was the guest of Representative Lukan of Dubuque.

The Journal of Thursday, April 26, 2012, was approved.

The House stood at ease at 10:05 a.m., until the fall of the gavel.

The House resumed session at 1:56 p.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

Senate File 2342, by committee on ways and means, a bill for an act relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sales and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 27, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 675, an Act concerning mechanics' liens including the establishment of a state construction registry for residential construction property, and including effect date and applicability provisions.

House File 2343, an Act requiring the Department of Natural Resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

House File 2455, an Act relating to the examinations of the finances of certain cities and including effective date provisions.

House File 2458, an Act establishing a rural Iowa primary care loan repayment program and trust fund to be administered by the College Student Aid Commission.

House File 2459, an Act relating to the assessment of moneys on sheep and wool production, and including effective date provisions.

Senate File 364, an Act relating to the licensure and regulation of persons offering occupational therapy services, and orthotists, prosthetists, and pedorthists, providing exceptions for persons practicing within the scope of their professions, and providing for fees and penalties.

Senate File 451, an Act relating to the allowable uses for modified allowable growth for programs for returning dropouts and dropout prevention and including applicability provisions.

Senate File 2322, an Act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and including effective date and applicability provisions.

Senate File 2333, an Act providing a sales tax exemption for the sale of tangible personal property of services to substance abuse treatment or prevention programs that receive block grant funding from the Iowa Department of Public Health.

On motion by Upmeyer of Hancock the House adjourned at 1:57 p.m., until 1:00 p.m., Monday, April 30, 2012.

JOURNAL OF THE HOUSE

One Hundred-thirteenth Calendar Day - Seventy-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 30, 2012

The House met pursuant to adjournment at 1:10 p.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Raecker of Polk.

The Journal of Friday, April 27, 2012, was approved.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 30th day of April, 2012: House Files 563, 2464 and 2472.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

On motion by Soderberg of Plymouth the House adjourned at 1:11 p.m., until 10:00 a.m., Tuesday, May 1, 2012.

JOURNAL OF THE HOUSE

One Hundred-fourteenth Calendar Day - Eightieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 1, 2012

The House met pursuant to adjournment at 10:11 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Horbach of Tama County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Horbach of Tama.

The Journal of Monday, April 30, 2012, was approved.

On motion by Upmeyer of Hancock, the House was recessed at 10:12 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:50 p.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2293, 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 effective date provisions.

MICHAEL E. MARSHALL, Secretary

SPONSORS ADDED
(House Resolution 117)

Arnold of Lucas requested to be added as a sponsor of House Resolution 117.

Hanson of Jefferson requested to be added as a sponsor of House Resolution 117.

RESOLUTION FILED

H.R. 148, by Arnold, a resolution commemorating the 75th anniversary of a sports legend — Melrose High School's winning of the 1937 State Boys' Basketball Championship.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8512 S.F. 2293 Senate Amendment

On motion by Upmeyer of Hancock the House adjourned at 3:50 p.m., until 10:00 a.m., Wednesday, May 2, 2012.

JOURNAL OF THE HOUSE

One Hundred-fifteenth Calendar Day - Eighty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 2, 2012

The House met pursuant to adjournment at 10:29 a.m., Speaker Paulsen in the chair.

Prayer was offered by Eli Kirschbaum, Page from Bettendorf.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Margaret Chelsvig, Page from Urbandale.

The Journal of Tuesday, May 1, 2012, was approved.

ADOPTION OF HOUSE RESOLUTION 148

Upmeyer of Hancock called up for consideration **House Resolution 148**, a resolution commemorating the 75th anniversary of a sports legend — Melrose High School's winning of the 1937 State Boys' Basketball Championship, and moved its adoption.

The motion prevailed and the resolution was adopted.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 1, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

MICHAEL E. MARSHALL, Secretary

AMENDMENT FILED

H-8513 H.F. 2465 Senate Amendment

On motion by Upmeyer of Hancock the House adjourned at 10:31 a.m., until 9:00 a.m., Thursday, May 3, 2012.

JOURNAL OF THE HOUSE

One Hundred-sixteenth Calendar Day - Eighty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, May 3, 2012

The House met pursuant to adjournment at 9:04 a.m., Windschitl of Harrison in the chair.

Prayer was offered by Tom Biedenfeld, Page from Colfax.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alberto Lara, Page from Carlisle.

The Journal of Wednesday, May 2, 2012, was approved.

The House stood at ease at 9:04 a.m., until the fall of the gavel.

The House resumed session at 3:11 p.m., Speaker Paulsen in the chair.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 2, 2012, he approved and transmitted to the Secretary of State the following bills:

House File 563, an Act creating the transparency in private attorney contracts act.

House File 2464, an Act relating to Department of Public Health programs and activities, providing for a penalty, and including effective and applicability date provisions.

House File 2472, an Act 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, and including effect date provisions.

Senate File 2328, an Act relating to the technical administration of the tax and related laws by the Department of Revenue, including the administration of income taxes, sales and use taxes, franchise fee, notification of annexation or severance by cities, and cigarette and tobacco taxes, and including retroactive applicability provisions.

Senate File 2332, an Act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

On motion by Upmeyer of Hancock the House adjourned at 3:11 p.m., until 10:00 a.m., Friday, May 4, 2012.

JOURNAL OF THE HOUSE

One Hundred-seventeen Calendar Day - Eighty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, May 4, 2012

The House met pursuant to adjournment at 10:15 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Representative Raecker of Polk.

The Journal of Thursday, May 3, 2012, was approved.

HOUSE REFUSED TO CONCUR

Upmeyer of Hancock called up for consideration **House File 2465**, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8513.

The motion lost and the House refused to concur in the Senate amendment H-8513.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2465** be immediately messaged to the Senate.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 676 Ways and Means

Relating to taxation and local government budgets by providing for an increase in the amount of the earned income tax credit,

establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of telecommunications company property, establishing budget limitations for counties and cities, modifying certain reporting requirements, establishing a property tax credit for certain commercial, industrial, and railway property, establishing a multiresidential property classification, providing penalties, making appropriations, and including effective date, retroactive applicability, and other applicability provisions.

On motion by Upmeyer of Hancock the House adjourned at 10:18 a.m., until 10:00 a.m., Monday, May 7, 2012.

JOURNAL OF THE HOUSE

One Hundred-twentieth Calendar Day - Eighty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 7, 2012

The House met pursuant to adjournment at 10:04 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Sands of Louisa County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Tom Biedenfeld, Page from Colfax.

The Journal of Friday, May 4, 2012, was approved.

CONFERENCE COMMITTEE APPOINTMENT REASSIGNED (House File 2336)

The Speaker announced Wagner of Linn will replace Alons of Sioux on the conference committee for House File 2336.

On motion by Upmeyer of Hancock, the House was recessed at 10:07 a.m., until 12:30 p.m.

AFTERNOON SESSION

The House reconvened at 12:35 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

House File 2475, by committee on ways and means, a bill for an act relating to taxation and local government budgets by providing for an increase in the amount of the earned income tax credit, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of telecommunications company property, establishing budget limitations for counties and cities, modifying certain reporting requirements, establishing a property tax credit for certain commercial, industrial, and railway property,

establishing a multiresidential property classification, providing penalties, making appropriations, and including effective date, retroactive applicability, and other applicability provisions.

Read first time and referred to committee on **appropriations**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 7, 2012, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

House File 609, a bill for an act relating to the probate and trust codes and state inheritance tax and including applicability provisions.

Also: That the Senate has on May 7, 2012, insisted on its amendment to House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Johnson, Senator Dvorsky; the Senator from Palo Alto, Senator Kibbie; the Senator from Pottawattamie, Senator Gronstal; the Senator from Butler, Senator Dix; the Senator from Sac, Senator Kettering.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED (House File 2465)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning House File 2465: Raecker of Polk, Wagner of Linn, Lofgren of Muscatine, Running-Marquardt of Linn and T. Olson of Linn.

The House stood at ease at 12:36 p.m., until the fall of the gavel.

The House resumed session at 2:28 p.m., Speaker Paulsen in the chair.

ADOPTION OF HOUSE RESOLUTION 142

Upmeyer of Hancock called up for consideration **House Resolution 142**, a resolution to honor the University of Northern Iowa's Women's Rugby Club, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 2:32 p.m., until the fall of the gavel.

The House resumed session at 4:56 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 7, 2012, insisted on its amendment to Senate File 466, a bill for an act relating to residential contractors and providing a penalty, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator McCoy, Chair; the Senator from Des Moines, Senator Courtney; the Senator from Dubuque, Senator Jochum; the Senator from Woodbury, Senator Anderson; the Senator from Woodbury, Senator Bertrand.

Also: That the Senate has on May 7, 2012, adopted the Conference Committee report and passed Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Also: That the Senate has on May 7, 2012, adopted the Conference Committee report and passed Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 7, 2012, adopted the Conference Committee report and passed Senate File 2321, 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 effective date provisions.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED (Senate File 466)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 466: Iverson of Wright, Kaufmann of Cedar, Horbach of Tama, Muhlbauer of Crawford and Oldson of Polk.

CONFERENCE COMMITTEE REPORT FILED
(House File 2338)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

House File 2338, a bill for an act relating to appropriations to the judicial branch.

ON THE PART OF THE HOUSE:

GARY WORTHAN, Chair
RICHARD ARNOLD
LANCE HORBACH
TODD TAYLOR
MARY WOLFE

ON THE PART OF THE SENATE:

ROBERT M. HOGG, Chair
EUGENE S. FRAISE
TOM HANCOCK
STEVE KETTERING

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 2338)

Worthan of Buena Vista called up for consideration the report of the conference committee on House File 2338, a bill for an act relating to appropriations to the judicial branch, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (H.F. 2338)

The ayes were, 90:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck

Drake	Forristall	Fry	Gaines
Garrett	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 7:

Cohoon	Gaskill	Isenhart	Mascher
McCarthy	Pearson	Shaw	

Absent or not voting, 3:

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

CONFERENCE COMMITTEE REPORT FILED (House File 2337)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions.

ON THE PART OF THE HOUSE:

JASON SCHULTZ, Chair
 CHIP BALTIMORE
 CHRIS HALL
 DAVE JACOBY
 JEREMY TAYLOR

ON THE PART OF THE SENATE:

WILLIAM DOTZLER, Chair
 LIZ MATHIS
 DR. JOE M. SENG

ADOPTION OF THE REPORT OF THE
 CONFERENCE COMMITTEE
 (House File 2337)

Schultz of Crawford called up for consideration the report of the conference committee on House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (H.F. 2337)

The ayes were, 82:

Abdul-Samad	Arnold	Baltimore	Berry
Brandenburg	Byrnes	Chambers	Cohoon
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.

Paustian	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Soderberg	Swaim
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Windschitl	Wittneben
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 15:

Baudler	Gaskill	Hunter	Kelley
Lensing	Mascher	Pearson	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Willems	Winckler	Wolfe	

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2337** and **2338**.

SENATE AMENDMENT CONSIDERED

Sands of Louisa called up for consideration **House File 2460**, a bill for an act relating to Iowa's urban renewal law and incremental taxes by modifying provisions relating to the duration of urban renewal areas, the approval, duration, and use of divisions of revenue, requiring certain reporting and auditing, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8509.

The motion prevailed and the House concurred in the Senate amendment H-8509.

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

On the question "Shall the bill pass?" (H.F. 2460)

The ayes were, 97:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2342, a bill for an act relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sales and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** May 7, 2012.

Upmeyer of Hancock asked and received unanimous consent to consider Senate File 2342.

CONSIDERATION OF BILL
Ways and Means Calendar

Senate File 2342, a bill for an act relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sales and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2342)

The ayes were, 82:

Arnold	Baltimore	Baudler	Berry
Brandenburg	Byrnes	Chambers	Cohoon
Cownie	Deyoe	Dolecheck	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kelley	Klein
Koester	Kressig	Lofgren	Lukan

Lykam	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, S.	Olson, T.
Paustian	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 14:

Abdul-Samad	De Boef	Hunter	Kearns
Lensing	Mascher	Massie	McCarthy
Olson, R.	Pearson	Shaw	Taylor, T.
Thede	Wessel-Kroeschell		

Absent or not voting, 4:

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2460** and **Senate File 2342**.

CONFERENCE COMMITTEE REPORT FILED (Senate File 2313)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2313, a bill for an act relating to 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 HOUSE:

RALPH WATTS, Chair
 WALT ROGERS
 JEFF SMITH

ON THE PART OF THE SENATE:

PAM JOCHUM, Chair
 MERLIN BARTZ
 TOD BOWMAN
 JEFF DANIELSON
 JONI ERNST

ADOPTION OF THE REPORT OF THE
 CONFERENCE COMMITTEE
 (Senate File 2313)

Watts of Dallas called up for consideration the report of the conference committee on Senate File 2313, a bill for an act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

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

The ayes were, 58:

Arnold	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Miller, L.	Moore
Olson, R.	Olson, S.	Paustian	Pettengill
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Soderberg	Sweeney	Taylor, J.
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Miller, H.	Muhlbauer	Oldson	Olson, T.
Pearson	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

Absent or not voting, 3:

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

CONFERENCE COMMITTEE REPORT FILED
(Senate File 2321)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2321, 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 effective date provisions.

ON THE PART OF THE HOUSE:

CECIL DOLECHECK, Chair
PETER COWNIE
RON JORGENSEN
NATE WILLEMS
CINDY WINCKLER

ON THE PART OF THE SENATE:

BRIAN SCHOENJAHN, Chair
WALLY E. HORN
HERMAN C. QUIRMBACH

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 2321)

Dolecheck of Ringgold called up for consideration the report of the conference committee on Senate File 2321, 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 effective date provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (S.F. 2321)

The ayes were, 92:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Smith, J.	Smith, M.	Soderberg
Steckman	Swaim	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 5:

Mascher
Wolfe

Pearson

Shaw

Taylor, T.

Absent or not voting, 3:

Alons

Anderson

Murphy

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2313 and 2321.**

The House stood at ease at 5:26 p.m., until the fall of the gavel.

The House resumed session at 8:12 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 7, 2012, adopted the Conference Committee report and passed House File 2337, a bill for an act relating to appropriations to the department of cultural affairs, the economic development authority, certain board of regents institutions, the department of workforce development, the Iowa finance authority, the rebuild Iowa infrastructure fund, and the public employment relations board, eliminating the film tax credit program, providing for other properly related matters, including effective date and retroactive and other applicability provisions.

Also: That the Senate has on May 7, 2012, adopted the Conference Committee report and passed House File 2338, a bill for an act relating to appropriations to the judicial branch.

Also: That the Senate has on May 7, 2012, passed the following bill in which the concurrence of the House is asked:

Senate File 2343, a bill for an act making changes to the controlled substance schedules, applying penalties, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE REPORT FILED
(House File 2335)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates.

ON THE PART OF THE HOUSE:

GARY WORTHAN, Chair
RICHARD ARNOLD
LANCE HORBACH

ON THE PART OF THE SENATE:

TOM HANCOCK, Chair
EUGENE S. FRAISE
ROBERT M. HOGG

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 2335)

Worthan of Buena Vista called up for consideration the report of the conference committee on House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (H.F. 2335)

The ayes were, 55:

Arnold	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Klein	Koester
Lofgren	Lukan	Miller, L.	Moore
Olson, S.	Paustian	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 42:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	Massie	McCarthy
Miller, H.	Muhlbauer	Oldson	Olson, R.
Olson, T.	Pearson	Petersen	Quirk
Running-Marquardt	Shaw	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

Absent or not voting, 3:

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

CONFERENCE COMMITTEE REPORT FILED
(House File 2336)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

ON THE PART OF THE HOUSE:

JACK DRAKE, Chair
ROSS PAUSTIAN
NICK WAGNER

ON THE PART OF THE SENATE:

DENNIS H. BLACK, Chair
DICK L. DEARDEN
HUBERT HOUSER
MARY JO WILHELM

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 2336)

Drake of Cass called up for consideration the report of the conference committee on House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (H.F. 2336)

The ayes were, 89:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Heddens	Hein	Helland
Horbach	Huseman	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Massie	McCarthy	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.

Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, 7:

Cohoon	Hunter	Isenhart	Mascher
Pearson	Taylor, T.	Wessel-Kroeschell	

Absent or not voting, 4:

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

CONFERENCE COMMITTEE REPORT FILED (Senate File 2316)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions.

ON THE PART OF THE HOUSE:

DAN HUSEMAN, Chair
ROYD CHAMBERS
DENNIS COHOON
LEE HEIN
BRIAN QUIRK

ON THE PART OF THE SENATE:

MATT McCOY, Chair
DARYL BEALL
ROBERT E. DVORSKY

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 2316)

Huseman of Cherokee called up for consideration the report of the conference committee on Senate File 2316, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (S.F. 2316)

The ayes were, 92:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Kajtazovic
Kaufmann	Kearns	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe

Wessel-Kroeschell Wittneben	Willems Wolfe	Winckler Worthan	Windschitl Mr. Speaker Paulsen
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The nays were, 5:

Jorgensen Shaw	Kelley	Klein	Pearson
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Absent or not voting, 3:

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

SENATE MESSAGE CONSIDERED

Senate File 2343, by Gronstal and Behn, a bill for an act making changes to the controlled substance schedules, applying penalties, and including effective date provisions.

Read first time and referred to committee on **public safety**.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2335, 2336** and **Senate File 2316**.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

House File 2475, a bill for an act relating to taxation and local government budgets by providing for an increase in the amount of the earned income tax credit, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of

telecommunications company property, establishing budget limitations for counties and cities, modifying certain reporting requirements, establishing a property tax credit for certain commercial, industrial, and railway property, establishing a multiresidential property classification, providing penalties, making appropriations, and including effective date, retroactive applicability, and other applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** May 7, 2012.

Upmeyer of Hancock asked and received unanimous consent to consider House File 2475.

CONSIDERATION OF BILL Appropriations Calendar

House File 2475, a bill for an act relating to taxation and local government budgets by providing for an increase in the amount of the earned income tax credit, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of telecommunications company property, establishing budget limitations for counties and cities, modifying certain reporting requirements, establishing a property tax credit for certain commercial, industrial, and railway property, establishing a multiresidential property classification, providing penalties, making appropriations, and including effective date, retroactive applicability, and other applicability provisions, was taken up for consideration.

Cownie of Polk in the chair at 9:28 p.m.

Speaker Paulsen in the chair at 9:38 p.m.

Forristall of Pottawattamie rose on a point of order under Rule 10.

The Speaker ruled the point well taken.

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

On the question "Shall the bill pass?" (H.F. 2475)

The ayes were, 71:

Arnold	Baltimore	Baudler	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Kajtazovic
Kaufmann	Kelley	Klein	Koester
Kressig	Lofgren	Lukan	Lykam
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Olson, S.	Paustian	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Sweeney	Taylor, J.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Windschitl
Wittneben	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 26:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Heddens	Hunter	Isenhardt
Jacoby	Kearns	Lensing	Mascher
McCarthy	Oldson	Olson, R.	Olson, T.
Pearson	Petersen	Running-Marquardt	Steckman
Swaim	Taylor, T.	Wessel-Kroeschell	Willems
Winckler	Wolfe		

Absent or not voting, 3:

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

HOUSE RECEDES

Hagenow of Polk called up for consideration **House File 609**, a bill for an act relating to the probate and trust codes and state inheritance tax and including applicability provisions, amended by the House and moved that the House recede from its amendment.

The motion prevailed and the House recesses.

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

On the question "Shall the bill pass?" (H.F. 609)

The ayes were, 97:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 609** and **2475**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Alons of Sioux
Drake of Cass

Anderson of Page
Murphy of Dubuque

EXPLANATIONS OF VOTE

On May 7, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

Senate File 2342 – “aye”

DRAKE of Cass

On May 7, 2012, H. Miller’s oral vote of “aye” was inadvertently not included in the vote total for House File 2336.

H. MILLER of Webster

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 676), relating to taxation and local government budgets by providing for an increase in the amount of the earned income tax credit, establishing and modifying property assessment limitations, providing for certain property tax replacement payments, modifying the assessment and taxation of

telecommunications company property, establishing budget limitations for counties and cities, modifying certain reporting requirements, establishing a property tax credit for certain commercial, industrial, and railway property, establishing a multi-residential property classification, providing penalties, making appropriations, and including effective date, retroactive applicability, and other applicability provisions.

Fiscal Note is required.

Recommended **Amend and Do Pass** May 7, 2012.

AMENDMENTS FILED

H-8514	H.F.	2473	Hager of Allamakee
H-8515	H.F.	2473	Kearns of Lee

On motion by Upmeyer of Hancock the House adjourned at 10:14 p.m., until 8:30 a.m., Tuesday, May 8, 2012.

JOURNAL OF THE HOUSE

One Hundred Twenty-first Calendar Day - Eighty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, May 8, 2012

The House met pursuant to adjournment at 8:37 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Lofgren of Muscatine County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rebecca Greenway, Page from Van Meter.

The Journal of Monday, May 7, 2012, was approved.

The House stood at ease at 8:39 a.m., until the fall of the gavel.

The House resumed session at 12:25 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 8, 2012, adopted the Conference Committee report and passed House File 2335, a bill for an act relating to appropriations to the justice system, and providing effective dates.

Also: That the Senate has on May 8, 2012, adopted the Conference Committee report and passed House File 2336, a bill for an act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 12:25 p.m., until the fall of the gavel.

The House resumed session at 2:02 p.m., Speaker Paulsen in the chair.

QUORUM CALL

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

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON PUBLIC SAFETY

Senate File 2343, a bill for an act making changes to the controlled substance schedules, applying penalties, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** May 8, 2012.

Upmeyer of Hancock asked and received unanimous consent to consider Senate File 2343.

CONSIDERATION OF BILLS Regular Calendar

Senate File 2343, a bill for an act making changes to the controlled substance schedules, applying penalties, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2343)

The ayes were, 96:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Helland	Horbach	Hunter	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2343** be immediately messaged to the Senate.

The House stood at ease at 2:18 p.m., until the fall of the gavel.

The House resumed session at 2:35 p.m., Speaker Paulsen in the chair.

Ways and Means Calendar

House File 2473, a bill for an act relating to economic development and the use of funds by establishing programs and funds, affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by diverting withholding tax payments for such programs, incentives, and assistance, by abolishing the film tax credit program, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Kaufmann of Cedar in the chair at 2:39 p.m.

Byrnes of Mitchell offered amendment H-8516 filed by him from the floor and moved its adoption.

Amendment H-8516 was adopted.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-8515 filed by Kearns of Lee on May 7, 2012.

Hager of Allamakee offered amendment H-8514 filed by him and moved its adoption.

Amendment H-8514 was adopted.

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

On the question "Shall the bill pass?" (H.F. 2473)

The ayes were, 92:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Gaines	Garrett	Gaskill	Grassley
Hagenow	Hager	Hall	Hanson
Hanusa	Heaton	Heddens	Hein

Helland	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.
Paustian	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, 2:

Pearson Shaw

Absent or not voting, 6:

Alons Anderson Kearns Murphy
Paulsen, Spkr. Petersen

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

HOUSE FILE 2418 WITHDRAWN

Byrnes of Mitchell asked and received unanimous consent to withdraw House File 2418 from further consideration by the House.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2473** be immediately messaged to the Senate.

The House stood at ease at 2:50 p.m., until the fall of the gavel.

The House resumed session at 3:01 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 8, 2012, failed to pass the following bill in which the concurrence of the Senate was asked:

House File 2392, a bill for an act to legalize and validate the proceedings preliminary to and in connection with a special election held to authorize the imposition of a local option sales and services tax within the City of Adel, Iowa under Iowa Code Chapter 423B, declaring the validity of said proceedings and the legality of the local option sales and services tax authorized by the special election, and providing an effective date and for retroactive applicability.

Also: That the Senate has on May 8, 2012, adopted the Conference Committee report and passed Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE REPORT FILED (Senate File 2284)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions.

ON THE PART OF THE HOUSE:

ROYD CHAMBERS, Chair
CECIL DOLECHECK
GREG FORRISTALL
MARY MASCHER
SHARON STECKMAN

ON THE PART OF THE SENATE:

HERMAN C. QUIRMBACH, Chair
NANCY J. BOETTGER
TOD BOWMAN
SHAWN HAMERLINCK
BRIAN SCHOENJAHN

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 2284)

Chambers of O'Brien called up for consideration the report of the conference committee on Senate File 2284, a bill for an act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions, and moved the adoption of the conference committee report and the amendments contained therein.

Cownie of Polk in the chair at 3:17 p.m.

Speaker Paulsen in the chair at 3:22 p.m.

The motion prevailed and the conference committee report was adopted.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2284)

The ayes were, 87:

Abdul-Samad	Arnold	Baltimore	Baudler
Berry	Brandenburg	Byrnes	Chambers
Cohoon	Cownie	Deyoe	Dolecheck
Drake	Forristall	Fry	Gaines
Garrett	Gaskill	Grassley	Hagenow
Hager	Hall	Hanson	Hanusa
Heaton	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kelley	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Paustian	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Smith, J.	Smith, M.	Soderberg	Steckman

Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 9:

Alons	De Boef	Heddens	Klein
Pearson	Schultz	Shaw	Thomas
Wessel-Kroeschell			

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2284** be immediately messaged to the Senate.

RESIGNATION OF SPEAKER PRO TEMPORE

The Speaker announced the resignation of Jeff Kaufmann of Cedar as Speaker Pro Tempore.

ELECTION OF SPEAKER PRO TEMPORE

Sands of Louisa placed in nomination the Honorable Steve Olson of Clinton County as candidate for Speaker Pro Tempore.

Cownie of Polk and Lykam of Scott seconded the nomination of Steve Olson of Clinton County for Speaker Pro Tempore.

In accordance with the foregoing motion, the votes were cast and Steve Olson of Clinton County was declared duly elected to that office.

Steve Olson of Clinton was escorted to the Speaker's station and being duly sworn, offered his remarks.

The House stood at ease at 3:38 p.m., until the fall of the gavel.

The House resumed session at 7:15 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 8, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2470, a bill for an act providing for sales and use taxes collected on farm machinery and equipment.

Also: That the Senate has on May 8, 2012, passed the following bill in which the concurrence of the Senate was asked:

House File 2473, a bill for an act relating to economic development and the use of funds by establishing programs and funds, affecting programs, tax incentives, and project completion and other assistance administered by the economic development authority, by replacing references to the economic development fund and financial assistance program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 8, 2012, adopted the Conference Committee report and passed Senate File 466, a bill for an act relating to residential contractors and providing a penalty.

Also: That the Senate has on May 8, 2012, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 7:15 p.m., until the fall of the gavel.

The House resumed session at 7:21 p.m., Speaker Paulsen in the chair.

CONFERENCE COMMITTEE REPORT FILED
(House File 2465)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

ON THE PART OF THE HOUSE:

J. SCOTT RAECKER, Chair
MARK LOFGREN
TYLER OLSON
KIRSTEN RUNNING-MARQUARDT
NICK WAGNER

ON THE PART OF THE SENATE:

ROBERT E. DVORSKY, Chair
MICHAEL E. GRONSTAL
JOHN P. KIBBIE

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(House File 2465)

Wagner of Linn called up for consideration the report of the conference committee on House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (H.F. 2465)

The ayes were, 90:

Abdul-Samad	Arnold	Baudler	Berry
Brandenburg	Byrnes	Chambers	Cohon
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Petersen	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Smith, J.	Smith, M.
Soderberg	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Witneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 7:

Alons	De Boef	Massie	Pearson
Pettengill	Shaw	Watts	

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **House File 2465** be immediately messaged to the Senate.

The House stood at ease at 7:34 p.m., until the fall of the gavel.

The House resumed session at 9:24 p.m., Speaker Paulsen in the chair.

SENATE AMENDMENT CONSIDERED

Schulte of Linn called up for consideration **Senate File 2315**, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions, and including effective date and applicability provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment H-8518 to the House amendment.

The motion lost and the House refused to concur in the Senate amendment H-8518, to the House amendment.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate File 2315** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Alons of Sioux	Anderson of Page
Baltimore of Boone	Kearns of Lee
Murphy of Dubuque	Paulsen, Spkr.

The House stood at ease at 9:27 p.m., until the fall of the gavel.

The House resumed session at 10:03 p.m., Speaker Paulsen in the chair.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 8, 2012, insisted on its amendment to Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions, and including effective date and applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator Hatch, Chair; the Senator from Johnson, Senator Bolkcom; the Senator from Cerro Gordo, Senator Ragan; the Senator from Osceola, Senator Johnson; the Senator from Montgomery, Senator Ernst.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED
(Senate File 2315)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning Senate File 2315: Schulte of Linn, Upmeyer of Hancock, Wagner of Linn, Heddens of Story and M. Smith of Marshall.

SENATE FILE 2326 REREFERRED

The Speaker announced that Senate File 2326, previously referred to committee on **commerce** was rereferred to committee on **ways and means**.

EXPLANATIONS OF VOTE

On May 7, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 609 – “aye”
House File 2335 – “aye”
House File 2336 – “aye”
House File 2337 – “nay”
House File 2338 – “nay”
House File 2460 – “aye”
House File 2475 – “aye”
Senate File 2313 – “aye”
Senate File 2316 – “nay”
Senate File 2321 – “nay”
Senate File 2342 – “aye”

Also: On May 8, 2012, I would have voted as follows:

House File 2473 – “aye”
Senate File 2343 – “aye”

ALONS of Sioux

On May 8, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2473 – “aye”

PAULSEN, SPKR.

CONFERENCE COMMITTEE REPORT FILED
(Senate File 466)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 466, a bill for an act relating to residential contractors and providing a penalty.

ON THE PART OF THE HOUSE:

STEWART IVERSON, Chair
JEFF KAUFMANN
DAN MUHLBAUER
JO OLDSON

ON THE PART OF THE SENATE:

MATT McCOY, Chair
BILL ANDERSON
RICK BERTRAND
THOMAS G. COURTNEY
PAM JOCHUM

RESOLUTION FILED

H.R. 149, by Isenhardt, Abdul-Samad, Berry, Cohoon, Gaines, Hanson, Heddens, Hunter, Kajtazovic, Kearns, Kelley, Kressig, Lensing, Lykam, Murphy, Petersen, M. Smith, T. Taylor, Thede, Thomas, Wessel-Kroeschell, Winckler, Wittneben, Wolfe, Gaskill, Hall, Jacoby, Mascher, H. Miller, Muhlbauer, Oldson, R. Olson, T. Olson, Quirk, Running-Marquardt, Steckman, Swaim, Wenthe, and Willems, a resolution to recognize local farms and foods and to recognize the week of October 14 through 20 as World Food Prize Week in Iowa.

Laid over under **Rule 25**.

AMENDMENT FILED

H-8517 H.F. 2470 Senate Amendment

LEADERSHIP REVISIONS

The Speaker announced the following leadership changes effective May 8, 2012:

Rogers of Black Hawk and J. Smith of Dickinson were named **assistant majority leaders**.

On motion by Upmeyer of Hancock the House adjourned at 10:03 p.m., until 9:30 a.m., Wednesday, May 9, 2012.

JOURNAL OF THE HOUSE

One Hundred Twenty-second Calendar Day - Eighty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, May 9, 2012

The House met pursuant to adjournment at 9:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Shaw of Pocahontas County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Nora McKenzie, Page from Carroll.

The Journal of Tuesday, May 8, 2012, was approved.

The House stood at ease at 9:35 a.m., until the fall of the gavel.

The House resumed session at 4:57 p.m., Speaker Paulsen in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 9, 2012, adopted the Conference Committee report and passed House File 2465, a bill for an act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

Also: That the Senate has on May 9, 2012, amended and passed the following bill in which the concurrence of the House is asked:

House File 2466, a bill for an act making appropriations to the commission of veterans affairs for the provision of veterans services, and including effective date provisions.

Also: That the Senate has on May 9, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 2237, a bill for an act relating to social and charitable gambling concerning allowable prizes at annual game nights conducted by religious organizations and concerning

the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling.

Also: That the Senate has on May 9, 2012, adopted the Conference Committee report and passed Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

Also: That the Senate has on May 9, 2012, adopted the Conference Committee report and passed Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 466)

Schultz of Crawford called up for consideration the report of the conference committee on Senate File 466, a bill for an act relating to residential contractors and providing a penalty, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (S.F. 466)

The ayes were, 72:

Baltimore	Berry	Brandenburg	Cohoon
Cownie	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Gaskill
Grassley	Hagenow	Hall	Hanson
Hanusa	Heddens	Hein	Helland
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtažovic	Kaufmann	Kearns
Kelley	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
McCarthy	Miller, H.	Miller, L.	Moore

Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Petersen	Pettengill	Rogers
Running-Marquardt	Schulte	Schultz	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Vander Linden	Wagner
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, 23:

Abdul-Samad	Alons	Arnold	Baudler
Byrnes	Chambers	De Boef	Garrett
Hager	Heaton	Horbach	Klein
Massie	Olson, R.	Pearson	Quirk
Raecker	Rasmussen	Rayhons	Shaw
Van Engelenhoven	Watts	Wolfe	

Absent or not voting, 5:

Anderson	Iverson	Paustian	Sands
Swaim			

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

PRESENTATION TO RETIRING MEMBERS AND LEADERS

Speaker Paulsen, Majority Leader Upmeyer and Minority Leader McCarthy invited to the well of the House, for a special recognition, members of the House who will be retiring or are a candidate for the Iowa Senate. Plaques were presented to the following:

Richard T. Anderson, District 97	2005 – 2013
Richard D. Arnold, District 72	1995 – 2013
Royd E. Chambers, District 5	2003 – 2013
Betty R. De Boef, District 76	2001 – 2013
Lance J. Horbach, District 40	1999 – 2013
Stewart Iverson, Jr. District 9	1990 – 1994 and 2011 – 2013
Jeff Kaufmann, District 79	2005 – 2013
Steven F. Lukan, District 32	2003 – 2013
Glen H. Massie, District 74	2011 – 2013
Kim Pearson, District 42	2011 – 2013
Janet Petersen, District 64	2001 – 2013

J. Scott Raecker, District 63	1999 – 2013
Dan Rasmussen, District 23	2003 – 2008 and 2011 – 2013
Kurt Swaim, District 94	2003 – 2013
David A. Tjepkes, District 50	2003 – 2013
James Van Engelenhoven, District 71	1999 – 2013
Andrew J. Wenthe, District 18	2007 – 2013
Nathan Willems, District 29	2009 – 2013

The House rose and expressed its appreciation.

Jeff Kaufmann, on behalf of the House, presented plaques to each leader in appreciation of their service and dedication to the Iowa House of Representatives during the Eighty-fourth General Assembly.

The House rose and expressed its appreciation.

SENATE AMENDMENT CONSIDERED

Chambers of O'Brien called up for consideration **House File 2466**, a bill for an act making appropriations to the commission of veterans affairs for the provision of veterans services, and including effective date provisions, amended by the Senate, and moved that the House concur in the Senate amendment H-8519.

The motion prevailed and the House concurred in the Senate amendment H-8519.

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

On the question "Shall the bill pass?" (H.F. 2466)

The ayes were, 97:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens

Hein	Helland	Horbach	Hunter
Huseman	Isenhart	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Steckman	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Anderson Iverson Swaim

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

REMARKS BY MINORITY LEADER MCCARTHY

McCarthy of Polk offered the following remarks:

Thank you, Mr. Speaker and ladies and gentlemen of the House. I'll be very brief, I know everyone wants to finish up.

First, a few thanks. Thanks to everyone here for the pleasure of serving with all of you. I was struck just a few moments ago when Rep. Swaim was acknowledged for his retirement award. As a citizen lawmaker, he actually has a law practice and is in a very important court case right now. He's not here for sine die or to get his award. He was able to give, like a lot of people here, a retirement speech, some reflection both for the individual giving the speech and for all us listening on a career of public service. I think that's very, very important. But a lot of us, and this puts our work in perspective here, may never see him again. Unless he comes back and visits, when he may get a welcome back on the back of the floor, and we may acknowledge it, but many of us may never see him again or work with him again. We hope that we will.

There are other people in this chamber through the vagaries of the electorate this November who won't have an opportunity to give your retirement speech and may not be back here and we may not have the opportunity to work with you again. And that

gives me pause to reflect back on the tone and rhetoric that we all, unfortunately, engage in from time to time when the passions of the moment take us and we get too many partisan words in us and too much partisan energy. It's moments like we just had that are good for the institution and it's good for us to reflect on how we all want to be viewed and remembered when we are not here anymore. So I want to thank all of you.

I also want to thank the staff, Brian Meyer and Dave Schrader in my office, who have done a good job trying to herd me, which is a very difficult job in making sure I know what's going on. I want to thank the Republican staff and also Matt, Angie, Tony and others who have kept Dave and Brian informed on what's going on so our caucus is informed. I want to thank our Democratic Caucus Staff, Joe and Mary and Gilde and Zeke and Epley and Bill Freeland and Anna and Dean and Rachelle. Thanks to them for all the good work. A few years ago I thanked the Republican Caucus Staff and forgot my own. I got in trouble for that one.

The election will be just under six months from now and we are all going to hit the campaign trail. Some of us have opponents, some of us don't. Some of us will be in real tough races, some of us won't. I think the case that House Democrats will be making to the voters and the question that I hope is on the voters mind is the following: Is there too much partisanship and focus on divisive issues occurring at our Capitol in Des Moines?

What's the answer to that question, voters? If you think things are going swimmingly, you have a choice there. If you think there needs to be a change, there's a choice there. Which party, which candidate is going to come to work every day with a focus on standing up and fighting for the middle class every day and on every issue? What legislator or candidate is going to come and stand up for issues that the average ordinary Iowan without an ideological agenda cares about? A strong education system. Preservation of our public preschool system. Certain collective bargaining rights for our police officers firefighters, corrections workers, troopers. Focus on the jobs and the economy, but including access to jobs through workforce development centers. A strong health care system that protects the most vulnerable. And clean air and a clean environment.

If those are the questions percolating around voters' minds, then House Democrats are going to do ok.

If they are not, and sometimes that happens, then we're proud for all we have fought for these last two years whether it was preschool or rights for workers or access to jobs or whether we have mainstream, reasonable gun laws. That is the direction that we would take this state, a mainstream direction that invests in our future.

It was a pleasure to work with all of you. For those of you who don't come back, stop back and visit so we can have some moments that others who are retiring were able to experience.

CONFERENCE COMMITTEE REPORT FILED
(Senate File 2315)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions.

ON THE PART OF THE HOUSE:

RENEE SCHULTE, Chair
LINDA UPMEYER
NICK WAGNER

ON THE PART OF THE SENATE:

JACK HATCH, Chair
JOE BOLKCOM
JONI ERNST
DAVID JOHNSON
AMANDA RAGAN

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 2315)

Schulte of Linn called up for consideration the report of the conference committee on Senate File 2315, a bill for an act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (S.F. 2315)

The ayes were, 66:

Alons	Baltimore	Baudler	Berry
Brandenburg	Byrnes	Chambers	Cownie
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Jacoby
Kajtazovic	Kaufmann	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Winckler	Windschitl
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 31:

Abdul-Samad	Arnold	Cphoon	De Boef
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhardt	Jorgensen
Kearns	McCarthy	Miller, H.	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Pettengill	Smith, M.	Steckman
Taylor, J.	Taylor, T.	Wenthe	Wessel-Kroeschell
Willems	Wittneben	Wolfe	

Absent or not voting, 3:

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

REMARKS BY MAJORITY LEADER UPMEYER

Upmeyer of Hancock offered the following remarks:

Thank you, Mr. Speaker. Mr. Speaker, ladies and gentlemen of the House.

It is hard to fully describe the honor of serving in this building but it is not difficult to know who to thank. I think I speak for us all when I say thank you to our constituents. They put their trust in us and keep us focused on what is important. It is the people of Iowa that will always make this job worthwhile.

I want to thank my colleagues on both sides of the aisle. You all give so much of yourselves to do this job. It is not easy taking time away from family, work and life. But you have all done that so the people in your district could be well represented.

Minority Leader McCarthy, your caucus and your staff deserve to be commended for their tireless work and their contribution. I am proud of the bipartisan spirit that can be found in much of the legislation we have done this year.

Thank you to all the people who keep this building running – day and night. You often work without recognition, but we appreciate all you do. Thank you to Tom, Katelyn and all the pages. I am so impressed with all of you and know you have a bright future.

A special thank you to our staff: Jeff, Lon, Jason, Amanda, Kristi, Lew, Louis, Brad, Dustin, Jill, Matt, Josie, Terri, Tony and Angie. You are simply the best at what you do.

When I was thinking about what I have learned over the last two sessions and what we have accomplished, I kept coming back to one thought: big things do not often happen all at once. A building is not merely placed on the corner of a street, rather it is built brick by brick. It is the culmination of many smaller contributions through which big things are done.

It is that idea which describes the work we have accomplished over these last two years. There is no magic bill to cure all woes, and NO... waiting for one to come is not what made the last two sessions run long. To effect change, you need to make a consistent effort to focus on your priorities and principles.

Over the last two sessions we have made a consistent effort to focus on delivering a more effective and efficient state government for the hardworking taxpayers of Iowa. First and foremost that was accomplished by delivering on our promise that we would live within our means, just like Iowans have to. We committed to not spend more than we took in, and we have stood strong.

We have made the budget process more transparent and accountable. We have dramatically reduced the number of “notwithstanding” in the budget. In fact, RIIF went from 98% “notwithstanding” to only 25%. That is significant progress, but clearly there is work yet to be done. Over the years, many things were moved off budget which made it hard to determine exactly how much the State was spending each year. We tackled that, not all at once, but each day as we worked through the budgets.

We have created stability in the budget by refusing to spend one-time money for ongoing expenses. Again, this took vigilance on a daily basis by Representative Raecker and his team. Old habits die hard, but they fought for it and the financial health of our government is better as a result. Nothing is

harder on our communities or erodes the public confidence more than rollercoaster budgeting. Using stable funding sources ensures we keep the promises we make and creates certainty for Iowans.

It goes without saying that balancing a budget is hard work. Even harder is finding agreement on a budget when you have many cooks in the kitchen. An expedient choice to help resolve the budget in the past was to knowingly underfund the commitments we had made to Iowans in order to balance the budget or spend more in other areas.

That is precisely the situation we found ourselves in last year with K-12 funding. Schools were underfunded by \$156 million, which placed an unfair burden on our school districts and the property taxpayers. To remedy this, we committed a historic amount of new funding to education last year. Intentionally underfunding known obligations to balance the budget is irresponsible and I am proud we kept our promise to avoid it.

Sometimes making a positive change and doing the right thing can also be the easy thing to do! We made a commitment to conducting our work in the light of day, which meant we would not debate in the middle of the night. Representative Cownie, what could be easier than NOT debating after midnight? Even if it was not convenient at times, it was the right thing to do.

We wanted Iowans to have the opportunity to be participants in this process. Part of that was making sure we were not working in the dead of night. Another part of that was providing for streaming video of floor activity. What a wonderful way to truly open the doors to the people's House.

What I covered today is only a small sampling of the many positive contributions that have come over these last two years. When you add them up, you are looking at a substantive change in the culture of state government. We should be proud that we have held ourselves accountable to the commitments we made to Iowans. That is what they expect from us and it is what they deserve.

The progress is significant, but we should not lose sight that there is more to be done. We have to turn the cultural change over the last two years into a pattern of practice. We have to continue making the hardworking taxpayers of Iowa a priority. We have to keep working towards delivering a world class education to our children. We have to continue striving to deliver the most efficient and effective government in the nation. We absolutely must continue to ensure state government is aiding job creation, not impeding it.

That has been our focus. That will continue to be our mission.

I want to thank Governor Branstad and Lieutenant Governor Reynolds for their effort to be partners in our shared goals. Your leadership and the message you have carried across this state have been instrumental.

Thank you to the members of my caucus. I am humbled everyday by your hard work and the opportunity you have provided me. Thank you to the retirees for your service. You will be missed. I am proud that you will return home knowing you left our state in a better position and that you were able to make a difference.

Mr. Speaker, as always thank you for your leadership and your friendship. The 84th General Assembly has come to a close and we should be proud of the work that was done in this chamber.

CONFERENCE COMMITTEE REPORT FILED
(Senate File 2336)

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the conference committee report on the following bill has been received and is on file in the office of the Chief Clerk.

W. CHARLES SMITHSON
Chief Clerk of the House

Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

ON THE PART OF THE HOUSE:

DAVE HEATON, Chair
LINDA MILLER
MATT WINDSCHITL

ON THE PART OF THE SENATE:

JACK HATCH, Chair
JOE BOLKCOM
AMANDA RAGAN

ADOPTION OF THE REPORT OF THE
CONFERENCE COMMITTEE
(Senate File 2336)

Heaton of Henry called up for consideration the report of the conference committee on Senate File 2336, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

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

On the question "Shall the bill pass?" (S.F. 2336)

The ayes were, 53:

Arnold	Baltimore	Baudler	Byrnes
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Fry
Garrett	Grassley	Hagenow	Hager
Hanusa	Heaton	Hein	Helland
Horbach	Huseman	Kaufmann	Klein
Koester	Kressig	Lofgren	Lukan
Miller, L.	Moore	Murphy	Olson, S.
Paustian	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Smith, J.	Soderberg	Sweeney
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Windschitl	Worthan
Mr. Speaker			
Paulsen			

The nays were, 44:

Abdul-Samad	Alons	Berry	Brandenburg
Cohoon	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kearns
Kelley	Lensing	Lykam	Mascher
Massie	McCarthy	Miller, H.	Muhlbauer
Oldson	Olson, R.	Olson, T.	Pearson
Petersen	Quirk	Running-Marquardt	Shaw
Smith, M.	Steckman	Taylor, J.	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

Absent or not voting, 3:

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

REMARKS BY SPEAKER PAULSEN

Paulsen of Linn offered the following remarks:

I will begin by saying thank you to the members of the Eighty-Fourth General Assembly. Thank you for your commitment and service to the people of Iowa. Special thanks to the Eighteen of you choosing to retire. You will be missed not only by your friends and colleagues here at the Capitol, but moreover by the Iowans in the districts you've served over the years.

I want to specifically recognize the two members retiring from the House Republican Leadership team; Speaker Pro-Tem Jeff Kaufmann and Assistant Leader Steve Lukan. I personally want to thank each of you for your friendship and your service to our caucus. Your leadership will be missed. To the other members of the leadership team: Erik, Renee, Dave and Matt - I truly appreciate your input and advice. And last but not least, the Majority Leader – Linda Upmeyer. House Republicans appreciate everything you do. Your dedication and insight are invaluable and have not only made our caucus more determined, but made the Iowa House stronger.

I'd also like to recognize Leader McCarthy. I know I have said this before, but you truly have a difficult job as Minority Leader. During the past two years you have done a commendable job working in a bipartisan manner when you could and trying to keep your opposition civil when you could not, something Iowans deserve and expect.

Once again, thank you to the leadership staff: Josie, Angie, Terri, Tony and Matt. And, in my opinion, the best caucus staff in the building – the House Republican Caucus staff: Jeff, Lew, Lon, Brad, Jason, Kristi, Jill, Amanda, Louis and Dustin. Thank you for your hard work and the timely and reliable information you provide year in and year out.

Chief Clerk Smithson, thank you to you and your staff. The work you all do right here in front me and behind the scenes helps make this chamber operate efficiently.

A special thanks to LSA for all of your hard work. Especially the time and effort put in by all these past few weeks.

I also want to recognize and thank the gentleman to my right, the Speaker's page Tom Biedenfeld. Tom you have taken good care of me throughout the year. I appreciate your dedication and have enjoyed our baseball conversations between votes and while the House is at ease.

And finally, a special thank you to Governor Terry Branstad and Lieutenant Governor Kim Reynolds and their team for their resolve and unwavering leadership during these last two years.

The first day that the Eighty-Fourth General Assembly convened, I outlined to Iowans a set of goals this body would seek to achieve and principals we would follow during the course of conducting legislative business. Since that day, this body has remained focused on the issues important to Iowans and the business the people sent us here to do.

We have worked hard at putting Iowans back to work and reducing the size, scope and cost of state government.

The first action we took to put Iowans back to work was to provide Iowa's business climate with some much needed certainty and stability. For too long, Iowa employers were reluctant to invest in their operations, preventing them from hiring and expanding. They were reluctant because they constantly threatened with job-killing legislation like the repeal of our Right to Work law and Open Scope Bargaining. House Republicans put those ideas in the rear-view mirror and moved forward.

Employers were reluctant to invest in Iowa's workforce and economy because Iowa's budget was unstable. State government was spending more than it took in and the threat of massive tax increases to correct the problem was real and imminent.

I can report to you today we have removed those fears and Iowa's economy is rebounding and is headed in the right direction.

When Republicans took the majority in the House, more than 110,000 Iowans were unemployed. According to Iowa Workforce Development's latest report, 87,000 Iowans are looking for work. That number, while still too high and worrisome, is a tangible sign of progress. It is also a reminder that we can and need to continue to do better.

In the last few days, we have had the opportunity to review the changes in the state budget over the last two sessions. Frankly, it really is quite remarkable. Normally a change in law is needed to alter the budget process. But this chamber has fundamentally changed the way state government budgets because we believed it was the right thing to do. In the past, legislators, including Republicans, underfunded previous commitments, spent more than the state was taking in and used one-time money for ongoing expenses. I'm proud to say those practices have ended.

When House Republicans took charge of the state budget in January 2011, Governor Culver had signed the four largest budgets in the state history, forced a \$500 million property tax increase, borrowed over \$800 million, and left a \$900 million spending gap for Governor Branstad and the new legislature.

House Republicans have led the way towards a healthy and accountable state budget that has measurable results for the hardworking taxpayers of Iowa. We have turned a \$900 million spending shortfall into \$624 million in reserves, \$300 million in ending balance and \$90 million in the House Republican created Taxpayer Trust Fund. That \$390 million should be returned to the taxpayers through broad-based tax relief and will be this body's first order of business next year.

In Fiscal Year 2011 the state was spending 118% of total available general fund revenue. In Fiscal Year 2012, we reduced that to 93% of total available general fund revenue and in Fiscal Year 2013 it will be 95%.

In terms of on-going revenue, which as you might have heard is a far more important measurement for House Republicans, the state will be spending just 99% in Fiscal Year 2012 and 2013. In the future, we must remain committed to spending less than the state collects from the taxpayers.

Despite skepticism, we have, at a minimum, reduced the cost of state government by \$360 million a combination of efficiencies and reprioritization.

Additionally, this General Assembly backfilled the intentional act of underfunding Iowa's K through 12 education system to ensure property taxpayers were not saddled with that burden; and we honored our commitments to parents and students by funding previous commitments.

House Republicans see it as our duty to cut out waste in government spending so our state can be more efficient and effective. A better run state government means Iowans get to keep more of their own money. Over the last two years House Republicans have persistently tackled tax relief. We sent a 20% income tax reduction to the Senate. We sent four separate and different property tax relief bills across the Rotunda; and like most bills in this chamber nearly all four proposals received bipartisan support. Regrettably, we could not find common ground with the Senate on these ideas.

All Iowans deserve to see tax relief. It helps Iowa's economy and puts people back to work. House Republicans will not be deterred or be distracted from this goal. We will be back next year continuing our fight for the hardworking taxpayers of Iowa.

When each of you walk out of here and return home you can say with pride that the House restored commonsense budgeting principles to state government while funding Iowans' priorities including: education, public safety, healthcare and infrastructure.

In closing, I wish to thank my wife Cathy and each of our four children for their never ending support. Thank you to each of you for giving me the opportunity to serve as your Speaker for the last two years. It is an honor and privilege that I do not take lightly.

During session, each day I wake up thinking about how to move Iowa forward with the hard working taxpayers in mind. We have made progress for the taxpayers but our work is not done. We must continue to build upon the success of the last two years. Iowans deserve it. Thank you and God bless the great State of Iowa.

SENATE AMENDMENT CONSIDERED

Hein of Jones called up for consideration **House File 2470**, a bill for an act providing for sales and use taxes collected on farm machinery and equipment, amended by the Senate, and moved that the House concur in the Senate amendment H-8517.

The motion prevailed and the House concurred in the Senate amendment H-8517.

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

On the question "Shall the bill pass?" (H.F. 2470)

The ayes were, 94:

Abdul-Samad	Alons	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cphoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Isenhardt	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker Paulsen		

The nays were, 2:

Hunter Olson, R.

Absent or not voting, 4:

Anderson Iverson Swaim Wessel-Kroeschell

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 9, 2012, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 102, a concurrent resolution to provide for adjournment sine die.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2466, 2470** and **Senate Files 466, 2315** and **2336**.

ADOPTION OF SENATE CONCURRENT RESOLUTION 102

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of **Senate Concurrent Resolution 102**, a concurrent resolution to provide for adjournment sine die, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that **Senate Concurrent Resolution 102** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page
Paustian of Scott

Iverson of Wright
Sands of Louisa

BILL ENROLLED, SIGNED
AND SENT TO THE SECRETARY OF STATE

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Secretary of State on this 9th day of May, 2012: House Joint Resolution 2008.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 102, duly adopted, the day of May 9, 2012 having arrived, the Speaker of the House of Representatives declared the 2012 Regular Session of the Eighty-fourth General Assembly adjourned sine die at 6:13 p.m.

SUPPLEMENT

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 15th day of May, 2012: House File 2338.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 18th day of May, 2012: House Files 609, 2335, 2336, 2337, 2460, 2465, 2466, 2470 and 2473.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

**BILLS APPROVED
SUBSEQUENT TO ADJOURNMENT**

The following is a record of the action of the Governor on the bills passed by the 2012 Regular Session of the Eighty-fourth General Assembly and which action was had subsequent to the date of final adjournment.

House File 609, an Act relating to trusts and estates including the administration of small estates, and certain state inheritance tax provisions, and including applicability provisions. Approved 5-25-12.

House File 2335, an Act relating to appropriations to the justice system, and providing effective dates. House File 2335 is approved before I take action on Senate File 2336, Eighty-fourth General Assembly. Approved 5-25-12.

House File 2338, an Act relating to appropriations to the Judicial Branch. Approved 5-25-12.

House File 2460, an Act relating to Iowa's urban renewal law and incremental taxes by modifying provisions relating to divisions of revenue, modifying provisions relating to the approval of urban renewal plans and projects and approval of the use of certain local sales and services tax revenue, requiring certain reporting and auditing, and including applicability provisions. Approved 5-25-12.

House File 2466, an Act relating to veterans by making appropriations to the Commission of Veterans Affairs for the provision of veterans services and by providing certain sales tax exemptions to qualified organizations representing veterans, and including effective date and retroactive applicability provisions. Approved 5-25-12.

House File 2470, an Act providing for sales and use taxes collected on farm machinery and equipment. Approved 5-25-12.

House File 2473, an Act relating to economic development and the use of funds by establishing programs and funds, affecting programs, tax incentives, and project completion and other assistance administered by the Economic Development Authority, by replacing references to the Economic Development Fund and Financial Assistance Program, and by providing spending authority, by providing for properly related matters, and including effective date and retroactive applicability provisions. Approved 5-25-12.

Senate File 466, an Act relating to residential contractors and providing a penalty and including applicability provisions. Approved 5-25-12.

Senate File 2237, an Act relating to social and charitable gambling concerning allowable prizes at annual game nights conducted by religious organizations and concerning the frequency of reporting and distribution of proceeds requirements for certain qualified organizations licensed to conduct social and charitable gambling. Approved 5-25-12.

Senate File 2283, an Act relating to various recreation and conservation activities under the purview of the Department of Natural Resources, providing for repeals, making penalties applicable, and including effective date provisions. Approved 5-25-12.

Senate File 2284, an Act relating to programs and activities under the purview of the Department of Education, the State Board of Education, the Board of Educational Examiners, the State Board of Regents, school districts, and accredited nonpublic schools, and including effective date provisions. Approved 5-25-12.

Senate File 2313, an Act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date and retroactive applicability provisions. Approved 5-25-12.

Senate File 2315, an Act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions, revising related property tax levy provisions, and including effective date and applicability provisions. Approved 5-25-12.

Senate File 2321, 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 effective date provisions. Approved 5-25-12.

Senate File 2342, an Act relating to state taxation by providing specified tax credits for the construction and installation of solar energy systems and geothermal heat pumps, modifying sales and use tax provisions related to property purchased for resale, and creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date and retroactive and other applicability provisions. Approved 5-25-12.

Senate File 2343, an Act making changes to the controlled substance schedules, applying penalties, and including effective date provisions. Approved 5-25-12.

GOVERNOR'S VETO MESSAGE SUBSEQUENT TO ADJOURNMENT

A copy of the following communication was received and placed on file:

SENATE FILE 2338

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

Senate File 2338, an Act relating to government operations and efficiency and other related matters and including effective date and applicability provisions, 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 2338 is hereby disapproved on this date.

I am unable to approve Senate File 2338 for the following reasons:

This legislation purports to make government more efficient; however, the minor changes proposed are not significant. As Governor, I am committed to working with the legislature to restore good budget practices and increase the accountability and efficiency of our state government. Senate File 2338 fails to adequately further these goals and commitments.

The majority of the purported savings is from the Medication Therapy Management (MTM) program. Although I believe the State must find ways to reduce the cost of health care for employees, MTM could end up costing taxpayers more than the program would save. Further, employee benefits should be properly bargained rather than codified into law through legislation. Moreover, the legislature uses one-time money to pay for this ongoing expense. This budget practice must stop in order to achieve my goal of restoring predictability and stability to government budgeting practices.

Additionally, this bill proposes MTM in an inefficient manner, through code, rather than a Request for Proposal (RFP) through the state's medical plan. The most efficient application of MTM would be a program implemented by the Department of Administrative Services (DAS) through a competitive RFP process with strong integration with the programs offered by the State's Pharmacy Benefits Manager and the Administrator of the State's Medical Plan.

At my direction, many of the proposed efficiencies in this bill are already being implemented by the executive branch departments. I have asked state agencies to work diligently to reduce administrative costs such as minimizing printing and paper, reducing energy costs, minimizing administrative overhead, and reducing work space.

My administration is committed to reducing the size and cost of government by 15% through efficiencies and new technologies that allow for savings. I desire to work with the legislature and conduct a comprehensive review of all boards and commissions to eliminate any that are unnecessary and combine any that are duplicative. This comprehensive review of boards and commissions would result in significant savings to Iowa taxpayers.

For the above reasons, I respectfully disapprove of Senate File 2338, 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

GOVERNOR'S ITEM VETO MESSAGES SUBSEQUENT TO ADJOURNMENT

A copy of the following communication was received and placed on file:

HOUSE FILE 2336

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit House File 2336, an Act relating to appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

House File 2336 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 8, amending 2011 Iowa Acts, Chapter 128, Section 49, inserting numbered paragraph 2A. This language would require Department of Natural Resources ("DNR") to hire two to four additional park rangers. While I support efforts to ensure adequate numbers of park rangers, I believe that the language mentioned above requiring specific staff levels, hinders the state's ability to manage overall operational needs. I believe that flexibility is needed to determine how many park rangers are hired based on costs, availability of funding and specific park needs.

I am unable to approve the designated portion of the item designated as Section 9, amending 2011 Iowa Acts, Chapter 128, Section 50, inserting numbered paragraph 1A. This item would require DNR to support at least 84 full-time conservation officer positions. While I support efforts to ensure adequate numbers of conservation officers, I believe that the language mentioned above requiring specific staff levels, hinders the state's ability to manage overall operational needs. I believe that flexibility is needed to determine how many conservation officers are hired based on costs, availability of funding and specific park needs.

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 House File 2336 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

HOUSE FILE 2337

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit House File 2337, an Act relating to appropriations to the Department of Cultural Affairs, the Economic Development Authority, certain Board of Regents institutions, the department of Workforce Development, the Iowa Finance Authority, the Rebuild Iowa Infrastructure Fund, and the Public Employment

Relations Board, eliminating the film tax credit program, providing for other properly related matters, including effective date and retroactive and other applicability provisions.

House File 2337 is, therefore, signed on this date with the following exception, which I hereby disapprove.

I am unable to approve the item designated as Section 19, numbered paragraph 2, subparagraph c in its entirety. This item provides \$153,000 to the Workers Compensation Division to create a new position of Chief Deputy Commissioner. The effect of this disapproval shall cause the \$153,000 contained in this item to revert to the General Fund. Even after this item veto, the Division of Workers Compensation will receive an increase in its state appropriation over the current fiscal year to assist its efforts to effectively accomplish its mission.

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 House File 2337 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

HOUSE FILE 2465

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit House File 2465, an Act relating to state and local finances by making and adjusting appropriations, providing for funding of property tax credits and reimbursements and for other matters pertaining to taxation, providing for fees and criminal penalties, providing for legal responsibilities, providing for certain insurance and employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

House File 2465 is approved on this date with the following exception, which I hereby disapprove.

I am unable to approve of the item designated as Division VIII in its entirety. This item allows a city subject to a judgment, where the city is required to return previously collected franchise fees revenue, the ability to impose a franchise fee at the rate of up to 7.5%. A referendum approving this increase must be passed by the voters before a rate greater than 5.0% can be imposed. I am committed to continuing a tax and jobs policy discussion with the House and Senate to adopt a package of tax reductions that

facilitates our long-term economic growth and job creation. It is my desire to approach tax policy in a comprehensive and holistic manner. As such, I urge members of the House and Senate to continue to work with my office on an overall tax reduction package that both fits within our sound budgeting principles while reducing those taxes that are impeding our state's ability to compete for new business and jobs.

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 House File 2465 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

SENATE FILE 2316

June 7, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 2316, an Act relating to and making appropriations to state departments and agencies from the Rebuild Iowa Infrastructure Fund, the Technology Reinvestment Fund, the Endowment for Iowa's Health Restricted Capitals Fund, and the Mortgage Servicing Settlement Fund, providing for related matters, and including effective date and retroactive applicability provisions.

Senate File 2316 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

I am unable to approve the item designated as Section 1, subsection 9, lettered paragraph b, in its entirety. This item allows \$400,000 to be used for Iowa State University (ISU) College of Veterinary Medicine to modernize animal care facilities. The Board of Regents did not request this item and was not a part of the budget recommendation I submitted to the General Assembly.

I am unable to approve the item designated as Section 3, subsection 5, lettered paragraph a, in its entirety. This item requires the Iowa Communications Network (ICN) to conduct an audit and appraisal prior to any sale or lease of the ICN. An audit and appraisal is premature and unnecessary. If such an audit is needed in the future one could be conducted at that time.

I am unable to approve the items designated as Sections 24, 25 and 26 in their entirety. These items create a permanent \$3 million revenue diversion out of the General Fund completely circumventing the annual appropriation process. This does not work to advance my goals of returning predictability and sustainability back to government

budgeting. The Housing Trust Fund's funding level will remain approximately the same as the previous fiscal year. It is my goal to eliminate this bad budgeting practice of automatic diversions from General Fund revenue.

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 2316 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

SENATE FILE 2336

May 25, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 2336, an Act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions.

Senate File 2336 is, therefore, signed on this date with the following exceptions, which I hereby disapprove.

I am concerned that Senate File 2336 does not adequately fund the state share of Medicaid. The legislature was unable to reach an agreement on Medicaid so there has not been an adjustment to the Medicaid appropriation since the last legislative session. It is estimated that the Medicaid appropriation will fall \$30 to \$40 million short of the low-range projections. Sufficient funds will exist in the ending balance to cover any shortfall and the money has not been used for other purposes. Simply put, this is not a good budget practice and should not be continued in the future.

I am unable to approve the designated portion of the item designated as Section 3, 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 2013. 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 7, amending 2011 Iowa Acts, chapter 129, section 119 inserting numbered paragraph 5. This item appropriates \$500,000 to the Food Bank of Iowa. This is a new appropriation. The effect of this disapproval shall cause the \$500,000 contained in this

item to revert to the General Fund. I strongly support the Food Bank of Iowa and their important work to help needy Iowans. In fact, I started in the 1980's and annually lead a fund drive to help raise private donations for the Food Bank. I am proud of the generous contributions state of Iowa employees make to the Food Bank. I believe that private donations are the best way to support the Food Bank.

I am unable to approve the item designated as Section 11 in its entirety. This language sets a poor policy precedent because it limits savings that can be achieved in our Medicaid program. The Department of Human Services needs to have the flexibility to manage the Medicaid entitlement program and its' cost to the taxpayers.

I am unable to approve the item designated as Section 16 in its entirety. The effect of this disapproval shall cause the \$37,000 contained in this item to revert to the General Fund. It is inappropriate to designate a special reimbursement method directed for one single provider. This issue should be dealt with through the Children's Disability Services workgroup. This group is working together so that unmet needs and reimbursement issues can be addressed as a whole, rather than for certain providers.

I am unable to approve the designated portion of the item designated as Section 29, amending 2011 Iowa Acts, chapter 129, section 138 inserting numbered paragraph 3. This item creates carry-forward language which is unnecessary for the Department of Human Services from fiscal year 2013 to 2014 for field operations. The carry-forward language does not work to advance my goals of returning predictability and sustainability back to government budgeting. Additionally, providing carry-forward language for the Department of Human Services before the fiscal year has begun and before it can be known if funds will exist to carry-forward is inappropriate.

I am unable to approve the designated portion of the item designated as Section 30 amending 2011 Iowa Acts, chapter 129, section 139 inserting numbered paragraph 9. This item creates carry-forward language which is unnecessary for the Department of Human Services from fiscal year 2013 to 2014 for general administration. The carry-forward language does not work to advance my goals of returning predictability and sustainability back to government budgeting. Additionally, providing carry-forward language for the Department of Human Services before the fiscal year has begun and before it can be known if funds will exist to carry-forward is inappropriate.

I am unable to approve the designated portion of the item designated as Section 50, paragraph 3. The effect of this disapproval shall cause the disapproved funds to not be appropriated and the terms of the federal funding shall control disbursement. This item appropriates funds for a child welfare resources fund to pay for infrastructure, supplies, and equipment for private child welfare providers. The Department of Human Services has emphasized the value and effectiveness of care in home and community-based settings over institutions. Psychiatric Medical Institutions for Children already have the ability to be reimbursed by Medicaid for the costs of infrastructure, supplies and equipment.

I am unable to approve the item designated as Section 73 in its entirety. The effect of this disapproval shall cause the disapproved funds to revert to the community housing revolving loan program. This item diverts critically important funds away from cost effective community-based care. Instead it uses the one-time funds for building or rehabilitation of institutions. Due to scarce state resources, care of children in home and community-based settings must have funding priority.

I am unable to approve the item designated as Section 75 in its entirety. This item creates carry-forward language which is unnecessary for the Department of Human Services from fiscal year 2012 to 2013 for the family investment program. This carry-forward language is not needed for this program.

The DHS carry-forward for state supplementary assistance found in Section 78 is not consistent with best budget practices. It is inappropriate, but unfortunately necessary due to federal maintenance of effort requirements. We must return predictability and sustainability back to government budgeting. It is my goal that in next year's biennial budget, the legislature will forgo the use of any carry-forward language for general fund dollars.

The DHS carry-forwards for facilities, field operations and general administration found in Sections 79-83 and 85 are not consistent with best budget practices. They are inappropriate, but unfortunately necessary due to underfunding. We must return predictability and sustainability back to government budgeting. It is my goal that in next year's biennial budget, the legislature will forgo the use of any carry-forward language for general fund dollars.

I am unable to approve the item designated as Section 84 in its entirety. This item creates carry-forward language which is unnecessary for the Department of Human Services from fiscal year 2012 to 2013 for child protection system improvements because the carry-forward for general administration makes this carry-forward unnecessary.

I am unable to approve the item designated as Section 92 in its entirety. This language creates a grant program to provide housing or infrastructure funds for organizations which provide the Psychiatric Medical Institution for Children (PMIC) level of care. It is no longer needed due to the disapproval of Section 73 which would have funded the grant program.

I am unable to approve the item designated as Section 100 in its entirety. Given current uncertainty about what charges may be billed as costs of special education instructional programs, it is expected that all impacted entities will continue existing billing practices through June 30, 2013. Clarification of allowable costs is anticipated by the fiscal year that begins July 1, 2014. The goal is to provide stability and predictability, assuring a high level of educational services and a fair playing field for use of funding for all involved.

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 2336 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD
Governor

COMMUNICATION RECEIVED

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

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Medicaid Cost Containment Strategies Quarterly Report, pursuant to 2011 Iowa Acts, House File 649.

RESIGNATION FROM OFFICE

From: Steven F. Lukan, State Representative District 32
To: The Honorable Governor Terry E. Branstad, Governor of Iowa
Re: Letter of Resignation from the Iowa House of Representatives
Date: 30 May 2012

To the Governor,

I wish to submit my resignation from the position of State Representative, current House District 32 effective today, 30 May 2012. I am not on the ballot for this or any other office for the 2012 elections.

It has been a great honor to serve the people of House District 32 and the State of Iowa in this position and I hope to continue my service in another fashion.

Sincerely,

Steven F. Lukan
House District 32

State of Iowa

**JOURNAL
OF THE HOUSE**

**2012
REGULAR SESSION
EIGHTY-FOURTH
GENERAL ASSEMBLY**

**Convened – January 9, 2012
Adjourned – May 9, 2012**

Volume II

**TERRY E. BRANSTAD, Governor
KRAIG PAULSEN, Speaker of the House
JOHN P. KIBBIE, President of the Senate**

*Published by the
STATE OF IOWA
Des Moines*

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AMENDMENTS FILED

H-8001

- 1 Amend House File 2103 as follows:
- 2 1. Page 1, line 8, by striking <four> and inserting
- 3 <eight>
- 4 2. Page 1, line 16, by striking <four> and
- 5 inserting <eight>

HUNTER of Polk

H-8002

- 1 Amend Senate File 93, as passed by the Senate, as
- 2 follows:
- 3 1. By striking everything after the enacting clause
- 4 and inserting:
- 5 <Section 1. Section 664A.2, subsection 1, Code
- 6 2011, is amended to read as follows:
- 7 1. This chapter applies to no-contact orders
- 8 issued for violations or alleged violations of sections
- 9 708.2A, 708.7, 708.11, 708.16, 709.2, 709.3, and 709.4,
- 10 and any other public offense for which there is a
- 11 victim.
- 12 Sec. 2. NEW SECTION. 708.16 Assault —
- 13 strangulation — impeding normal breathing.
- 14 1. A person commits an aggravated misdemeanor if
- 15 the person knowingly impedes the normal breathing
- 16 or circulation of the blood of another by applying
- 17 pressure to the throat or neck of the other person or
- 18 by obstructing the nose or mouth of the other person.
- 19 2. If a person violates subsection 1 and causes
- 20 bodily injury the person commits a class "D" felony.>
- 21 2. Title page, line 1, by striking <domestic abuse>

SHAW of Pocahontas

H-8003

- 1 Amend Senate File 93, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, after line 25 by inserting:
- 4 <Sec. ____ DEPARTMENT OF JUSTICE –
- 5 APPROPRIATION. There is appropriated from the general
- 6 fund of the state to the department of justice for the
- 7 fiscal year beginning July 1, 2012, and ending June 30,
- 8 2013, the following amount, or so much thereof as is
- 9 necessary, to be used for the purposes designated:
- 10 For victim assistance grants:
- 11 \$ 366,000

12 In addition to any other appropriation, the funds
 13 appropriated in this section shall be used to provide
 14 grants to care providers providing services to crime
 15 victims of domestic abuse.>

16 2. Title page, line 2, after <cases> by inserting
 17 <, making related appropriations,>

WOLFE of Clinton

H-8004

1 Amend House File 2215 as follows:

2 1. By striking everything after the enacting clause
 3 and inserting:

4 <Section 1. Section 704.1, Code 2011, is amended to
 5 read as follows:

6 704.1 Reasonable force.

7 "Reasonable force" is that force and no more which
 8 a reasonable person, in like circumstances, would
 9 judge to be necessary to prevent an injury or loss
 10 and can include deadly force if it is reasonable to
 11 believe that such force is necessary to avoid injury
 12 or risk to one's life or safety or the life or safety
 13 of another, or it is reasonable to believe that such
 14 force is necessary to resist a like force or threat.
 15 Reasonable force, including deadly force, may be used
 16 even if an alternative course of action is available if
 17 the alternative entails a risk to life or safety, or
 18 the life or safety of a third party, ~~or requires one~~
 19 ~~to abandon or retreat from one's dwelling or place of~~
 20 ~~business or employment. Reasonable force, including~~
 21 ~~deadly force, may also be used and is presumed to be~~
 22 justified even if an alternative course of action is
 23 available if the alternative requires one to abandon
 24 or retreat from one's dwelling or place of business or
 25 employment.>

26 2. Title page, lines 1 and 2, by striking <and
 27 providing a remedy>

R. OLSON of Polk

H-8005

1 Amend House File 2227 as follows:

2 1. Page 2, by striking lines 5 through 7 and
 3 inserting:

4 <~~2.~~ 3. The requirements of section 92.10 shall not
 5 apply to a person, firm, or corporation employing a
 6 person engaged in ~~street occupations~~ the distribution
 7 or sale of newspapers, magazines, periodicals, or
 8 circulars pursuant to this section.>

HORBACH of Tama

H-8006

1 Amend House File 2227 as follows:

2 1. Page 4, by striking lines 20 through 23 and
3 inserting:

4 <5. a. The employer shall file the completed
5 child labor work permit electronically with the labor
6 commissioner.>

RUNNING-MARQUARDT of Linn

H-8007

1 Amend House File 2165 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. LEGISLATIVE FINDINGS. The general
5 assembly recognizes the importance of encouraging
6 individuals to discuss and make health care decisions
7 before a situation necessitates an actual decision.
8 The general assembly also recognizes that health
9 care planning is a process, rather than a single
10 decision, based upon the individual's values and
11 personal health status. Advance directives provide
12 the opportunity for an individual to enunciate and
13 document the individual's wishes and to identify the
14 person authorized to make decisions for the individual
15 if the individual is unable to make decisions. The
16 general assembly recognizes that the physician
17 orders for scope of treatment form, modeled after
18 the national physician orders for life-sustaining
19 treatment paradigm initiative, complements advance
20 directives by converting individual wishes contained
21 in advance directives, or as otherwise expressed,
22 into medical orders that may be recognized and acted
23 upon across medical settings, thereby enhancing the
24 ability of medical providers to understand and honor
25 patients' wishes. An Iowa physician orders for scope
26 of treatment form is intended for individuals who are
27 frail and elderly or who have a chronic, critical
28 medical condition or a terminal illness.

29 Sec. 2. NEW SECTION. 144D.1 Physician orders for
30 scope of treatment.

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

- 33 1. "Advanced registered nurse practitioner" means
34 an advanced registered nurse practitioner licensed
35 pursuant to chapter 152 or 152E.
36 2. "Department" means the department of public
37 health.
38 3. "Emergency medical care provider" means emergency
39 medical care provider as defined in section 147A.1.

40 4. "Health care facility" means health care facility
41 as defined in section 135C.1, a hospice program as
42 defined in section 135J.1, an elder group home as
43 defined in section 231B.1, and an assisted living
44 program as defined in section 231C.2.

45 5. "Health care provider" means an individual,
46 including an emergency medical care provider and
47 an individual providing home and community-based
48 services, and including a home health agency, licensed,
49 certified, or otherwise authorized or permitted by the
50 law of this state to administer health care in the

Page 2

1 ordinary course of business or in the practice of a
2 profession.

3 6. "Home health agency" means home health agency as
4 defined in 42 C.F.R. pt. 484.

5 7. "Hospital" means hospital as defined in section
6 135B.1.

7 8. "Legal representative" means an individual
8 authorized to execute a POST form on behalf of a
9 patient who is not competent to do so, in the order
10 of priority set out in section 144A.7, subsection 1,
11 and guided by the express or implied intentions of the
12 patient or, if such intentions are unknown, by the
13 patient's best interests given the patient's overall
14 medical condition and prognosis.

15 9. "Patient" means an individual who is frail
16 and elderly or who has a chronic, critical medical
17 condition or a terminal illness and for which a
18 physician orders for scope of treatment is consistent
19 with the individual's goals of care.

20 10. "Physician" means a person licensed to practice
21 medicine and surgery or osteopathic medicine and
22 surgery in this state.

23 11. "Physician assistant" means a person licensed as
24 a physician assistant under chapter 148C.

25 12. "Physician orders for scope of treatment form"
26 or "POST form" means a document containing medical
27 orders which may be relied upon across medical
28 settings that consolidates and summarizes a patient's
29 preferences for life-sustaining treatments and
30 interventions and acts as a complement to and does not
31 supersede any valid advance directive.

32 Sec. 3. NEW SECTION. 144D.2 Physician orders for
33 scope of treatment (POST) form.

34 1. The POST form shall be a uniform form based
35 upon the national physician orders for life-sustaining
36 treatment paradigm form. The form shall have all of
37 the following characteristics:

38 a. The form shall include the patient's name and

39 date of birth.

40 b. The form shall be signed and dated by the
41 patient or the patient's legal representative.

42 c. The form shall be signed and dated by the
43 patient's physician, advanced registered nurse
44 practitioner, or physician assistant.

45 d. If preparation of the form was facilitated by an
46 individual other than the patient's physician, advanced
47 registered nurse practitioner, or physician assistant,
48 the facilitator shall also sign and date the form.

49 e. The form shall include the patient's wishes
50 regarding the care of the patient, including but not

Page 3

1 limited to all of the following:

2 (1) The administration of cardiopulmonary
3 resuscitation.

4 (2) The level of medical interventions in the event
5 of a medical emergency.

6 (3) The use of medically administered nutrition by
7 tube.

8 (4) The rationale for the orders.

9 f. The form shall be easily distinguishable to
10 facilitate recognition by health care providers,
11 hospitals, and health care facilities.

12 g. An incomplete section on the form shall imply
13 the patient's wishes for full treatment for the type of
14 treatment addressed in that section.

15 2. The department shall prescribe the uniform
16 POST form and shall post the form on the department's
17 website for public availability.

18 Sec. 4. NEW SECTION. 144D.3 Compliance with POST
19 form.

20 1. A POST form executed in this state or another
21 state or jurisdiction in compliance with the law of
22 that state or jurisdiction shall be deemed valid and
23 enforceable in this state to the extent the form is
24 consistent with the laws of this state, and may be
25 accepted by a health care provider, hospital, or health
26 care facility.

27 2. A health care provider, hospital, or health
28 care facility may comply with an executed POST form,
29 notwithstanding that the physician, advanced registered
30 nurse practitioner, or physician assistant who signed
31 the POST form does not have admitting privileges at the
32 hospital or health care facility providing health care
33 or treatment.

34 3. A POST form may be revoked at any time and in
35 any manner by which the patient or a patient's legal
36 representative is able to communicate the patient's
37 intent to revoke, without regard to the patient's

38 mental or physical condition. A revocation is only
39 effective as to the health care provider, hospital, or
40 health care facility upon communication to the health
41 care provider, hospital, or health care facility by
42 the patient, the patient's legal representative, or by
43 another to whom the revocation was communicated.

44 4. In the absence of actual notice of the
45 revocation of a POST form, a health care provider,
46 hospital, health care facility, or any other person who
47 complies with a POST form shall not be subject to civil
48 or criminal liability or professional disciplinary
49 action for actions taken under this chapter which are
50 in accordance with reasonable medical standards. A

Page 4

1 health care provider, hospital, health care facility,
2 or other person against whom criminal or civil
3 liability or professional disciplinary action is
4 asserted because of conduct in compliance with this
5 chapter may interpose the restriction on liability in
6 this paragraph as an absolute defense.

7 5. A health care provider, hospital, or health care
8 facility that is unwilling to comply with an executed
9 POST form based on policy, religious beliefs, or moral
10 convictions shall take all reasonable steps to transfer
11 the patient to another health care provider, hospital,
12 or health care facility.

13 Sec. 5. NEW SECTION. 144D.4 General provisions.
14 1. If an individual is a qualified patient as
15 defined in section 144A.2, the individual's declaration
16 executed under chapter 144A shall control health care
17 decision making for the individual in accordance with
18 chapter 144A. If an individual has not executed a
19 declaration pursuant to chapter 144A, health care
20 decision making relating to life-sustaining procedures
21 for the individual shall be governed by section 144A.7.
22 A POST form shall not supersede a declaration executed
23 pursuant to chapter 144A.

24 2. If an individual has executed a durable power
25 of attorney for health care pursuant to chapter 144B,
26 the individual's durable power of attorney for health
27 care shall control health care decision making for the
28 individual in accordance with chapter 144B. A POST
29 form shall not supersede a durable power of attorney
30 for health care executed pursuant to chapter 144B.

31 3. If the individual's physician has issued an
32 out-of-hospital do-not-resuscitate order pursuant to
33 section 144A.7A, the POST form shall not supersede the
34 out-of-hospital do-not-resuscitate order.

35 4. Death resulting from the withholding or
36 withdrawal of life-sustaining procedures pursuant to an

37 executed POST form and in accordance with this chapter
 38 does not, for any purpose, constitute a suicide,
 39 homicide, or dependent adult abuse.
 40 5. The executing of a POST form does not affect
 41 in any manner the sale, procurement, or issuance
 42 of any policy of life insurance, nor shall it be
 43 deemed to modify the terms of an existing policy of
 44 life insurance. A policy of life insurance is not
 45 legally impaired or invalidated in any manner by the
 46 withholding or withdrawal of life-sustaining procedures
 47 pursuant to this chapter notwithstanding any term of
 48 the policy to the contrary.
 49 6. A health care provider, hospital, health care
 50 facility, health care service plan, insurer issuing

Page 5

1 disability insurance, self-insured employee welfare
 2 benefit plan, or nonprofit hospital plan shall
 3 not require any person to execute a POST form as a
 4 condition of being insured for, or receiving, health
 5 care services.
 6 7. This chapter does not create a presumption
 7 concerning the intention of an individual who has
 8 not executed a POST form with respect to the use,
 9 withholding, or withdrawal of life-sustaining
 10 procedures in the event of a terminal condition.
 11 8. This chapter shall not be interpreted to affect
 12 the right of an individual to make decisions regarding
 13 use of life-sustaining procedures as long as the
 14 individual is able to do so, nor to impair or supersede
 15 any right or responsibility that any person has to
 16 effect the withholding or withdrawal of medical care in
 17 any lawful manner. In that respect, the provisions of
 18 this chapter are cumulative.
 19 9. This chapter shall not be construed to condone,
 20 authorize, or approve mercy killing or euthanasia, or
 21 to permit any affirmative or deliberate act or omission
 22 to end life other than to permit the natural process
 23 of dying.>
 24 2. Title page, by striking lines 1 through 3 and
 25 inserting <An Act relating to physician orders for
 26 scope of treatment.>

FRY of Clarke

H-8008

1 Amend Senate File 413, as amended by the Senate, as
 2 follows:
 3 1. Page 1, line 1, after <Code> by inserting
 4 <Supplement>

- 5 2. Page 1, line 14, after <Code> by inserting
- 6 <Supplement>
- 7 3. Page 1, by striking lines 16 through 19 and
- 8 inserting:
- 9 <2. For the purposes consistent with this chapter,
- 10 the local emergency management agency's approved budget
- 11 ~~may shall~~ be funded by one or any combination of the
- 12 following options, as determined by the commission:>
- 13 4. Page 1, after line 27 by inserting:
- 14 <e. Other funding sources allowed by law.>
- 15 5. Page 2, line 10, after <Code> by inserting
- 16 <Supplement>

COMMITTEE ON LOCAL GOVERNMENT

H-8009

1 Amend Senate File 2071, as passed by the Senate, as
2 follows:

- 3 1. Page 2, by striking lines 6 and 7 and inserting:
- 4 \$ <9,316,466>
- 5 2. Page 2, by striking lines 11 and 12 and
- 6 inserting:
- 7 <..... \$ 24,482,356>
- 8 3. Page 2, by striking lines 21 and 22 and
- 9 inserting:
- 10 <..... \$ 15,615,374>
- 11 4. Page 2, by striking lines 26 and 27 and
- 12 inserting:
- 13 <..... \$ 29,062,235>
- 14 5. Page 3, by striking lines 34 and 35 and
- 15 inserting:
- 16 <..... \$ 10,336,948>
- 17 6. Page 4, by striking lines 7 and 8 and inserting:
- 18 <..... \$ 5,391,355>
- 19 7. Page 4, by striking lines 12 and 13 and
- 20 inserting:
- 21 <..... \$ 18,742,129>
- 22 8. By striking page 5, line 27, through page 6,
- 23 line 2.
- 24 9. Page 7, by striking lines 13 through 17.
- 25 10. Page 8, before line 4 by inserting:
- 26 <DIVISION ____
- 27 STATE OPERATIONS EXPENSES — APPROPRIATION REDUCTIONS
- 28 Sec. ____ STATE AGENCY OPERATIONS EXPENSES.
- 29 1. For the purposes of this section, unless the
- 30 context otherwise requires:
- 31 a. "Department" means the same as defined in
- 32 section 8.2 but includes the judicial branch.
- 33 "Department" does not include a department receiving a
- 34 supplemental appropriation or appropriation reduction
- 35 pursuant to an enactment by the Eighty-fourth General

36 Assembly, 2012 Session, for the fiscal year beginning
 37 July 1, 2011, the office of the public defender, or the
 38 institutions under the control of the state board of
 39 regents.
 40 b. "Operational expenditures" means office
 41 supplies, other supplies, information technology
 42 equipment, postage, printing and binding, professional
 43 and scientific services, utilities, and communications.
 44 "Operational expenditures" does not include
 45 expenditures from funding for indigent defense, funding
 46 under the appropriation made to the department of human
 47 services for child and family services, or funding
 48 credited to the BB-61 fund.
 49 2. a. For the time period beginning on the
 50 effective date of this section through June 30, 2012,

Page 2

1 each state department shall be subject to a limitation
 2 on operational expenditures made by the department
 3 on or after the effective date of this section in
 4 accordance with this section.
 5 b. The limitation shall be equal to 50 percent of
 6 the unexpended or unencumbered amount that a department
 7 has budgeted or otherwise designated for purposes
 8 of operational expenditures from the appropriations
 9 made to the department from the general fund of the
 10 state for the fiscal year beginning July 1, 2011, and
 11 ending June 30, 2012, as of the effective date of this
 12 section.
 13 3. The appropriations to which the expenditure
 14 limitations required by this section are attributed
 15 shall be reduced by the amount of the expenditure
 16 limitations. Within 30 days of the enactment date of
 17 this section, the department of management shall apply
 18 such appropriation reductions and shall submit a report
 19 to the general assembly and legislative services agency
 20 itemizing the expenditure and appropriation reductions
 21 applied.>
 22 11. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS

H-8010

1 Amend House File 2248 as follows:
 2 1. Page 2, by striking lines 28 through 35 and
 3 inserting <course of therapy. A licensed optometrist
 4 may perform minor surgical procedures and use
 5 medications for the diagnosis and treatment of
 6 diseases, disorders, and conditions of the eye and
 7 adnexa. A license to practice optometry under this

8 chapter does not authorize the performance of surgical
 9 procedures which require the use of injectable or
 10 general anesthesia, moderate sedation, penetration
 11 of the globe, or the use of ophthalmic lasers for
 12 the purpose of ophthalmic surgery within or upon the
 13 globe. The removal of pterygia and Salzmann's nodules,
 14 incisional corneal refractive surgery, and strabismus
 15 surgery are prohibited.>

KAUFMANN of Cedar

H-8011

1 Amend House File 2245 as follows:

2 1. Page 1, by striking lines 6 through 20 and
 3 inserting <July 1, 2012, is two percent. The state
 4 percent of growth for the budget year beginning July
 5 1, 2013, is four percent. The state percent of growth
 6 for each subsequent budget year shall be established
 7 by statute which shall be enacted within thirty days
 8 of the submission in the year preceding the base year
 9 of the governor's budget under section 8.21. The
 10 establishment of the state percent of growth for a
 11 budget year shall be the only subject matter of the
 12 bill which enacts the state percent of growth for a
 13 budget year.>

14 2. By striking page 1, line 25, through page 2,
 15 line 8, and inserting <percent. The categorical state
 16 percent of growth for the budget year beginning July 1,
 17 2013, is four percent. The categorical state percent
 18 of growth for each budget year shall be established
 19 by statute which shall be enacted within thirty days
 20 of the submission in the year preceding the base year
 21 of the governor's budget under section 8.21. The
 22 establishment of the categorical state percent of
 23 growth for a budget year shall be the only subject
 24 matter of the bill which enacts the categorical state
 25 percent of growth for a budget year. The categorical
 26 state percent of growth may include state percents
 27 of growth for the teacher salary supplement, the
 28 professional development supplement, and the early
 29 intervention supplement.>

30 3. Page 2, after line 10 by inserting:

31 <Sec. ____ CODE SECTION 257.8 —
 32 IMPLEMENTATION. The requirements of section 257.8
 33 regarding the enactment of the regular program state
 34 percent of growth and categorical state percent of
 35 growth within thirty days of the submission in the
 36 year preceding the base year of the governor's budget
 37 and the requirements that the subject matter of each
 38 bill establishing the state percent of growth or the
 39 categorical state percent of growth be the only subject

40 matter of the bill do not apply to this Act.
 41 Sec. ____ APPLICABILITY. This Act is applicable
 42 for computing state aid under the state school
 43 foundation program for the school budget year beginning
 44 July 1, 2013.>
 45 4. Title page, by striking lines 1 through 3 and
 46 inserting <An Act establishing the state percent of
 47 growth and the categorical state percent of growth for
 48 the school foundation program and including effective
 49 date and applicability provisions.>
 50 5. By renumbering as necessary.

WINCKLER of Scott

H-8012

1 Amend House File 2245 as follows:
 2 1. By striking page 1, line 3, through page 2, line
 3 8, and inserting:
 4 <1. State percent of growth. The state percent
 5 of growth for the budget year beginning July 1, 2010,
 6 is two percent. The state percent of growth for the
 7 budget year beginning July 1, 2012, is two percent.
 8 The state percent of growth for each subsequent budget
 9 year shall be established by statute ~~which shall be~~
 10 ~~enacted within thirty days of the submission in the~~
 11 ~~year preceding the base year of the governor's budget~~
 12 ~~under section 8.21 as provided in this subsection. The~~
 13 statute establishing the state percent of growth for
 14 the budget year beginning July 1 of the calendar year
 15 in which the statute is enacted shall be enacted within
 16 thirty days of the submission of the governor's budget
 17 under section 8.21 in each odd-numbered year. The
 18 statute establishing the state percent of growth for
 19 the budget year beginning July 1 of the calendar year
 20 following the calendar year in which the statute is
 21 enacted shall be enacted during the regular legislative
 22 session in each odd-numbered year. The establishment
 23 of the state percent of growth for a budget year shall
 24 be the only subject matter of the bill which enacts the
 25 state percent of growth for a budget year.
 26 2. Categorical state percent of growth. The
 27 categorical state percent of growth for the budget
 28 year beginning July 1, 2010, is two percent. The
 29 categorical state percent of growth for the budget
 30 year beginning July 1, 2012, is two percent. The
 31 categorical state percent of growth for each budget
 32 year shall be established by statute ~~which shall be~~
 33 ~~enacted within thirty days of the submission in the~~
 34 ~~year preceding the base year of the governor's budget~~
 35 ~~under section 8.21 as provided in this subsection. The~~
 36 statute establishing the categorical state percent

37 of growth for the budget year beginning July 1 of
 38 the calendar year in which the statute is enacted
 39 shall be enacted within thirty days of the submission
 40 of the governor's budget under section 8.21 in each
 41 odd-numbered year. The statute establishing the
 42 categorical state percent of growth for the budget year
 43 beginning July 1 of the calendar year following the
 44 calendar year in which the statute is enacted shall
 45 be enacted during the regular legislative session
 46 in each odd-numbered year. The establishment of the
 47 categorical state percent of growth for a budget year
 48 shall be the only subject matter of the bill which
 49 enacts the categorical state percent of growth for a
 50 budget year. The categorical state percent of growth

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- 1 may include state percents of growth for the teacher
- 2 salary supplement, the professional development
- 3 supplement, and the early intervention supplement.>
- 4 2. By renumbering as necessary.

PAULSEN of Linn

H-8013

- 1 Amend the amendment, H-8009, to Senate File 2071, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 22 through 24.
- 4 2. By renumbering as necessary.

HEDDENS of Story

H-8014

- 1 Amend House File 2274 as follows:
- 2 1. By striking everything after the enacting clause
- 3 and inserting:
- 4 <Section 1. Section 331.512, Code 2011, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 13A. Carry out duties relating to
- 7 the business property tax credit as provided in chapter
- 8 426C.
- 9 Sec. 2. Section 331.559, Code 2011, is amended by
- 10 adding the following new subsection:
- 11 NEW SUBSECTION. 14A. Carry out duties relating to
- 12 the business property tax credit as provided in chapter
- 13 426C.
- 14 Sec. 3. NEW SECTION. 426C.1 Definitions.
- 15 For the purposes of this chapter, unless the context
- 16 otherwise requires:
- 17 1. "Contiguous parcels" means any of the following:

- 18 a. Parcels that share a common boundary.
19 b. Parcels within the same building or structure
20 regardless of whether the parcels share a common
21 boundary.
22 c. Improvements to the land that are situated on
23 one or more parcels of land that are assessed and taxed
24 separately from the improvements if the parcels of land
25 upon which the improvements are situated share a common
26 boundary.
- 27 2. "Department" means the department of revenue.
28 3. "Fund" means the business property tax credit
29 fund created in section 426C.2.
30 4. "Parcel" means as defined in section 445.1.
31 5. "Property unit" means contiguous parcels all of
32 which are located within the same county, with the same
33 property tax classification, each of which contains
34 permanent improvements, are owned by the same person,
35 and are operated by that person for a common use and
36 purpose.
- 37 Sec. 4. **NEW SECTION.** 426C.2 Business property tax
38 credit fund — appropriation.
- 39 1. A business property tax credit fund is created
40 in the state treasury under the authority of the
41 department. For the fiscal year beginning July 1,
42 2013, there is appropriated from the general fund of
43 the state to the department to be credited to the
44 fund, the sum of fifty million dollars to be used
45 for business property tax credits authorized in this
46 chapter. For the fiscal year beginning July 1, 2014,
47 and each fiscal year thereafter, there is appropriated
48 from the general fund of the state to the department
49 to be credited to the fund an amount equal to the
50 total amount appropriated by the general assembly to

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- 1 the fund in the previous fiscal year. In addition,
2 the sum of fifty million dollars shall be added to the
3 appropriation in each fiscal year beginning on or after
4 July 1, 2014, if the revenue estimating conference
5 certifies during its final meeting of the calendar year
6 ending prior to the beginning of the fiscal year that
7 the total amount of general fund revenues collected
8 during the fiscal year ending during such calendar year
9 was at least one hundred four percent of the total
10 amount of general fund revenues collected during the
11 previous fiscal year. However, the total appropriation
12 to the fund shall not exceed two hundred million
13 dollars for any one fiscal year.
- 14 2. Notwithstanding section 12C.7, subsection 2,
15 interest or earnings on moneys deposited in the fund
16 shall be credited to the fund. Moneys in the fund are

17 not subject to the provisions of section 8.33 and shall
 18 not be transferred, used, obligated, appropriated,
 19 or otherwise encumbered except as provided in this
 20 chapter.

21 Sec. 5. NEW SECTION. 426C.3 Claims for credit.

22 1. Each person who wishes to claim the credit
 23 allowed under this chapter shall obtain the appropriate
 24 forms from the assessor and file the claim with the
 25 assessor. The director of revenue shall prescribe
 26 suitable forms and instructions for such claims, and
 27 make such forms and instructions available to the
 28 assessors.

29 2. a. Claims for the business property tax credit
 30 shall be filed not later than March 15 preceding the
 31 fiscal year during which the taxes for which the credit
 32 is claimed are due and payable.

33 b. A claim filed after the deadline for filing
 34 claims shall be considered as a claim for the following
 35 year.

36 3. Upon the filing of a claim and allowance of the
 37 credit, the credit shall be allowed on the parcel or
 38 property unit for successive years without further
 39 filing as long as the parcel or property unit satisfies
 40 the requirements for the credit. If the parcel or
 41 property unit owner ceases to qualify for the credit
 42 under this chapter, the owner shall provide written
 43 notice to the assessor by the date for filing claims
 44 specified in subsection 2 following the date on which
 45 the parcel or property unit ceases to qualify for the
 46 credit.

47 4. When all or a portion of a parcel or property
 48 unit that is allowed a credit under this chapter is
 49 sold, transferred, or ownership otherwise changes, the
 50 buyer, transferee, or new owner who wishes to receive

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1 the credit shall refile the claim for credit. When a
 2 portion of a parcel or property unit that is allowed
 3 a credit under this chapter is sold, transferred, or
 4 ownership otherwise changes, the owner of the portion
 5 of the parcel or property unit for which ownership did
 6 not change shall refile the claim for credit.

7 5. The assessor shall remit the claims for
 8 credit to the county auditor with the assessor's
 9 recommendation for allowance or disallowance. If
 10 the assessor recommends disallowance of a claim,
 11 the assessor shall submit the reasons for the
 12 recommendation, in writing, to the county auditor. The
 13 county auditor shall forward the claims to the board
 14 of supervisors. The board shall allow or disallow the
 15 claims.

16 6. For each claim and allowance of a credit for
17 a property unit, the county auditor shall calculate
18 the average of all consolidated levy rates applicable
19 to the several parcels within the property unit. All
20 claims for credit which have been allowed by the board
21 of supervisors, the actual value of the improvements
22 to such parcels and property units applicable to
23 the fiscal year for which the credit is claimed
24 that are subject to assessment and taxation prior to
25 imposition of any applicable assessment limitation,
26 the consolidated levy rates for such parcels and the
27 average consolidated levy rates for such property units
28 applicable to the fiscal year for which the credit is
29 claimed, and the taxing districts in which the parcel
30 or property unit is located, shall be certified on or
31 before June 30, in each year, by the county auditor to
32 the department.

33 7. The assessor shall maintain a permanent file of
34 current business property tax credits. The assessor
35 shall file a notice of transfer of property for which a
36 credit has been allowed when notice is received from
37 the office of the county recorder, from the person
38 who sold or transferred the property, or from the
39 personal representative of a deceased property owner.
40 The county recorder shall give notice to the assessor
41 of each transfer of title filed in the recorder's
42 office. The notice from the county recorder shall
43 describe the property transferred, the name of the
44 person transferring title to the property, and the name
45 of the person to whom title to the property has been
46 transferred.

47 Sec. 6. NEW SECTION. 426C.4 Eligibility and amount
48 of credit.

49 1. Each parcel classified and taxed as commercial
50 property, industrial property, or railway property

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1 under chapter 434, and improved with permanent
2 construction, is eligible for a credit under this
3 chapter. A person may claim and receive one credit
4 under this chapter for each eligible parcel unless
5 the parcel is part of a property unit. A person
6 may only claim and receive one credit under this
7 chapter for each property unit. A credit approved
8 for a property unit shall be allocated to the several
9 parcels within the property unit in the proportion
10 that each parcel's total amount of property taxes due
11 and payable attributable to the improvements bears to
12 the total amount of property taxes due and payable
13 attributable to the improvements for the property unit.
14 Only property units comprised of commercial property,

15 comprised of industrial property, or comprised of
16 railway property under chapter 434 are eligible for a
17 credit under this chapter.

18 2. Using the actual value of the improvements and
19 the consolidated levy rate for each parcel or the
20 average consolidated levy rate for each property unit,
21 as certified by the county auditor to the department
22 under section 426C.3, subsection 6, the department
23 shall calculate, for each fiscal year, an initial
24 amount of actual value of improvements for use in
25 determining the amount of the credit for each such
26 parcel or property unit so as to provide the maximum
27 possible credit according to the credit formula and
28 limitations under subsection 3, and to provide a
29 total dollar amount of credits against the taxes due
30 and payable in the fiscal year equal to ninety-eight
31 percent of the moneys in the fund following the deposit
32 of the total appropriation for the fiscal year.

33 3. a. The amount of the credit for each parcel or
34 property unit for which a claim for credit under this
35 chapter has been approved shall be calculated under
36 paragraph "b" using the lesser of the initial amount
37 of actual value of the improvements determined by the
38 department under subsection 2, and the actual value
39 of the improvements to the parcel or property unit as
40 certified by the county auditor under section 426C.3,
41 subsection 6.

42 b. The amount of the credit for each parcel or
43 property unit for which a claim for credit under
44 this chapter has been approved shall be equal to the
45 amount of actual value determined under paragraph "a"
46 multiplied by the difference, stated as a percentage,
47 between the assessment limitation applicable to
48 the parcel or property unit under section 441.21,
49 subsection 5, and the assessment limitation applicable
50 to residential property under section 441.21,

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1 subsection 4, divided by one thousand dollars, and then
2 multiplied by the consolidated levy rate or average
3 consolidated levy rate for one thousand dollars of
4 taxable value applicable to the parcel or property unit
5 for the fiscal year for which the credit is claimed as
6 certified by the county auditor under section 426C.3,
7 subsection 6.

8 Sec. 7. NEW SECTION. 426C.5 Payment to counties.

9 1. Annually the department shall certify to the
10 county auditor of each county the amounts of the
11 business property tax credits allowed in the county.
12 Each county auditor shall then enter the credits
13 against the tax levied on each eligible parcel or

14 property unit in the county, designating on the tax
15 lists the credit as being from the fund. Each taxing
16 district shall receive its share of the business
17 property tax credit allowed on each eligible parcel
18 or property unit in such taxing district, in the
19 proportion that the levy made by such taxing district
20 upon the parcel or property unit bears to the total
21 levy upon the parcel or property unit by all taxing
22 districts imposing a property tax in such taxing
23 district. However, the several taxing districts
24 shall not draw the moneys so credited until after the
25 semiannual allocations have been received by the county
26 treasurer, as provided in this section. Each county
27 treasurer shall show on each tax receipt the amount of
28 credit received from the fund.

29 2. The director of the department of administrative
30 services shall issue warrants on the fund payable to
31 the county treasurers of the several counties of the
32 state under this chapter.

33 3. The amount due each county shall be paid in two
34 payments on November 15 and March 15 of each fiscal
35 year, drawn upon warrants payable to the respective
36 county treasurers. The two payments shall be as nearly
37 equal as possible.

38 Sec. 8. **NEW SECTION.** 426C.6 Appeals.

39 1. If the board of supervisors disallows a claim
40 for credit under section 426C.3, subsection 5, the
41 board of supervisors shall send written notice, by
42 mail, to the claimant at the claimant's last known
43 address. The notice shall state the reasons for
44 disallowing the claim for the credit. The board of
45 supervisors is not required to send notice that a claim
46 for credit is disallowed if the claimant voluntarily
47 withdraws the claim. Any person whose claim is denied
48 under the provisions of this chapter may appeal from
49 the action of the board of supervisors to the district
50 court of the county in which the parcel or property

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1 unit is located by giving written notice of such appeal
2 to the county auditor within twenty days from the date
3 of mailing of notice of such action by the board of
4 supervisors.

5 2. If any claim for credit has been denied by the
6 board of supervisors, and such action is subsequently
7 reversed on appeal, the credit shall be allowed on the
8 applicable parcel or property unit, and the director of
9 revenue, the county auditor, and the county treasurer
10 shall provide the credit and change their books and
11 records accordingly. In the event the appealing
12 taxpayer has paid one or both of the installments of

13 the tax payable in the year or years in question,
 14 remittance shall be made to such taxpayer of the amount
 15 of such credit. The amount of such credit awarded on
 16 appeal shall be allocated and paid from the balance
 17 remaining in the fund.

18 Sec. 9. NEW SECTION. 426C.7 Audit — denial.

19 1. If on the audit of a credit provided under this
 20 chapter, the director of revenue determines the amount
 21 of the credit to have been incorrectly calculated or
 22 that the credit is not allowable, the director shall
 23 recalculate the credit and notify the taxpayer and the
 24 county auditor of the recalculation or denial and the
 25 reasons for it. The director shall not adjust a credit
 26 after three years from October 31 of the year in which
 27 the claim for the credit was filed. If the credit has
 28 been paid, the director shall give notification to the
 29 taxpayer, the county treasurer, and the applicable
 30 assessor of the recalculation or denial of the credit
 31 and the county treasurer shall proceed to collect the
 32 tax owed in the same manner as other property taxes due
 33 and payable are collected, if the parcel or property
 34 unit for which the credit was allowed is still owned
 35 by the taxpayer. If the parcel or property unit
 36 for which the credit was allowed is not owned by the
 37 taxpayer, the amount may be recovered from the taxpayer
 38 by assessment in the same manner that income taxes are
 39 assessed under sections 422.26 and 422.30. The amount
 40 of such erroneous credit, when collected, shall be
 41 deposited in the fund.

42 2. The taxpayer or board of supervisors may
 43 appeal any decision of the director of revenue to the
 44 state board of tax review pursuant to section 421.1,
 45 subsection 5. The taxpayer, the board of supervisors,
 46 or the director of revenue may seek judicial review
 47 of the action of the state board of tax review in
 48 accordance with chapter 17A.

49 Sec. 10. NEW SECTION. 426C.8 False claim —
 50 penalty.

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1 A person who makes a false claim for the purpose of
 2 obtaining a credit provided for in this chapter or who
 3 knowingly receives the credit without being legally
 4 entitled to it is guilty of a fraudulent practice. The
 5 claim for a credit of such a person shall be disallowed
 6 and if the credit has been paid the amount shall be
 7 recovered in the manner provided in section 426C.7. In
 8 such cases, the director of revenue shall send a notice
 9 of disallowance of the credit.

10 Sec. 11. NEW SECTION. 426C.9 Rules.

11 The director of revenue shall prescribe forms,

12 instructions, and rules pursuant to chapter 17A, as
13 necessary, to carry out the purposes of this chapter.
14 Sec. 12. IMPLEMENTATION. Notwithstanding the
15 deadline for filing claims established in section
16 426C.3, for a credit against property taxes due and
17 payable during the fiscal year beginning July 1, 2013,
18 the claim for the credit shall be filed not later than
19 January 15, 2013.

20 Sec. 13. APPLICABILITY. This Act applies to
21 property taxes due and payable in fiscal years
22 beginning on or after July 1, 2013.>

23 2. Title page, by striking lines 1 through 11
24 and inserting <An Act establishing a property tax
25 credit for certain commercial, industrial, and railway
26 property, making an appropriation, providing penalties,
27 and including applicability provisions.>

28 3. By renumbering as necessary.

JACOBY of Johnson

H-8015

1 Amend House File 2274 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 257.1, subsection 2, paragraph
5 b, Code 2011, is amended by striking the paragraph and
6 inserting in lieu thereof the following:

7 b. (1) The regular program foundation base per
8 pupil is the following:

9 (a) For the budget year commencing July 1,
10 2012, and the budget year commencing July 1, 2013,
11 the regular program foundation base per pupil is
12 eighty-seven and five-tenths percent of the regular
13 program state cost per pupil.

14 (b) For the budget year commencing July 1, 2014,
15 the regular program foundation base per pupil is
16 eighty-nine and six hundredths percent of the regular
17 program state cost per pupil.

18 (c) For the budget year commencing July 1, 2015,
19 the regular program foundation base per pupil is ninety
20 and sixty-three hundredths percent of the regular
21 program state cost per pupil.

22 (d) For the budget year commencing July 1, 2016,
23 the regular program foundation base per pupil is
24 ninety-two and nineteen hundredths percent of the
25 regular program state cost per pupil.

26 (e) For the budget year commencing July 1, 2017,
27 the regular program foundation base per pupil is
28 ninety-three and seventy-five hundredths percent of the
29 regular program state cost per pupil.

30 (f) For the budget year commencing July 1, 2018,

31 the regular program foundation base per pupil is
 32 ninety-five and thirty-one hundredths percent of the
 33 regular program state cost per pupil.

34 (g) For the budget year commencing July 1, 2019,
 35 the regular program foundation base per pupil is
 36 ninety-six and eighty-eight hundredths percent of the
 37 regular program state cost per pupil.

38 (h) For the budget year commencing July 1, 2020,
 39 the regular program foundation base per pupil is
 40 ninety-eight and forty-four hundredths percent of the
 41 regular program state cost per pupil.

42 (i) For the budget year commencing July 1, 2021,
 43 and succeeding budget years, the regular program
 44 foundation base per pupil is one hundred percent of the
 45 regular program state cost per pupil.

46 (2) For each budget year, the special education
 47 support services foundation base is seventy-nine
 48 percent of the special education support services state
 49 cost per pupil. The combined foundation base is the
 50 sum of the regular program foundation base, the special

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1 education support services foundation base, the total
 2 teacher salary supplement district cost, the total
 3 professional development supplement district cost, the
 4 total early intervention supplement district cost, the
 5 total area education agency teacher salary supplement
 6 district cost, and the total area education agency
 7 professional development supplement district cost.

8 Sec. 2. Section 257.4, subsection 1, paragraph b,
 9 Code 2011, is amended to read as follows:

10 b. For the budget year beginning July 1, 2008, and
 11 succeeding budget years beginning before July 1, 2021,
 12 the department of management shall annually determine
 13 an adjusted additional property tax levy and a
 14 statewide maximum adjusted additional property tax levy
 15 rate, not to exceed the statewide average additional
 16 property tax levy rate, calculated by dividing the
 17 total adjusted additional property tax levy dollars
 18 statewide by the statewide total net taxable valuation.
 19 For purposes of this paragraph, the adjusted additional
 20 property tax levy shall be that portion of the
 21 additional property tax levy corresponding to the
 22 state cost per pupil multiplied by a school district's
 23 weighted enrollment, and then multiplied by one hundred
 24 percent less the regular program foundation base
 25 per pupil percentage pursuant to section 257.1. ~~The~~
 26 For budget years beginning before July 1, 2021, the
 27 district shall receive adjusted additional property tax
 28 levy aid in an amount equal to the difference between
 29 the adjusted additional property tax levy rate and the

30 statewide maximum adjusted additional property tax
31 levy rate, as applied per thousand dollars of assessed
32 valuation on all taxable property in the district. ~~The~~
33 ~~statewide maximum adjusted additional property tax levy~~
34 ~~rate shall be annually determined by the department~~
35 ~~taking into account amounts allocated pursuant to~~
36 ~~section 257.15, subsection 4. The~~ For budget years
37 beginning before July 1, 2021, the statewide maximum
38 adjusted additional property tax levy rate shall be
39 annually determined by the department taking into
40 account amounts allocated pursuant to section 257.15,
41 subsection 4, and the balance of the property tax
42 equity and relief fund created in section 257.16A at
43 the end of the calendar year.

44 Sec. 3. Section 257.15, subsection 4, Code 2011, is
45 amended to read as follows:

46 4. a. Allocations for maximum adjusted additional
47 property tax levy rate calculation and adjusted
48 additional property tax levy aid. ~~The~~ For fiscal
49 years beginning before July 1, 2021, the department of
50 management shall allocate from amounts appropriated

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1 pursuant to section 257.16, subsection 1, and from
2 funds appropriated from the property tax equity
3 and relief fund created in section 257.16A for the
4 purpose of calculating the statewide maximum adjusted
5 additional property tax levy rate and providing
6 adjusted additional property tax levy aid as provided
7 in section 257.4, subsection 1, paragraph "b", an
8 amount equal to the sum of subparagraphs (1) and (2)
9 as follows:

10 (1) From the amount appropriated from the general
11 fund of the state pursuant to section 257.16,
12 subsection 1, equal to the following:

13 (a) For the budget year beginning July 1, 2006, six
14 million dollars.

15 (b) For the budget year beginning July 1, 2007,
16 twelve million dollars.

17 (c) For the budget year beginning July 1, 2008,
18 eighteen million dollars.

19 (d) For the budget year beginning July 1, 2009, and
20 succeeding budget years beginning before July 1, 2021,
21 twenty-four million dollars.

22 (2) From the amount appropriated from the property
23 tax equity and relief fund created in section 257.16A.

24 b. After lowering all school district additional
25 property tax levy rates to the statewide maximum
26 adjusted additional property tax levy rate under
27 paragraph "a", the department of management shall use
28 any remaining funds at the end of the calendar year to

29 further lower additional property taxes by increasing
 30 for the budget year beginning the following July 1,
 31 the state foundation base percentage. If, however,
 32 the state foundation base percentage is one hundred
 33 percent, the department of management shall deposit
 34 those remaining funds in the taxpayers trust fund
 35 created in section 8.57E. Moneys used pursuant to
 36 this paragraph shall supplant an equal amount of the
 37 appropriation made from the general fund of the state
 38 pursuant to section 257.16 that represents the increase
 39 in state foundation aid.

40 Sec. 4. Section 257.16A, subsections 2 and 3, Code
 41 2011, are amended to read as follows:
 42 2. ~~There~~ For fiscal years beginning before July 1,
 43 2021, there is appropriated annually all moneys in the
 44 fund to the department of management for purposes of
 45 section 257.15, subsection 4.

46 3. ~~Notwithstanding~~ Except as provided in subsection
 47 4, and notwithstanding section 8.33, any moneys
 48 remaining in the property tax equity and relief fund at
 49 the end of a fiscal year shall not revert to any other
 50 fund but shall remain in the property tax equity and

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1 relief fund for use as provided in this section for the
 2 following fiscal year.

3 Sec. 5. Section 257.16A, Code 2011, is amended by
 4 adding the following new subsection:

5 NEW SUBSECTION. 4. Any moneys in the property
 6 tax equity and relief fund on June 30, 2021, shall
 7 be deposited by the department of management in the
 8 taxpayers trust fund created in section 8.57E.

9 Sec. 6. Section 423F.2, subsection 3, Code 2011, is
 10 amended to read as follows:

11 3. The moneys available in a fiscal year in the
 12 secure an advanced vision for education fund shall be
 13 distributed by the department of revenue to each school
 14 district in an amount equal to the amount the school
 15 district would have received pursuant to the formula
 16 in section 423E.4 as if the local sales and services
 17 tax for school infrastructure purposes was imposed.
 18 Moneys collected in a fiscal year beginning before July
 19 1, 2019, that are in excess of that needed to provide
 20 each school district with its formula amount shall be
 21 distributed and credited to the property tax equity
 22 and relief fund created in section 257.16A. Moneys
 23 collected in a fiscal year beginning on or after July
 24 1, 2019, that are in excess of that amount needed to
 25 provide each school district with its formula amount
 26 shall be deposited in the taxpayers trust fund created
 27 in section 8.57E.>

- 28 2. Title page, by striking lines 1 through 11
29 and inserting <An Act relating to school finance
30 by increasing the regular program foundation base
31 percentage.>
32 3. By renumbering as necessary.

HALL of Woodbury

H-8016

- 1 Amend House File 2274 as follows:
2 1. By striking everything after the enacting
3 clause and inserting:
4 <Section 1. Section 427A.1, subsection 1, paragraph
5 h, Code 2011, is amended to read as follows:
6 h. Property assessed by the department of revenue
7 pursuant to sections 428.24 to 428.29, or chapters 433,
8 434, 437, 437A, and 438.
9 Sec. 2. Section 433.4, Code 2011, is amended to
10 read as follows:
11 433.4 Assessment.
12 1. The director of revenue shall on or before
13 October 31 each year, proceed to find the actual value
14 of the property of these companies in this state used
15 by the companies in the transaction of telegraph and
16 telephone business, taking into consideration the
17 information obtained from the statements required, and
18 any further information the director can obtain, using
19 the same as a means for determining the actual cash
20 value of the property of these companies within this
21 state. ~~The director shall also take into consideration~~
22 ~~the valuation of all property of these companies,~~
23 ~~including franchises and the use of the property in~~
24 ~~connection with lines outside the state, and making~~
25 ~~these deductions as may be necessary on account of~~
26 ~~extra value of property outside the state as compared~~
27 ~~with the value of property in the state, in order that~~
28 ~~the actual cash value of the property of the company~~
29 ~~within this state may be ascertained. The assessment~~
30 ~~shall include all property of every kind and character~~
31 ~~whatsoever, real, personal, or mixed, used by the~~
32 ~~companies in the transaction of telegraph and telephone~~
33 ~~business; and the~~ The property so included in the
34 assessment shall not be taxed in any other manner than
35 as provided in this chapter.
36 2. a. Except as provided in paragraph "c", for
37 assessment years beginning on or after January 1,
38 2013, a company's property, excluding the property
39 identified in paragraph "b" as exempt from taxation,
40 shall be subject to assessment and taxation under this
41 chapter by the director of revenue in the same manner
42 as property assessed and taxed as commercial property

43 under chapters 427, 427A, 427B, 428, and 441.
 44 b. All of the following is exempt from taxation and
 45 shall not be assessed for taxation under this chapter:
 46 (1) Central office equipment.
 47 (2) Transmission equipment.
 48 (3) Qualified telephone company property. However,
 49 qualified telephone company property shall be valued
 50 and included in the company's assessment for the

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1 assessment years, and to the extent specified, in
 2 paragraph "c".
 3 c. For assessment years beginning on or after
 4 January 1, 2013, but before January 1, 2020, the
 5 director of revenue shall include as part of the actual
 6 value determined under paragraph "a" for the applicable
 7 assessment year, the following:
 8 (1) For the assessment year beginning January
 9 1, 2013, an amount equal to the actual value of the
 10 company's qualified telephone company property that
 11 exceeds five million dollars.
 12 (2) For the assessment year beginning January
 13 1, 2014, an amount equal to the actual value of the
 14 company's qualified telephone company property that
 15 exceeds twenty-five million dollars.
 16 (3) For the assessment year beginning January
 17 1, 2015, an amount equal to the actual value of the
 18 company's qualified telephone company property that
 19 exceeds fifty million dollars.
 20 (4) For the assessment year beginning January
 21 1, 2016, an amount equal to the actual value of the
 22 company's qualified telephone company property that
 23 exceeds seventy-five million dollars.
 24 (5) For the assessment year beginning January
 25 1, 2017, an amount equal to the actual value of the
 26 company's qualified telephone company property that
 27 exceeds one hundred million dollars.
 28 (6) For the assessment year beginning January
 29 1, 2018, an amount equal to the actual value of the
 30 company's qualified telephone company property that
 31 exceeds one hundred twenty-five million dollars.
 32 (7) For the assessment year beginning January
 33 1, 2019, an amount equal to the actual value of the
 34 company's qualified telephone company property that
 35 exceeds one hundred fifty million dollars.
 36 Sec. 3. Section 433.12, Code 2011, is amended by
 37 adding the following new subsections:
 38 NEW SUBSECTION. 1A. As used in this chapter,
 39 "central office equipment" means equipment owned or
 40 leased by a company and used in initiating, amplifying,
 41 switching, or monitoring telecommunications services,

42 including such ancillary equipment necessary for the
 43 support, regulation, control, repair, or testing of
 44 such equipment.
 45 NEW SUBSECTION. 3. As used in this chapter,
 46 "qualified telephone company property" means telephone
 47 wire, telephone cable, fiber optic cable, conduit
 48 systems, poles, or other equipment owned or leased by
 49 a company and used by the company to transmit sound or
 50 data.

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1 NEW SUBSECTION. 4. As used in this chapter,
 2 "transmission equipment" means equipment owned or
 3 leased by a company and used in the process of sending
 4 information from one location to another location,
 5 including such ancillary equipment necessary for the
 6 support, regulation, control, repair, or testing of
 7 such equipment.
 8 Sec. 4. Section 476.1D, subsection 10, Code
 9 Supplement 2011, is amended by striking the subsection.
 10 Sec. 5. EFFECTIVE DATE.
 11 1. Except as provided in subsection 2, this Act
 12 takes effect July 1, 2012.
 13 2. The section of this Act amending section 476.1D
 14 takes effect July 1, 2019.
 15 Sec. 6. APPLICABILITY.
 16 1. Except as provided in subsection 2, this Act
 17 applies to assessment years beginning on or after
 18 January 1, 2013.
 19 2. The section of this Act amending section 476.1D
 20 applies to assessment years beginning on or after
 21 January 1, 2020.>
 22 2. Title page, by striking lines 1 through 11 and
 23 inserting <An Act relating to assessment and taxation
 24 of telecommunications company property and including
 25 effective date and applicability provisions.>
 26 3. By renumbering as necessary.

THOMAS of Clayton

H-8017

1 Amend House File 2274 as follows:
 2 1. Page 19, after line 1 by inserting:
 3 (4) Intangible property.>
 4 2. Page 20, after line 4 by inserting:
 5 <NEW SUBSECTION. 2A. As used in this chapter,
 6 "intangible property" includes but is not limited to
 7 goodwill associated with a company.>
 8 3. Page 31, after line 16 by inserting:
 9 <Sec. ___. Section 364.25, Code 2011, is amended to

10 read as follows:

11 364.25 Retiree health care.

12 A city may provide health or medical insurance
 13 coverage or supplemental health or medical insurance
 14 coverage to retired employees of the city. A city
 15 providing health or medical insurance coverage pursuant
 16 to this section may establish such requirements or
 17 restrictions concerning the coverage provided as the
 18 city may adopt. If coverage is provided, the cost
 19 of the health or medical insurance coverage ~~may shall~~
 20 be paid ~~from moneys held in a trust and agency fund~~
 21 ~~established pursuant to section 384.6,~~ or out of an
 22 appropriation from the city general fund for this
 23 purpose.>

24 4. Page 33, by striking lines 27 through 29 and
 25 inserting <"tax dollars" shall mean the sum of the
 26 total amount of property tax dollars certified for the
 27 city's general fund for the fiscal year beginning July
 28 1, 2012, and the total amount of property tax dollars
 29 certified for the city's trust and agency fund under
 30 section 384.6, subsection 1, Code 2011, for the fiscal
 31 year beginning July 1, 2012.>

32 5. Page 33, by striking lines 31 and 32 and
 33 inserting <fund in section 384.4, capital improvements
 34 reserve fund in section 384.7.>

35 6. Page 35, after line 28 by inserting:
 36 <Sec. ____ NEW SECTION. 384.3B Employee benefits
 37 and retirement contributions – city general fund.
 38 A city may include within the city's basic levy for
 39 city government purposes, an amount necessary, subject
 40 to the limitation on property tax dollars in section
 41 384.1, property taxes for the following purposes,
 42 with such taxes accounted for as provided by the city
 43 finance committee:

44 1. Pension and related benefits of the city's
 45 employees.

46 2. A city may make contributions to a retirement
 47 system other than the Iowa public employees' retirement
 48 system for its city manager, or city administrator
 49 performing the duties of city manager, in an annual
 50 amount not to exceed the amount that would have been

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1 contributed by the employer under section 97B.11.

2 3. If a police chief or fire chief has submitted
 3 a written request to the board of trustees to be
 4 exempt from chapter 411, authorized in section 411.3,
 5 subsection 1, a city shall make contributions for the
 6 chief, in an amount not to exceed the amount that would
 7 have been contributed by the city under section 411.8,
 8 subsection 1, paragraph "a", to the international city

9 management association/retirement corporation.
10 4. A city which has contracted with another city
11 or governmental entity for the provision of public
12 safety services, including but not limited to police
13 protection, fire protection, ambulance, or hazardous
14 materials response, may, pursuant to contract, make
15 contributions for pension and related employee benefits
16 for personnel of the other city or governmental entity
17 providing such services to the city. The city may make
18 such contributions in an annual amount not to exceed
19 the amount of contributions for pension and related
20 employee benefits that would otherwise be paid by the
21 other city or governmental entity for such personnel.
22 Sec. ____ Section 384.6, Code 2011, is amended to
23 read as follows:

24 384.6 Trust and agency funds.

25 A city may establish trust and agency funds for the
26 following purposes:

27 ~~1. Accounting for pension and related employee~~
28 ~~benefit funds as provided by the city finance~~
29 ~~committee. A city may certify taxes to be levied for a~~
30 ~~trust and agency fund in the amount necessary to meet~~
31 ~~its obligations.~~

32 ~~a. A city may make contributions to a retirement~~
33 ~~system other than the Iowa public employees' retirement~~
34 ~~system for its city manager, or city administrator~~
35 ~~performing the duties of city manager, in an annual~~
36 ~~amount not to exceed the amount that would have been~~
37 ~~contributed by the employer under section 97B.11.~~

38 ~~b. If a police chief or fire chief has submitted~~
39 ~~a written request to the board of trustees to be~~
40 ~~exempt from chapter 411, authorized in section 411.3,~~
41 ~~subsection 1, a city shall make contributions for the~~
42 ~~chief, in an amount not to exceed the amount that would~~
43 ~~have been contributed by the city under section 411.8,~~
44 ~~subsection 1, paragraph "a", to the international city~~
45 ~~management association/retirement corporation.~~

46 ~~c. A city which has contracted with another city~~
47 ~~or governmental entity for the provision of public~~
48 ~~safety services, including but not limited to police~~
49 ~~protection, fire protection, ambulance, or hazardous~~
50 ~~materials response, may, pursuant to contract, make~~

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1 ~~contributions for pension and related employee benefits~~
2 ~~for personnel of the other city or governmental entity~~
3 ~~providing such services to the city. The city may make~~
4 ~~such contributions in an annual amount not to exceed~~
5 ~~the amount of contributions for pension and related~~
6 ~~employee benefits that would otherwise be paid by the~~
7 ~~other city or governmental entity for such personnel.~~

8 ~~2.~~ 1. Accounting for gifts received by the city
9 for a particular purpose.

10 ~~3.~~ 2. Accounting for money and property received
11 and handled by the city as trustee or custodian or in
12 the capacity of an agent.>

13 7. Page 36, after line 30 by inserting:
14 <Sec. ____ Section 384.15, subsection 1, Code 2011,
15 is amended to read as follows:

16 1. Promulgate rules relating to budget amendments
17 and the procedures for transferring moneys between
18 funds, and other rules necessary or desirable in
19 order to exercise its powers and perform its duties,
20 including rules necessary to implement section ~~384.6~~;
21 ~~subsection 1~~ 384.3B. The committee's rules are subject
22 to chapter 17A as applicable.>

23 8. Page 39, after line 5 by inserting:
24 <Sec. ____ Section 400.8, subsection 1, Code 2011,
25 is amended to read as follows:

26 1. The commission, when necessary under the
27 rules, including minimum and maximum age limits,
28 which shall be prescribed and published in advance
29 by the commission and posted in the city hall, shall
30 hold examinations for the purpose of determining the
31 qualifications of applicants for positions under civil
32 service, other than promotions, which examinations
33 shall be practical in character and shall relate to
34 matters which will fairly test the mental and physical
35 ability of the applicant to discharge the duties of
36 the position to which the applicant seeks appointment.
37 The physical examination of applicants for appointment
38 to the positions of police officer, police matron, or
39 fire fighter shall be held in accordance with medical
40 protocols established by the board of trustees of
41 the fire and police retirement system established by
42 section 411.5 and shall be conducted in accordance with
43 the directives of the board of trustees. However,
44 the prohibitions of section 216.6, subsection 1,
45 paragraph "d", regarding tests for the presence of the
46 antibody to the human immunodeficiency virus shall not
47 apply to such examinations. The board of trustees
48 may change the medical protocols at any time the
49 board so determines. The physical examination of an
50 applicant for the position of police officer, police

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1 matron, or fire fighter shall be conducted after a
2 conditional offer of employment has been made to the
3 applicant. An applicant shall not be discriminated
4 against on the basis of height, weight, sex, or race
5 in determining physical or mental ability of the
6 applicant. Reasonable rules relating to strength,

7 agility, and general health of applicants shall be
8 prescribed. The costs of the physical examination
9 required under this subsection shall be paid from the
10 ~~trust and agency~~ general fund of the city.

11 Sec. ____ Section 411.6, subsection 5, paragraph b,
12 Code 2011, is amended to read as follows:

13 b. If a member in service or the chief of the
14 police or fire departments becomes incapacitated for
15 duty as a natural or proximate result of an injury
16 or disease incurred in or aggravated by the actual
17 performance of duty at some definite time or place or
18 while acting, pursuant to order, outside the city by
19 which the member is regularly employed, the member,
20 upon being found to be temporarily incapacitated
21 following a medical examination as directed by the
22 city, is entitled to receive the member's full pay
23 and allowances from the city's ~~general fund or trust~~
24 ~~and agency fund~~ until reexamined as directed by the
25 city and found to be fully recovered or until the city
26 determines that the member is likely to be permanently
27 disabled. If the temporary incapacity of a member
28 continues more than sixty days, or if the city expects
29 the incapacity to continue more than sixty days,
30 the city shall notify the system of the temporary
31 incapacity. Upon notification by a city, the system
32 may refer the matter to the medical board for review
33 and consultation with the member's treating physician
34 during the temporary incapacity. Except as provided by
35 this paragraph, the board of trustees of the statewide
36 system has no jurisdiction over these matters until
37 the city determines that the disability is likely to
38 be permanent.

39 Sec. ____ Section 411.15, Code 2011, is amended to
40 read as follows:

41 411.15 Hospitalization and medical attention.

42 Cities shall provide hospital, nursing, and medical
43 attention for the members of the police and fire
44 departments of the cities, when injured while in
45 the performance of their duties as members of such
46 department, and shall continue to provide hospital,
47 nursing, and medical attention for injuries or diseases
48 incurred while in the performance of their duties for
49 members receiving a retirement allowance under section
50 411.6, subsection 6. Cities may fund the cost of the

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1 hospital, nursing, and medical attention required by
2 this section through the purchase of insurance, by
3 self-insuring the obligation, or through payment of
4 moneys into a local government risk pool established
5 for the purpose of covering the costs associated

6 with the requirements of this section. However, the
 7 cost of the hospital, nursing, and medical attention
 8 required by this section shall not be funded through an
 9 employee-paid health insurance policy. The cost of the
 10 hospital, nursing, and medical attention required by
 11 this section shall be paid from ~~moneys held in a trust~~
 12 ~~and agency fund established pursuant to section 384.6,~~
 13 the city's general fund or out of the appropriation for
 14 the department to which the injured person belongs or
 15 belonged; provided that any amounts received by the
 16 injured person from any other source for such specific
 17 purposes, shall be deducted from the amount paid by the
 18 city under the provisions of this section.>

19 9. By renumbering as necessary.

SANDS of Louisa

H-8018

1 Amend House File 2274 as follows:

2 1. Page 39, after line 9 by inserting:

3 <DIVISION V

4 EARNED INCOME TAX CREDIT

5 Sec. ___. Section 422.12B, subsection 1, Code 2011,
 6 is amended to read as follows:

7 1. The taxes imposed under this division less the
 8 credits allowed under section 422.12 shall be reduced
 9 by an earned income credit equal to ~~seven~~ thirteen
 10 percent of the federal earned income credit provided in
 11 section 32 of the Internal Revenue Code. Any credit in
 12 excess of the tax liability is refundable.

13 Sec. ___. RETROACTIVE APPLICABILITY. This division
 14 of this Act applies retroactively to January 1, 2012,
 15 for tax years beginning on or after that date.>

16 2. Title page, line 1, by striking <property>

17 3. Title page, by striking line 10 and inserting
 18 <making appropriations, modifying provisions relating
 19 to the earned income tax credit, and including
 20 effective date and retroactive applicability and other>

21 4. By renumbering as necessary.

PETERSEN of Polk

H-8019

1 Amend Senate File 2071, as passed by the Senate, as
 2 follows:

3 1. Page 5, by striking lines 20 through 26 and
 4 inserting:

5 <b. In addition, a county may apply for assistance
 6 to cover the nonfederal share of medical assistance
 7 waiver costs chargeable to the county for the fiscal

8 year of individuals who became eligible for the medical
 9 assistance program home and community-based waiver for
 10 persons with an intellectual disability on or after
 11 October 1, 2011.>
 12 2. Page 7, by striking lines 11 and 12 and
 13 inserting <individuals who became eligible for the
 14 medical assistance program home and community-based
 15 waiver for persons with an intellectual disability on
 16 or after October 1, 2011, as described in subsection 3,
 17 paragraph "c".>

SCHULTE of Linn

H-8020

1 Amend the amendment, H-8009, to Senate File 2071, as
 2 passed by the Senate, as follows:
 3 1. Page 1, by striking lines 3 through 21.
 4 2. By renumbering as necessary.

T. OLSON of Linn

H-8021

1 Amend the amendment, H-8009, to Senate File 2071, as
 2 passed by the Senate, as follows:
 3 1. Page 1, after line 2 by inserting:
 4 <___. Page 1, after line 2 by inserting:
 5 <MEDICAID APPROPRIATION REDUCTION
 6 Section 1. 2011 Iowa Acts, chapter 129, section 10,
 7 unnumbered paragraph 2, is amended to read as follows:
 8 For medical assistance program reimbursement and
 9 associated costs as specifically provided in the
 10 reimbursement methodologies in effect on June 30,
 11 2011, except as otherwise expressly authorized by
 12 law, and consistent with options under federal law and
 13 regulations:
 14 ~~\$909,993,421~~
 15 ~~903,493,421~~ >>
 16 2. By striking page 1, line 25, through page 2,
 17 line 21.
 18 3. By renumbering as necessary.

WAGNER of Linn

H-8022

1 Amend the amendment, H-8009, to Senate File 2071, as
 2 passed by the Senate, as follows:
 3 1. By striking page 1, line 25, through page 2,
 4 line 21.
 5 2. By renumbering as necessary.

T. OLSON of Linn

H-8023

1 Amend Senate File 413, as passed by the Senate, as
2 follows:

3 1. Page 2, line 8, by striking <may> and inserting
4 <shall>

WAGNER of Linn

H-8024

1 Amend House File 2289 as follows:

2 1. Page 2, after line 7 by inserting:

3 <Sec. ____ Section 68B.39, Code 2011, is amended to
4 read as follows:

5 68B.39 Supreme court rules.

6 1. The supreme court of this state shall prescribe
7 rules establishing a code of ethics for officials and
8 employees of the judicial branch of this state, and
9 the immediate family members of the officials and
10 employees. Rules prescribed under this paragraph
11 shall include provisions relating to the receipt or
12 acceptance of gifts and honoraria, interests in public
13 contracts, services against the state, and financial
14 disclosure which are substantially similar to the
15 requirements of this chapter. The rules shall not
16 require disclosure of certified shorthand reporter
17 compensation authorized pursuant to section 602.3202.

18 2. The supreme court of this state shall also
19 prescribe rules which relate to activities by officials
20 and employees of the judicial branch which constitute
21 conflicts of interest.

22 Sec. ____ Section 232.41, Code 2011, is amended to
23 read as follows:

24 232.41 ~~Reporter~~ Certified shorthand reporter
25 required.

26 ~~Stenographic notes or mechanical or electronic~~
27 ~~recordings shall be taken~~ A certified shorthand
28 reporter shall take stenographic notes of all court
29 hearings held pursuant to this division unless waived
30 by the parties. The child shall not be competent to
31 waive the reporting requirement, but waiver may be
32 made for the child by the child's counsel or guardian
33 ad litem. Matters which must be reported under the
34 provisions of this section shall be reported in the
35 same manner as required in section 624.9.

36 Sec. ____ Section 232.94, Code 2011, is amended to
37 read as follows:

38 232.94 ~~Reporter~~ Certified shorthand reporter
39 required.

40 ~~Stenographic notes or electronic or mechanical~~
41 ~~recordings shall be taken~~ A certified shorthand

42 reporter shall take stenographic notes of all court
43 hearings held pursuant to this division unless waived
44 by the parties. The child shall not be competent to
45 waive the reporting requirement, but waiver may be
46 made for the child by the child's counsel or guardian
47 ad litem. Matters which must be reported under the
48 provisions of this section shall be reported in the
49 same manner as required in section 624.9.
50 Sec. ____ Section 232.115, Code 2011, is amended to

Page 2

1 read as follows:

2 232.115 ~~Reporter~~ Certified shorthand reporter
3 required.

4 ~~Stenographic notes or electronic or mechanical~~
5 ~~recordings shall be taken~~ A certified shorthand
6 reporter shall take stenographic notes of all court
7 hearings held pursuant to this division unless waived
8 by the parties. The child shall not be competent to
9 waive the reporting requirement, but waiver may be
10 made for the child by the child's counsel or guardian
11 ad litem. Matters which must be reported under the
12 provisions of this section shall be reported in the
13 same manner as required in section 624.9.

14 Sec. ____ Section 602.1102, subsection 6, Code
15 2011, is amended to read as follows:

16 6. ~~Court~~ Appointed certified shorthand reporters.

17 Sec. ____ Section 602.1214, subsection 4, Code
18 2011, is amended to read as follows:

19 4. The district court administrator shall employ
20 and supervise all employees of the district court
21 except ~~court~~ certified shorthand reporters, clerks of
22 the district court, employees of the clerks of the
23 district court, juvenile court officers, and employees
24 of juvenile court officers.

25 Sec. ____ NEW SECTION. 602.1219 Civil trial —
26 proper jurisdiction.

27 A civil jury trial shall be held in a county with
28 proper jurisdiction over the proceeding, unless there
29 are grounds for a change of venue. Venue for a civil
30 jury trial shall not be determined based upon the
31 residency of the judicial officer presiding over the
32 trial.

33 Sec. ____ Section 602.1301, subsection 2, paragraph
34 a, subparagraph (6), Code 2011, is amended to read as
35 follows:

36 (6) ~~Court~~ certified shorthand reporters.

37 Sec. ____ Section 602.1502, subsections 2 and 3,
38 Code 2011, are amended to read as follows:

39 2. ~~Court~~ Certified shorthand reporters who are
40 employed on an emergency basis in the district court

41 shall be paid not more than their usual and customary
42 fees, while employed by the court. Payments shall be
43 made at least once each month.

44 3. ~~Court~~ Certified shorthand reporters shall be
45 paid compensation for transcribing their notes as
46 provided in section 602.3202, but shall not work on
47 outside depositions during the hours for which they are
48 compensated as a court employee.

49 Sec. ____ Section 602.1612, subsection 4, Code
50 2011, is amended to read as follows:

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1 4. A retired justice or judge may be authorized by
2 the order of assignment to appoint a temporary ~~court~~
3 certified shorthand reporter, who shall receive the
4 compensation and expense reimbursement provided by law
5 for a regular ~~court~~ certified shorthand reporter in the
6 court to which the justice or judge is assigned.

7 Sec. ____ Section 602.2104, subsection 2, Code
8 2011, is amended to read as follows:

9 2. In case of a hearing before the commission,
10 written notice of the charge and of the time and place
11 of hearing shall be mailed to a judicial officer or
12 an employee of the judicial branch at the person's
13 residence at least twenty days prior to the time set
14 for hearing. Hearing shall be held in the county where
15 the judicial officer or employee of the judicial branch
16 resides unless the commission and the judicial officer
17 or employee of the judicial branch agree to a different
18 location. The judicial officer shall continue to
19 perform judicial duties during the pendency of the
20 charge and the employee shall continue to perform the
21 employee's assigned duties, unless otherwise ordered by
22 the commission. The attorney general shall prosecute
23 the charge before the commission on behalf of the
24 state. A judicial officer or employee of the judicial
25 branch may defend and has the right to participate
26 in person and by counsel, to cross-examine, to be
27 confronted by the witnesses, and to present evidence
28 in accordance with the rules of civil procedure. A
29 complete record shall be made of the evidence by a
30 ~~court~~ certified shorthand reporter. In accordance with
31 its findings on the evidence, the commission shall
32 dismiss the charge or make application to the supreme
33 court to retire, discipline, or remove the judicial
34 officer or to discipline or remove an employee of the
35 judicial branch.

36 Sec. ____ Section 602.3201, Code 2011, is amended
37 to read as follows:

38 602.3201 Requirement of certification — use of
39 title.

40 A person shall not engage in the profession of
41 shorthand reporting unless the person is certified
42 pursuant to this chapter, or otherwise exempted
43 pursuant to section 602.6603, subsection 4 6. Only
44 a person who is certified by the board may assume
45 the title of certified shorthand reporter, or use the
46 abbreviation C.S.R., or any words, letters, or figures
47 to indicate that the person is a certified shorthand
48 reporter.

49 Sec. ____ Section 602.3202, Code 2011, is amended
50 to read as follows:

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1 602.3202 Transcript fee.

2 1. Certified shorthand reporters are entitled to
3 receive compensation for transcribing their official
4 notes as set by rule of the supreme court, to be
5 paid for in all cases by the party ordering the
6 transcription.

7 2. This section shall not be used to offset or
8 reduce the compensation paid to a certified shorthand
9 reporter as a court employee and any effort to
10 confiscate compensation received for transcribing a
11 certified shorthand reporter's official notes pursuant
12 to this section shall be considered a taking.

13 Sec. ____ NEW SECTION. 602.3204 Transcription
14 delay — unpaid leave.

15 A party to an appeal may petition the supreme court
16 requesting the court find that an unreasonable delay in
17 the preparation of the appeal transcript has occurred.
18 Upon a finding that an unreasonable delay has occurred
19 the court may place the appointed certified shorthand
20 reporter on unpaid leave until the transcript is
21 completed.

22 Sec. ____ NEW SECTION. 602.3205 Certified
23 shorthand reporter liaison duties.

24 1. The appointed certified shorthand reporters in
25 each judicial district shall designate an appointed
26 certified shorthand reporter in the judicial district
27 to act as a liaison with the clerk of the supreme court
28 to ensure appeal transcripts from the judicial district
29 are handled in a timely manner.

30 2. If an appointed certified shorthand reporter is
31 placed on unpaid leave pursuant to section 602.3204,
32 the certified shorthand reporter liaison or the
33 liaison's designee for the judicial district shall
34 reassign the remaining appointed certified shorthand
35 reporters within the judicial district to ensure that
36 any proceeding requiring a stenographic record is
37 recorded.

38 Sec. ____ Section 602.6603, Code 2011, is amended

39 to read as follows:

40 602.6603 ~~Court reporters~~ Appointment of certified
41 shorthand and uncertified shorthand reporters and
42 duties.

43 1. Each district judge shall appoint a ~~court~~
44 certified shorthand reporter who shall, upon the
45 request of a party in a civil or criminal case, report
46 the evidence and proceedings in the case, and perform
47 all duties as provided by law.

48 2. Each district associate judge may appoint a
49 ~~court~~ certified shorthand reporter, subject to the
50 approval of the chief judge of the judicial district.

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1 The chief judge of each judicial district shall
2 calculate the certified shorthand reporter-to-district
3 associate judge ratio in the judicial district as of
4 January 1, 2009. Any subsequent calculation of the
5 certified shorthand reporter-to-district associate
6 judge ratio in the judicial district shall not fall
7 below the ratio that existed on January 1, 2009.
8 Certified shorthand reporters appointed by a district
9 judge or otherwise assigned to a district judge shall
10 not be included in the calculation of the ratio under
11 this subsection.

12 3. A district associate judge shall use a certified
13 shorthand reporter, upon the request of a party, for
14 all criminal trials or hearings, juvenile proceedings,
15 and in civil cases where the amount in controversy
16 exceeds the small claims jurisdictional amount pursuant
17 to section 631.1.

18 4. An appointed certified shorthand reporter not
19 presently involved with reporting the evidence and
20 proceedings in a case with a judge may be reassigned to
21 other judicial branch duties as specified by the chief
22 judge or certified shorthand reporter liaison pursuant
23 to section 602.3205.

24 5. If a chief judge of a judicial district
25 determines that it is necessary to employ an additional
26 ~~court~~ certified shorthand reporter because of an
27 extraordinary volume of work, or because of the
28 temporary illness or incapacity of a regular ~~court~~
29 certified shorthand reporter, the chief judge may
30 appoint a temporary ~~court~~ certified shorthand reporter
31 who shall serve as required by the chief judge.

32 6. If a regularly appointed ~~court~~ certified
33 shorthand reporter becomes disabled, or if a vacancy
34 occurs in a regularly appointed ~~court~~ certified
35 shorthand reporter position, and notwithstanding
36 any other provision of the law to the contrary, the
37 judge may appoint a competent uncertified shorthand

38 reporter for a period of time of up to six months,
39 upon verification by the chief judge that a diligent
40 but unsuccessful search has been conducted to appoint
41 a certified shorthand reporter to the position and,
42 in a disability case, that the regularly appointed
43 ~~court~~ certified shorthand reporter is disabled. An
44 uncertified shorthand reporter shall not be reappointed
45 to the position unless the reporter becomes a certified
46 shorthand reporter within the period of appointment
47 under this subsection. If an uncertified shorthand
48 reporter is appointed pursuant to this subsection, the
49 uncertified shorthand reporter shall be treated as a
50 certified shorthand reporter for all purposes including

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1 oaths, fees, and other official duties.
2 7. If a reassignment occurs pursuant to section
3 602.3205 and a proceeding requiring a stenographic
4 record is unable to be recorded, the chief judge,
5 notwithstanding any other provision of the law to the
6 contrary, may contract with a certified or uncertified
7 shorthand reporter who has not been appointed as a
8 shorthand reporter for the judicial branch to ensure
9 that any proceeding requiring a stenographic record
10 is recorded. If an uncertified shorthand reporter is
11 appointed pursuant to this subsection, the uncertified
12 shorthand reporter shall be treated as a certified
13 shorthand reporter for all purposes including oaths,
14 fees, and other official duties.

15 ~~5. 8.~~ Except as provided in ~~subsection 4~~
16 ~~subsections 6 and 7~~, a person shall not be appointed to
17 the position of ~~court~~ certified shorthand reporter of
18 the district court unless the person has been certified
19 as a shorthand reporter by the board of examiners under
20 article 3.

21 ~~6. 9.~~ Each ~~court~~ certified shorthand reporter
22 shall take an oath faithfully to perform the duties of
23 office, which shall be filed in the office of the clerk
24 of district court.

25 ~~7. 10.~~ A ~~court~~ certified shorthand reporter may
26 be removed for cause with due process by the judicial
27 officer making the appointment.

28 ~~8. 11.~~ If a judge dies, resigns, retires, is
29 removed from office, becomes disabled, or fails to be
30 retained in office and the judicial vacancy is eligible
31 to be filled, the ~~court~~ certified shorthand reporter
32 appointed by the judge shall serve as a ~~court~~ certified
33 shorthand reporter, as directed by the chief judge
34 or the chief judge's designee, until the successor
35 judge appoints a successor ~~court~~ certified shorthand
36 reporter. The ~~court~~ certified shorthand reporter shall

37 receive the reporter's regular salary and benefits
38 during the period of time until a successor ~~court~~
39 certified shorthand reporter is appointed or until the
40 currently appointed ~~court~~ certified shorthand reporter
41 is reappointed.>

42 2. Page 2, after line 26 by inserting:

43 <Sec. ____ Section 602.8102, subsection 99, Code
44 2011, is amended to read as follows:

45 99. Collect jury fees and ~~court~~ certified shorthand
46 reporter fees as required by chapter 625.

47 Sec. ____ Section 602.8103, subsection 4,
48 paragraphs g, h, and j, Code 2011, are amended to read
49 as follows:

50 g. ~~Court~~ Certified shorthand reporters' notes and

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1 certified transcripts of those notes in civil cases,
2 ten years after final disposition of the case. For
3 purposes of this section, "final disposition" means one
4 year after dismissal of the case, after judgment or
5 decree without appeal, or after procedendo or dismissal
6 of appeal is filed in cases where appeal is taken.

7 h. ~~Court~~ Certified shorthand reporters' notes and
8 certified transcripts of those notes in criminal cases,
9 ten years after dismissal of all charges, or ten years
10 after the expiration of all sentences imposed or the
11 date probation is granted, whichever later occurs. For
12 purposes of this subsection, "sentences imposed" include
13 all sentencing options pursuant to section 901.5.

14 j. ~~Court~~ Certified shorthand reporters' notes
15 and certified transcripts of those notes in mental
16 health hearings under section 229.12 and substance
17 abuse hearings under section 125.82, ninety days after
18 the respondent has been discharged from involuntary
19 custody.

20 Sec. ____ Section 602.9206, unnumbered paragraph 1,
21 Code 2011, is amended to read as follows:

22 Section 602.1612 does not apply to a senior judge
23 but does apply to a retired senior judge. During the
24 tenure of a senior judge, if the judge is able to
25 serve, the judge may be assigned by the supreme court
26 to temporary judicial duties on courts of this state
27 without salary for an aggregate of thirteen weeks out
28 of each twelve-month period, and for additional weeks
29 with the judge's consent. A senior judge shall not be
30 assigned to judicial duties on the supreme court unless
31 the judge has been appointed to serve on the supreme
32 court prior to retirement. While serving on temporary
33 assignment, a senior judge has and may exercise all
34 of the authority of the office to which the judge is
35 assigned, shall continue to be paid the judge's annuity

36 as senior judge, shall be reimbursed for the judge's
37 actual expenses to the extent expenses of a district
38 judge are reimbursable under section 602.1509, may, if
39 permitted by the assignment order, appoint a temporary
40 ~~court~~ certified shorthand reporter, who shall be paid
41 the remuneration and reimbursement for actual expenses
42 provided by law for a reporter in the court to which
43 the senior judge is assigned, and, if assigned to
44 the court of appeals or the supreme court, shall be
45 given the assistance of a law clerk and a secretary
46 designated by the court administrator of the judicial
47 branch from the court administrator's staff. Each
48 order of temporary assignment shall be filed with the
49 clerks of court at the places where the senior judge
50 is to serve.

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1 Sec. ____ Section 622.53, Code 2011, is amended to
2 read as follows:

3 622.53 Judicial record — state or federal courts.

4 A judicial record of this state, including the
5 filed certified shorthand notes of the official ~~court~~
6 certified shorthand reporter as transcribed or of
7 a court of the United States may be proved by the
8 production of the original judicial record, or a
9 copy of ~~it~~ the original judicial record certified by
10 the clerk or person having the legal custody of ~~it~~
11 the original judicial record, authenticated by the
12 custodian's seal of office, if there is a seal. That
13 of another state may be proved by the attestation
14 of the clerk and the seal of the court annexed, if
15 there is a seal, together with a certificate of a
16 judge, chief justice, or presiding magistrate that the
17 attestation is in due form of law.

18 Sec. ____ Section 624.9, Code 2011, is amended to
19 read as follows:

20 624.9 Detailed report of trial.

21 In all appealable actions triable by ordinary or
22 equitable proceedings, any party thereto shall be
23 entitled to have reported the whole proceedings upon
24 the trial or hearing, and the court shall direct ~~the~~
25 a certified shorthand reporter to make such report
26 in writing, ~~or~~ shorthand, or by stenographic means
27 which shall contain the date of the commencement of
28 the trial, the proceedings impaneling the jury, and
29 any objections thereto with the rulings thereon, the
30 oral testimony at length, and all offers thereof,
31 all objections thereto, the rulings thereon, the
32 identification as exhibits, by letter or number
33 or other appropriate mark, of all written or other
34 evidence offered, and by sufficient reference thereto,

35 made in the report, to make certain the object or
36 thing offered, all objections to such evidence and the
37 rulings thereon, all motions or other pleas orally made
38 and the rulings thereon, the fact that the testimony
39 was closed, the portions of arguments objected to, when
40 so ordered by the court, all objections thereto with
41 the rulings thereon, all oral comments or statements
42 of the court during the progress of the trial, and
43 any exceptions taken thereto, the fact that the
44 jury is instructed, all objections and exceptions to
45 instructions given by the court on its own motion, the
46 fact that the case is given to the jury, the return
47 of the verdict and action thereon of whatever kind,
48 and any other proceedings before the court or jury
49 which might be preserved and made of record by bill of
50 exceptions, and shall note that exception was saved by

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1 the party adversely affected to every ruling made by
2 the court.

3 Sec. ____ Section 625.8, subsection 2, Code 2011,
4 is amended to read as follows:

5 2. The clerk of the district court shall tax as
6 a court cost a fee of forty dollars per day for the
7 services of a ~~court~~ certified shorthand reporter.

8 Sec. ____ Section 631.11, subsection 3, Code 2011,
9 is amended to read as follows:

10 3. Record. Upon the trial, the judicial magistrate
11 shall make detailed minutes of the testimony of each
12 witness and append the exhibits or copies thereof to
13 the record. The proceedings upon trial shall not be
14 reported by a certified ~~court~~ certified shorthand
15 reporter, unless the party provides the reporter at
16 such party's expense. If the proceedings are not
17 reported by a certified ~~court~~ certified shorthand
18 reporter, the magistrate shall cause the proceedings
19 upon trial to be recorded electronically, and both
20 parties shall be notified in advance of that recording.
21 If the proceedings have been recorded electronically,
22 the recording shall be retained under the jurisdiction
23 of the magistrate unless appealed, and upon appeal
24 shall be transcribed only by a person designated by the
25 court under the supervision of the magistrate.

26 Sec. ____ Section 631.13, subsection 4, paragraph
27 a, unnumbered paragraph 2, Code 2011, is amended to
28 read as follows:

29 If the record, in the opinion of the deciding judge,
30 is inadequate for the purpose of rendering a judgment
31 on appeal, the judge may order that additional evidence
32 be presented relative to one or more issues, and may
33 enter any other order which is necessary to protect the

34 rights of the parties. The judge shall take minutes of
 35 any additional evidence, but the hearing shall not be
 36 reported by a certified court shorthand reporter.
 37 Sec. ____ Section 908.2, subsection 2, Code 2011,
 38 is amended to read as follows:
 39 2. The magistrate may order the alleged parole
 40 violator confined in the county jail or may order
 41 the alleged parole violator released on bail under
 42 terms and conditions as the magistrate may require.
 43 Admittance to bail is discretionary with the magistrate
 44 and is not a matter of right. A person for whom bail
 45 is set may make application for amendment of bail to
 46 a district judge or district associate judge having
 47 jurisdiction to amend the order. The motion shall
 48 be promptly set for hearing and a stenographic record
 49 shall be made of the hearing.>
 50 3. Title page, by striking lines 1 and 2 and

Page 10

1 inserting <An Act relating to the nomination and
 2 appointment of certain judicial officers, the use of
 3 court reporters, and the location of jury trials.>

KAUFMANN of Cedar

H-8025

1 Amend House File 2318 as follows:
 2 1. Page 1, after line 16 by inserting:
 3 <Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
 4 being deemed of immediate importance, takes effect upon
 5 enactment.>
 6 2. Title page, line 2, after <certificates> by
 7 inserting <and including effective date provisions>
 8 3. By renumbering as necessary.

LENSING of Johnson
 JORGENSEN of Woodbury

H-8026

1 Amend the House amendment, S-5015, to Senate File
 2 2071, as passed by the Senate, as follows:
 3 1. Page 1, after line 3 by inserting:
 4 <UTILITY EXPENDITURES — APPROPRIATION REDUCTIONS
 5 Sec. ____ STATE AGENCY UTILITY EXPENDITURES.
 6 1. For the purposes of this section, "department"
 7 or "agency" does not include a state department or
 8 agency receiving a supplemental appropriation for
 9 the fiscal year beginning July 1, 2011, pursuant to
 10 an enactment by the Eighty-fourth General Assembly,

11 2012 session, the state board of regents and the
 12 institutions under the control of the state board, or
 13 the judicial branch.

14 2. a. For the time period beginning on the
 15 effective date of this section through June 30, 2012,
 16 each state department and agency shall be subject to a
 17 limitation on expenditures for utilities made by the
 18 department or agency on or after the effective date of
 19 this section.

20 b. The overall dollar amount of the limitation
 21 shall be equal to \$1,000,000 and shall be applied to
 22 the unexpended or unencumbered amount that a department
 23 or agency has budgeted or otherwise designated for
 24 purposes of utilities from the appropriations made to
 25 the department or agency from the general fund of the
 26 state for the fiscal year beginning July 1, 2011, and
 27 ending June 30, 2012, as of the effective date of this
 28 section.

29 3. The appropriations to which the expenditure
 30 limitation required by this section are attributed
 31 shall be reduced in proportion to which a department or
 32 agency budget for utilities bears to the overall amount
 33 budgeted by the affected departments and agencies for
 34 utilities. Within 30 days of the enactment date of
 35 this section, the department of management shall apply
 36 such appropriation reductions and shall submit a report
 37 to the general assembly and legislative services agency
 38 itemizing the expenditure and appropriation reductions
 39 applied.>

40 2. Page 1, by striking lines 15 through 33 and
 41 inserting:

42 <__. Page 2, line 7, by striking <9,490,461> and
 43 inserting <9,403,464>

44 __. Page 2, line 12, by striking <24,857,130> and
 45 inserting <24,669,743>

46 __. Page 2, line 22, by striking <16,049,305> and
 47 inserting <15,832,339>

48 __. Page 2, line 27, by striking <29,456,158> and
 49 inserting <29,259,196>

50 __. Page 3, line 35, by striking <10,598,654> and

Page 2

1 inserting <10,467,801>

2 __. Page 4, line 8, by striking <5,442,351> and
 3 inserting <5,416,853>

4 __. Page 4, line 13, by striking <19,052,804> and
 5 inserting <18,897,467>>

6 3. Page 2, after line 1 by inserting:

7 <__. Page 8, after line 3 by inserting:

8 <DIVISION __

9 MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL

10 DISABILITIES SERVICES PROPERTY TAX RELIEF AND SERVICE
 11 MANAGEMENT PLANS

12 Sec. ____ . PROPERTY TAX RELIEF — FY
 13 2012-2013. There is appropriated from the Iowa
 14 economic emergency fund to the department of human
 15 services for the fiscal year beginning July 1, 2011,
 16 and ending June 30, 2012, notwithstanding section
 17 8.55, subsection 1, the following amount, or so much
 18 thereof as is necessary, to be used for the purposes
 19 designated:

20 To be credited to the property tax relief fund
 21 to be used to restore the amount of the standing
 22 appropriation made from the general fund of the state
 23 in section 426B.1, subsection 1, for the fiscal year
 24 beginning July 1, 2012, in the amount of the reduction
 25 applied pursuant to 2011 Iowa Acts, chapter 129,
 26 section 154:

27 \$ 7,200,089

28 Sec. ____ . COUNTY MENTAL HEALTH, MENTAL RETARDATION,
 29 AND DEVELOPMENTAL DISABILITIES SERVICES MANAGEMENT PLAN

30 — STRATEGIC PLAN. Notwithstanding section 331.439,
 31 subsection 1, paragraph "b", subparagraph (3), counties
 32 are not required to submit a three-year strategic plan
 33 by April 1, 2012, to the department of human services.
 34 A county's strategic plan in effect as of the effective
 35 date of this section shall remain in effect, subject
 36 to modification as necessary to conform with statutory
 37 changes affecting the plan.>>

38 4. By renumbering as necessary.

SENATE AMENDMENT

H-8027

1 Amend House File 2328 as follows:

- 2 1. Page 1, line 14, by striking <is> and inserting
- 3 <is are>
- 4 2. Page 40, line 5, by striking <corporation,> and
- 5 inserting <corporation;>
- 6 3. Page 120, line 21, by striking <249.12, and
- 7 321.6> and inserting <and 249.12>

COMMITTEE ON JUDICIARY

H-8028

1 Amend House File 594 as follows:

- 2 1. Page 1, line 5, by striking <flag> and inserting
- 3 <flag,>
- 4 2. Page 1, after line 7 by inserting:
- 5 <Sec. ____ . NEW SECTION. 414.27 Display of American
- 6 flag or campaign signs.

7 A regulation or restriction pertaining to the use
 8 of residential property that prohibits the display of
 9 the American flag, or the display of a political sign
 10 within six weeks of the day of an election, is void as
 11 against the public policy of this state and shall not
 12 be given legal or equitable effect.>
 13 3. By renumbering as necessary.

WATTS of Dallas

H-8029

1 Amend House File 2330 as follows:
 2 1. Page 1, after line 16 by inserting:
 3 <Sec. ____ Section 321.194, subsection 1, Code
 4 Supplement 2011, is amended by adding the following new
 5 paragraph:
 6 NEW PARAGRAPH. 0b. Unless accompanied in
 7 accordance with section 321.180B, subsection 1, a
 8 person issued a driver's license under this section
 9 shall not operate a motor vehicle transporting
 10 unrelated minor passengers. For purposes of this
 11 section, "unrelated minor passenger" means a passenger
 12 who is under twenty-one years of age and is not a
 13 sibling or stepsibling of the licensee who resides in
 14 the same household as the licensee.>
 15 2. Title page, by striking lines 1 through 3 and
 16 inserting <An Act relating to driving restrictions
 17 for a person with a special minor's driver's license
 18 to drive to and from school and school-related
 19 activities.>
 20 3. By renumbering as necessary.

HEATON of Henry

H-8030

1 Amend House File 2361 as follows:
 2 1. Page 3, by striking lines 21 through 27.

WINDSCHITL of Harrison

H-8031

1 Amend House File 2092 as follows:
 2 1. Page 1, by striking lines 3 through 5 and
 3 inserting:
 4 <5. "Farmers market" means a marketplace which
 5 seasonally operates principally as a common market for
 6 ~~fresh fruits and vegetables~~ Iowa-produced farm products
 7 on a retail basis for off-the-premises consumption.>
 8 2. By renumbering as necessary.

COMMITTEE ON AGRICULTURE

H-8032

1 Amend House Joint Resolution 2009 as follows:

2 1. By striking everything after the resolving
3 clause and inserting:

4 <Section 1. The following amendment to the
5 Constitution of the State of Iowa is proposed:

6 Article I of the Constitution of the State of Iowa
7 is amended by adding the following new section:
8 Right to acquire, keep, possess, transport, carry,
9 transfer, and use arms. SEC. 1A. The right of an
10 individual to acquire, keep, possess, transport, carry,
11 transfer, and use arms to defend life and liberty and
12 for all other legitimate purposes is fundamental and
13 shall not be infringed upon or denied. Mandatory
14 licensing, registration, or special taxation as a
15 condition of the exercise of this right is prohibited,
16 and any other restriction shall be subject to strict
17 scrutiny.

18 Sec. 2. REFERRAL AND PUBLICATION. The foregoing
19 proposed amendment to the Constitution of the State of
20 Iowa is referred to the general assembly to be chosen
21 at the next general election for members of the general
22 assembly and the secretary of state is directed to
23 cause the same to be published for three consecutive
24 months previous to the date of that election as
25 provided by law.>

26 2. Title page, by striking lines 1 through 3 and
27 inserting <A Joint Resolution proposing an amendment
28 to the Constitution of the State of Iowa relating
29 to an individual's right to acquire, keep, possess,
30 transport, carry, transfer, and use arms.>

WINDSCHITL of Harrison

H-8033

1 Amend House File 2320 as follows:

2 1. Page 2, line 2, by striking <-- EMERGENCY RULES>

3 2. Page 2, line 3, by striking <1.>

4 3. Page 2, by striking lines 11 through 17.

JORGENSEN of Woodbury

H-8034

1 Amend the amendment, H-8032, to House Joint
2 Resolution 2009 as follows:

3 1. Page 1, by striking lines 1 through 30 and
4 inserting:

5 <Amend House Joint Resolution 2009 as follows:

6 _____. By striking everything after the resolving

7 clause and inserting:

8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:

10 Article I of the Constitution of the State of Iowa

11 is amended by adding the following new section:

12 RIGHT TO ACQUIRE, KEEP, POSSESS, TRANSPORT, CARRY,

13 TRANSFER, AND USE ARMS. SEC. 1A. The right of the

14 people to keep and bear arms, shall not be infringed.

15 The right of an individual to acquire, keep,

16 possess, transport, carry, transfer, and use arms to

17 defend life and liberty and for all other legitimate

18 purposes is fundamental and shall not be infringed

19 upon or denied. Mandatory licensing, registration, or

20 special taxation as a condition of the exercise of this

21 right is prohibited, and any other restriction shall be

22 subject to strict scrutiny.

23 Sec. 2. REFERRAL AND PUBLICATION. The foregoing

24 proposed amendment to the Constitution of the State of

25 Iowa is referred to the general assembly to be chosen

26 at the next general election for members of the general

27 assembly and the secretary of state is directed to

28 cause the same to be published for three consecutive

29 months previous to the date of that election as

30 provided by law.>

31 _____. Title page, by striking lines 1 through 3 and

32 inserting <A Joint Resolution proposing an amendment

33 to the Constitution of the State of Iowa relating

34 to an individual's right to acquire, keep, possess,

35 transport, carry, transfer, use, and bear arms.>>

36 2. By renumbering as necessary.

HORBACH of Tama

H-8035

1 Amend House File 2351 as follows:

2 1. Page 15, after line 21 by inserting:

3 <Sec. _____. NEW SECTION. 9B.21B Fees —

4 certification.

5 The secretary of state shall collect the following

6 fees, for use in offsetting the cost of administering

7 this chapter:

8 1. For furnishing a certified copy of any document,

9 instrument, or paper relating to a notary public, one

10 dollar per page and five dollars for the certificate.

11 2. For furnishing an uncertified copy of any

12 document, instrument, or paper relating to a notary

13 public, one dollar per page.

14 3. For certifying, under seal of the secretary

15 of state, a statement as to the status of a notary

16 commission which would not appear from a certified

17 copy of documents on file in the secretary of state's

- 18 office, five dollars.
- 19 4. For providing an electronic notary registration,
- 20 in an amount to be determined by the secretary of
- 21 state.>
- 22 2. Title page, line 1, before <and> by inserting <,
- 23 providing for fees,>
- 24 3. By renumbering as necessary.

HAGENOW of Polk

H-8036

- 1 Amend House File 2335 as follows:
- 2 1. Page 16, line 25, by striking <and indirect>

WORTHAN of Buena Vista

H-8037

- 1 Amend House File 2337 as follows:
- 2 1. Page 3, line 35, by striking <8,858,424> and
- 3 inserting <9,783,424>
- 4 2. By renumbering as necessary.

THOMAS of Clayton

H-8038

- 1 Amend House File 2337 as follows:
- 2 1. Page 6, after line 24 by inserting:
- 3 <Sec. ____ 2011 Iowa Acts, chapter 130, is amended
- 4 by adding the following new section:
- 5 Sec. 53A. INCENTIVE FUND. There is appropriated
- 6 from the general fund of the state to the economic
- 7 development authority for the fiscal year beginning
- 8 July 1, 2012, and ending June 30, 2013, the following
- 9 amount to be used for the purpose of providing
- 10 incentives and assistance to create high quality jobs:
- 11 \$ 20,000,000>
- 12 2. By renumbering as necessary.

HALL of Woodbury

H-8039

- 1 Amend House File 2337 as follows:
- 2 1. Page 9, after line 31 by inserting:
- 3 <Sec. ____ 2011 Iowa Acts, chapter 130, section
- 4 61, subsection 3, paragraph a, is amended to read as
- 5 follows:
- 6 a. For the operation of field offices, the
- 7 workforce development board, and for not more than the

8 following full-time equivalent positions:
 9 \$ ~~4,335,676~~
 10 8,671,352
 11 FTEs 130.00>
 12 2. By renumbering as necessary.

JACOBY of Johnson

H-8040

1 Amend House File 2338 as follows:
 2 1. Page 3, by striking lines 11 through 16 and
 3 inserting:
 4 <9. The judicial branch is encouraged to purchase
 5 products from Iowa state industries, as defined in
 6 section 904.802, when purchases are required and the
 7 products are available from Iowa state industries.
 8 The judicial branch shall obtain bids from Iowa state
 9 industries for purchases of office furniture during the
 10 fiscal year beginning July 1, 2012, exceeding \$5,000.>

WORTHAN of Buena Vista

H-8041

1 Amend House File 2337 as follows:
 2 1. Page 7, lines 18 and 19, by striking <the
 3 science and technology research park, and> and
 4 inserting <the science and technology research park,
 5 and>
 6 2. Page 7, line 23, by striking <843,832> and
 7 inserting <2,424,302>
 8 3. Page 7, line 24, by striking <56.63> and
 9 inserting <56.63>
 10 4. Page 7, by striking line 25.
 11 5. Page 7, line 28, by striking <\$735,728> and
 12 inserting <\$936,345>
 13 6. Page 8, before line 20 by inserting:
 14 <Sec. ____ 2011 Iowa Acts, chapter 130, section 58,
 15 is amended to read as follows:
 16 SEC. 58. UNIVERSITY OF IOWA.
 17 1. There is appropriated from the general fund
 18 of the state to the state university of Iowa for the
 19 fiscal year beginning July 1, 2012, and ending June
 20 30, 2013, the following amount, or so much thereof
 21 as is necessary, to be used for the state university
 22 of Iowa research park and for the advanced drug
 23 development program at the Oakdale research park,
 24 including salaries, support, maintenance, equipment,
 25 miscellaneous purposes, and for not more than the
 26 following full-time equivalent positions:
 27 \$ ~~104,640~~

28 209,279
 29 FTEs 6.00
 30 2. The state university of Iowa shall do all of the
 31 following:
 32 a. Direct expenditures for research toward projects
 33 that will provide economic stimulus for Iowa.
 34 b. Provide emphasis to providing services to
 35 Iowa-based companies.
 36 3. 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 for expenditure
 40 for the purposes designated until the close of the
 41 succeeding fiscal year.>
 42 7. Page 8, lines 25 and 26, by striking <the metal
 43 casting institute,> and inserting <the metal casting
 44 institute,>
 45 8. Page 8, line 26, by striking <application,> and
 46 inserting <application,>
 47 9. Page 8, line 31, by striking <517,263> and
 48 inserting <574,716>
 49 10. Page 8, line 32, by striking <6.75> and
 50 inserting <6.75>

Page 2

1 11. Page 8, by striking line 33.
 2 12. By renumbering as necessary.

JACOBY of Johnson
 HEDDENS of Story
 KRESSIG of Black Hawk
 KAJTAZOVIC of Black Hawk

H-8042

1 Amend House File 2336 as follows:
 2 1. Page 5, line 33, by striking <11,832,252> and
 3 inserting <12,332,252>
 4 2. By renumbering as necessary.

MUHLBAUER of Crawford

H-8043

1 Amend House File 2336 as follows:
 2 1. Page 15, line 14, by striking <1,250,000> and
 3 inserting <1,050,000>
 4 2. Page 17, after line 16 by inserting:
 5 <11. FLOODPLAIN MAPPING
 6 For creating new, comprehensive, and accurate
 7 floodplain maps for Iowa cities and counties, in order

8 to better determine if land is at risk from inundation:
 9 \$ 200,000
 10 3. By renumbering as necessary.

MUHLBAUER of Crawford

H-8044

1 Amend House File 2335 as follows:
 2 1. Page 8, line 16, by striking <12,204,948> and
 3 inserting <14,193,633>
 4 2. Page 8, line 20, by striking <10,336,948> and
 5 inserting <10,595,835>
 6 3. Page 8, line 24, by striking <5,599,765> and
 7 inserting <7,143,585>
 8 4. Page 8, line 28, by striking <5,391,355> and
 9 inserting <5,441,802>
 10 5. Page 8, line 33, by striking <18,742,129> and
 11 inserting <19,049,459>
 12 6. Page 9, line 2, by striking <13,112,563> and
 13 inserting <15,157,577>
 14 7. Page 9, line 6, by striking <6,492,814> and
 15 inserting <7,610,054>
 16 8. Page 9, line 10, by striking <6,879,715> and
 17 inserting <8,258,414>

HALL of Woodbury
 LYKAM of Scott
 BERRY of Black Hawk
 GASKILL of Wapello
 RUNNING-MARQUARDT of Linn

WINCKLER of Scott
 KRESSIG of Black Hawk
 KAJTAZOVIC of Black Hawk
 T. OLSON of Linn
 HANSON of Jefferson

H-8045

1 Amend House File 2335 as follows:
 2 1. Page 15, line 18, by striking <51,903,233> and
 3 inserting <52,603,233>
 4 2. Page 15, line 20, by striking <498.05> and
 5 inserting <505.05>

T. TAYLOR of Linn

H-8046

1 Amend House File 2335 as follows:
 2 1. Page 1, line 17, by striking <7,013,637> and
 3 inserting <7,792,930>
 4 2. Page 2, line 6, by striking <1,633,348> and
 5 inserting <1,814,831>

T. TAYLOR of Linn

H-8047

- 1 Amend House File 2335 as follows:
- 2 1. Page 3, line 22, by striking <40,859,943> and
3 inserting <42,224,825>
- 4 2. Page 3, line 27, by striking <31,985,974> and
5 inserting <33,209,488>
- 6 3. Page 3, line 32, by striking <55,717,933> and
7 inserting <56,713,406>
- 8 4. Page 4, line 2, by striking <25,958,757> and
9 inserting <26,601,701>
- 10 5. Page 4, line 7, by striking <25,917,815> and
11 inserting <26,321,902>
- 12 6. Page 4, line 12, by striking <9,316,466> and
13 inserting <9,403,464>
- 14 7. Page 4, line 17, by striking <24,477,653> and
15 inserting <25,706,380>
- 16 8. Page 4, line 27, by striking <15,615,374> and
17 inserting <15,832,339>
- 18 9. Page 4, line 32, by striking <29,062,235> and
19 inserting <29,259,196>
- 20 10. Page 5, line 3, by striking <775,092> and
21 inserting <1,075,092>
- 22 11. Page 5, line 7, by striking <239,411> and
23 inserting <484,411>
- 24 12. Page 5, line 29, by striking <4,835,542> and
25 inserting <5,181,582>
- 26 13. Page 8, line 16, by striking <12,204,948> and
27 inserting <12,658,088>
- 28 14. Page 8, line 20, by striking <10,336,948> and
29 inserting <10,467,801>
- 30 15. Page 8, line 24, by striking <5,599,765> and
31 inserting <5,952,381>
- 32 16. Page 8, line 28, by striking <5,391,355> and
33 inserting <5,416,853>
- 34 17. Page 8, line 33, by striking <18,742,129> and
35 inserting <18,897,467>
- 36 18. Page 9, line 2, by striking <13,112,563> and
37 inserting <13,712,506>
- 38 19. Page 9, line 6, by striking <6,492,814> and
39 inserting <6,716,588>
- 40 20. Page 9, line 10, by striking <6,879,715> and
41 inserting <7,372,419>

T. TAYLOR of Linn

H-8048

- 1 Amend House File 2335 as follows:
- 2 1. Page 18, after line 2 by inserting:
- 3 <Sec. ____ 2011 Iowa Acts, chapter 134, section 46,
- 4 is amended to read as follows:

5 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 6 DIVISION. There is appropriated from the wireless
 7 E911 emergency communications fund created in section
 8 34A.7A to the administrator of the homeland security
 9 and emergency management division of the department of
 10 public defense for the fiscal year beginning July 1,
 11 2012, and ending June 30, 2013, an amount not exceeding
 12 \$200,000 ~~\$250,000~~ to be used for implementation,
 13 support, and maintenance of the functions of the
 14 administrator and program manager under chapter 34A and
 15 to employ the auditor of the state to perform an annual
 16 audit of the wireless E911 emergency communications
 17 fund.>

18 2. Page 18, after line 15 by inserting:
 19 <Sec. ____ Section 85.67, Code 2011, is amended to
 20 read as follows:

21 85.67 Administration of fund — special counsel —
 22 payment of award.

23 The attorney general shall appoint a staff member to
 24 represent the treasurer of state and the fund in all
 25 proceedings and matters arising under this division.
 26 The attorney general shall be reimbursed up to ~~one~~
 27 ~~hundred fifty two~~ two hundred thousand dollars annually
 28 from the fund for services provided related to the
 29 fund. The commissioner of insurance shall consider the
 30 reimbursement to the attorney general as an outstanding
 31 liability when making a determination of funding
 32 availability under section 85.65A, subsection 2. In
 33 making an award under this division, the workers'
 34 compensation commissioner shall specifically find the
 35 amount the injured employee shall be paid weekly, the
 36 number of weeks of compensation which shall be paid by
 37 the employer, the date upon which payments out of the
 38 fund shall begin, and, if possible, the length of time
 39 the payments shall continue.>

40 3. By renumbering as necessary.

T. TAYLOR of Linn

H-8049

1 Amend House File 2335 as follows:

2 1. Page 2, after line 2 by inserting:

3 <The department of justice shall also transfer an
 4 additional \$360,000 from the victim compensation fund
 5 established in section 915.94 to the victim assistance
 6 grant program if the department of justice determines
 7 that the additional transfer does not endanger the
 8 solvency of the victim compensation fund, and the
 9 transfer does not impede the ability of the department
 10 of justice to make timely payment of compensation as
 11 defined in section 915.80, subsection 1, and other

12 obligations authorized to be paid from the fund.>

WOLFE of Clinton

H-8050

- 1 Amend House File 2336 as follows:
- 2 1. Page 17, after line 18 by inserting:
- 3 <Sec. ____ IOWA RESOURCES ENHANCEMENT AND
- 4 PROTECTION FUND. Notwithstanding the amount of
- 5 the standing appropriation to the Iowa resources
- 6 enhancement and protection fund made pursuant to
- 7 section 455A.18, there is appropriated from the general
- 8 fund of the state to the Iowa resources enhancement and
- 9 protection fund, in lieu of the appropriation made in
- 10 section 455A.18, for the fiscal year beginning July 1,
- 11 2012, and ending June 30, 2013, the following amount,
- 12 to be allocated as provided in section 455A.19:
- 13 \$ 20,000,000>
- 14 2. By renumbering as necessary.

MUHLBAUER of Crawford

H-8051

- 1 Amend House File 2337 as follows:
- 2 1. Page 10, line 6, by striking <3.00> and
- 3 inserting <~~3.00~~ 4.00>
- 4 2. By renumbering as necessary.

ISENHART of Dubuque

H-8052

- 1 Amend House File 2338 as follows:
- 2 1. Page 1, line 22, by striking <154,111,822> and
- 3 inserting <160,611,822>

T. Taylor of Linn

H-8053

- 1 Amend House File 2335 as follows:
- 2 1. Page 19, after line 7 by inserting:
- 3 <Sec. ____ Section 654.4B, subsection 2, paragraph
- 4 b, Code Supplement 2011, is amended to read as follows:
- 5 b. This subsection is repealed July 1, ~~2012~~ 2013.>
- 6 2. Page 19, after line 7 by inserting:
- 7 <Sec. ____ CONTINGENT EFFECTIVE DATE. The section
- 8 of this Act amending section 654.4B, subsection 2,
- 9 paragraph "b", shall take effect unless 2012 Iowa
- 10 Acts, House File 2327, is enacted, and the repeal of

11 section 654.4B, subsection 2, is extended by one or
 12 more years by House File 2327 or another enactment by
 13 the Eighty-fourth General Assembly, 2012 session.>

T. TAYLOR of Linn

H-8054

1 Amend the amendment, H-8041, to House File 2337 as
 2 follows:
 3 1. Page 2, after line 1 by inserting:
 4 <___. Page 11, by striking lines 34 and 35.>
 5 2. By renumbering as necessary.

JACOBY of Johnson

H-8055

1 Amend House File 2336 as follows:
 2 1. Page 2, line 19, by striking <15C.205> and
 3 inserting <15C.205 159A.16>
 4 2. By renumbering as necessary.

DRAKE of Cass

H-8056

1 Amend House File 2337 as follows:
 2 1. Page 2, by striking lines 27 through 29.
 3 2. By renumbering as necessary.

SCHULTZ of Crawford

H-8057

1 Amend House File 2340 as follows:
 2 1. Page 14, after line 23 by inserting:
 3 <Sec. ___. 2009 Iowa Acts, chapter 169, section 4,
 4 subsection 2, as amended by 2011 Acts, chapter 127,
 5 section 53, is amended to read as follows:
 6 2. From the moneys appropriated in this section,
 7 there is transferred to the department of human rights
 8 two hundred fifty thousand dollars for deposit in the
 9 individual development account state match fund created
 10 in section 541A.7. Notwithstanding other provisions to
 11 the contrary in section 541A.3, subsection 1, moneys
 12 appropriated to the individual development account
 13 state match fund under this subsection ~~shall~~ may be
 14 used to provide the state match to account holders
 15 affected by a natural disaster for which the president
 16 of the United States declared a disaster area, and who
 17 have a household income that is equal to or less than

18 three hundred percent of the federal poverty level as
 19 defined by the most recently revised poverty income
 20 guidelines published by the United States department of
 21 health and human services.>

22 2. Title page, by striking lines 7 and 8 and
 23 inserting <of ownership shares, superintendent
 24 management authority, individual development accounts
 25 held at credit unions and other financial institutions,
 26 and making penalties applicable.>

IVERSON of Wright

H-8058

1 Amend House File 2289 as follows:

2 1. Page 2, after line 7 by inserting:

3 <Sec. ____ Section 602.1215, Subsection 1, Code
 4 2011, is amended to read as follows:

5 602.1215 Clerk of the district court.

6 1. Subject to the provisions of section 602.1209,
 7 subsection 3, ~~the district judges of each chief judge~~
 8 ~~of the judicial election district, after consultation~~
 9 ~~with the district judges of the district, shall by~~

10 ~~majority vote~~ appoint persons to serve as clerks of the
 11 district court within the judicial election district.

12 ~~The district judges of a judicial election district~~
 13 ~~chief judge~~ may appoint a person to serve as clerk of
 14 the district court for more than one but not more than
 15 four contiguous counties in the same judicial district.
 16 A person does not qualify for appointment to the office
 17 of clerk of the district court unless the person is at
 18 the time of application a resident of the state. A
 19 clerk of the district court may be removed from office
 20 for cause by a ~~majority vote of the district judges~~

21 ~~of the chief judge of the judicial election district.~~
 22 ~~Before~~ Prior to removal, the clerk of the district
 23 court shall be notified of the cause for removal.>

24 2. Title page, by striking lines 1 and 2 and
 25 inserting <An Act relating to the appointment of
 26 certain judicial officers and the clerks of the
 27 district court.>

ANDERSON of Page
 HALL of Woodbury
 J. TAYLOR of Woodbury
 JORGENSEN of Woodbury

H-8059

1 Amend House File 2320 as follows:

2 1. Page 2, by striking lines 8 through 10 and

3 inserting <designation of the existing area agencies

4 on aging and designate a new area agency on aging to
 5 represent each planning and service area effective no
 6 later than July 1, 2013.>

JORGENSEN of Woodbury

H-8060

1 Amend House File 2305 as follows:
 2 1. Page 4, by striking lines 12 through 17.
 3 2. By renumbering as necessary.

JORGENSEN of Woodbury

H-8061

1 Amend the amendment, H-8032, to House Joint
 2 Resolution 2009 as follows:
 3 1. Page 1, by striking lines 1 through 30 and
 4 inserting:
 5 <Amend House Joint Resolution 2009 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 Article I of the Constitution of the State of Iowa
 11 is amended by adding the following new section:
 12 Right to acquire, keep, possess, transport, carry,
 13 transfer, and use arms. SEC. 1A. The right of the
 14 people to keep and bear arms, as herein expressed,
 15 shall not be infringed.
 16 The right of an individual to acquire, keep,
 17 possess, transport, carry, transfer, and use arms to
 18 defend life and liberty and for all other legitimate
 19 purposes is fundamental and shall not be infringed
 20 upon or denied. Mandatory licensing, registration, or
 21 special taxation as a condition of the exercise of this
 22 right is prohibited, and any other restriction shall be
 23 subject to strict scrutiny.
 24 Sec. 2. REFERRAL AND PUBLICATION. The foregoing
 25 proposed amendment to the Constitution of the State of
 26 Iowa is referred to the general assembly to be chosen
 27 at the next general election for members of the general
 28 assembly and the secretary of state is directed to
 29 cause the same to be published for three consecutive
 30 months previous to the date of that election as
 31 provided by law.>
 32 _____. Title page, by striking lines 1 through 3 and
 33 inserting <A Joint Resolution proposing an amendment
 34 to the Constitution of the State of Iowa relating
 35 to an individual's right to acquire, keep, possess,
 36 transport, carry, transfer, use, and bear arms.>>

37 2. By renumbering as necessary.

HORBACH of Tama

H-8062

1 Amend the amendment, H-8039, to House File 2337 as
2 follows:

3 1. Page 1, after line 11 by inserting:

4 <Sec. ____ 2011 Iowa Acts, chapter 130, section 61,
5 subsection 3, is amended by adding the following new
6 paragraph:

7 NEW PARAGRAPH. d. Of the moneys appropriated in
8 this section for the operation of field offices, the
9 department shall allocate \$250,000 for the purpose
10 of funding virtual access points of field offices at
11 public libraries.>>

12 2. By renumbering, redesignating, and correcting
13 internal references as necessary.

THOMAS of Clayton

H-8063

1 Amend House File 589, 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 717A.1, Code 2011, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 2A. "Agricultural production
8 facility" means an animal facility as defined in
9 subsection 4, paragraph "a", or a crop operation
10 property.

11 Sec. 2. NEW SECTION. 717A.3A Agricultural
12 production facility fraud.

13 1. A person is guilty of agricultural production
14 facility fraud if the person willfully does any of the
15 following:

16 a. Obtains access to an agricultural production
17 facility by false pretenses.

18 b. Makes a false statement or representation as
19 part of an application or agreement to be employed
20 at an agricultural production facility, if the
21 person knows the statement to be false, and makes
22 the statement with an intent to commit an act not
23 authorized by the owner of the agricultural production
24 facility, knowing that the act is not authorized.

25 2. A person who commits agricultural production
26 facility fraud under subsection 1 is guilty of the
27 following:

28 a. For the first conviction, a serious misdemeanor.

29 b. For a second or subsequent conviction, an
 30 aggravated misdemeanor.
 31 3. a. A person who conspires to commit
 32 agricultural production facility fraud under subsection
 33 1 is subject to the provisions of chapter 706. A
 34 person who aids and abets in the commission of
 35 agricultural production facility fraud under subsection
 36 1 is subject to the provisions of chapter 703. When
 37 two or more persons, acting in concert, knowingly
 38 participate in committing agricultural production
 39 facility fraud under subsection 1, each person is
 40 responsible for the acts of the other person as
 41 provided in section 703.2. A person who has knowledge
 42 that agricultural production facility fraud under
 43 subsection 1 has been committed and that a certain
 44 person committed it, and who does not stand in the
 45 relation of husband or wife to the person committing
 46 the agricultural production facility fraud under
 47 subsection 1, and who harbors, aids, or conceals
 48 the person committing the agricultural production
 49 facility fraud under subsection 1, with the intent to
 50 prevent the apprehension of the person committing the

Page 2

1 agricultural production facility fraud under subsection
 2 1, is subject to section 703.3.
 3 b. A trial information or an indictment relating to
 4 agricultural production facility fraud under subsection
 5 1 need not contain allegations of vicarious liability
 6 as provided in chapter 703.
 7 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
 8 deemed of immediate importance, takes effect upon
 9 enactment.>
 10 2. Title page, line 1, by striking <offenses> and
 11 inserting <an offense>
 12 3. Title page, line 2, by striking <penalties and
 13 remedies> and inserting <penalties, and including
 14 effective date provisions>

SENATE AMENDMENT

H-8064

1 Amend House File 2351 as follows:
 2 1. Page 15, after line 21 by inserting:
 3 <Sec. ____ NEW SECTION. 9B.21B Fees —
 4 certification.
 5 The secretary of state shall collect the following
 6 fees, for use in offsetting the cost of administering
 7 this chapter:
 8 1. For furnishing a certified copy of any document,

- 9 instrument, or paper relating to a notary public, one
10 dollar per page and five dollars for the certificate.
- 11 2. For furnishing an uncertified copy of any
12 document, instrument, or paper relating to a notary
13 public, one dollar per page.
- 14 3. For certifying, under seal of the secretary
15 of state, a statement as to the status of a notary
16 commission which would not appear from a certified
17 copy of documents on file in the secretary of state's
18 office, five dollars.
- 19 4. For authorizing an Iowa notary public to perform
20 electronic notarization for the term of the notary's
21 commission, ten dollars.>
- 22 2. Title page, line 1, before <and> by inserting <,
23 providing for fees,>
- 24 3. By renumbering as necessary.

HAGENOW of Polk

H-8065

- 1 Amend House File 2290 as follows:
- 2 1. Page 1, by striking lines 1 through 15.
- 3 2. Page 1, by striking lines 18 through 23.
- 4 3. Page 1, after line 29 by inserting:
- 5 <NEW SUBSECTION. 25A. "Organic law" means a
6 statute principally governing the internal affairs of
7 a domestic or foreign business corporation, nonprofit
8 corporation, or unincorporated entity.
- 9 NEW SUBSECTION. 25B. "Organic record" means a
10 public organic record or private organic record.
- 11 NEW SUBSECTION. 27A. "Private organic record"
12 means any record, other than a public organic record,
13 if any, that determines the internal governance of an
14 unincorporated entity. Where a private organic record
15 has been amended or restated, "private organic record"
16 means the private organic record as last amended or
17 restated.
- 18 NEW SUBSECTION. 29A. "Public organic record" means
19 the record, if any, that is filed of public record,
20 to create an unincorporated entity. Where a public
21 organic record has been amended or restated, "public
22 organic record" means the public organic record as last
23 amended or restated.
- 24 NEW SUBSECTION. 29B. "Record" means information
25 that is inscribed on a tangible medium or that
26 is stored in an electronic or other medium and is
27 retrievable in perceivable form.>
- 28 4. Page 2, by striking lines 7 through 13 and
29 inserting:
- 30 <Sec. ____ Section 504.141, subsection 15, Code
31 2011, is amended to read as follows:>

- 32 5. By striking page 2, line 23, through page 3,
 33 line 3.
- 34 6. Page 5, line 13, by striking <subsection 3
 35 section 504.813> and inserting <subsection 3>
 36 7. By striking page 5, line 17, through page 6,
 37 line 31.
- 38 8. Page 7, by striking lines 22 through 35.
- 39 9. Page 8, by striking lines 24 and 25.
- 40 10. Page 9, line 33, after <company> by inserting
 41 <organic record of the surviving>
- 42 11. By striking page 9, line 35, through page 10,
 43 line 10.
- 44 12. Page 10, line 14, by striking <corporation,>
 45 and inserting <corporation>
- 46 13. Page 10, by striking lines 15 through 17 and
 47 inserting <liability company an unincorporated entity,
 48 provided that all of the following apply>
- 49 14. Page 10, by striking line 21 and inserting
 50 <subparagraph (2), Code 2011, is amended to read as>

Page 2

- 1 15. Page 10, by striking lines 24 and 25 and
 2 inserting <liability company unincorporated entity>
- 3 16. Page 10, by striking lines 30 through 35.
- 4 17. Page 11, by striking lines 9 and 10 and
 5 inserting <country under whose law each foreign
 6 corporation is incorporated or foreign unincorporated
 7 entity is organized and each foreign>
- 8 18. By renumbering as necessary.

SWAIM of Davis

H-8066

- 1 Amend the amendment, H-8055, to House File 2336 as
 2 follows:
- 3 1. Page 1, line 2, by striking <<15C.205>> and
 4 inserting <<15G.205>>
- 5 2. Page 1, line 3, by striking <<15C.205>> and
 6 inserting <<15G.205>>
- 7 3. By renumbering as necessary.

DRAKE of Cass

H-8067

- 1 Amend the amendment, H-8044, to House File 2335 as
 2 follows:
- 3 1. Page 1, by striking lines 2 through 17 and
 4 inserting:
 5 <___. By striking page 8, line 4, through page 9,

6 line 33, and inserting:

7 <Sec. _____. 2011 Iowa Acts, chapter 134, section 34,
8 is amended to read as follows:

9 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF
10 CORRECTIONAL SERVICES.

11 1. There is appropriated from the general fund of
12 the state to the department of corrections for the
13 fiscal year beginning July 1, 2012, and ending June
14 30, 2013, for salaries, support, maintenance, and
15 miscellaneous purposes, the following amounts, or
16 so much thereof as is necessary, to be allocated as
17 follows:

18 a. For the first judicial district department of
19 correctional services:

20 \$ 6,192,474
21 14,193,633

22 b. For the second judicial district department of
23 correctional services:

24 \$ 5,168,474
25 10,595,835

26 c. For the third judicial district department of
27 correctional services:

28 \$ 2,799,883
29 7,143,585

30 d. For the fourth judicial district department of
31 correctional services:

32 \$ 2,695,678
33 5,441,802

34 e. For the fifth judicial district department of
35 correctional services, including funding for electronic
36 monitoring devices for use on a statewide basis:

37 \$ 9,371,065
38 19,049,459

39 f. For the sixth judicial district department of
40 correctional services:

41 \$ 6,556,282
42 15,157,577

43 g. For the seventh judicial district department of
44 correctional services:

45 \$ 3,246,407
46 7,610,054

47 h. For the eighth judicial district department of
48 correctional services:

49 \$ 3,439,858
50 8,258,414

Page 2

1 1A. As a condition of receiving an appropriation
2 in subsection 1 and to enhance the safety of the
3 general public, the judicial district departments
4 of correctional services, in cooperation with

5 the department of corrections, shall designate a
 6 facility for persons who are placed in a transitional
 7 release program under chapter 229A or discharged
 8 from commitment as a sexually violent predator under
 9 chapter 229A because the person is in need of medical
 10 treatment.

11 2. Each judicial district department of
 12 correctional services, within the funding available,
 13 shall continue programs and plans established within
 14 that district to provide for intensive supervision, sex
 15 offender treatment, diversion of low-risk offenders
 16 to the least restrictive sanction available, job
 17 development, and expanded use of intermediate criminal
 18 sanctions.

19 3. Each judicial district department of
 20 correctional services shall provide alternatives to
 21 prison consistent with chapter 901B. The alternatives
 22 to prison shall ensure public safety while providing
 23 maximum rehabilitation to the offender. A judicial
 24 district department of correctional services may also
 25 establish a day program.

26 4. The governor's office of drug control policy
 27 or any succeeding entity of the governor's office of
 28 drug control policy shall consider federal grants made
 29 to the department of corrections for the benefit of
 30 each of the eight judicial district departments of
 31 correctional services as local government grants, as
 32 defined pursuant to federal regulations.

33 5. The department of corrections shall continue
 34 to contract with a judicial district department
 35 of correctional services to provide for the rental
 36 of electronic monitoring equipment which shall be
 37 available statewide.

38 5A. Authorization under section 8.39, section 35
 39 of this division of this Act, and any other provision
 40 authorizing the transfer of moneys for fiscal year
 41 2012-2013 are not applicable to the moneys appropriated
 42 in this section.>>

T. OLSON of Linn

H-8068

1 Amend House File 2221 as follows:

2 1. By striking everything after the enacting clause
 3 and inserting:

4 <Section 1. Section 441.21, Code Supplement 2011,
 5 is amended by adding the following new subsection:
 6 NEW SUBSECTION. 13. a. Beginning with valuations
 7 established on or after January 1, 2013, as used in
 8 this section, "residential property" includes that
 9 portion of a building or structure situated on the

10 stories above the ground floor that is used for human
 11 habitation and a proportionate share of the land upon
 12 which the building or structure is situated, even if
 13 the use for human habitation is not the primary use
 14 of the building or structure, if all of the following
 15 apply:

16 (1) The building or structure consists of three or
 17 fewer stories above grade.

18 (2) The ground floor of the building or structure
 19 is used for commercial purposes and not for human
 20 habitation except for providing access to stories above
 21 the ground floor.

22 (3) The stories above the ground floor contain in
 23 the aggregate two or fewer dwelling units.

24 b. Accordingly, the assessor may assign more than
 25 one classification to a parcel of property satisfying
 26 the requirements of this subsection. In no case,
 27 however, shall a hotel, motel, inn, or other building
 28 where rooms are usually rented for less than one
 29 month, a nursing home, or a rest home be classified as
 30 residential property under this subsection. Property
 31 described in this subsection and located in an urban
 32 renewal area for which an ordinance providing for a
 33 division of revenue was adopted before July 1, 2012,
 34 and is in effect on the date of the assessment shall
 35 not be classified as residential property under this
 36 subsection.

37 c. "Dwelling unit" means an apartment, group of
 38 rooms, or single room which is occupied as separate
 39 living quarters or, if vacant, is intended for
 40 occupancy as separate living quarters, in which a
 41 tenant can live and sleep separately from any other
 42 persons in the building.>

HORBACH of Tama

H-8069

1 Amend House File 2335 as follows:

2 1. Page 9, after line 10 by inserting:

3 <1A. As a condition of receiving an appropriation
 4 in subsection 1 and to enhance the safety of the
 5 general public, the judicial district departments
 6 of correctional services, in cooperation with the
 7 department of corrections and the department of human
 8 services, shall designate a facility for persons who
 9 are placed in a transitional release program under
 10 chapter 229A or discharged from commitment as a
 11 sexually violent predator under chapter 229A because
 12 the person is in need of medical treatment.>

FRY of Clarke

H-8070

1 Amend the amendment, H-8044, to House File 2335 as
2 follows:

3 1. Page 1, by striking lines 2 through 17 and
4 inserting:
5 <__. Page 9, after line 10 by inserting:
6 <1A. As a condition of receiving an appropriation
7 in subsection 1 and to enhance the safety of the
8 general public, the judicial district departments
9 of correctional services, in cooperation with the
10 department of corrections and the department of human
11 services, shall designate a facility for persons who
12 are placed in a transitional release program under
13 chapter 229A or discharged from commitment as a
14 sexually violent predator under chapter 229A because
15 the person is in need of medical treatment.>>

FRY of Clarke

H-8071

1 Amend House File 2292 as follows:

2 1. Page 1, line 10, before <A> by inserting <1.>
3 2. Page 1, after line 13 by inserting:
4 <2. Notwithstanding any other law to the contrary,
5 if a person is required to obtain a construction permit
6 for a confinement feeding operation for confining
7 fish as required under chapter 459, the person shall
8 be required to have the siting of such confinement
9 approved by the county board of supervisors as a
10 requirement for approval of a construction permit.>

ISENHART of Dubuque

H-8072

1 Amend House File 2400 as follows:

2 1. Page 6, line 6, after <grounds.> by inserting
3 <The commissioner shall only schedule such training
4 courses at buildings or grounds that are accessible to
5 and functional for persons with disabilities.>
6 2. By striking page 7, line 33, through page 8,
7 line 8, and inserting <shall not be counted. The
8 commissioner shall post notice of petitions received,
9 including the location of the requested satellite
10 absentee voting station and the name or number of
11 the precinct in which the station is requested to be
12 located, on the county's internet site and at the
13 commissioner's office.>

HUNTER of Polk

H-8073

1 Amend House File 2316 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 904A.1, Code 2011, is amended
4 to read as follows:

5 904A.1 Board of parole ~~— divisions.~~

6 1. The board of parole is created to consist of
7 ~~five~~ six members. Each member, except the chairperson
8 and the vice chairperson, shall be compensated on a
9 day-to-day basis. Each member shall serve a term of
10 four years beginning and ending as provided by section
11 69.19, except for members appointed to fill vacancies
12 who shall serve for the balance of the unexpired term.
13 The terms shall be staggered. The chairperson and vice
14 chairperson of the board shall be full-time, salaried
15 members of the board.

16 2. The board of parole may be divided into
17 divisions of three, five, or six members for the
18 purpose of considering inmates for parole and work
19 release. The board shall prescribe rules to provide
20 for the submission of cases to the entire board or to
21 the separate divisions. A majority of the members of
22 the board or of a division of the board constitutes a
23 quorum to transact business.

24 Sec. . Section 904A.4, subsection 1, Code 2011,
25 is amended to read as follows:

26 1. The board of parole shall interview and consider
27 inmates for parole and work release and a simple
28 majority vote of the members of the board or of a
29 division of the board is required to grant a parole or
30 work release.

31 Sec. . Section 904A.4B, Code 2011, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 3. The executive director or
34 acting executive director shall be a licensed attorney
35 admitted to practice law in this state beginning July
36 1, 2012.

37 Sec. . Section 904A.6, Code 2011, is amended to
38 read as follows:

39 904A.6 Salaries and expenses.

40 Each member, except the chairperson ~~and the vice~~
41 ~~chairperson~~, of the board shall be paid per diem as
42 determined by the general assembly. The chairperson
43 ~~and vice chairperson~~ of the board shall be paid a
44 salary as determined by the general assembly. Each
45 member of the board and all employees are entitled to
46 receive, in addition to their per diem or salary, their
47 necessary maintenance and travel expenses while engaged
48 in official business.>

49 2. Page 1, by striking lines 32 and 33 and
50 inserting:

Page 2

1 <Sec. ____ EFFECTIVE DATE. The following provision
 2 or provisions of this Act take effect upon enactment:
 3 1. The section of this Act amending section 907.3.
 4 2. The section of this Act establishing the waiver
 5 of rights under Anderson v. State.>
 6 3. Title page, line 2, after <probation,> by
 7 inserting <and establishing operational policies and
 8 procedures for the board of parole,>

R. OLSON of Polk

H-8074

1 Amend House File 2391 as follows:
 2 1. Page 1, after line 25 by inserting:
 3 <Sec. ____ Section 904A.1, Code 2011, is amended to
 4 read as follows:
 5 904A.1 Board of parole — divisions.
 6 1. The board of parole is created to consist of
 7 five six members. Each member, except the chairperson
 8 and the vice chairperson, shall be compensated on a
 9 day-to-day basis. Each member shall serve a term of
 10 four years beginning and ending as provided by section
 11 69.19, except for members appointed to fill vacancies
 12 who shall serve for the balance of the unexpired term.
 13 The terms shall be staggered. The chairperson and vice
 14 chairperson of the board shall be full-time, salaried
 15 members of the board.
 16 2. The board of parole may be divided into
 17 divisions of three, five, or six members for the
 18 purpose of considering inmates for parole and work
 19 release. The board shall prescribe rules to provide
 20 for the submission of cases to the entire board or to
 21 the separate divisions. A majority of the members of
 22 the board or of a division of the board constitutes a
 23 quorum to transact business.
 24 Sec. ____ Section 904A.4, subsection 1, Code 2011,
 25 is amended to read as follows:
 26 1. The board of parole shall interview and consider
 27 inmates for parole and work release and a simple
 28 majority vote of the members of the board or of a
 29 division of the board is required to grant a parole or
 30 work release.
 31 Sec. ____ Section 904A.4B, Code 2011, is amended by
 32 adding the following new subsection:
 33 NEW SUBSECTION. 3. Beginning July 1, 2012, the
 34 executive director or acting executive director shall
 35 be a licensed attorney admitted to practice law in this
 36 state.
 37 Sec. ____ Section 904A.6, Code 2011, is amended to

38 read as follows:

39 904A.6 Salaries and expenses.

40 Each member, except the chairperson ~~and the vice~~
 41 ~~chairperson~~, of the board shall be paid per diem as
 42 determined by the general assembly. The chairperson
 43 ~~and vice chairperson~~ of the board shall be paid a
 44 salary as determined by the general assembly. Each
 45 member of the board and all employees are entitled to
 46 receive, in addition to their per diem or salary, their
 47 necessary maintenance and travel expenses while engaged
 48 in official business.>

49 2. Page 3, by striking lines 1 and 2 and inserting:

50 <Sec. ___. EFFECTIVE DATE. The following

Page 2

1 provisions of this Act take effect January 1, 2013:

2 1. The section of this Act enacting section
 3 217.13A.

4 2. The section of this Act enacting section
 5 906.20.>

6 3. Title page, line 1, after <Act> by inserting
 7 <relating to parole and the board of parole, including
 8 by>

9 4. Title page, line 2, after <corrections> by
 10 inserting <and modifying the qualifications for and
 11 operations of the board>

12 5. By renumbering as necessary.

R. OLSON of Polk

H-8075

1 Amend House File 2361 as follows:

2 1. Page 3, after line 20 by inserting:

3 <0g. A governing board for a publicly owned zoo,
 4 library, community center, or park, or for a health
 5 care facility that receives reimbursement under the
 6 medical assistance program from adopting and enforcing
 7 rules regulating or prohibiting persons from carrying
 8 or possessing firearms, firearm accessories, or
 9 ammunition in the buildings or on the grounds of such
 10 zoo, library, community center, park, or health care
 11 facility.>

12 2. By renumbering as necessary.

KRESSIG of Black Hawk

H-8076

1 Amend House File 2242 as follows:

2 1. By striking everything after the enacting clause

3 and inserting:
 4 <Section 1. Section 558.68, Code 2011, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 6. This section shall apply to
 7 an interest in land located in this state and held in
 8 trust, regardless of the law of the jurisdiction in
 9 which the trust was created.>
 10 2. Title page, line 1, by striking <creating an
 11 exception> and inserting <relating>
 12 3. Title page, line 2, by striking <and making
 13 related changes>
 14 4. By renumbering as necessary.

HUNTER of Polk

H-8077

1 Amend House Joint Resolution 2010 as follows:
 2 1. By striking everything after the resolving
 3 clause and inserting:
 4 <Section 1. The following amendment to the
 5 Constitution of the State of Iowa is proposed:
 6 The Constitution of the State of Iowa is amended by
 7 adding the following new section to new Article XIII:
 8 ARTICLE XIII.
 9 TAXPAYERS TRUST FUND
 10 Taxpayers trust fund.SECTION 1.
 11 1. A taxpayers trust fund is created within the
 12 treasury to provide tax relief. The maximum balance
 13 of the trust fund shall be established by statute but
 14 shall not be more than one percent of the state's
 15 annual net general revenue.
 16 2. Except for temporary cash flow purposes, moneys
 17 in the taxpayers trust fund shall only be used in
 18 accordance with appropriations made for purposes of
 19 providing tax relief for any of the following purposes:
 20 a. Personal income tax reduction.
 21 b. Homeowner property tax reduction.
 22 c. Sales tax reduction.
 23 3. The general assembly shall enact laws to
 24 implement this section.
 25 Sec. 2. The foregoing proposed amendment to the
 26 Constitution of the State of Iowa is referred to the
 27 general assembly to be chosen at the next general
 28 election for members of the general assembly, and the
 29 Secretary of State is directed to cause the amendment
 30 to be published for three consecutive months previous
 31 to the date of that election as provided by law.>
 32 2. Title page, by striking lines 1 through 5 and
 33 inserting <A Joint Resolution proposing an amendment to
 34 the Constitution of the State of Iowa relating to state
 35 budgeting by creating a taxpayers relief fund.>

36 3. By renumbering as necessary.

QUIRK of Chickasaw

H-8078

1 Amend House File 2361 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. NEW SECTION. 724.0A Intent.

5 It is the intent of the general assembly that laws
6 regarding the fundamental rights found within this
7 chapter shall be uniformly applied to all persons by
8 all political subdivisions.

9 Sec. 2. Section 724.4B, Code 2011, is amended to
10 read as follows:

11 724.4B Carrying weapons in or on school and
12 courthouse buildings and grounds — penalty —
13 exceptions.

14 1. a. A person who goes armed with, carries, or
15 transports a firearm of any kind, whether concealed or
16 not, in the buildings or on the grounds of a school or
17 courthouse commits a class "D" felony.

18 b. For the purposes of this section, "school" means
19 a public or nonpublic school as defined in section
20 280.2.

21 2. Subsection 1 does not apply to the following:

22 a. A person listed under section 724.4, subsection
23 4, paragraphs "b" through "f" or "j".

24 b. A person who has been specifically authorized by
25 the authority in control of the school or courthouse
26 to go armed with, carry, or transport a firearm in the
27 buildings or on the ~~school~~ grounds of the school or
28 courthouse, including for purposes of conducting an
29 instructional program regarding firearms.

30 Sec. 3. Section 724.28, Code 2011, is amended to
31 read as follows:

32 724.28 Prohibition of regulation by political
33 subdivisions.

34 A political subdivision of the state shall not
35 ~~enact an ordinance regulating~~ regulate the ownership,
36 carrying, possession, legal transfer, lawful
37 transportation, registration, or licensing of firearms
38 upon real property owned or in any way controlled by
39 the political subdivision when the ownership, carrying,
40 possession, transfer, or transportation is otherwise
41 lawful under the laws of this state. ~~An~~ Any ordinance
42 or resolution regulating firearms in violation of this
43 section ~~existing on or after April 5, 1990,~~ is void and
44 unenforceable.

45 Sec. 4. CODE EDITOR DIRECTIVE. Section 724.1, Code
46 2011, shall be transferred to new section 724.1A.>

47 2. Title page, by striking lines 1 through 4 and
 48 inserting <An Act concerning the prohibition of firearm
 49 regulations by political subdivisions and providing
 50 penalties.>

R. OLSON of Polk

H-8079

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Addressing flood damage.
 28 3. The general assembly shall enact laws to
 29 implement this section.
 30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the
 32 general assembly to be chosen at the next general
 33 election for members of the general assembly, and the
 34 Secretary of State is directed to cause the amendment
 35 to be published for three consecutive months previous
 36 to the date of that election as provided by law.>
 37 _____. Title page, by striking lines 1 through 5 and
 38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>
 41 _____. By renumbering as necessary.>

STECKMAN of Cerro Gordo

H-8080

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010, as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:
5 <Amend House Joint Resolution 2010 as follows:
6 _____. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:
10 The Constitution of the State of Iowa is amended by
11 adding the following new section to new Article XIII:
12 ARTICLE XIII.
13 TAXPAYERS TRUST FUND
14 Taxpayers trust fund.SECTION 1.
15 1. A taxpayers trust fund is created within the
16 treasury to provide tax relief. The maximum balance
17 of the trust fund shall be established by statute but
18 shall not be more than one percent of the state's
19 annual net general revenue.
20 2. Except for temporary cash flow purposes, moneys
21 in the taxpayers trust fund shall only be used in
22 accordance with appropriations made for purposes of
23 providing tax relief for any of the following purposes:
24 a. Personal income tax reduction.
25 b. Homeowner property tax reduction.
26 c. Sales tax reduction.
27 d. Improving the health of the citizens of Iowa.
28 3. The general assembly shall enact laws to
29 implement this section.
30 Sec. 2. The foregoing proposed amendment to the
31 Constitution of the State of Iowa is referred to the
32 general assembly to be chosen at the next general
33 election for members of the general assembly, and the
34 Secretary of State is directed to cause the amendment
35 to be published for three consecutive months previous
36 to the date of that election as provided by law.>
37 _____. Title page, by striking lines 1 through 5 and
38 inserting <A Joint Resolution proposing an amendment to
39 the Constitution of the State of Iowa relating to state
40 budgeting by creating a taxpayers relief fund.>
41 _____. By renumbering as necessary.>

PETERSEN of Polk

H-8081

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010, as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:

5 <Amend House Joint Resolution 2010 as follows:
6 _____. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:
10 The Constitution of the State of Iowa is amended by
11 adding the following new section to new Article XIII:
12 ARTICLE XIII.
13 TAXPAYERS TRUST FUND
14 Taxpayers trust fund.SECTION 1.
15 1. A taxpayers trust fund is created within the
16 treasury to provide tax relief. The maximum balance
17 of the trust fund shall be established by statute but
18 shall not be more than one percent of the state's
19 annual net general revenue.
20 2. Except for temporary cash flow purposes, moneys
21 in the taxpayers trust fund shall only be used in
22 accordance with appropriations made for purposes of
23 providing tax relief for any of the following purposes:
24 a. Personal income tax reduction.
25 b. Homeowner property tax reduction.
26 c. Sales tax reduction.
27 d. Providing funding for the natural resources and
28 outdoor recreation trust fund.
29 3. The general assembly shall enact laws to
30 implement this section.
31 Sec. 2. The foregoing proposed amendment to the
32 Constitution of the State of Iowa is referred to the
33 general assembly to be chosen at the next general
34 election for members of the general assembly, and the
35 Secretary of State is directed to cause the amendment
36 to be published for three consecutive months previous
37 to the date of that election as provided by law.>
38 _____. Title page, by striking lines 1 through 5 and
39 inserting <A Joint Resolution proposing an amendment to
40 the Constitution of the State of Iowa relating to state
41 budgeting by creating a taxpayers relief fund.>
42 _____. By renumbering as necessary.>

ISENHART of Dubuque

H-8082

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010, as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:
5 <Amend House Joint Resolution 2010 as follows:
6 _____. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:

10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Guaranteed minimum judicial branch services and
 28 access to judicial branch services in each county.
 29 3. The general assembly shall enact laws to
 30 implement this section.
 31 Sec. 2. The foregoing proposed amendment to the
 32 Constitution of the State of Iowa is referred to the
 33 general assembly to be chosen at the next general
 34 election for members of the general assembly, and the
 35 Secretary of State is directed to cause the amendment
 36 to be published for three consecutive months previous
 37 to the date of that election as provided by law.>
 38 _____. Title page, by striking lines 1 through 5 and
 39 inserting <A Joint Resolution proposing an amendment to
 40 the Constitution of the State of Iowa relating to state
 41 budgeting by creating a taxpayers relief fund.>
 42 _____. By renumbering as necessary.>

ISENHART of Dubuque

H-8083

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.

15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.

20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Quality job creation.

28 3. The general assembly shall enact laws to
 29 implement this section.

30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the
 32 general assembly to be chosen at the next general
 33 election for members of the general assembly, and the
 34 Secretary of State is directed to cause the amendment
 35 to be published for three consecutive months previous
 36 to the date of that election as provided by law.>
 37 _____. Title page, by striking lines 1 through 5 and
 38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>
 41 _____. By renumbering as necessary.>

JACOBY of Johnson

H-8084

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys

21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:

- 24 a. Personal income tax reduction.
 - 25 b. Homeowner property tax reduction.
 - 26 c. Sales tax reduction.
 - 27 d. Student tuition to build a skilled workforce.
- 28 3. The general assembly shall enact laws to
 29 implement this section.

30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the
 32 general assembly to be chosen at the next general
 33 election for members of the general assembly, and the
 34 Secretary of State is directed to cause the amendment
 35 to be published for three consecutive months previous
 36 to the date of that election as provided by law.>

37 _____. Title page, by striking lines 1 through 5 and
 38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>

41 _____. By renumbering as necessary.>

ISENHART of Dubuque
 LENSING of Johnson

H-8085

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:

3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:

5 <Amend House Joint Resolution 2010 as follows:

6 _____. By striking everything after the resolving
 7 clause and inserting:

8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:

10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:

12 ARTICLE XIII.

13 TAXPAYERS TRUST FUND

14 Taxpayers trust fund.SECTION 1.

15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.

20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:

- 24 a. Personal income tax reduction.
- 25 b. Homeowner property tax reduction.

26 c. Sales tax reduction.
 27 d. Veterans services.
 28 3. The general assembly shall enact laws to
 29 implement this section.
 30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the
 32 general assembly to be chosen at the next general
 33 election for members of the general assembly, and the
 34 Secretary of State is directed to cause the amendment
 35 to be published for three consecutive months previous
 36 to the date of that election as provided by law.>
 37 _____. Title page, by striking lines 1 through 5 and
 38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>
 41 _____. By renumbering as necessary.>

M. SMITH of Marshall

H-8086

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Elder services.
 28 3. The general assembly shall enact laws to
 29 implement this section.
 30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the

32 general assembly to be chosen at the next general
33 election for members of the general assembly, and the
34 Secretary of State is directed to cause the amendment
35 to be published for three consecutive months previous
36 to the date of that election as provided by law.>
37 _____. Title page, by striking lines 1 through 5 and
38 inserting <A Joint Resolution proposing an amendment to
39 the Constitution of the State of Iowa relating to state
40 budgeting by creating a taxpayers relief fund.>
41 _____. By renumbering as necessary.>

OLDSON of Polk

H-8087

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010, as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:
5 <Amend House Joint Resolution 2010 as follows:
6 _____. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:
10 The Constitution of the State of Iowa is amended by
11 adding the following new section to new Article XIII:
12 ARTICLE XIII.
13 TAXPAYERS TRUST FUND
14 Taxpayers trust fund.SECTION 1.
15 1. A taxpayers trust fund is created within the
16 treasury to provide tax relief. The maximum balance
17 of the trust fund shall be established by statute but
18 shall not be more than one percent of the state's
19 annual net general revenue.
20 2. Except for temporary cash flow purposes, moneys
21 in the taxpayers trust fund shall only be used in
22 accordance with appropriations made for purposes of
23 providing tax relief for any of the following purposes:
24 a. Personal income tax reduction.
25 b. Homeowner property tax reduction.
26 c. Sales tax reduction.
27 d. Addressing tornado damage.
28 3. The general assembly shall enact laws to
29 implement this section.
30 Sec. 2. The foregoing proposed amendment to the
31 Constitution of the State of Iowa is referred to the
32 general assembly to be chosen at the next general
33 election for members of the general assembly, and the
34 Secretary of State is directed to cause the amendment
35 to be published for three consecutive months previous
36 to the date of that election as provided by law.>
37 _____. Title page, by striking lines 1 through 5 and

38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>
 41 _____. By renumbering as necessary.>

T. OLSON of Linn

H-8088

1 Amend House File 2368 as follows:
 2 1. Page 1, by striking line 5 and inserting
 3 <document issued based upon a properly filed fetal
 4 death certificate to record the birth of a stillborn
 5 fetus.>
 6 2. Page 1, by striking lines 13 through 15 and
 7 inserting <stillbirth following registration of a fetal
 8 death certificate.>
 9 3. Page 1, line 16, by striking <shall> and
 10 inserting <may>
 11 4. Page 1, line 35, by striking <or> and inserting
 12 <and>
 13 5. Page 2, by striking lines 2 through 4.
 14 6. By renumbering as necessary.

ANDERSON of Page

H-8089

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.

25 b. Homeowner property tax reduction.
26 c. Sales tax reduction.
27 d. Access to high-quality schools.
28 3. The general assembly shall enact laws to
29 implement this section.
30 Sec. 2. The foregoing proposed amendment to the
31 Constitution of the State of Iowa is referred to the
32 general assembly to be chosen at the next general
33 election for members of the general assembly, and the
34 Secretary of State is directed to cause the amendment
35 to be published for three consecutive months previous
36 to the date of that election as provided by law.>
37 ____. Title page, by striking lines 1 through 5 and
38 inserting <A Joint Resolution proposing an amendment to
39 the Constitution of the State of Iowa relating to state
40 budgeting by creating a taxpayers relief fund.>
41 ____. By renumbering as necessary.>

T. OLSON of Linn

H-8090

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 4, line 35, after <2.> by inserting
3 <Sections 1 and 2 are not applicable to a bill
4 enacting, amending, or repealing the state income tax,
5 a bill enacting, amending, or repealing the state sales
6 and use taxes, or a bill establishing a new state tax
7 if the revenue from such new state tax is to be used
8 for purposes of addressing flood damage.>

STECKMAN of Cerro Gordo

H-8091

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 1, by striking <tax relief.> and
3 inserting <funding to guarantee minimum judicial branch
4 services and access to judicial branch services in each
5 county. In the event that two-thirds of the members
6 elected to each house of the general assembly vote to
7 reject utilization of moneys in the trust fund for
8 this purpose, moneys shall be used in accordance with
9 appropriations made for the purposes of providing tax
10 relief.>

ISENHART of Dubuque

H-8092

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 1, by striking <tax relief> and

3 inserting <relief for taxpayers by refunding amounts
 4 remitted by utility customers in the form of increased
 5 utility rates imposed to finance the permitting,
 6 licensing, and construction of a nuclear generating
 7 facility which may be approved by the governing body
 8 regulating utilities in this state after March 1,
 9 2012. In the event that two-thirds of the members
 10 elected to each house of the general assembly vote to
 11 reject utilization of moneys in the trust fund for
 12 this purpose, moneys shall be used in accordance with
 13 appropriations made for purposes of providing tax
 14 relief>

ISENHART of Dubuque

H-8093

1 Amend House Joint Resolution 2010 as follows:
 2 1. Page 3, line 1, by striking <tax relief.> and
 3 inserting <flood disaster prevention, mitigation, and
 4 relief. In the event that two-thirds of the members
 5 elected to each house of the general assembly vote to
 6 reject utilization of moneys in the trust fund for
 7 this purpose, moneys shall be used in accordance with
 8 appropriations made for the purposes of providing tax
 9 relief.>

ISENHART of Dubuque

H-8094

1 Amend the amendment, H-8077, to House Joint
 2 Resolution 2010, as follows:
 3 1. Page 1, by striking lines 1 through 36 and
 4 inserting:
 5 <Amend House Joint Resolution 2010 as follows:
 6 _____. By striking everything after the resolving
 7 clause and inserting:
 8 <Section 1. The following amendment to the
 9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in

22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Addressing natural disasters.
 28 3. The general assembly shall enact laws to
 29 implement this section.
 30 Sec. 2. The foregoing proposed amendment to the
 31 Constitution of the State of Iowa is referred to the
 32 general assembly to be chosen at the next general
 33 election for members of the general assembly, and the
 34 Secretary of State is directed to cause the amendment
 35 to be published for three consecutive months previous
 36 to the date of that election as provided by law.>
 37 _____. Title page, by striking lines 1 through 5 and
 38 inserting <A Joint Resolution proposing an amendment to
 39 the Constitution of the State of Iowa relating to state
 40 budgeting by creating a taxpayers relief fund.>
 41 _____. By renumbering as necessary.>

T. OLSON of Linn

H-8095

1 Amend House Joint Resolution 2010 as follows:
 2 1. Page 2, line 29, by striking <6. a.> and
 3 inserting <6. a. (1)>
 4 2. Page 2, by striking lines 33 and 34 and
 5 inserting <year, a portion of such surplus shall be
 6 transferred to the taxpayers trust fund. The maximum
 7 amount subject to transfer shall be established by
 8 statute enacted for this purpose and shall not be less
 9 than one percent of the adjusted revenue estimate for
 10 the year in which the surplus exists. Except for
 11 temporary cash flow purposes, money in the>
 12 3. Page 3, after line 1 by inserting:
 13 <(2) After taking into account any transfer
 14 anticipated pursuant to subparagraph (1), the remaining
 15 surplus anticipated at the end of a fiscal year which
 16 exceeds ten percent of the adjusted revenue estimate
 17 of the following fiscal year shall be included in the
 18 adjusted revenue estimate for the following fiscal
 19 year.>

QUIRK of Chickasaw

H-8096

1 Amend House File 2329 as follows:
 2 1. Page 2, line 21, by striking <when> and
 3 inserting <under>

- 4 2. Page 2, line 24, after <service> by inserting
 5 <or who are serving in the armed forces of the United
 6 States on active federal service and have been awarded
 7 the purple heart for disabilities incurred in action>
 8 3. Page 2, line 24, by striking <veteran> and
 9 inserting <person>
 10 4. Page 2, line 27, by striking <veterans> and
 11 inserting <persons>
 12 5. Page 2, line 33, after <veterans> by inserting
 13 <and members of the armed forces serving on active
 14 federal service>
 15 6. Page 3, line 1, by striking <veterans> and
 16 inserting <persons>
 17 7. Page 3, line 6, after <means> by inserting <that
 18 a veteran is>
 19 8. Page 3, by striking line 8 and inserting <that a
 20 person who is serving on active federal duty has been
 21 awarded the purple>
 22 9. Page 3, line 18, by striking <veteran> and
 23 inserting <person>
 24 10. Page 3, line 23, by striking <veteran> and
 25 inserting <person>
 26 11. Page 3, after line 27 by inserting:
 27 <0d. A special hunting license shall be available
 28 for issuance under this subsection to a disabled
 29 veteran or member of the armed forces serving on active
 30 federal service for the same fee that is charged to
 31 a resident hunter to enable such a disabled person
 32 to participate in a hunt conducted by an organization
 33 approved under this subsection for which only a hunting
 34 license is required.>
 35 12. Page 3, line 28, by striking <veteran> and
 36 inserting <person>
 37 13. Title page, line 2, after <veterans> by
 38 inserting <and members of the armed forces serving on
 39 active federal service>

LUKAN of Dubuque

H-8097

- 1 Amend House File 2379 as follows:
 2 1. Page 1, line 4, after <judgment> by inserting
 3 <or any other criminal record that>
 4 2. Page 2, line 1, after <4.> by inserting <a.>
 5 3. Page 2, line 11, after <offense.> by inserting:
 6 b.>
 7 4. Page 2, after line 31 by inserting:
 8 <c. A dismissed count or related charge shall be
 9 expunged pursuant to the provisions of paragraph "b" in
 10 the following manner:
 11 (1) A count which was contained in the indictment,

12 information, or complaint that resulted in the deferred
13 judgment shall be expunged when the deferred judgment
14 is expunged.

15 (2) A related charge that was not contained in the
16 indictment, information, or complaint that resulted in
17 the deferred judgment shall only be expunged upon a
18 court order that identifies the related charge to be
19 expunged.

20 d. A count or related charge that was dismissed
21 shall not be expunged pursuant to paragraph "c" in
22 any case in which a count or charge resulted in a
23 conviction that was not expunged.

24 e. The provisions of paragraph "c" apply whether
25 the deferred judgment was expunged prior to the
26 effective date of this Act, or on or after the
27 effective date of this Act.

28 f. The provisions of paragraph "b" that require
29 payment of financial obligations as a condition
30 for expungement of a deferred judgment apply to any
31 deferred judgment that has not been expunged prior to
32 the effective date of this Act.

33 g. For purposes of this subsection, a charge
34 or count is related to another charge or count if
35 the charge or count arose from the same transaction
36 or occurrence or from two or more transactions or
37 occurrences constituting parts of a common scheme or
38 plan.

39 Sec. ____. APPLICABILITY AND COMPLIANCE. The
40 judicial branch shall have until July 1, 2013, to
41 comply with the provisions of this Act on expungement
42 of the court's record of a dismissed count or related
43 charge.>

44 5. Title page, line 1, after <records> by inserting
45 <, and including applicability provisions>

ANDERSON of Page
WOLFE of Clinton

H-8098

1 Amend House File 2289 as follows:

2 1. By striking page 1, line 1, through page 2, line
3 7, and inserting:

4 <Sec. ____.

5 Section 46.14, subsection 1, Code 2011,
6 is amended to read as follows:

7 1. Each judicial nominating commission shall
8 carefully consider the individuals available for
9 judge, and within sixty days after receiving notice
10 of a vacancy shall certify to the governor and the
11 chief justice the proper number of nominees, in
12 alphabetical order. Such nominees shall be chosen
by the affirmative vote of a majority of the full

13 statutory number of commissioners upon the basis of
 14 their qualifications and without regard to political
 15 affiliation. Nominees shall be members of the bar
 16 of Iowa, shall either be residents of the state or
 17 residents of the judicial election district of the
 18 court to which they are nominated, and shall be of such
 19 age that they will be able to serve an initial and one
 20 regular term of office to which they are nominated
 21 before reaching the age of seventy-two years. Nominees
 22 for district judge shall file a certified application
 23 form, to be provided by the supreme court, with
 24 the chairperson of the district judicial nominating
 25 commission. Absence of a commissioner or vacancy upon
 26 the commission shall not invalidate a nomination. The
 27 chairperson of the commission shall promptly certify
 28 the names of the nominees, in alphabetical order, to
 29 the governor and the chief justice.>

BALTIMORE of Boone
 ANDERSON of Page

H-8099

1 Amend House File 2409 as follows:
 2 1. Page 6, after line 7 by inserting:
 3 <Sec. ____ Section 483A.8, subsection 2, Code
 4 Supplement 2011, is amended to read as follows:
 5 2. a. The deer hunting license shall be
 6 accompanied by a tag designed to be used only once.
 7 When a deer is taken, the deer shall be tagged and the
 8 tag shall be dated. The tag shall be attached to the
 9 carcass of a deer taken within fifteen minutes of the
 10 time the deer carcass is located after being taken,
 11 or before the carcass is moved to be transported by
 12 any means from the place where the deer was taken,
 13 whichever occurs first. For each antlered deer taken,
 14 the tag shall be affixed to the deer's antlers.
 15 b. A person who takes a deer while hunting
 16 on public land shall not tag the deer with a
 17 transportation tag issued to another person. The
 18 person who takes the deer must tag the deer by using
 19 the transportation tag issued in that person's name.>
 20 2. By renumbering as necessary.

SWAIM of Davis

H-8100

1 Amend House File 2261 as follows:
 2 1. Title page, line 2, after <services> by
 3 inserting <and making penalties applicable>

SCHULTE of Linn

H-8101

1 Amend House File 2374 as follows:

2 1. Page 2, by striking line 30 and inserting <by a
3 fee in the amount established for a temporary permit
4 under subsection 2, paragraph "b".>

5 2. Page 3, after line 15 by inserting:

6 <Sec. ____ EFFECTIVE UPON ENACTMENT. This Act,
7 being deemed of immediate importance, takes effect upon
8 enactment.>

9 3. Title page, line 3, after <requirements> by
10 inserting <, and including effective date provisions>

11 4. By renumbering as necessary.

IVERSON of Wright

H-8102

1 Amend House File 2380 as follows:

2 1. Page 14, after line 15 by inserting:

3 <Sec. ____ Section 257.11, subsection 3, paragraph
4 b, unnumbered paragraph 1, Code 2011, is amended to
5 read as follows:

6 If the school budget review committee certifies
7 to the department of management that the class would
8 not otherwise be implemented without the assignment
9 of additional weighting, pupils, except those pupils
10 who have elected to decline college credit under
11 section 261E.8, subsection 4A, attending a community
12 college-offered class or attending a class taught by a
13 community college-employed instructor are assigned a
14 weighting of the percentage of the pupil's school day
15 during which the pupil attends class in the community
16 college or attends a class taught by a community
17 college-employed instructor times seventy hundredths
18 for career and technical courses or forty-six
19 hundredths for liberal arts and sciences courses. The
20 following requirements shall be met for the purposes of
21 assigning an additional weighting for classes offered
22 through a sharing agreement between a school district
23 and community college. The class must be:>

24 2. Page 14, after line 27 by inserting:

25 <Sec. ____ Section 260C.14, subsection 21,
26 paragraph a, Code 2011, is amended by adding the
27 following new subparagraph:

28 NEW SUBPARAGRAPH. (05) Unduplicated headcount
29 of eligible students participating in the
30 district-to-community college sharing or concurrent
31 enrollment program who have elected to decline college
32 credit under section 261E.8, subsection 4A, and the
33 total high school credits earned by such students from
34 courses taken through the program.>

35 3. Page 14, line 29, by striking <subsection> and
 36 inserting <subsections>
 37 4. Page 14, after line 29 by inserting:
 38 <NEW SUBSECTION. 4A. A student enrolled in a
 39 course under this section for both college credit and
 40 high school credit may, on or after the day on which
 41 at least twenty percent of the course's scheduled
 42 meetings have been held or the day on which at least
 43 twenty percent of the course requirements have been
 44 completed, whichever is earlier, but prior to the date
 45 designated by the community college for withdrawing
 46 from or dropping a course, elect to decline the award
 47 of college credit for completing the course. If the
 48 student makes an election under this subsection, the
 49 student shall receive only high school credit for
 50 completing the course. An election made under this

Page 2

1 subsection must be made in writing and received by the
 2 school district and the community college during the
 3 period of time specified in this subsection. However,
 4 to receive high school credit for the course under
 5 subsection 4, the student shall otherwise successfully
 6 complete the course as determined by the community
 7 college.>

8 5. Page 15, after line 4 by inserting:
 9 <Sec. ____ Section 261E.8, subsection 7, Code
 10 Supplement 2011, is amended by adding the following new
 11 paragraph:
 12 NEW PARAGRAPH. 0c. An unduplicated enrollment
 13 count of eligible students participating in the
 14 program who have elected to decline college credit
 15 under subsection 4A and the total high school credits
 16 earned by such students from courses taken through the
 17 program.>
 18 6. By renumbering as necessary.

KOESTER of Polk

H-8103

1 Amend House File 2409 as follows:
 2 1. Page 2, after line 31 by inserting:
 3 <Sec. ____ NEW SECTION. 481A.56A Retrieval of
 4 wounded deer by leashed dogs.
 5 A person having a valid hunting license and a
 6 valid deer hunting license who has wounded a deer
 7 while hunting may use a dog to locate and retrieve
 8 the wounded animal. The hunter or any person in the
 9 company of the hunter shall not possess a firearm or
 10 bow while using a dog in this manner and shall have

11 the dog leashed and under control at all times during
 12 the search. A person shall obtain permission from the
 13 owner or tenant of private property before using a dog
 14 to locate a wounded deer on the private property. The
 15 commission shall adopt rules pursuant to chapter 17A
 16 to implement this section.>

17 2. Page 6, after line 7 by inserting:

18 <Sec. ____ Section 805.8B, subsection 3, paragraph
 19 c, Code 2011, is amended to read as follows:

20 c. For violations of sections 481A.6, 481A.21,
 21 481A.22, 481A.26, 481A.50, 481A.56, 481A.56A, 481A.60
 22 through 481A.62, 481A.83, 481A.84, 481A.92, 481A.123,
 23 481A.145, subsection 3, sections 483A.7, 483A.8,
 24 483A.23, 483A.24, and 483A.28, the scheduled fine is
 25 twenty-five dollars.>

26 3. By renumbering as necessary.

WILLEMS of Linn

H-8104

1 Amend House File 2409 as follows:

2 1. Page 6, after line 7 by inserting:

3 <Sec. ____ Section 484B.1, Code 2011, is amended by
 4 adding the following new subsection:

5 NEW SUBSECTION. 3A. "Elk" means an animal
 6 belonging to the cervidae family and classified as part
 7 of the canadensis species of the cervus genus.

8 Sec. ____ NEW SECTION. 484B.4A Minimum enclosed
 9 acreage — exceptions.

10 1. A hunting preserve on which elk are kept must
 11 include at least three hundred twenty contiguous acres
 12 which are enclosed by a fence as required pursuant to
 13 section 484B.5. However, a person may keep elk only
 14 on a hunting preserve that includes a fewer number of
 15 enclosed acres if either of the following applies:

16 a. The commission grants a waiver for the hunting
 17 preserve according to terms and conditions required by
 18 the commission. The hunting preserve must include at
 19 least one hundred sixty contiguous acres.

20 b. (1) The hunting preserve was operated as a
 21 business on January 1, 2005.

22 (2) If the hunting preserve operated as a business
 23 on January 1, 2005, the landowner or the landowner's
 24 successor in interest may sell or otherwise transfer
 25 ownership of the hunting preserve to another person
 26 who may continue to operate the hunting preserve
 27 in the same manner as the landowner. However, this
 28 subparagraph shall not apply if the owner of the
 29 hunting preserve or any successor in interest fails to
 30 meet the licensing requirements of section 484B.4 each
 31 year.

32 Sec. ____ Section 484C.1, Code 2011, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 3A. "Elk" means an animal
35 belonging to the cervidae family and classified as part
36 of the canadensis species of the cervus genus.

37 Sec. ____ Section 484C.5, Code 2011, is amended to
38 read as follows:

39 484C.5 Minimum enclosed acreage — exceptions.

40 1. A hunting preserve must include at least three
41 hundred twenty contiguous acres which are enclosed by a
42 fence certified pursuant to section 484C.6. However,
43 the hunting preserve may include a fewer number of
44 enclosed acres if any of the following applies:

45 ~~1. a.~~ The commission grants a waiver for the
46 hunting preserve according to terms and conditions
47 required by the commission. The hunting preserve must
48 include at least one hundred sixty contiguous acres.

49 ~~2. a. b. (1)~~ The hunting preserve was operated
50 as a business on January 1, 2005.

Page 2

1 ~~b. (2)~~ If the hunting preserve operated as a
2 business on January 1, 2005, the landowner or the
3 landowner's successor in interest may sell or otherwise
4 transfer ownership of the hunting preserve to another
5 person who may continue to operate the hunting preserve
6 in the same manner as the landowner. However, this
7 ~~paragraph subparagraph~~ shall not apply if the owner of
8 the hunting preserve or any successor in interest fails
9 to register with the department as provided in section
10 484C.7 for three or more consecutive years.

11 ~~3. a. c. (1)~~ The hunting preserve was not
12 operated as a business on January 1, 2005, and all of
13 the following apply:

14 ~~(1) (a)~~ The hunting preserve has at least one
15 hundred contiguous acres.

16 ~~(2) (b)~~ The hunting preserve's fence is certified
17 by the department not later than September 1, 2005.

18 ~~b. (2)~~ If the hunting preserve complies with
19 ~~paragraph "a" subparagraph (1)~~, the landowner or the
20 landowner's successor in interest may sell or otherwise
21 transfer ownership of the hunting preserve to another
22 person who may continue to operate the hunting preserve
23 in the same manner as the landowner. However, this
24 ~~paragraph subparagraph~~ shall not apply if the owner of
25 the hunting preserve or any successor in interest fails
26 to register with the department as provided in section
27 484C.7 for three or more consecutive years.

28 2. Notwithstanding any other provision of this
29 chapter or chapter 484B, a person may keep whitetail
30 and elk together on a hunting preserve that includes

31 less than three hundred twenty enclosed acres if the
 32 person receives a waiver as provided in subsection 1,
 33 paragraph "a" or meets the conditions specified in
 34 subsection 1, paragraph "b".>

35 2. Page 6, after line 13 by inserting:

36 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 37 provision or provisions of this Act, being deemed of
 38 immediate importance, take effect upon enactment:

39 1. The sections of this Act amending sections
 40 484B.1, 484C.1, and 484C.5.

41 2. The section of this Act enacting section
 42 484B.4A.>

43 3. Title page, line 3, by striking <and>

44 4. Title page, line 4, after <applicable> by
 45 inserting <, and including effective date provisions>

46 5. By renumbering as necessary.

J. SMITH of Dickinson

H-8105

1 Amend House File 2409 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 456A.37, subsections 1 and 2,
 4 Code 2011, are amended by striking the subsections and
 5 inserting in lieu thereof the following:

6 1. Definitions. As used in this section:

7 a. "Aquatic invasive species" means nonnative
 8 aquatic wildlife or aquatic plants that have been
 9 determined by the commission to pose a significant
 10 threat to the aquatic resources or water infrastructure
 11 of the state.

12 b. "Aquatic plant" means a submergent, emergent,
 13 floating, or floating-leafed plant, including algae,
 14 and including any part of such a plant.

15 c. "Water-related equipment" means a motor vehicle,
 16 boat, watercraft, dock, boat lift, raft, vessel,
 17 trailer, tool, implement, device, or any other
 18 associated equipment or container, including but
 19 not limited to portable bait containers, live wells,
 20 ballast tanks, bilge areas, and water-hauling equipment
 21 that is capable of containing or transporting aquatic
 22 invasive species, aquatic plants, or water.

23 Sec. ____ Section 456A.37, subsection 4, paragraph
 24 c, Code 2011, is amended to read as follows:

25 c. If the commission determines that ~~an additional~~
 26 a species should be defined as an "aquatic invasive
 27 species", the species shall be defined by the
 28 commission by rule as an "aquatic invasive species".

29 Sec. ____ Section 456A.37, Code 2011, is amended by
 30 adding the following new subsection:

31 NEW SUBSECTION. 4A. Inspections.

32 a. A person who operates or hauls water-related
33 equipment shall inspect that equipment for aquatic
34 invasive species when the equipment is removed from the
35 waters of the state or before the equipment is placed
36 in the waters of the state. If an aquatic invasive
37 species is discovered on or in the equipment, the
38 aquatic invasive species shall be removed immediately
39 and disposed of as provided by the commission by rule.
40 b. All water-related equipment is subject to
41 inspection by a representative of the department when
42 removed from or before placement in the waters of the
43 state. A representative of the department may prohibit
44 a person from placing the equipment in the waters of
45 the state if the person refuses to allow an inspection
46 of the equipment or refuses to remove and dispose of
47 aquatic invasive species, aquatic plants, or water on
48 or in the equipment.
49 Sec. ____ Section 456A.37, subsection 5, Code 2011,
50 is amended by striking the subsection and inserting in

Page 2

1 lieu thereof the following:
2 5. Requirements and prohibitions.
3 a. A person shall not transport on a public road
4 or attempt to place in the waters of the state any
5 water-related equipment that has an aquatic invasive
6 species or aquatic plant attached or onboard the
7 equipment except as follows:
8 (1) When authorized by a written permit issued by
9 the director.
10 (2) For purposes of disposing of an aquatic
11 invasive species or aquatic plant, as part of a harvest
12 or control activity.
13 (3) When transporting commercial or municipal plant
14 harvesting equipment to a suitable location, away
15 from any body of water, for purposes of cleaning the
16 equipment of any remaining aquatic plants or aquatic
17 wildlife.
18 (4) For purposes of constructing or transporting a
19 shooting or observation blind, if the aquatic plants
20 involved are emergent, are cut above the waterline, and
21 contain no propagules such as seed heads, roots, or
22 rhizomes, and are not aquatic invasive species.
23 (5) When the water-related equipment is providing
24 emergency response services.
25 b. A person shall not operate or use water-related
26 equipment in an area that is marked as infested by
27 aquatic invasive species.
28 c. A person shall drain all water from
29 water-related equipment when removing such equipment
30 from the waters of the state and before transporting

31 the equipment from the water access area or boat ramp
32 or from riparian property. Drain plugs, bailers,
33 valves, or other devices used to control the draining
34 of water from ballast tanks, bilges, and live
35 wells must be removed or opened before transporting
36 water-related equipment except for the following:

- 37 (1) Marine sanitary systems.
38 (2) Water in closed engine cooling systems.
39 (3) Tanks or containers of potable water or other
40 beverages meant for human consumption.
41 (4) Water-related equipment which is providing
42 emergency response services.

43 d. A person who violates this subsection is subject
44 to a scheduled fine pursuant to section 805.8B,
45 subsection 5.>

46 2. Page 2, after line 5 by inserting:

47 <Sec. _____. Section 462A.52, subsections 2 and 3,
48 Code 2011, are amended to read as follows:

49 2. Notwithstanding subsection 1, any increase in
50 revenues received on or after July 1, 2007, ~~but on~~

Page 3

1 ~~or before June 30, 2013~~, pursuant to this section as
2 a result of fee increases pursuant to 2005 Acts, ch.
3 137, shall be used by the commission only for the
4 administration and enforcement of programs to control
5 aquatic invasive species and for the administration
6 and enforcement of navigation laws and water safety
7 upon the inland waters of this state and shall be
8 used in addition to funds already being expended by
9 the commission each year for these purposes. The
10 commission shall not reduce the amount of other funds
11 being expended on an annual basis for these purposes as
12 of July 1, 2005, ~~during the period of the appropriation~~
13 ~~provided for in this subsection.~~

14 3. The commission shall submit a written report
15 to the general assembly by December 31, 2007, and
16 by December 31 of each year thereafter ~~through~~
17 ~~December 31, 2013~~, summarizing the activities of the
18 department in administering and enforcing programs to
19 control aquatic invasive species and administering
20 and enforcing navigation laws and water safety upon
21 the inland waters of the state. The report shall
22 include information concerning the amount of revenues
23 collected pursuant to this section as a result of fee
24 increases pursuant to 2005 Acts, ch. 137, and how the
25 revenues were expended. The report shall also include
26 information concerning the amount and source of all
27 other funds expended by the commission during the
28 year for the purposes of administering and enforcing
29 programs to control aquatic invasive species and

30 administering and enforcing navigation laws and water
 31 safety upon the inland waters of the state and how the
 32 funds were expended.>
 33 3. By renumbering as necessary.

J. SMITH of Dickinson

H-8106

1 Amend House File 2420 as follows:
 2 1. Page 10, line 18, by striking <all> and
 3 inserting <all>
 4 2. Page 10, lines 22 and 23, by striking <radiation
 5 machine or radioactive material as well as the> and
 6 inserting <radiation machine or radioactive material
 7 as well as the>

M. SMITH of Marshall

H-8107

1 Amend House File 2383 as follows:
 2 1. By striking everything after the enacting clause
 3 and inserting:
 4 <Section 1. Section 272.15, subsection 1, paragraph
 5 a, Code Supplement 2011, is amended to read as follows:
 6 a. (1) The board of directors of a school district
 7 or area education agency, the superintendent of a
 8 school district, the chief administrator of an area
 9 education agency, and the authorities in charge of an
 10 accredited nonpublic school shall report to the board
 11 any instance of disciplinary action taken against a
 12 licensed school employee by the board of directors
 13 of the school district or area education agency,
 14 the superintendent of the school district, the chief
 15 administrator of the area education agency, or the
 16 authorities in charge of the accredited nonpublic
 17 school for conduct constituting any of the following:
 18 (a) Soliciting, encouraging, or consummating a
 19 romantic or otherwise inappropriate relationship with a
 20 student.
 21 (b) Falsifying student grades, test scores, or
 22 other official information or material.
 23 (c) Converting public property or funds to the
 24 personal use of the school employee.
 25 (2) The board of directors of a school district
 26 or area education agency, the superintendent of a
 27 school district ~~or~~, the chief administrator of an
 28 area education agency, and the authorities in charge
 29 of a nonpublic school shall report to the board the
 30 nonrenewal or termination, for reasons of alleged or
 31 actual misconduct, of a person's contract executed
 32 under sections 279.12, 279.13, 279.15 through 279.21,

33 279.23, and 279.24, and the resignation of a person
34 who holds a license, certificate, or authorization
35 issued by the board as a result of or following an
36 incident or allegation of misconduct that, if proven,
37 would constitute a violation of the rules adopted by
38 the board to implement section 272.2, subsection 14,
39 paragraph "b", subparagraph (1), when the board or
40 reporting official has a good faith belief that the
41 incident occurred or the allegation is true. The
42 board may deny a license or revoke the license of an
43 administrator if the board finds by a preponderance
44 of the evidence that the administrator failed to
45 report the termination or resignation of a school
46 employee holding a license, certificate, statement of
47 professional recognition, or coaching authorization,
48 for reasons of alleged or actual misconduct, as defined
49 by this section.>

WINCKLER of Scott

H-8108

1 Amend House File 2421 as follows:
2 1. Page 3, by striking lines 27 through 29
3 and inserting <the district court or the clerk's
4 designee shall require the interested person referred
5 to in section 229.6, subsection 1, to request a
6 preapplication>
7 2. Page 4, by striking lines 24 through 26 and
8 inserting <section, the clerk or the clerk's designee
9 shall require the interested person referred to in
10 subsection 1 to request a preapplication screening
11 assessment pursuant>

ANDERSON of Page
M. SMITH of Marshall

H-8109

1 Amend House File 2423 as follows:
2 1. Page 3, line 14, by striking <2011> and
3 inserting <2012>
4 2. By renumbering as necessary.

TJEPKES of Webster

H-8110

1 Amend House File 2435 as follows:
2 1. Page 15, after line 19 by inserting:
3 <Sec. ____ 2011 Iowa Acts, chapter 129, section
4 114, is amended by adding the following new subsection:

5 NEW SUBSECTION. 10. VISION SCREENING. For
6 continuation of a grant to a nationally affiliated
7 volunteer eye organization that has an established
8 program for children and adults and that is solely
9 dedicated to preserving sight and preventing blindness
10 through education, nationally certified vision
11 screening and training, and community and patient
12 service programs:
13 \$ 100,000>
14 2. By renumbering as necessary.

HUNTER of Polk

H-8111

1 Amend House File 2435 as follows:
2 1. Page 8, line 13, by striking <3,305,620> and
3 inserting <3,405,620>
4 2. Page 9, after line 24 by inserting:
5 <_. Of the funds appropriated in this subsection,
6 \$100,000 shall be used for the purposes of the
7 continuation of the epilepsy treatment and education
8 task force as specified in 2011 Iowa Acts, chapter 60.>
9 3. By renumbering as necessary.

KRESSIG of Black Hawk

H-8112

1 Amend House File 2345 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 598.1, Code 2011, is amended by
4 adding the following new subsection:
5 NEW SUBSECTION. 2A. "Educational setting" means
6 a public school, an accredited nonpublic school,
7 competent private instruction in accordance with the
8 provisions of chapter 299A, or any other method of
9 educational instruction that satisfies the compulsory
10 education requirements of chapter 299.
11 Sec. _____. Section 598.10, subsection 1, Code 2011,
12 is amended by adding the following new paragraph:
13 NEW PARAGRAPH. c. If the parents are in
14 disagreement over a minor child's educational setting,
15 the court shall consider the educational setting
16 of the minor child in making a temporary order for
17 custody. There is a rebuttable presumption that it is
18 in the best interest of the minor child to remain in
19 the educational setting in which the minor child was
20 enrolled during the immediately preceding school year.>
21 2. Page 1, after line 6 by inserting:
22 <Sec. _____. Section 598.41, Code 2011, is amended by
23 adding the following new subsections:

24 NEW SUBSECTION. 4A. If the court awards joint
 25 legal custody to the parents, but the parents are in
 26 disagreement over a minor child's educational setting,
 27 the court shall consider, and include a provision in
 28 the custody order regarding, the educational setting
 29 of the minor child. There is a rebuttable presumption
 30 that it is in the best interest of the minor child to
 31 remain in the educational setting in which the minor
 32 child was enrolled during the immediately preceding
 33 school year.

34 NEW SUBSECTION. 10. All orders relating to
 35 custody of a child shall specify the rights and
 36 responsibilities of each parent relative to the minor
 37 child's educational setting. The order shall, at a
 38 minimum, specify a parent's rights and responsibilities
 39 regarding physical access to the child during the
 40 school day; access to records involving the health,
 41 education, and welfare of the child; decision-making
 42 authority including instances when parental consent
 43 or authorization is required; and the removal of the
 44 child from the premises of the educational setting
 45 during school hours. Any parent with legal custody
 46 of the child shall provide a copy of the order to the
 47 educational setting and to the school district of the
 48 child to whom the order applies.>

49 3. Title page, lines 1 and 2, by striking <a
 50 determination of the best interest of the child in>

Page 2

1 4. By renumbering as necessary.

HAGENOW of Polk

H-8113

1 Amend Senate File 2283, as passed by the Senate, as
 2 follows:

3 1. Page 2, after line 31 by inserting:
 4 <Sec. ____ NEW SECTION. 481A.56A Retrieval of
 5 wounded deer by leashed dogs.

6 A person having a valid hunting license and a
 7 valid deer hunting license who has wounded a deer
 8 while hunting may use a dog to locate and retrieve
 9 the wounded animal. The hunter or any person in the
 10 company of the hunter shall not possess a firearm or
 11 bow while using a dog in this manner and shall have
 12 the dog leashed and under control at all times during
 13 the search. A person shall obtain permission from the
 14 owner or tenant of private property before using a dog
 15 to locate a wounded deer on the private property. The
 16 commission shall adopt rules pursuant to chapter 17A

17 to implement this section.>

18 2. Page 6, after line 7 by inserting:

19 <Sec. ____ Section 805.8B, subsection 3, paragraph
20 c, Code 2011, is amended to read as follows:

21 c. For violations of sections 481A.6, 481A.21,
22 481A.22, 481A.26, 481A.50, 481A.56, 481A.56A, 481A.60
23 through 481A.62, 481A.83, 481A.84, 481A.92, 481A.123,
24 481A.145, subsection 3, sections 483A.7, 483A.8,
25 483A.23, 483A.24, and 483A.28, the scheduled fine is
26 twenty-five dollars.>

27 3. By renumbering as necessary.

WILLEMS of Linn

H-8114

1 Amend House File 2322 as follows:

2 1. Page 2, line 33, after <submit the> by inserting
3 <plan to the board of supervisors for the county who
4 shall approve or reject the plan as expeditiously
5 as possible. The board of supervisors shall notify
6 the state commissioner of the action taken and, if
7 the plan is rejected, provide the state commissioner
8 written reasons for the rejection of the plan. If
9 the plan is rejected, the state commissioner shall
10 direct the legislative services agency to prepare a
11 second supervisor districting plan for the county.
12 The legislative services agency shall draw the plan
13 in accordance with the standards for a supervisor
14 districting plan as described in this subparagraph
15 and, insofar as it is possible to do so within the
16 requirements for a supervisor districting plan, in
17 accordance with the reasons cited by the board of
18 supervisors by resolution for the rejection of the
19 first plan. The legislative services agency shall
20 submit the second>

BALTIMORE of Boone

H-8115

1 Amend House File 2394 as follows:

2 1. Page 1, after line 9 by inserting:

3 <Sec. ____ Section 357A.11, subsection 5, Code
4 2011, is amended to read as follows:

5 5. Have authority to acquire by gift, lease,
6 purchase, or grant any property, real or personal,
7 in fee or a lesser interest needed to achieve the
8 purposes for which the district was incorporated,
9 to acquire easements for water lines and reservoirs
10 ~~by condemnation proceedings~~, and to sell and convey
11 property owned, but no longer needed, by the district.

- 12 ~~Condemnation proceedings shall not apply to existing~~
 13 ~~wells, ponds or reservoirs. A district shall not~~
 14 have authority to acquire any interest in property by
 15 eminent domain.>
 16 2. Title page, line 1, after <annual meeting
 17 requirements> by inserting <and board duties>
 18 3. By renumbering as necessary.

KAUFMANN of Cedar

H-8116

- 1 Amend the amendment, H-8107, to House File 2383 as
 2 follows:
 3 1. Page 1, line 29, by striking <a> and inserting
 4 <~~a~~ an accredited>
 5 2. Page 1, line 39, by striking <(1),> and
 6 inserting <~~(1); (1); soliciting, encouraging, or~~
 7 consummating a romantic or otherwise inappropriate
 8 relationship with a student; falsifying student grades,
 9 test scores, or other official information or material;
 10 or converting public property or funds to the personal
 11 use of the school employee.>

KOESTER of Polk

H-8117

- 1 Amend House File 2426 as follows:
 2 1. Page 22, by striking lines 23 through 32.
 3 2. Page 57, by striking lines 22 through 27.
 4 3. Page 57, by striking lines 32 through 35 and
 5 inserting:
 6 <Sec. ____ Section 490.140, Code Supplement 2011,
 7 is amended by adding the following new subsection:
 8 NEW SUBSECTION. 21B. "Public corporation" means a
 9 corporation that has>
 10 4. Page 58, after line 14 by inserting:
 11 <Sec. ____ Section 490.805, subsection 2, Code
 12 Supplement 2011, is amended by striking the subsection
 13 and inserting in lieu thereof the following:
 14 2. The terms of all other directors expire at the
 15 next, or if their terms are staggered in accordance
 16 with section 490.806, at the applicable second or
 17 third, annual shareholders' meeting following their
 18 election, except to the extent a shorter term is
 19 specified in the articles of incorporation in the event
 20 of a director nominee failing to receive a specified
 21 vote for the election.>
 22 5. Page 58, after line 17 by inserting:
 23 <DIVISION ____
 24 EFFECT OF THIS ACT ON PRIOR ACT

25 Sec. ____ EFFECT OF THIS ACT ON PRIOR ACT.
 26 1. Nothing in this Act shall be construed to affect
 27 any provision enacted in 2011 Iowa Acts, chapter 2,
 28 sections 1 through 8, prior to the repeal of those
 29 provisions as provided in 2011 Iowa Acts, chapter 2,
 30 section 9, subsection 1.
 31 2. Nothing in this Act shall be construed to affect
 32 2011 Iowa Acts, chapter 2, section 9.>
 33 6. By renumbering as necessary.

ANDERSON of Page

H-8118

1 Amend House File 2394 as follows:
 2 1. Page 1, line 4, by striking <of> and inserting
 3 <by July 31 of>
 4 2. Title page, line 1, by striking <annual>

BALTIMORE of Boone

H-8119

1 Amend Senate File 2146, as passed by the Senate, as
 2 follows:
 3 1. Page 1, after line 9 by inserting:
 4 <Sec. ____ Section 357A.11, subsection 5, Code
 5 2011, is amended to read as follows:
 6 5. Have authority to acquire by gift, lease,
 7 purchase, or grant any property, real or personal,
 8 in fee or a lesser interest needed to achieve the
 9 purposes for which the district was incorporated,
 10 to acquire easements for water lines and reservoirs
 11 ~~by condemnation proceedings~~, and to sell and convey
 12 property owned, but no longer needed, by the district.
 13 ~~Condemnation proceedings shall not apply to existing~~
 14 ~~wells, ponds or reservoirs. A district shall not~~
 15 have authority to acquire any interest in property by
 16 eminent domain.>
 17 2. Title page, line 1, after <meeting requirements>
 18 by inserting <and board duties>
 19 3. By renumbering as necessary.

KAUFMANN of Cedar

H-8120

1 Amend House File 2319 as follows:
 2 1. Page 1, before line 1 by inserting:
 3 <Section 1. Section 39.3, subsection 7, Code 2011,
 4 is amended to read as follows:
 5 7. "General election" means the biennial election

6 for national or state officers, members of Congress and
 7 of the general assembly, county and township officers,
 8 and for the choice of other officers or the decision
 9 of questions as provided by law and shall include a
 10 regular city election described in section 376.1 to
 11 fill a vacancy in an elective city office pursuant to
 12 section 372.13, subsection 2.>

13 2. Page 11, after line 27 by inserting:

14 <Sec. ____ Section 372.13, subsection 2, paragraph
 15 a, Code 2011, is amended to read as follows:

16 a. (1) By appointment by the remaining members
 17 of the council, except that if the remaining members
 18 do not constitute a quorum of the full membership,
 19 paragraph "b" shall be followed. The appointment shall
 20 be made within forty days after the vacancy occurs
 21 and shall be for the period until the next ~~pending~~
 22 ~~election as defined in section 69.12, and shall be made~~
 23 ~~within forty days after the vacancy occurs~~ regular city
 24 election described in section 376.1, unless there is
 25 an intervening special election to fill a vacancy in
 26 another elective city office in that city, in which
 27 event the election for the office shall be placed on
 28 the ballot at such special election.

29 (2) If the council chooses to proceed under this
 30 paragraph, it shall publish notice in the manner
 31 prescribed by section 362.3, stating that the council
 32 intends to fill the vacancy by appointment but that
 33 the electors of the city or ward, as the case may
 34 be, have the right to file a petition requiring that
 35 the vacancy be filled by a special election. The
 36 council may publish notice in advance if an elected
 37 official submits a resignation to take effect at a
 38 future date. The council may make an appointment to
 39 fill the vacancy after the notice is published or after
 40 the vacancy occurs, whichever is later. However, if
 41 within fourteen days after publication of the notice
 42 or within fourteen days after the appointment is made,
 43 there is filed with the city clerk a petition which
 44 requests a special election to fill the vacancy, an
 45 appointment to fill the vacancy is temporary and the
 46 council shall call a special election to fill the
 47 vacancy permanently, under paragraph "b". The number
 48 of signatures of eligible electors of a city for a
 49 valid petition shall be determined as follows:

50 (1) (a) For a city with a population of ten thousand

Page 2

1 or less, at least two hundred signatures or at least
 2 the number of signatures equal to fifteen percent of
 3 the voters who voted for candidates for the office at
 4 the preceding regular election at which the office was

- 5 on the ballot, whichever number is fewer.
 6 (2) (b) For a city with a population of more than
 7 ten thousand but not more than fifty thousand, at least
 8 one thousand signatures or at least the number of
 9 signatures equal to fifteen percent of the voters who
 10 voted for candidates for the office at the preceding
 11 regular election at which the office was on the ballot,
 12 whichever number is fewer.
 13 (3) (c) For a city with a population of more than
 14 fifty thousand, at least two thousand signatures or at
 15 least the number of signatures equal to ten percent of
 16 the voters who voted for candidates for the office at
 17 the preceding regular election at which the office was
 18 on the ballot, whichever number is fewer.
 19 (4) (d) The minimum number of signatures for a valid
 20 petition pursuant to ~~subparagraphs (1) subparagraph~~
 21 divisions (a) through (3) (d) shall not be fewer than
 22 ten. In determining the minimum number of signatures
 23 required, if at the last preceding election more than
 24 one position was to be filled for the office in which
 25 the vacancy exists, the number of voters who voted
 26 for candidates for the office shall be determined by
 27 dividing the total number of votes cast for the office
 28 by the number of seats to be filled.>
 29 3. Title page, line 4, by striking <special>
 30 4. By renumbering as necessary.

SCHULTE of Linn

H-8121

- 1 Amend Senate File 2249, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, after line 32 by inserting:
 4 <Sec. ____ Section 322.5, subsection 2, paragraph
 5 a, subparagraph (2), Code 2011, is amended to read as
 6 follows:
 7 (2) Display, offer for sale, and negotiate sales
 8 of new motor vehicles at fair events, as defined in
 9 chapter 174, vehicle shows, and vehicle exhibitions,
 10 upon application for and receipt of a temporary permit
 11 issued by the department. Such activities may only be
 12 conducted at fair events, vehicle shows, and vehicle
 13 exhibitions that are held in the ~~county of the~~ motor
 14 vehicle dealer's principal place of business community,
 15 as defined in section 322A.1, for the vehicles that
 16 are displayed and offered for sale. A sale of a
 17 motor vehicle by a motor vehicle dealer shall not be
 18 completed and an agreement for the sale of a motor
 19 vehicle shall not be signed at a fair event, vehicle
 20 show, or vehicle exhibition. All such sales shall be
 21 consummated at the motor vehicle dealer's principal

- 22 place of business.>
 23 2. Title page, lines 1 and 2, by striking
 24 <motorcycle dealer activities at> and inserting <motor
 25 vehicle dealer activities at fair events, vehicle
 26 shows, vehicle exhibitions, and>
 27 3. By renumbering as necessary.

IVERSON of Wright

H-8122

- 1 Amend Senate File 479, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 1, after <Code> by inserting
 4 <Supplement>
 5 2. Page 1, by striking lines 13 through 25 and
 6 inserting <the family felidae classified as a bengal
 7 with an ancestor classified as an Asian leopard
 8 cat which is a member of the species prionailurus
 9 bengalensis. The bengal must be the fourth or later
 10 filial generation of offspring with the first filial
 11 generation being the offspring of a domestic cat and an
 12 Asian leopard cat, and each subsequent generation being
 13 the offspring of a domestic cat.>
 14 3. Title page, line 2, by striking <and savannahs>
 15 4. By renumbering as necessary.

COMMITTEE ON NATURAL RESOURCES

H-8123

- 1 Amend House File 2427 as follows:
 2 1. Page 1, after line 7 by inserting:
 3 <Sec. ____ Section 99B.10B, subsection 1, Code
 4 2011, is amended to read as follows:
 5 1. a. The department may deny, suspend, or revoke
 6 a registration issued pursuant to section 99B.10 or
 7 99B.10A, if the department finds that an applicant,
 8 registrant, or an agent of a registrant violated
 9 or permitted a violation of a provision of section
 10 99B.10, 99B.10A, or 99B.10C, or a departmental rule
 11 adopted pursuant to chapter 17A, or for any other
 12 cause for which the director of the department would
 13 be or would have been justified in refusing to issue
 14 a registration, or upon the conviction of a person of
 15 a violation of this chapter or a rule adopted under
 16 this chapter which occurred on the premises where the
 17 registered amusement device is or is to be located.
 18 However, the denial, suspension, or revocation of
 19 a registration for one amusement device does not
 20 require, but may result in, the denial, suspension,
 21 or revocation of the registration for a different

22 amusement device held by the same distributor or owner.
 23 b. However, a person who commits an offense of
 24 failing to include a security mechanism on an amusement
 25 device as required pursuant to section 99B.10,
 26 subsection 1, paragraph "m", shall be issued a warning
 27 letter by the department. A person who commits, within
 28 two years, a second offense of failing to include a
 29 security mechanism on an amusement device shall be
 30 subject to the provisions of paragraph "a".>
 31 2. Title page, line 3, after <use of> by inserting
 32 <, or for failing to include a security mechanism on,>
 33 3. By renumbering as necessary.

T. TAYLOR of Linn

H-8124

1 Amend House File 2384 as follows:
 2 1. Page 1, by striking lines 3 through 12 and
 3 inserting:
 4 <7. a. The costs of special education
 5 instructional programs include the costs of purchase of
 6 transportation equipment to meet the special needs of
 7 children requiring special education with the approval
 8 of the director of the department of education.
 9 b. The department of education administers the
 10 costs of special education instructional programs
 11 when contracted with a private agency that provides
 12 residential treatment services including the costs of
 13 general administration, health service, attendance
 14 officers, plant operation, and plant maintenance,
 15 regular and special instructional costs, overhead
 16 costs, and the costs of purchase of equipment,
 17 transportation, and insurance to meet the special needs
 18 of children requiring special education.
 19 c. The state board of education shall adopt rules
 20 under chapter 17A ~~for the purchase of transportation~~
 21 ~~equipment pursuant to~~ administer this section.
 22 Sec. __. SPECIAL EDUCATION COSTS – LEGISLATIVE
 23 STUDY. The legislative council is requested to
 24 establish an interim study committee during the 2012
 25 interim to examine the payment of special education
 26 costs associated with student services provided in
 27 residential treatment facilities and whether the
 28 planning for and costs of such services would be
 29 more appropriately administered by the department of
 30 education or the department of human services.
 31 Sec. __. EFFECTIVE UPON ENACTMENT. This Act,
 32 being deemed of immediate importance, takes effect upon
 33 enactment.
 34 Sec. __. RETROACTIVE APPLICABILITY. This Act
 35 applies retroactively to July 1, 2011.>

36 2. Title page, line 2, after <education> by
37 inserting <and including effective date and retroactive
38 applicability provisions>

MURPHY of Dubuque
J. TAYLOR of Woodbury
STECKMAN of Cerro Gordo
BYRNES of Mitchell

H-8125

1 Amend House File 2379 as follows:
2 1. Page 1, by striking lines 1 through 33.
3 2. Page 2, by striking lines 14 through 20 and
4 inserting <deferred judgment shall be expunged. The
5 record maintained by the state court administrator
6 as required by section 907.4 shall not be expunged.
7 However, the court's>
8 3. Page 2, line 22, by striking <fines.>

ALONS of Sioux
R. OLSON of Polk

H-8126

1 Amend Senate File 479, as passed by the Senate, as
2 follows:
3 1. Page 1, before line 1 by inserting:
4 <Section 1. NEW SECTION. 484B.13A Hunting boars.
5 1. As used in this section, "hunting boar" means
6 swine that is all of the following:
7 a. A member if the species *sus scrofa linnaeus*,
8 including but not limited to swine commonly known as
9 Russian boar or European boar of either sex.
10 b. Classified as a dangerous wild animal pursuant
11 to chapter 717F.
12 2. Notwithstanding anything in this chapter to the
13 contrary, a person may obtain and retain a license to
14 operate a hunting preserve which confines a hunting
15 boar in the same manner as the person would obtain
16 and retain a license to maintain an ungulate under
17 this chapter. Except as provided in subsection 3, the
18 requirements in this chapter applicable to ungulates
19 shall apply to hunting boars.
20 3. In addition to the requirements provided in
21 subsection 2, a person shall not obtain or retain a
22 hunting preserve license to confine a hunting boar
23 under this chapter unless all of the following apply:
24 a. Since July 1, 2007, the person must have
25 confined a hunting boar on a contiguous tract of
26 land having an area of not less than three hundred
27 twenty acres that is or has been licensed as a hunting

28 preserve under this chapter.

29 b. A hunting boar must be confined by a fence
30 that is constructed at least three feet below the
31 ground level and at least six feet above ground level.
32 The fence must be constructed in a manner and using
33 materials approved by the department.

34 c. The department shall provide for special tags
35 to identify boars in the same manner as provided for
36 ungulates in section 484B.9.

37 d. In addition to the health requirements for
38 ungulates provided in section 484B.12, a hunting boar
39 shall be subject to all statutes and rules applicable
40 to the health of other swine, as provided in Title
41 V, subtitle 2, including the prevention, control,
42 and eradication of diseases afflicting swine. Each
43 twelve-month period, the person licensed to operate the
44 hunting preserve shall submit a health report to the
45 department of natural resources and the department of
46 agriculture and land stewardship stating whether any
47 hunting boar has contracted an infectious or contagious
48 disease as defined in section 163.2. In addition, the
49 report must declare that the population is a validated
50 brucellosis-free herd as provided in chapter 163A and

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1 a noninfected herd because all breeding swine have
2 reacted negatively for pseudorabies as provided in
3 chapter 166D.

4 e. A live hunting boar must not be removed from the
5 premises of the hunting preserve.

6 f. The hunting boar population must not propagate
7 except by the ovum and sperm of the confined boars.

8 g. The person shall notify the department of
9 natural resources within twenty-four hours of
10 discovering that a live hunting boar is no longer
11 confined.>

12 2. Page 1, after line 25 by inserting:

13 <Sec. ____ Section 717F.7, Code 2011, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 21. Swine which is a member of the
16 species *sus scrofa linnaeus*, including but not limited
17 to swine commonly known as Russian boar or European
18 boar of either sex, if such swine is confined within a
19 hunting preserve licensed by the department of natural
20 resources as provided in section 484B.13A.>

21 3. Title page, line 1, before <cats> by inserting
22 <, and penalties relating to, dangerous wild animals,
23 including swine classified as *sus scrofa linnaeus* and>

H-8127

1 Amend the amendment, H-8120, to House File 2319 as
2 follows:

3 1. Page 1, lines 25 and 26, by striking <to fill a
4 vacancy in another elective city office>

GASKILL of Wapello

H-8128

1 Amend Senate File 364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, after line 35 by inserting:
4 <Sec. ____ Section 148B.2, subsection 2, Code 2011,
5 is amended to read as follows:

6 2. "Occupational therapy" means the therapeutic
7 application of specific tasks used for the purpose of
8 evaluation and treatment of problems interfering with
9 functional performance in persons impaired by physical
10 illness or injury, emotional disorder, congenital or
11 developmental disability, or the aging process in order
12 to achieve optimum function, for maintenance of health
13 and prevention of disability. "Occupational therapy"
14 includes but is not limited to providing assessment,
15 design, fabrication, application, and fitting of
16 selected orthotic devices and training in the use of
17 prosthetic devices.>

18 2. Page 7, line 2, after <caregivers.> by inserting
19 <Any changes to the nationally accepted standards by
20 the American board for certification in orthotics,
21 prosthetics and pedorthics which impact scope of
22 practice may be approved by the board along with the
23 adoption of rules as required in this section.>

24 3. Page 11, by striking lines 6 through 19.

25 4. Title page, line 2, after <pedorthists>
26 by inserting <, providing exceptions for persons
27 practicing within the scope of their professions,>

28 5. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8129

1 Amend Senate File 2283, as passed by the Senate, as
2 follows:

3 1. Page 4, by striking lines 8 through 29.

4 2. By striking page 5, line 22, through page 6,
5 line 5.

6 3. By renumbering as necessary.

HAGER of Allamakee

H-8130

1 Amend the amendment, H-8114, to House File 2322 as
2 follows:

3 1. Page 1, after line 1 by inserting:

4 <__. Page 2, line 26, after <shall> by inserting
5 <notify the legislative council which shall, upon the
6 request of the state commissioner,>>

7 2. Page 1, line 9, after <shall> by inserting

8 <notify the legislative council which shall, upon the
9 request of the state commissioner,>

BALTIMORE of Boone

H-8131

1 Amend House File 2371 as follows:

2 1. Page 6, after line 17 by inserting:

3 <Sec. __. Section 91A.5A, subsection 1, Code 2011,
4 is amended to read as follows:

5 1. An employer shall provide each employee who is
6 a veteran, as defined in section 35.1, with holiday
7 time off for Veterans Day, November 11, if the employee
8 would otherwise be required to work on that day, as
9 provided in this section. If Veterans Day falls on a
10 Saturday, an employer shall provide the employee with
11 holiday time off for the preceding Friday. If Veterans
12 Day falls on a Sunday, an employer shall provide
13 the employee with holiday time off for the following
14 Monday. However, if the employee is otherwise required
15 to work on such a Saturday or Sunday, an employer shall
16 only be required to provide the employee with holiday
17 time off for Veterans Day, November 11.>

18 2. Title page, line 1, after <affairs> by inserting
19 <and employer requirements for the observance of
20 Veterans Day>

21 3. By renumbering as necessary.

KEARNS of Lee

H-8132

1 Amend House File 2435 as follows:

2 1. Page 9, line 30, by striking <3,788,859> and
3 inserting <3,848,859>

4 2. Page 11, line 22, by striking <124,050> and
5 inserting <184,050>

ABDUL-SAMAD of Polk

H-8133

1 Amend Senate File 2221, as passed by the Senate, as
2 follows:

3 1. Page 1, line 17, after <the> by inserting
4 <information in the Iowa court information system
5 available to the general public, the>

COMMITTEE ON EDUCATION

H-8134

1 Amend Senate File 2283, as passed by the Senate, as
2 follows:

3 1. Page 6, after line 7 by inserting:
4 <Sec. ____ Section 484B.1, Code 2011, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 3A. "Elk" means an animal
7 belonging to the cervidae family and classified as part
8 of the canadensis species of the cervus genus.
9 Sec. ____ NEW SECTION. 484B.4A Minimum enclosed
10 acreage — exceptions.

11 1. A hunting preserve on which elk are kept must
12 include at least three hundred twenty contiguous acres
13 which are enclosed by a fence as required pursuant to
14 section 484B.5. However, a person may keep elk only
15 on a hunting preserve that includes a fewer number of
16 enclosed acres if either of the following applies:

17 a. The commission grants a waiver for the hunting
18 preserve according to terms and conditions required by
19 the commission. The hunting preserve must include at
20 least one hundred sixty contiguous acres.

21 b. (1) The hunting preserve was operated as a
22 business on January 1, 2005.

23 (2) If the hunting preserve operated as a business
24 on January 1, 2005, the landowner or the landowner's
25 successor in interest may sell or otherwise transfer
26 ownership of the hunting preserve to another person
27 who may continue to operate the hunting preserve
28 in the same manner as the landowner. However, this
29 subparagraph shall not apply if the owner of the
30 hunting preserve or any successor in interest fails to
31 meet the licensing requirements of section 484B.4 each
32 year.

33 Sec. ____ Section 484C.1, Code 2011, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 3A. "Elk" means an animal
36 belonging to the cervidae family and classified as part
37 of the canadensis species of the cervus genus.

38 Sec. ____ Section 484C.5, Code 2011, is amended to
39 read as follows:

40 484C.5 Minimum enclosed acreage — exceptions.

41 1. A hunting preserve must include at least three

42 hundred twenty contiguous acres which are enclosed by a
 43 fence certified pursuant to section 484C.6. However,
 44 the hunting preserve may include a fewer number of
 45 enclosed acres if any of the following applies:
 46 ~~1. a.~~ The commission grants a waiver for the
 47 hunting preserve according to terms and conditions
 48 required by the commission. The hunting preserve must
 49 include at least one hundred sixty contiguous acres.
 50 ~~2. a. b. (1)~~ The hunting preserve was operated

Page 2

1 as a business on January 1, 2005.
 2 ~~b. (2)~~ If the hunting preserve operated as a
 3 business on January 1, 2005, the landowner or the
 4 landowner's successor in interest may sell or otherwise
 5 transfer ownership of the hunting preserve to another
 6 person who may continue to operate the hunting preserve
 7 in the same manner as the landowner. However, this
 8 ~~paragraph subparagraph~~ shall not apply if the owner of
 9 the hunting preserve or any successor in interest fails
 10 to register with the department as provided in section
 11 484C.7 for three or more consecutive years.
 12 ~~3. a. c. (1)~~ The hunting preserve was not
 13 operated as a business on January 1, 2005, and all of
 14 the following apply:
 15 ~~(1) (a)~~ The hunting preserve has at least one
 16 hundred contiguous acres.
 17 ~~(2) (b)~~ The hunting preserve's fence is certified
 18 by the department not later than September 1, 2005.
 19 ~~b. (2)~~ If the hunting preserve complies with
 20 ~~paragraph "a" subparagraph (1)~~, the landowner or the
 21 landowner's successor in interest may sell or otherwise
 22 transfer ownership of the hunting preserve to another
 23 person who may continue to operate the hunting preserve
 24 in the same manner as the landowner. However, this
 25 ~~paragraph subparagraph~~ shall not apply if the owner of
 26 the hunting preserve or any successor in interest fails
 27 to register with the department as provided in section
 28 484C.7 for three or more consecutive years.
 29 2. Notwithstanding any other provision of this
 30 chapter or chapter 484B, a person may keep whitetail
 31 and elk together on a hunting preserve that includes
 32 less than three hundred twenty enclosed acres if the
 33 person receives a waiver as provided in subsection 1,
 34 paragraph "a" or meets the conditions specified in
 35 subsection 1, paragraph "b".>
 36 2. Page 6, after line 13 by inserting:
 37 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 38 provision or provisions of this Act, being deemed of
 39 immediate importance, take effect upon enactment:
 40 1. The sections of this Act amending sections

- 41 484B.1, 484C.1, and 484C.5.
42 2. The section of this Act enacting section
43 484B.4A.>
44 3. Title page, line 3, by striking <and>
45 4. Title page, line 4, after <applicable> by
46 inserting <, and including effective date provisions>
47 5. By renumbering as necessary.

J. SMITH of Dickinson

H-8135

- 1 Amend House File 2329 as follows:
2 1. Page 2, line 21, by striking <when> and
3 inserting <under>
4 2. Page 2, line 24, after <service> by inserting
5 <or who are serving in the armed forces of the United
6 States on active federal service and have been disabled
7 during military service>
8 3. Page 2, line 24, by striking <veteran> and
9 inserting <person>
10 4. Page 2, line 27, by striking <veterans> and
11 inserting <persons>
12 5. Page 2, line 33, after <veterans> by inserting
13 <and members of the armed forces serving on active
14 federal service who have been disabled during military
15 service>
16 6. Page 3, line 1, by striking <veterans> and
17 inserting <persons>
18 7. Page 3, by striking lines 7 through 9 and
19 inserting <ch. 11 with a degree of disability of thirty
20 percent or more.>
21 8. Page 3, line 18, by striking <veteran> and
22 inserting <person>
23 9. Page 3, line 23, by striking <veteran> and
24 inserting <person>
25 10. Page 3, after line 27 by inserting:
26 <0d. A special hunting license shall be available
27 for issuance under this subsection to a disabled
28 veteran or disabled member of the armed forces serving
29 on active federal service for the same fee that is
30 charged to a resident hunter to enable such a disabled
31 person to participate in a hunt conducted by an
32 organization approved under this subsection for which
33 only a hunting license is required.>
34 11. Page 3, line 28, by striking <veteran> and
35 inserting <person>
36 12. Title page, line 2, after <veterans> by
37 inserting <and disabled members of the armed forces
38 serving on active federal service>

VANDER LINDEN of Mahaska

H-8136

- 1 Amend House File 2435 as follows:
 2 1. Page 60, by striking lines 19 through 24 and
 3 inserting <first \$975,919 shall be used for the costs
 4 of replacing a boiler at the Iowa veterans home. The
 5 next \$500,000 shall remain available to be used for
 6 the purposes of the Iowa veterans home. Any remaining
 7 balance shall revert to the general fund of the state.>

M. SMITH of Marshall

H-8137

- 1 Amend House File 2367 as follows:
 2 1. Page 1, line 9, after <who> by inserting
 3 <knowingly and intentionally>
 4 2. Page 1, by striking line 14 and inserting <by a
 5 dangerous condition on the land if all>
 6 3. Page 1, line 18, by striking <artificial> and
 7 inserting <dangerous>
 8 4. Page 1, line 19, by striking <artificial> and
 9 inserting <dangerous>
 10 5. Page 1, line 22, by striking <serious>
 11 6. Page 1, line 23, by striking <harm> and
 12 inserting <injury>
 13 7. Page 1, line 24, by striking <artificial> and
 14 inserting <dangerous>
 15 8. Page 1, by striking lines 27 through 30.
 16 9. Page 2, by striking line 2 and inserting <risk
 17 of dangerous conditions on land, but>
 18 10. By renumbering as necessary.

WOLFE of Clinton

H-8138

- 1 Amend House File 2369 as follows:
 2 1. Page 1, lines 7 and 8, by striking <examiner;
 3 or a funeral director, or the county registrar> and
 4 inserting <examiner, a funeral director, or the ~~county~~
 5 state registrar>

KLEIN of Washington

H-8139

- 1 Amend House File 2432 as follows:
 2 1. Page 1, line 17, after <association,> by
 3 inserting <the Iowa school nurse organization,>

L. MILLER of Scott

H-8140

1 Amend House File 2380 as follows:

2 1. Page 5, line 13, after <standards.> by inserting
3 <Rules adopted pursuant to this subsection shall be
4 designed to preserve, to the extent possible, autonomy
5 and flexibility for local educational agencies to adopt
6 local policies and processes for the evaluation system
7 consistent with this subsection and section 256.9,
8 subsection 64.>

9 2. Page 5, line 19, by striking <subsection> and
10 inserting <subsections>

11 3. Page 5, lines 23 and 24, by striking <to
12 standardize the instruments and processes used>

13 4. Page 5, line 32, after <system.> by inserting
14 <The department shall monitor alternative teacher
15 evaluation systems approved pursuant to this
16 subsection and section 284.4, subsection 1, paragraph
17 "e", subparagraph (2), to ensure that evaluation
18 outcomes are consistent in the aggregate with student
19 achievement results at the school districts and
20 school levels and that approved alternative teacher
21 evaluation systems continue to meet the local and
22 state educational goals and the requirements specified
23 for the statewide alternative administrator system
24 developed pursuant to this subsection.>

25 5. By striking page 5, line 35, through page 6,
26 line 6, and inserting:

27 <(1) For teachers who teach core curriculum
28 coursework, student achievement growth data from
29 assessments administered under the value-added
30 assessment system established pursuant to section
31 256.24 which shall comprise at least fifty percent of a
32 teacher's evaluation, using data from the value-added
33 assessment system established pursuant to section
34 256.24.

35 (2) For teachers who do not directly instruct
36 students in subjects and grades outside of the core
37 curriculum, the following indicators or assessments as
38 approved by the director who shall do either of the
39 following:

40 (a) Develop and implement a plan to incorporate
41 student achievement growth indicators, resulting
42 from assessments approved by the department, which
43 shall comprise at least fifty percent of a teacher's
44 evaluation using data from the value-added assessment
45 system established pursuant to section 256.24.

46 (b) Develop and distribute, or support the area
47 education agencies in the development and distribution,
48 of common assessments aligned with the core content
49 standards established pursuant to section 256.7,
50 subsection 28. The director or the area education

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1 agencies as appropriate shall collaborate with school
2 districts and education stakeholders to develop common
3 assessments for subjects and grades outside of the core
4 curriculum. Student achievement growth indicators
5 resulting from the assessments shall comprise at least
6 fifty percent of a teacher's evaluation using data from
7 the value-added assessment system established pursuant
8 to section 256.24.

9 (3) Measurement of student achievement growth
10 indicators which shall be in accordance with the growth
11 model developed pursuant to section 256.24.

12 (4) Additional measures for teachers which shall
13 be correlated with impacts on student achievement
14 results. Measures shall include student surveys and
15 multiple classroom observations during the school year
16 by trained master teachers, administrators, or an
17 evaluator as defined in section 284.2, who shall use
18 clear, consistent observation rubrics provided to the
19 teacher in advance of the school year, and may include
20 other measures aligned with student achievement.

21 (5) Processes and requirements to determine the
22 teacher of record for purposes of assigning student
23 achievement scores in order to evaluate a teacher's
24 performance, which shall be aligned with regulations
25 adopted pursuant to the federal No Child Left Behind
26 Act of 2001, Pub. L. No. 107-110 relating to highly
27 qualified teacher reporting requirements.

28 (6) Processes to verify instructional staffing
29 assignments and the students assigned to each member
30 of the instructional staff for purposes of evaluating
31 teacher performance.

32 (7) Standards for rating levels assigned to
33 teachers in accordance with paragraph "e".

34 (8) Processes and requirements for value-added
35 methods to be used in measuring student achievement
36 growth for purposes of teacher evaluation using the
37 value-added system established pursuant to section
38 256.24.

39 (9) Minimum training requirements for the evaluator
40 training programs offered in accordance with section
41 284.10.

42 c. The components of the statewide administrator
43 evaluation system shall include but not be limited to
44 the following:

45 (1) Attendance center or district-wide student
46 achievement growth, as appropriate, which shall
47 comprise fifty percent of the evaluation.

48 (2) Multiple measures for the remaining fifty
49 percent of the evaluation that include but are not
50 limited to any of the following:

Page 3

1 (a) Multiple observations by the school district
2 superintendent or an evaluator as defined in section
3 284.2.
4 (b) Improvement in the percentage of instructional
5 personnel that advance to a level determined by the
6 department to be effective or highly effective.
7 (c) Retention of effective and highly effective
8 teachers from year-to-year.
9 (d) Parent survey results.
10 (e) Other factors as determined by the director.
11 d. Teachers and administrators shall be notified in
12 writing in advance of the school year of the measures
13 and any specific indicators that will be used to
14 evaluate practitioners under the systems developed
15 pursuant to this subsection.
16 e. Each teacher and administrator shall be assigned
17 a rating of highly effective, effective, minimally
18 effective, or ineffective, as defined by the state
19 board or area education agency. Whether or not a
20 practitioner is determined to be effective shall be
21 based in significant part on the percentage of students
22 under the authority of the practitioner who achieved
23 at least one grade level of growth during the school
24 year, or otherwise achieved appropriate growth based
25 on expectations derived from at least two years of
26 individual student achievement data.
27 NEW SUBSECTION. 65. Develop, implement, and post
28 on the department's internet site a statewide student
29 growth model aligned with the value-added assessment
30 system established pursuant to section 256.24 for
31 determining student growth on assessments for purposes
32 of teacher and administrator evaluation in order to
33 standardize student academic growth measures and ensure
34 that a teacher's performance is measured substantially
35 according to the value the teacher adds to student
36 learning growth.
37 NEW SUBSECTION. 66. Provide technical assistance
38 to school districts in the development and
39 implementation of an alternative teacher evaluation
40 system under section 284.4, subsection 1, paragraph
41 "e", subparagraph (2), including providing or assisting
42 school districts in the development of evaluator
43 training programs offered pursuant to section 284.10,
44 and a resource bank that identifies assessments,
45 processes, tools, and policies that a school district
46 may use to develop an alternative evaluation system.
47 The resource bank shall include resources that are
48 appropriate to school districts of different sizes,
49 demographics, and locations and shall be updated
50 periodically to reflect new research and current best

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1 practices.

2 Sec. ____ Section 279.13, Code 2011, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 6. Notwithstanding the other
5 provisions of this section and any contrary provision
6 of the Code, if the board of directors of a school
7 district or charter school institutes, by majority vote
8 of the membership of the board, a reduction in force,
9 a decision by the board to lay off a teacher or to
10 not renew a teacher contract shall be based upon the
11 teacher's effectiveness as demonstrated in evaluations
12 conducted pursuant to sections 284.4 and 284.8. A
13 teacher assigned a rating of ineffective or minimally
14 effective shall be laid off before a teacher who is
15 assigned a rating of effective or highly effective,
16 and a teacher assigned a rating of effective shall be
17 laid off before a teacher who is assigned a rating of
18 highly effective. A teacher who is assigned a rating
19 of effective shall be placed on paid leave for one
20 year. A school district shall fill positions that
21 open up based upon whether the teacher is qualified
22 under chapter 272 to fill the position and if more
23 than one teacher on paid leave is qualified for the
24 position, priority, with the consent of the principal
25 of the attendance center, shall be given to the teacher
26 assigned the highest rating under the evaluation system
27 adopted pursuant to section 284.4.

28 Sec. ____ Section 279.19, Code 2011, is amended to
29 read as follows:

30 279.19 Probationary period.

31 1. The For a teacher first employed by a school
32 district on or after July 1, 2012, the first three
33 five consecutive years of employment of a teacher in
34 the same school district are a probationary period.
35 However, if the teacher has successfully completed a
36 probationary period of employment for another school
37 district located in Iowa, the probationary period in
38 the current district of employment shall not exceed one
39 year. A board of directors may waive the probationary
40 period for any teacher who previously has served a
41 probationary period in another school district and
42 the board may extend the probationary period for an
43 additional year with the consent of the teacher.

44 2. In the case of the termination of a probationary
45 teacher's contract, the provisions of sections 279.15
46 and 279.16 shall apply. However, if the probationary
47 teacher is a beginning teacher who fails to demonstrate
48 competence in the Iowa teaching standards in accordance
49 with chapter 284, the provisions of sections 279.17 and
50 279.18 shall also apply.

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1 The board's decision shall be final and binding
2 unless the termination was based upon an alleged
3 violation of a constitutionally guaranteed right of
4 the teacher or an alleged violation of public employee
5 rights of the teacher under section 20.10.

6 Notwithstanding any provision to the contrary, the
7 grievance procedures of section 20.18 relating to
8 job performance or job retention shall not apply to a
9 teacher during the first two years of the teacher's
10 probationary period. However, this paragraph shall not
11 apply to a teacher who has successfully completed a
12 probationary period in a school district in Iowa.

13 Sec. ____ Section 284.3, subsection 2, Code 2011,
14 is amended to read as follows:

15 2. A school board shall provide, for the following:

16 a. ~~For purposes of comprehensive evaluations for~~
17 ~~beginning teachers required to allow beginning teachers~~
18 ~~to progress to career teachers, standards and criteria~~
19 ~~that are the Iowa teaching standards specified in~~
20 ~~subsection 1 and the criteria for the Iowa teaching~~
21 ~~standards developed by the department in accordance~~
22 ~~with section 256.9, subsection 46. These standards and~~
23 ~~criteria shall be set forth in an instrument provided~~
24 ~~by the department. The comprehensive evaluation and~~
25 ~~instrument are not subject to negotiations or grievance~~
26 ~~procedures pursuant to chapter 20 or determinations~~
27 ~~made by the board of directors under section 279.14.~~
28 ~~A local school board and its certified bargaining~~
29 ~~representative may negotiate, pursuant to chapter 20,~~
30 ~~evaluation and grievance procedures for beginning~~
31 ~~teachers that are not in conflict with this chapter.~~
32 ~~If, in accordance with section 279.19, a beginning~~
33 ~~teacher appeals the determination of a school board to~~
34 ~~an adjudicator under section 279.17, the adjudicator~~
35 ~~selected shall have successfully completed training~~
36 ~~related to the Iowa teacher standards, the criteria~~
37 ~~adopted by the state board of education in accordance~~
38 ~~with subsection 3, and any additional training required~~
39 ~~under rules adopted by the public employment relations~~
40 ~~board in cooperation with the state board of education.~~

41 b. ~~For purposes of performance reviews for teachers~~
42 ~~other than beginning teachers, evaluations that~~
43 ~~contain, at a minimum, the Iowa teaching standards~~
44 ~~specified in subsection 1, as well as the criteria~~
45 ~~for the Iowa teaching standards developed by the~~
46 ~~department in accordance with section 256.9, subsection~~
47 ~~46. A local school board and its certified bargaining~~
48 ~~representative may negotiate, pursuant to chapter~~
49 ~~20, additional teaching standards and criteria. A~~
50 ~~local school board and its certified bargaining~~

Page 6

1 ~~representative shall negotiate, pursuant to chapter 20,~~
2 ~~evaluation and grievance procedures for teachers other~~
3 ~~than beginning teachers that are not in conflict with~~
4 ~~this chapter.>~~

5 6. Page 6, line 13, by striking <review> and
6 inserting <review evaluation>

7 7. Page 6, line 17, after <administrators> by
8 inserting <and any other practitioner who evaluates
9 teachers pursuant to this chapter>

10 8. Page 6, by striking line 19 and inserting:
11 <(2) (a) Develop and implement with the assistance
12 of the department, for the fiscal year beginning July
13 1, 2013, an alternative teacher evaluation system pilot
14 program that meets local and state educational goals
15 and is aligned with the requirements specified for the
16 statewide teacher evaluation system developed pursuant
17 to section 256.9, subsection 64. This subparagraph
18 division is repealed July 1, 2015.

19 (b) Adopt, by July 1, 2014, the statewide teacher
20 evaluation>

21 9. Page 6, line 23, after <goals> by inserting
22 <and is aligned with requirements specified for
23 the statewide teacher evaluation system developed
24 pursuant to section 256.9, subsection 64. The
25 alternative system shall be designed to ensure that
26 every student is taught by an effective teacher, regard
27 teachers' impact on students, foster improvements in
28 teaching, and give all teachers a meaningful chance to
29 succeed. A school district shall involve teachers and
30 administrators in designing and implementation planning
31 for the alternative teacher evaluation system, but
32 the alternative teacher evaluation system design and
33 implementation plans are not subject to the scope of
34 negotiations specified in section 20.9.>

35 10. By striking page 6, line 27, through page 7,
36 line 24, and inserting:

37 <Sec. ____ Section 284.8, Code 2011, is amended by
38 striking the section and inserting in lieu thereof the
39 following:

40 284.8 Teacher performance evaluation requirements –
41 purposes.

42 1. A school district shall evaluate a teacher's
43 performance at least once annually based upon using the
44 statewide teacher evaluation system adopted pursuant
45 to section 256.9, subsection 64, or the alternative
46 teacher evaluation system approved under section 284.4,
47 subsection 1, and the system adopted shall be used as
48 follows:

49 a. As the basis for all instructional staffing and
50 personnel decisions made on or after July 1, 2015,

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1 including when a school district makes a reduction in
2 force under section 279.13 and when making decisions
3 regarding teacher career advancement under section
4 284.7.

5 b. For purposes of entering into or terminating
6 teacher contracts and for purposes of negotiating
7 collective bargaining agreements on or after July 1,
8 2015.

9 c. To provide high-quality, job-embedded, and
10 ongoing mentoring, supports, and professional
11 development for teachers, aligned to the teacher's
12 needs as identified in the teacher's evaluation and
13 individual teacher professional development plan.

14 2. A teacher who is assigned a rating of minimally
15 effective or ineffective under the teacher evaluation
16 system adopted pursuant to section 284.4 may be
17 required to participate in an intensive assistance
18 program upon recommendation to the school district
19 by the teacher's supervisor. Notwithstanding the
20 provisions of chapter 20 and section 279.27, if the
21 teacher has participated in an intensive assistance
22 program as required under this subsection and is
23 assigned a rating of minimally effective or ineffective
24 after each of the three most recent consecutive annual
25 performance evaluations, the teacher's contract
26 may be terminated. The superintendent, or the
27 superintendent's designee, shall notify the teacher
28 immediately that the superintendent will recommend in
29 writing to the board at a regular or special meeting
30 of the board held not more than fifteen days after
31 notification has been given to the teacher that the
32 teacher's continuing contract be terminated effective
33 immediately following a decision of the board. The
34 notification shall be personally delivered to the
35 teacher or mailed by certified mail.

36 Sec. ____ Section 284A.2, subsection 3, Code 2011,
37 is amended to read as follows:

38 3. "Comprehensive evaluation" means a summative
39 evaluation of a beginning administrator conducted by
40 an evaluator in accordance with section 284A.3 for
41 purposes of determining a beginning administrator's
42 level of competency for recommendation for licensure
43 based on the Iowa standards for school administrators
44 adopted pursuant to section 256.7, subsection 27. For
45 school districts, the comprehensive evaluation shall
46 utilize the administrator evaluation system adopted by
47 the school district pursuant to section 284A.7.

48 Sec. ____ Section 284A.5, subsection 5, Code 2011,
49 is amended to read as follows:

50 5. By the end of a beginning administrator's first

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1 year of employment, the beginning administrator ~~may~~
 2 shall be comprehensively evaluated to determine if
 3 the administrator meets expectations to move to a
 4 professional administrator license, where appropriate.
 5 The school district or area education agency that
 6 employs a beginning administrator shall recommend
 7 the beginning administrator for a professional
 8 administrator license, where appropriate, if the
 9 beginning administrator is determined through a the
 10 comprehensive evaluation to demonstrate competence
 11 in the Iowa standards for school administrators
 12 adopted pursuant to section 256.7, subsection 27,
 13 and if employed by a school district, is assigned a
 14 rating of effective or highly effective. A school
 15 district or area education agency may allow a beginning
 16 administrator a second year to demonstrate competence
 17 in the Iowa standards for school administrators or
 18 to move to a rating of effective or highly effective
 19 if, after conducting a comprehensive evaluation, the
 20 school district or area education agency determines
 21 that the administrator is likely to successfully
 22 demonstrate competence in the Iowa standards for school
 23 administrators by the end of the second year or be
 24 assigned a rating of effective or highly effective.
 25 Upon notification by the school district or area
 26 education agency, the board of educational examiners
 27 shall grant a beginning administrator who has been
 28 allowed a second year to demonstrate competence a
 29 one-year extension of the beginning administrator's
 30 initial license. An administrator granted a second
 31 year to demonstrate competence shall undergo a
 32 comprehensive evaluation at the end of the second
 33 year.>

34 11. Page 7, line 28, by striking <A> and inserting
 35 <A Utilizing the statewide administrator evaluation
 36 system developed pursuant to section 256.9, subsection
 37 64, a>

38 12. Page 7, line 30, by striking <chapter 272> and
 39 inserting <chapter 272>

40 13. Page 7, line 31, by striking <chapter 256>

41 14. Page 8, line 7, after <plan> by inserting
 42 <; the school district or attendance center's
 43 student achievement, as appropriate; performance of
 44 instructional employees under the authority of the
 45 administrator, recruitment and retention of effective
 46 and highly effective teachers at the school district
 47 or attendance center, as appropriate; improvement in
 48 the percentage of instructional personnel evaluated at
 49 the highly effective or effective level; feedback from
 50 parents; and other leadership practices that result in

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1 student achievement growth>
2 15. Page 8, line 12, after <goals> by inserting
3 <and is aligned with the requirements specified for the
4 statewide alternative administrator system developed
5 pursuant to section 256.9, subsection 64>

6 16. Page 8, after line 15 by inserting:
7 <3. Notwithstanding section 279.24, if an
8 administrator is assigned a rating of ineffective for
9 two consecutive years or for two out of three of the
10 most recent consecutive years under the administrator
11 evaluation system adopted pursuant to subsection 2,
12 the administrator's contract may be terminated. The
13 superintendent, or the superintendent's designee, shall
14 notify the administrator immediately in writing that
15 the superintendent will recommend in writing to the
16 board at a regular or special meeting of the board held
17 not more than fifteen days after notification has been
18 given to the administrator that the administrator's
19 continuing contract be terminated effective immediately
20 following a decision of the board. Notwithstanding
21 section 279.24, if the administrator is the
22 superintendent of the school district, the board shall
23 notify the superintendent immediately of its intention
24 to terminate the superintendent's contract at a regular
25 or special meeting of the board held not more than
26 fifteen days after notification has been given to the
27 superintendent. Notification shall be personally
28 delivered to the administrator or mailed by certified
29 mail.>

30 17. By striking page 8, line 16, through page 9,
31 line 3.

32 18. Page 10, by striking lines 7 through 24.

33 19. Page 27, by striking lines 5 through 22.

34 20. Page 27, before line 23 by inserting:
35 <Sec. ____ Section 284.2, subsection 8, Code 2011,
36 is amended to read as follows:

37 8. "Performance evaluation" means a summative
38 evaluation of a teacher other than a beginning
39 teacher and used to determine whether the teacher's
40 practice meets school district expectations and the
41 Iowa teaching standards, and to determine whether the
42 teacher's practice meets school district expectations
43 for career advancement in accordance with section
44 284.7.>

45 21. Page 28, after line 11 by inserting:
46 <Sec. ____ Section 284.7, subsection 1, paragraph
47 b, subparagraph (1), subparagraph division (b), Code
48 2011, is amended to read as follows:

49 (b) Is reviewed rated effective using the teacher
50 evaluation system adopted by the school district as

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1 ~~demonstrating the competencies of a career teacher~~
 2 ~~pursuant to section 284.4.~~

3 Sec. ____ Section 284.7, subsection 2, paragraph
 4 a, subparagraph (1), Code 2011, is amended to read as
 5 follows:

6 (1) A career II teacher is a teacher who meets
 7 the requirements of subsection 1, paragraph "b",
 8 subparagraph (1), subparagraph divisions (a), (c),
 9 and (d); was rated highly effective in the most
 10 recent teacher performance evaluation performed in
 11 accordance with section 284.4; has met the requirements
 12 established by the school district that employs the
 13 teacher; and is evaluated by the school district
 14 as demonstrating the competencies of a career II
 15 teacher. ~~The teacher shall have successfully completed~~
 16 ~~a performance review in order to be classified as a~~
 17 ~~career II teacher.~~

18 Sec. ____ Section 284.7, subsection 2, paragraph b,
 19 subparagraph (1), Code 2011, is amended by adding the
 20 following new subparagraph division:

21 NEW SUBPARAGRAPH DIVISION. (e) Was rated highly
 22 effective in the most recent teacher performance
 23 evaluation performed in accordance with section 284.4.

24 Sec. ____ Section 284.7, subsection 2, paragraph
 25 b, subparagraph (2), Code 2011, is amended to read as
 26 follows:

27 (2) It is the intent of the general assembly that
 28 the participating district shall establish a minimum
 29 salary for an advanced teacher that is at least
 30 thirteen thousand five hundred dollars greater than the
 31 minimum career teacher salary. ~~In conjunction with the~~
 32 ~~development of the review panel pursuant to section~~
 33 ~~284.9, the department shall make recommendations to~~
 34 ~~the general assembly by January 1, 2002, regarding~~
 35 ~~the appropriate district to district recognition for~~
 36 ~~advanced teachers and methods that facilitate the~~
 37 ~~transition of a teacher to the advanced level.~~

38 Sec. ____ Section 284.9, subsection 1, Code 2011,
 39 is amended to read as follows:

40 1. A career II teacher seeking to receive an
 41 advanced designation shall submit a portfolio of work
 42 evidence aligned with the Iowa teaching standards to a
 43 review panel established in accordance with subsection
 44 2. A majority of the evidence in the portfolio shall
 45 be classroom-based. The review panel shall evaluate
 46 the career II teacher's portfolio and past evaluations
 47 in accordance with section 256.9, subsection 64, to
 48 determine whether the teacher demonstrates superior
 49 teaching skills, and shall make a recommendation to
 50 the board of educational examiners whether or not the

Page 11

- 1 teacher shall receive an advanced designation. The
2 standards for recommendation include, but are not
3 limited to, meeting the Iowa teaching standards at an
4 advanced level.>
5 22. By renumbering as necessary.

KOESTER of Polk

H-8141

- 1 Amend House File 2380 as follows:
2 1. Page 1, after line 2 by inserting:
3 <Sec. ____ Section 256.7, subsection 26, paragraph
4 a, Code Supplement 2011, is amended by adding the
5 following new subparagraph:
6 NEW SUBPARAGRAPH. (02) The rules shall allow a
7 school district or accredited nonpublic school to award
8 high school credit to a student upon the demonstration
9 of required competencies for a course or content area,
10 as approved by an appropriately licensed teacher. The
11 school district or accredited nonpublic school shall
12 determine the assessment methods by which a student
13 demonstrates sufficient evidence of the required
14 competencies.>
15 2. Page 2, line 9, after <5.> by inserting
16 <a. The task force shall submit a preliminary
17 report that includes but is not limited to its
18 findings and recommendations relating to subsection 2,
19 paragraphs "b", "d", and "e", by January 15, 2013.
20 b.>
21 3. Page 2, line 11, by striking <January> and
22 inserting <November>
23 4. Page 2, by striking lines 13 through 23.
24 5. By renumbering as necessary.

T. OLSON of Linn
SCHULTE of Linn

H-8142

- 1 Amend the amendment, H-8137, to House File 2367 as
2 follows:
3 1. Page 1, line 3, by striking <and intentionally>
4 2. Page 1, after line 3 by inserting:
5 <____ Page 1, line 11, by striking <implied> and
6 inserting <implied, or reasonably should have known
7 that the person was entering the land of an owner,
8 lessee, or occupant without any legal right, express
9 or implied>>

HAGENOW of Polk

H-8143

- 1 Amend the amendment, H-8137, to House File 2367 as
 2 follows:
 3 1. Page 1, by striking line 15 and inserting:
 4 <__. Page 1, line 28, by striking <artificial> and
 5 inserting <dangerous>>
 6 2. By renumbering as necessary.

HAGENOW of Polk

H-8144

- 1 Amend House File 2424 as follows:
 2 1. Page 5, after line 14 by inserting:
 3 <Sec. __. FUTURE REPEAL. This Act is repealed
 4 July 1, 2014. The Code editor shall restore the
 5 language in the sections of the Code of Iowa amended
 6 by this Act to the language present in those sections
 7 in the 2011 Code of Iowa.>
 8 2. Title page, line 2, after <court> by inserting
 9 <, and including future repeal provisions>

ANDERSON of Page
WOLFE of Clinton

H-8145

- 1 Amend House File 2426 as follows:
 2 1. By striking page 23, line 30, through page 24,
 3 line 5.
 4 2. Page 25, by striking lines 7 through 23.
 5 3. By renumbering as necessary.

BALTIMORE of Boone

H-8146

- 1 Amend House Joint Resolution 2010 as follows:
 2 1. Page 3, line 1, after <relief> by inserting
 3 <for personal income tax reduction, homeowner property
 4 tax reduction, sales tax reduction, or access to
 5 high-quality schools>

WINCKLER of Scott

H-8147

- 1 Amend House Joint Resolution 2010 as follows:
 2 1. Page 3, line 1, after <relief> by inserting <for
 3 personal income tax reduction, homeowner property tax
 4 reduction, sales tax reduction, or elder services>

OLDSON of Polk

H-8148

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 4, line 26, after <passage> by inserting
3 <unless the bill also repeals an existing tax or taxes
4 resulting in a revenue neutral net fiscal impact for
5 the bill>

JACOBY of Johnson

H-8149

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 7, after <assembly.> by inserting
3 <However, the requirement of approval by at least a
4 three-fifths vote does not apply in the case of a bill
5 solely providing property tax relief.>

JACOBY of Johnson

H-8150

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 4, by striking lines 14 through 17 and
3 inserting <sales and use taxes shall require the
4 affirmative votes of at>

JACOBY of Johnson

H-8151

1 Amend House File 2428 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 321.457, subsection 2, Code
5 2011, is amended by adding the following new paragraph:
6 NEW PARAGRAPH. n. (1) Notwithstanding paragraph
7 "g" or any other provision of this chapter, the
8 department is authorized to adopt rules providing for
9 economic export corridors for the transportation of
10 goods or products manufactured in Iowa to or through
11 the state of South Dakota and for the return of unladen
12 trailers or semitrailers used for the transportation of
13 those goods or products. The rules may authorize the
14 operation of the following combinations of vehicles on
15 an economic export corridor:
16 (a) A truck tractor-semitrailer-semitrailer
17 converted to trailer by use of a dolly equipped with a
18 fifth wheel which is considered a part of the trailer
19 for all purposes, and not a separate unit.
20 (b) A truck tractor-semitrailer-trailer.
21 (c) A truck tractor-semitrailer-semitrailer.
22 (2) Rules adopted pursuant to this paragraph "n"

23 shall provide that combinations of vehicles authorized
24 to operate on an economic export corridor shall meet
25 all of the following requirements:

26 (a) The rear unit of the combination of vehicles
27 shall meet the brake, hitch, and control requirements
28 of section 321.430, subsection 3.

29 (b) The length of the combination of vehicles,
30 excluding the length of the truck tractor, shall not
31 exceed eighty-one and one-half feet.

32 (c) The length of either trailer or semitrailer
33 shall not exceed forty-five feet. When the
34 semitrailers in a truck tractor-semitrailer-semitrailer
35 combination are connected by a rigid frame extension
36 including a fifth wheel connection point attached
37 to the rear frame of the first semitrailer, the
38 length of the frame extension shall not be included
39 when determining the overall length of the first
40 semitrailer.

41 (d) If the length of the tow bar exceeds nineteen
42 feet, the tow bar shall be flagged during daylight
43 hours and lighted at night.

44 (e) The weight of the second trailer or semitrailer
45 shall not exceed the weight of the first trailer or
46 semitrailer by more than three thousand pounds.

47 (f) The gross weight of the combination of vehicles
48 shall not exceed eighty thousand pounds and the
49 combination of vehicles shall not exceed the gross axle
50 weight limits of section 321.463, subsection 2.

Page 2

1 (g) The load on each unit in the combination shall
2 be an indivisible load. For the purpose of issuing
3 permits for height or width under chapter 321E,
4 the combination of vehicles shall be considered an
5 indivisible load so long as the load on each unit in
6 the combination remains an indivisible load.

7 (3) An economic export corridor established by
8 the department shall not include any segment of the
9 interstate system or any part of the national network
10 of highways identified pursuant to 23 C.F.R. pt.
11 658. This subparagraph does not prohibit operation on
12 any segment of the interstate system or part of the
13 national network of highways that is permitted under
14 paragraph "e".>

15 2. Title page, by striking lines 1 through 3 and
16 inserting <An Act relating to the movement of certain
17 combinations of vehicles on economic export corridors
18 established by the department of transportation.>

19 3. By renumbering as necessary.

H-8152

1 Amend House File 2380 as follows:

2 1. Page 54, after line 11 by inserting:

3 <DIVISION ____

4 TOBACCO PROHIBITED ON SCHOOL GROUNDS

5 Sec. ____ Section 279.9, Code 2011, is amended to
6 read as follows:

7 279.9 Use of tobacco, alcoholic beverages, or
8 controlled substances.

9 1. The rules shall prohibit the use of tobacco,
10 including nicotine products, and the use or possession
11 of alcoholic liquor, wine, or beer or any controlled
12 substance as defined in section 124.101, subsection 5,
13 by any student of the schools and the or by anyone on
14 school grounds, is prohibited. The school board may
15 suspend or expel a student for a violation of a rule
16 under this section. The school board may remove a
17 person for violation of this section and may bar the
18 person's future presence on school grounds for such
19 violation.

20 2. As used in this section, "nicotine product"
21 means any product containing nicotine or any other
22 preparation of tobacco not described in section 453A.1,
23 and any product or formulation of matter containing
24 biologically active amounts of nicotine that is
25 manufactured, sold, offered for sale, or otherwise
26 distributed with the expectation that the product
27 or matter will be introduced into the human body.
28 "Nicotine product" does not include any cessation
29 product specifically approved by the United States food
30 and drug administration for use in reducing, treating,
31 or eliminating nicotine or tobacco dependence.>

32 2. By renumbering as necessary.

KOESTER of Polk

H-8153

1 Amend House File 2380 as follows:

2 1. Page 55, before line 23 by inserting:

3 <DIVISION ____

4 ADVANCED PLACEMENT PERFORMANCE FUNDING

5 Sec. ____ NEW SECTION. 257.16B Advanced placement
6 performance funding.

7 1. For budget years beginning on or after July
8 1, 2014, the department of management shall allocate
9 from amounts appropriated by the general assembly to
10 the department and from other moneys available to and
11 obtained or accepted by the department for providing
12 advanced placement performance funding for school
13 districts as provided in this section.

- 14 2. a. Each school district shall receive an amount
 15 equal to the school district's total number of advanced
 16 placement students divided by the total number of
 17 advanced placement students in the state, and then
 18 multiplied by the amount of moneys available to provide
 19 advanced placement performance funding for the budget
 20 year under subsection 1.
- 21 b. The department of management shall on or before
 22 July 1 of the budget year notify each school district
 23 of the amount of advanced placement performance funding
 24 under this section.
- 25 c. Payments made to school districts under this
 26 section are miscellaneous income and may be used for
 27 any school district general fund purpose.
- 28 3. For purposes of this section, "advanced placement
 29 student" means a student who was enrolled in the
 30 school district during the school year preceding the
 31 base year, who was enrolled in one or more advanced
 32 placement courses during such school year as provided
 33 under section 261E.4, and who also achieved a score
 34 on the advanced placement examination for at least
 35 one such course of three or higher on the advanced
 36 placement five-point scale.
- 37 4. The department of education shall adopt rules
 38 under chapter 17A necessary to implement this section,
 39 including rules that prescribe all necessary reporting
 40 requirements for school districts.>
- 41 2. Title page, line 3, after <examiners,> by
 42 inserting <the department of management,>
- 43 3. By renumbering as necessary.

WILLEMS of Linn

H-8154

- 1 Amend House File 2380 as follows:
 2 1. Page 55, after line 22 by inserting:
 3 <DIVISION ___
 4 PROFESSIONAL SERVICE AND GUIDANCE COUNSELORS
 5 Sec. ___. Section 256.9, Code Supplement 2011, is
 6 amended by adding the following new subsection:
 7 NEW SUBSECTION. 65. a. Collaborate with, at
 8 a minimum, the board of educational examiners; the
 9 Iowa association of community college trustees; the
 10 association of Iowa area education agencies; the Iowa
 11 school counselor association; the economic development
 12 authority; the department of workforce development;
 13 the governor's science, technology, engineering, and
 14 mathematics advisory council; and students recommended
 15 by the Iowa jobs for America's graduates program; or
 16 successor entities, to develop standards and procedures
 17 for the approval of professional service and secondary

18 guidance counselor preparation and professional
19 development programs that, upon approval by the
20 department, accredited postsecondary institutions which
21 grant postgraduate degrees may offer to persons seeking
22 authorization by the board of educational examiners
23 to serve as secondary school guidance counselors or
24 to provide professional services in Iowa schools.

25 A collaboration as specified in this subsection
26 shall include representation from any stakeholder
27 organization willing to assist the department in
28 meeting the requirements of this subsection.

29 b. Community colleges, the economic development
30 authority, and the department of workforce development
31 shall consult and coordinate with employment and
32 workplace stakeholders in assisting the director in
33 developing standards and procedures for the approval of
34 programs pursuant to this subsection.

35 c. Accredited postsecondary institutions that offer
36 programs approved pursuant to this subsection shall
37 coordinate with community colleges to ensure that
38 the professional development programs approved under
39 this subsection are offered throughout the state at
40 convenient times.

41 d. The requirements for coursework and programs
42 approved pursuant to this subsection shall include but
43 not be limited to the following:

44 (1) Provision of information regarding career
45 exploration, planning, and development assistance;
46 and opportunities available to Iowa's students from
47 targeted industries as defined in section 15.411,
48 subsection 1, as well as industries requiring skilled
49 workers with educational backgrounds in science,
50 technology, engineering, or mathematics.

Page 2

1 (2) Elements to encourage the involvement of
2 parents in career exploration and planning with their
3 children.

4 (3) Elements to encourage the involvement of
5 elementary counselors in career exploration and
6 planning with their students.

7 (4) One semester credit or the equivalent
8 issued by a community college or other accredited
9 postsecondary institution in Iowa for coursework
10 or professional development in career exploration,
11 career education, and career planning. If offered by
12 a community college, the coursework shall be offered
13 at the resident tuition rate set pursuant to section
14 260C.14, subsection 2, to students enrolled in approved
15 professional service and guidance counselor preparation
16 programs and to persons renewing their professional

17 service or secondary guidance counselor licenses or
18 endorsements pursuant to section 272.9B. If a community
19 college fails to offer coursework or professional
20 development in career exploration, career education,
21 and career planning by July 1, 2013, the provisions
22 of section 272.9B shall not apply to an applicant
23 described in that section who resides within the
24 boundaries of the community college and who is employed
25 by an Iowa school as a secondary guidance counselor,
26 until July 1, 2014, or until twelve months following
27 the date upon which the coursework is made available by
28 the community college, whichever is later.

29 e. The director shall establish an application and
30 review process for approval of programs developed and
31 implemented pursuant to this subsection.

32 f. For purposes of this subsection, "professional
33 service" refers to preparation and professional
34 development programs for, and licensure and endorsement
35 of, persons who are authorized under chapter 272 to
36 provide services in Iowa schools as a school counselor.

37 g. This subsection shall not be construed to
38 require that an accredited postsecondary institution
39 offering a major course of study related to the
40 relevant coursework offered in programs approved
41 pursuant to this subsection establish additional credit
42 requirements to graduate or achieve certification from
43 the institution in the related major course of study
44 from the institution. However, only coursework and
45 programs that meet the requirements established by the
46 director in accordance with this subsection shall be
47 approved by the director.

48 Sec. ____ NEW SECTION. 272.9B Professional service
49 and guidance counselor licenses.
50 Beginning July 1, 2014, except as provided in

Page 3

1 section 256.9, subsection 65, paragraph "d", the board
2 shall require applicants for professional service and
3 secondary guidance counselor licenses and endorsements,
4 and for the renewal of such licenses and endorsements,
5 to have successfully completed a professional service
6 or secondary guidance counselor preparation program
7 or professional development program, as appropriate,
8 approved in accordance with section 256.9, subsection
9 65.

10 Sec. ____ Section 279.61, Code 2011, is amended by
11 adding the following new subsection:
12 NEW SUBSECTION. 3. Beginning July 1, 2015, except
13 as otherwise provided in section 256.9, subsection 65,
14 paragraph "d", career and academic guidance counseling
15 services shall be provided by the board of directors

16 of a school district to students enrolled in grades
17 nine through twelve only by persons issued professional
18 service or secondary guidance counselor licenses or
19 endorsements pursuant to section 272.9B, or who hold
20 a license issued by the board and meet the renewal
21 requirements for a license pursuant to section 272.9B.>
22 2. By renumbering as necessary.

ISENHART of Dubuque
KOESTER of Polk
BYRNES of Mitchell
HANSON of Jefferson

H-8155

1 Amend House File 2435 as follows:
2 1. Page 1, line 22, by striking <10,242,086> and
3 inserting <10,442,086>

HEDDENS of Story

H-8156

1 Amend House File 2435 as follows:
2 1. Page 3, line 19, by striking <20,663,690> and
3 inserting <23,663,690>
4 2. Page 3, by striking lines 21 through 33 and
5 inserting:
6 <a. (1) Of the funds appropriated in this
7 subsection, ~~\$1,626,915~~ \$3,000,000 shall be used for
8 the tobacco use prevention and control initiative,
9 including efforts at the state and local levels, as
10 provided in chapter 142A. The commission on tobacco use
11 prevention and control established pursuant to section
12 142A.3 shall advise the director of public health in
13 prioritizing funding needs and the allocation of moneys
14 appropriated for the programs and activities of the
15 initiative under this subparagraph (1) and shall make
16 recommendations to the director in the development of
17 budget requests relating to the initiative.
18 (2) Of the funds allocated in this paragraph "a",
19 ~~\$226,915~~ \$453,830 shall be transferred to the>

HEDDENS of Story

H-8157

1 Amend House File 2435 as follows:
2 1. Page 9, line 30, by striking <3,788,859> and
3 inserting <4,188,539>
4 2. Page 11, line 6, by striking <70,000> and
5 inserting <132,580>

- 6 3. Page 12, by striking lines 8 through 15 and
 7 inserting:
 8 <h. (1) Of the funds appropriated in this
 9 subsection, ~~\$74,500~~ \$149,000 shall be used for
 10 continued implementation of the recommendations of the
 11 direct care worker task force established pursuant
 12 to 2005 Iowa Acts, chapter 88, based upon the report
 13 submitted to the governor and the general assembly in
 14 December 2006. The department may use a portion of
 15 the funds allocated in this lettered paragraph for
 16 an additional position to assist in the continued
 17 implementation.>
- 18 4. Page 12, by striking lines 16 through 23 and
 19 inserting:
 20 <i. (1) Of the funds appropriated in this
 21 subsection, ~~\$65,050~~ \$130,100 shall be used for
 22 allocation to an independent statewide direct care
 23 worker association under a contract with terms
 24 determined by the director of public health relating
 25 to education, outreach, leadership development,
 26 mentoring, and other initiatives intended to enhance
 27 the recruitment and retention of direct care workers in
 28 health care and long-term care settings.>
- 29 5. Page 12, by striking lines 24 through 27 and
 30 inserting:
 31 <(2) Of the funds appropriated in this subsection,
 32 ~~\$29,000~~ \$58,000 shall be used to provide scholarships
 33 or other forms of subsidization for direct care
 34 worker educational conferences, training, or outreach
 35 activities.>
- 36 6. Page 61, by striking lines 24 through 32.
 37 7. By renumbering as necessary.

HEDDENS of Story

H-8158

- 1 Amend House File 2435 as follows:
 2 1. Page 23, line 29, by striking <20,235,905> and
 3 inserting <20,421,979>
 4 2. Page 24, line 27, by striking <45,286,573> and
 5 inserting <45,729,436>
 6 3. Page 24, line 29, by striking <\$7,824,377> and
 7 inserting <\$8,010,451>
 8 4. Page 25, after line 31 by inserting:
 9 <4A. Of the funds appropriated in this section,
 10 \$256,789 shall be used to replace child support
 11 collection revenues credited to the child support
 12 recovery unit appropriation made in this division of
 13 this Act.>
 14 5. By renumbering as necessary.

HEDDENS of Story

H-8159

1 Amend House File 2435 as follows:

2 1. Page 31, line 34, by striking <32,677,152> and
3 inserting <38,700,160>

4 2. By striking page 31, line 35, through page 32,
5 line 2, and inserting:

6 <2. Of the funds appropriated in this section,
7 \$64,475 \$128,950 is allocated for continuation of the
8 contract for outreach with the department of public
9 health.>

HEDDENS of Story

H-8160

1 Amend House File 2435 as follows:

2 1. Page 35, line 29, by striking <77,084,185> and
3 inserting <79,377,929>

4 2. Page 37, line 19, by striking < \$6,470,116> and
5 inserting < \$7,170,116>

6 3. Page 38, line 5, by striking < \$1,900,000> and
7 inserting < \$2,062,488>

8 4. Page 40, line 8, by striking <3,069,832> and
9 inserting <3,092,375>

HEDDENS of Story

H-8161

1 Amend House File 2435 as follows:

2 1. Page 35, line 29, by striking <77,084,185> and
3 inserting <77,184,185>

4 2. Page 42, after line 8 by inserting:

5 <25A. Of the funds appropriated in this section,
6 \$100,000 shall be used for continued support for a
7 child protection center operated in a hospital in a
8 county in northeast Iowa with a population between
9 120,000 and 135,000. Population numbers used in this
10 subsection are from the latest preceding certified
11 federal census.>

HEDDENS of Story

H-8162

1 Amend House File 2435 as follows:

2 1. Page 49, line 1, by striking <8,399,686> and
3 inserting <9,099,686>

HEDDENS of Story

H-8163

1 Amend House File 2435 as follows:

2 1. Page 49, line 27, by striking <53,852,947> and
3 inserting <62,315,440>

HEDDENS of Story

H-8164

1 Amend House File 2435 as follows:

2 1. Page 50, before line 6 by inserting:
3 <Sec. ____ 2011 Iowa Acts, chapter 129, section
4 139, is amended to read as follows:

5 SEC. 139. GENERAL ADMINISTRATION. There is
6 appropriated from the general fund of the state to
7 the department of human services for the fiscal year
8 beginning July 1, 2012, and ending June 30, 2013, the
9 following amount, or so much thereof as is necessary,
10 to be used for the purpose designated:

11 For general administration, including salaries,
12 support, maintenance, and miscellaneous purposes, and
13 for not more than the following full-time equivalent
14 positions:

15	\$	<u>7,298,372</u>
16		<u>15,621,842</u>
17	FTEs	<u>285.00</u>
18		<u>295.00</u>

19 1. Of the funds appropriated in this section,
20 ~~\$19,271~~ \$38,542 allocated for the prevention of
21 disabilities policy council established in section
22 225B.3.

23 2. The department shall report at least monthly
24 to the legislative services agency concerning the
25 department's operational and program expenditures.

26 3. Of the funds appropriated in this section,
27 ~~\$66,150~~ \$132,300 shall be used to continue the contract
28 for the provision of a program to provide technical
29 assistance, support, and consultation to providers of
30 habilitation services and home and community-based
31 waiver services for adults with disabilities under the
32 medical assistance program.

33 4. Of the funds appropriated in this section,
34 ~~\$88,200~~ \$176,400 shall be used to continue the contract
35 to expand the provision of nationally accredited and
36 recognized internet-based training to include mental
37 health and disability services providers.

38 5. Of the funds appropriated in this section,
39 ~~\$250,000~~ \$500,000 shall be used for continuation of
40 child protection system improvements addressed in 2011
41 Iowa Acts, ~~House File 562, as enacted~~ chapter 28.>

42 2. By renumbering as necessary.

HEDDENS of Story

H-8165

1 Amend House File 2435 as follows:
2 1. Page 59, line 28, by striking <amount> and
3 inserting <amounts>
4 2. Page 59, line 31, by striking <For> and
5 inserting <1. For>
6 3. Page 59, after line 32 by inserting:
7 <2. For providing reimbursement for overnight
8 lodging for expansion population members under the
9 IowaCare program pursuant to chapter 249J when patient
10 care requires an overnight stay and no other third
11 party reimbursement is available:
12 \$ 250,000
13 The department shall adopt rules relating to the
14 reimbursable amount per night of lodging and the total
15 number of nights for which reimbursement is available
16 per member under this subsection.>

HEDDENS of Story

H-8166

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 1, after <relief> by inserting <for
3 personal income tax reduction, homeowner property tax
4 reduction, sales tax reduction, or improving the health
5 of the citizens of Iowa>

PETERSEN of Polk

H-8167

1 Amend House Joint Resolution 2010 as follows:
2 1. Page 3, line 1, after <relief> by inserting
3 <for personal income tax reduction, homeowner property
4 tax reduction, sales tax reduction, citizens of Iowa
5 who qualify for the earned income tax credit or its
6 successor, or aid to small businesses>

PETERSEN of Polk

H-8168

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010 as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:

5 <Amend House Joint Resolution 2010 as follows:
6 _____. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the
9 Constitution of the State of Iowa is proposed:
10 The Constitution of the State of Iowa is amended by
11 adding the following new section to new Article XIII:
12 ARTICLE XIII.
13 TAXPAYERS TRUST FUND
14 Taxpayers trust fund.SECTION 1.
15 1. A taxpayers trust fund is created within the
16 treasury to provide tax relief. The maximum balance
17 of the trust fund shall be established by statute but
18 shall not be more than one percent of the state's
19 annual net general revenue.
20 2. Except for temporary cash flow purposes, moneys
21 in the taxpayers trust fund shall only be used in
22 accordance with appropriations made for purposes of
23 providing tax relief for any of the following purposes:
24 a. Personal income tax reduction.
25 b. Homeowner property tax reduction.
26 c. Sales tax reduction.
27 d. Citizens of Iowa who qualify for the earned
28 income tax credit.
29 e. Aid to small businesses.
30 3. The general assembly shall enact laws to
31 implement this section.
32 Sec. 2. The foregoing proposed amendment to the
33 Constitution of the State of Iowa is referred to the
34 general assembly to be chosen at the next general
35 election for members of the general assembly, and the
36 Secretary of State is directed to cause the amendment
37 to be published for three consecutive months previous
38 to the date of that election as provided by law.>
39 _____. Title page, by striking lines 1 through 5 and
40 inserting <A Joint Resolution proposing an amendment to
41 the Constitution of the State of Iowa relating to state
42 budgeting by creating a taxpayers relief fund.>
43 _____. By renumbering as necessary.>

PETERSEN of Polk

H-8169

1 Amend the amendment, H-8077, to House Joint
2 Resolution 2010 as follows:
3 1. Page 1, by striking lines 1 through 36 and
4 inserting:
5 <Amend House Joint Resolution 2010 as follows:
6 1. By striking everything after the resolving
7 clause and inserting:
8 <Section 1. The following amendment to the

9 Constitution of the State of Iowa is proposed:
 10 The Constitution of the State of Iowa is amended by
 11 adding the following new section to new Article XIII:
 12 ARTICLE XIII.
 13 TAXPAYERS TRUST FUND
 14 Taxpayers trust fund.SECTION 1.
 15 1. A taxpayers trust fund is created within the
 16 treasury to provide tax relief. The maximum balance
 17 of the trust fund shall be established by statute but
 18 shall not be more than one percent of the state's
 19 annual net general revenue.
 20 2. Except for temporary cash flow purposes, moneys
 21 in the taxpayers trust fund shall only be used in
 22 accordance with appropriations made for purposes of
 23 providing tax relief for any of the following purposes:
 24 a. Personal income tax reduction.
 25 b. Homeowner property tax reduction.
 26 c. Sales tax reduction.
 27 d. Expanding eligibility and the amounts of
 28 property tax credits and rent reimbursements for
 29 persons with low income who are elderly or disabled.
 30 3. The general assembly shall enact laws to
 31 implement this section.
 32 Sec. 2. The foregoing proposed amendment to the
 33 Constitution of the State of Iowa is referred to the
 34 general assembly to be chosen at the next general
 35 election for members of the general assembly, and the
 36 Secretary of State is directed to cause the amendment
 37 to be published for three consecutive months previous
 38 to the date of that election as provided by law.>
 39 2. Title page, by striking lines 1 through 5 and
 40 inserting <A Joint Resolution proposing an amendment to
 41 the Constitution of the State of Iowa relating to state
 42 budgeting by creating a taxpayers relief fund.>
 43 3. By renumbering as necessary.>

LENSING of Johnson

H-8170

1 Amend House File 2399 as follows:
 2 1. Page 2, after line 10 by inserting:
 3 <3A. All scrap metal transactions, other than
 4 those transactions exempt pursuant to subsection 4, in
 5 which the total sale price exceeds fifty dollars shall
 6 require payment by check or electronic funds transfer.>
 7 2. Page 2, after line 25 by inserting:
 8 <4A. The provisions of this section shall take
 9 precedence over and supersede any local ordinance
 10 adopted by a political subdivision that regulates scrap
 11 metal transactions.>
 12 3. Page 2, by striking lines 26 through 34 and

13 inserting:

14 <5. A person who violates this section shall be
15 subject to a civil penalty as follows:

16 a. An initial violation shall subject the person to
17 a civil penalty in the amount of one hundred dollars.

18 b. A second violation within two years shall
19 subject the person to a civil penalty in the amount of
20 five hundred dollars.

21 c. A third or subsequent violation within two years
22 shall subject the person to a civil penalty in the
23 amount of one thousand dollars.>

24 4. By renumbering as necessary.

HAGENOW of Polk

H-8171

1 Amend House File 2433 as follows:

2 1. Page 1, by striking line 22 and inserting <shall
3 follow Robert's rules of order, in>

4 2. Page 1, after line 23 by inserting:

5 <Sec. ____ Section 17A.4, subsection 1, paragraph
6 b, Code 2011, is amended to read as follows:

7 b. (1) Afford all interested persons not less than
8 twenty days to submit data, views, or arguments in
9 writing, including in an electronic format. If timely
10 requested in writing by twenty-five interested persons,
11 by a governmental subdivision, by the administrative
12 rules review committee, by an agency, or by an
13 association having not less than twenty-five members,
14 the agency must give interested persons an opportunity
15 to make oral presentation.

16 (2) To the extent practicable, the agency shall
17 provide an opportunity to make these oral presentations
18 using the Iowa communications network or other
19 electronic means and provide public access at multiple
20 sites throughout the state. If a request is received
21 from twenty-five interested persons residing in the
22 same city or county, the agency shall provide an
23 opportunity for oral presentation in that city or
24 county.

25 (3) The opportunity for oral presentation must be
26 held at least twenty days after publication of the
27 notice of its time and place in the Iowa administrative
28 bulletin. The agency shall consider fully all written
29 and oral submissions respecting the proposed rule.
30 Within one hundred eighty days following either
31 the notice published according to the provisions
32 of paragraph "a" or within one hundred eighty days
33 after the last date of the oral presentations on the
34 proposed rule, whichever is later, the agency shall
35 adopt a rule pursuant to the rulemaking proceeding or

36 shall terminate the proceeding by publishing notice of
37 termination in the Iowa administrative bulletin.
38 Sec. ____ Section 17A.4, subsection 2, Code 2011,
39 is amended to read as follows:
40 2. An agency shall include in a preamble to each
41 rule it proposes or adopts a brief explanation of the
42 principal reasons for its action a specific reference
43 to the Code section or sections being implemented
44 and a concise statement of the principal reasons for
45 and against the rule adopted, incorporating in the
46 statement the reasons for overruling considerations
47 urged against the rule and, if applicable, a brief
48 explanation of the principal reasons for its failure

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1 to provide in ~~that the~~ rule for the waiver of the rule
2 in specified situations if no such waiver provision is
3 included in the rule. ~~This explanatory requirement~~
4 ~~does not apply when the agency adopts a rule that only~~
5 ~~defines the meaning of a provision of law if the agency~~
6 ~~does not possess delegated authority to bind the courts~~
7 ~~to any extent with its definition. In addition, if~~
8 ~~requested to do so by an interested person, either~~
9 ~~prior to adoption or within thirty days thereafter, the~~
10 ~~agency shall issue a concise statement of the principal~~
11 ~~reasons for and against the rule adopted, incorporating~~
12 ~~therein the reasons for overruling considerations urged~~
13 ~~against the rule. This concise statement shall be~~
14 ~~issued either at the time of the adoption of the rule~~
15 ~~or within thirty five days after the agency receives~~
16 ~~the request.>~~

17 3. Page 3, after line 20 by inserting:

18 <Sec. ____ **NEW SECTION.** 17A.6A Rulemaking internet
19 site.

20 1. Subject to the direction of the administrative
21 rules coordinator, each agency shall make available to
22 the public a uniform, searchable, and user-friendly
23 rules database, published on an internet site.

24 2. An agency's rulemaking internet site shall also
25 make available to the public all of the following:

26 a. A brief summary of the rulemaking process,
27 including a description of any opportunity for public
28 participation in the process.

29 b. Process forms for filing comments or complaints
30 concerning proposed or adopted rules.

31 c. Process forms and instructions for filing a
32 petition for rulemaking, a petition for a declaratory
33 order, or a request for a waiver of an administrative
34 rule.

35 d. Any other material prescribed by the
36 administrative rules coordinator.

37 3. To the extent practicable, the administrative
 38 rules coordinator shall create a uniform format for
 39 rulemaking internet sites.>

40 4. Page 5, after line 9 by inserting:

41 <Sec. ____ Section 17A.23, Code 2011, is amended to
 42 read as follows:

43 17A.23 Construction — delegation of authority.

44 1. Except as expressly provided otherwise by this
 45 chapter or by another statute referring to this chapter
 46 by name, the rights created and the requirements
 47 imposed by this chapter shall be in addition to those
 48 created or imposed by every other statute in existence
 49 on July 1, 1975, or enacted after that date. If any
 50 other statute in existence on July 1, 1975, or enacted

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1 after that date diminishes a right conferred upon a
 2 person by this chapter or diminishes a requirement
 3 imposed upon an agency by this chapter, this chapter
 4 shall take precedence unless the other statute
 5 expressly provides that it shall take precedence over
 6 all or some specified portion of this ~~named~~ cited
 7 chapter.

8 2. This chapter shall be construed broadly to
 9 effectuate its purposes. This chapter shall also
 10 be construed to apply to all agencies not expressly
 11 exempted by this chapter or by another statute
 12 specifically referring to this chapter by ~~name~~
 13 citation; and except as to proceedings in process on
 14 July 1, 1975, this chapter shall be construed to apply
 15 to all covered agency proceedings and all agency action
 16 not expressly exempted by this chapter or by another
 17 statute specifically referring to this chapter by ~~name~~
 18 citation.

19 3. An agency shall have only that authority or
 20 discretion delegated to or conferred upon the agency by
 21 law and shall not expand or enlarge its authority or
 22 discretion beyond the powers delegated to or conferred
 23 upon the agency. Unless otherwise specifically
 24 provided in statute, a grant of rulemaking authority
 25 shall be construed narrowly.

26 Sec. ____ NEW SECTION. 17A.24 Rule implementation
 27 of federal statute, regulation, or policy.

28 1. Except as otherwise explicitly authorized by
 29 state law, an agency charged with the implementation
 30 of a federal statute, regulation, or policy shall not
 31 implement the federal statute, regulation, or policy in
 32 a manner that exceeds the specific requirements of the
 33 federal statute, regulation, or policy.

34 2. Any portion of an agency rule or policy that
 35 implements a federal statute, regulation, or policy

36 and that exceeds the specific requirements of the
37 federal statute, regulation, or policy is automatically
38 superceded by the specific requirements of that federal
39 statute, regulation, or policy.>

40 5. Page 5, after line 13 by inserting:

41 <Sec. ____ Section 99D.7, subsection 19, Code
42 Supplement 2011, is amended to read as follows:

43 19. To revoke or suspend licenses and impose fines
44 not to exceed one thousand dollars. The commission
45 shall not treat a deferred judgment or a final order
46 resulting in a deferred judgment, as deferred judgment
47 is defined in section 907.1, as a conviction in
48 determining whether there are grounds for licensee
49 discipline or license denial, unless the deferred
50 judgment is withdrawn and judgment is entered as

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1 provided in section 907.3, subsection 1.

2 Sec. ____ Section 99F.4, subsection 12, Code 2011,
3 is amended to read as follows:

4 12. To assess a fine and revoke or suspend
5 licenses. The commission shall not treat a deferred
6 judgment or a final order resulting in a deferred
7 judgment, as deferred judgment is defined in section
8 907.1, as a conviction in determining whether there
9 are grounds for licensee discipline or license denial,
10 unless the deferred judgment is withdrawn and judgment
11 is entered as provided in section 907.3, subsection 1.>

12 6. Page 7, by striking lines 13 through 26.

13 7. Page 8, after line 3 by inserting:

14 <Sec. ____ ENVIRONMENTAL REGULATION STUDY.

15 1. The legislative council, in consultation with
16 the department of natural resources, shall establish
17 a study to analyze the projected financial effects
18 of current and proposed United States environmental
19 protection agency regulations and Iowa department of
20 natural resources rules on Iowa cities over a ten-year
21 period.

22 2. The study should include an analysis of
23 projected financial costs of such regulations and rules
24 on a hypothetical small Iowa community, medium-sized
25 Iowa community, and large Iowa community.

26 3. The study shall be concluded by June 30, 2013,
27 and a report shall be provided to the members of the
28 general assembly and to the governor.>

29 8. By renumbering as necessary.

H-8172

1 Amend Senate File 2216, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 6 through 12 and
4 inserting <for vehicles registered by the county
5 treasurer ~~and, except that "registration year" means~~
6 ~~the calendar year for vehicles registered by the~~
7 ~~department~~ or motor trucks and truck tractors with
8 a combined gross weight exceeding five tons which
9 are registered by the county treasurer. For leased
10 vehicles registered by the county treasurer, except for
11 motor trucks and truck tractors with a combined gross
12 weight exceeding five tons, "registration year">

13 2. Page 3, by striking lines 21 and 22 and
14 inserting:

15 <Sec. ____ Section 321.39, subsection 1, Code 2011,
16 is amended by striking the subsection.>

17 3. By striking page 4, line 22, through page 5,
18 line 11, and inserting:

19 <Sec. ____ Section 321.106, Code 2011, is amended
20 to read as follows:

21 321.106 Registration for fractional part of year.

22 1. ~~When a vehicle is registered under chapter 326~~
23 ~~or a motor truck, truck tractor, or road tractor is~~
24 ~~registered by the county treasurer~~ for a combined gross
25 weight exceeding five tons and there is no delinquency
26 and the registration is made in February or succeeding
27 months through November, the annual registration fee
28 shall be prorated for the remaining unexpired months
29 of the registration year. A fee shall not be required
30 for the month of December for a vehicle registered on a
31 calendar year basis on which there is no delinquency.
32 However, ~~except for a vehicle registered under chapter~~
33 ~~326~~, when such a vehicle is registered in November, the
34 vehicle may be registered for the remaining unexpired
35 months of the registration year or for the remaining
36 unexpired months of the registration year and for the
37 next registration year, upon payment of the applicable
38 registration fees.

39 2. When a vehicle is registered under chapter
40 326 and there is no delinquency and the registration
41 is made in the second through eleventh month of the
42 registration year, the annual registration fee shall
43 be prorated for the remaining unexpired months of the
44 registration year. However, when such a vehicle is
45 registered in the eleventh month of the registration
46 year, the vehicle may be registered for the remaining
47 unexpired months of the registration year and for the
48 next registration year, upon payment of the applicable
49 registration fees.

50 ~~2.~~ 3. When a vehicle is registered on a birth

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1 month basis and there is no delinquency and the
2 registration is made in the month after the beginning
3 of the registration year or succeeding months, the
4 annual registration fee shall be prorated for the
5 remaining unexpired months of the registration year.
6 A fee shall not be required for the month of the
7 owner's birthday for a vehicle on which there is no
8 delinquency. However, when a vehicle registered on a
9 birth month basis is registered during the eleventh
10 month of the registration year, the vehicle may be
11 registered for the remaining unexpired months of the
12 registration year or for the remaining unexpired months
13 of the registration year and for the next registration
14 year, upon payment of the applicable registration fees.

15 ~~3. 4.~~ If a fee computed under this section
16 contains a fractional part of a dollar, the fee
17 shall be computed to the nearest whole dollar. A fee
18 computed under this section shall not be less than five
19 dollars. The fee so computed shall be deemed to be
20 the annual registration fee for the remainder of the
21 registration year. This subsection does not apply to
22 vehicles registered under chapter 326.

23 ~~4. 5.~~ A reduction in the annual registration
24 fee shall not be allowed by the department until the
25 applicant files satisfactory evidence to prove that
26 there is no delinquency in registration.>

27 4. Page 6, by striking lines 19 through 21 and
28 inserting:

29 <Sec. ____ Section 321.134, subsections 1 and 2,
30 Code 2011, are amended to read as follows:>

31 5. By striking page 7, line 13, through page 8,
32 line 17, and inserting:

33 <2. The annual registration fee for trucks,
34 truck tractors, and road tractors registered by the
35 county treasurer, as provided in sections 321.121
36 and 321.122, may be payable in two equal semiannual
37 installments if the annual registration fee exceeds
38 the annual registration fee for a vehicle with a gross
39 weight exceeding five tons. The penalties provided
40 in subsection 1 shall be computed on the amount of
41 the first installment only and on the first day of
42 the seventh month of the registration period the same
43 rate of penalty shall apply to the second installment,
44 until the fee is paid. ~~Semiannual installments do~~
45 ~~not apply to commercial vehicles, as defined under~~
46 ~~section 326.2, subject to proportional registration,~~
47 ~~with a base state other than the state of Iowa, as~~
48 ~~defined in section 326.2, subsection 1. The penalty on~~
49 ~~vehicles registered under chapter 326 accrues August 1~~
50 ~~of each year except as provided in section 326.6. The~~

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1 department shall not allow the annual registration fee
 2 for a commercial vehicle registered under chapter 326
 3 to be paid in two equal semiannual installments for
 4 five years after the registrant has paid the annual
 5 registration fee late for two consecutive years.>

6 6. Page 8, by striking lines 18 and 19.

7 7. Page 8, by striking lines 22 through 32 and
 8 inserting:

9 <2. During or after the seventh month of a current
 10 registration year, the owner of a motor truck, truck
 11 tractor, or road tractor, ~~semitrailer or trailer~~
 12 ~~may~~, if the owner's operation has not resulted in a
 13 conviction or action pending under this section, may
 14 increase the gross weight ~~classification~~ registration of the vehicle
 15 to a higher gross weight ~~classification~~ registration by
 16 payment of one-twelfth of the difference between the
 17 annual fee for the higher gross weight and the amount
 18 of the fee for the gross weight at which ~~it~~ the vehicle
 19 is registered, multiplied by the number of unexpired
 20 months of the registration year.>

21 8. Page 25, by striking lines 16 through 23
 22 and inserting <section 321.134, subsection 2, to
 23 eliminate semiannual installment payments for certain
 24 registration fees, and the section of this Act amending
 25 section 321.106, relating to proration of certain
 26 registration fees, shall be implemented on and after>

27 9. Title page, line 1, by striking <the
 28 registration of motor trucks, truck>

29 10. Title page, by striking line 2.

30 11. By renumbering as necessary.

WATTS of Dallas

H-8173

1 Amend the amendment, H-8072, to House File 2400 as
 2 follows:

3 1. Page 1, after line 13 by inserting:

4 <__. Page 12, lines 24 and 25, by striking <to
 5 fill a vacancy in another elective city office>>

6 2. By renumbering as necessary.

GASKILL of Wapello

H-8174

1 Amend House File 2385 as follows:

2 1. Page 1, by striking line 4 and inserting
 3 <teacher endorsed to teach only science, mathematics,
 4 engineering, or technology courses at the grade nine

5 through grade twelve level, an>
6 2. Page 1, line 7, by striking <mathematics
7 or science> and inserting <science, mathematics,
8 engineering, or technology>
9 3. Page 1, line 8, after <institution;> by
10 inserting <has successfully completed at least one
11 semester credit hour in an online methodology course at
12 the university of northern Iowa;>
13 4. Page 1, by striking line 10 and inserting
14 <experience in a profession related to science,
15 mathematics, engineering, or technology; and>
16 5. Title page, by striking lines 2 through 4
17 and inserting <professional employment experience
18 in a profession related to science, mathematics,
19 engineering, or technology, as teachers for secondary
20 level science, mathematics, engineering, or technology
21 courses.>

BYRNES of Mitchell

H-8175

1 Amend House File 2380 as follows:
2 1. Page 3, line 25, after <rule.> by inserting
3 <The provisions of section 256.18 shall be considered
4 by the state board in developing the core curriculum
5 requirements.>
6 2. Page 4, after line 12 by inserting:
7 <Sec. ____ Section 256.18, subsection 1, Code 2011,
8 is amended by adding the following new paragraph:
9 NEW PARAGRAPH. 0b. Implementation of the core
10 curriculum requirements established pursuant to
11 section 256.7, subsection 26, on-going professional
12 development, and assessment in the areas of student
13 performance and educator performance shall include high
14 expectations, fair and reliable measures of student
15 achievement and teacher performance, and building
16 capacities that address research-based and data-driven
17 intentional cultures of safety and engagement,
18 competencies for positive behaviors, competencies for
19 deeper learning, and college, career, and citizenship
20 readiness.>
21 3. By renumbering as necessary.

RAECKER of Polk
CHAMBERS of O'Brien

H-8176

1 Amend House File 2380 as follows:
2 1. Page 5, line 11, by striking <and
3 administration>

- 4 2. Page 7, line 30, by striking <chapter 272> and
 5 inserting <chapter 272>
- 6 3. Page 7, line 31, by striking <chapter 256>
- 7 4. Page 10, by striking lines 11 through 15 and
 8 inserting <repealed effective July 1, 2013, if the
 9 general assembly fails to enact legislation during
 10 the 2013 Regular Session of the Eighty-fifth General
 11 Assembly advancing the proposed statewide evaluator
 12 evaluation system task force recommendations, as
 13 approved by the state board of education, relating to
 14 the establishment of a statewide teacher evaluation
 15 system and a statewide administrator evaluation
 16 system.>
- 17 5. Page 10, line 18, by striking <providing for>
 18 and inserting <during the 2013 Regular Session of the
 19 Eighty-fifth General Assembly advancing the proposed
 20 statewide evaluator evaluation system task force
 21 recommendations, as approved by the state board of
 22 education, relating to>
- 23 6. Page 10, lines 20 and 21, by striking <during
 24 the 2013 Regular Session of the Eighty-fifth General
 25 Assembly>
- 26 7. Title page, line 4, by striking <and providing>
 27 and inserting <providing>
- 28 8. Title page, line 5, by striking <funds> and
 29 inserting <funds; and including effective date
 30 provisions>

CHAMBERS of O'Brien

H-8177

- 1 Amend House File 2380 as follows:
- 2 1. Page 49, line 21, after <the> by inserting
 3 <school district shall notify the student's parent
 4 or guardian that the parent or guardian may enroll
 5 the student in a summer reading program offered in
 6 accordance with subsection 3, paragraph "b". If the
 7 parent or guardian does not enroll the student in the
 8 summer reading program or if the student does not
 9 successfully complete the summer reading program, the>
- 10 2. Page 49, line 22, after <three.> by inserting
 11 <If the student successfully completes the summer
 12 reading program but is not proficient as demonstrated
 13 by scoring on an assessment approved by the department
 14 pursuant to section 256.9, subsection 53, the student
 15 may be promoted to grade four but, until proficiency
 16 is reached, shall be required to participate for
 17 at least one class period per day in the corrective
 18 reading program curriculum established by the national
 19 institute for direct instruction.>
- 20 3. Page 51, line 35, after <including> by inserting

21 <a summer reading program and>
22 4. Page 52, by striking line 12.

J. TAYLOR of Woodbury

H-8178

1 Amend House File 2380 as follows:
2 1. By striking page 25, line 21, through page 26,
3 line 8.
4 2. Page 26, by striking lines 14 through 27.
5 3. By renumbering as necessary.

CHAMBERS of O'Brien

H-8179

1 Amend House File 2380 as follows:
2 1. By striking page 11, line 29, through page 12,
3 line 25, and inserting:
4 <Sec. ____ Section 256.7, subsection 8, Code
5 Supplement 2011, is amended by striking the subsection
6 and inserting in lieu thereof the following:
7 8. Adopt rules providing for the establishment of
8 an online learning program model.
9 a. The rules shall limit the statewide enrollment
10 of pupils in educational instruction and course content
11 that is delivered primarily over the internet to not
12 more than one-half of one percent of the statewide
13 enrollment of all pupils.
14 b. For purposes of this section and sections
15 256.9 and 256.27, "online learning" means educational
16 instruction and content which is delivered primarily
17 over the internet. "Online learning" does not include
18 printed-based correspondence education, broadcast
19 television or radio, videocassettes, or stand-alone
20 educational software programs that do not have a
21 significant internet-based instructional component.
22 Sec. ____ Section 256.9, Code Supplement 2011, is
23 amended by adding the following new subsection:
24 NEW SUBSECTION. 65. a. Develop and establish an
25 online learning program model in accordance with rules
26 adopted pursuant to section 256.7, subsection 8.
27 b. Grant a waiver to school districts, charter
28 schools, and accredited nonpublic schools that
29 implement an online learning program aligned with the
30 program model developed and established pursuant to
31 this subsection. A school district or school seeking a
32 waiver pursuant to this paragraph shall submit a plan
33 for an online learning program to the director for
34 approval. A school district or school whose online
35 learning program plan is approved by the director may

36 be granted a waiver only for purposes of implementing
37 the approved online learning program. The standards
38 that may be waived pursuant to this paragraph are as
39 follows:

40 (1) The minimum number of instructional days
41 required pursuant to section 279.10, subsection
42 1, and the minimum number of instructional hours
43 required pursuant to section 256.7, subsection 19.
44 Notwithstanding any provision to the contrary, the
45 waiver may exempt school districts and schools from
46 any statutory requirement that students be physically
47 present in a school building and under the guidance and
48 instruction of the instructional professional staff
49 employed by the school district or the school except as
50 necessary under the rules adopted pursuant to section

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1 256.7, subsection 8.

2 (2) Any statutory requirement that a subject being
3 studied by a student enrolled in an approved online
4 learning program be a subject that is offered and
5 taught by the professional staff of the school district
6 or school.

7 c. Require that the school district or school
8 granted a waiver pursuant to paragraph "b" implement
9 and incorporate into its comprehensive school
10 improvement plan required under section 256.7,
11 subsection 21, accountability measures designed to
12 demonstrate that academic credit is awarded based
13 upon successful completion of content or achievement
14 of competencies by students enrolled in the approved
15 online learning program.

16 d. Establish criteria for school districts or
17 schools to use when choosing providers of online
18 learning to meet the online learning program
19 requirements specified in rules adopted pursuant to
20 section 256.7, subsection 8.

21 Sec. ____ **NEW SECTION.** 256.27 Online learning
22 program model.

23 1. Online learning program model established. The
24 director, pursuant to section 256.9, subsection 65,
25 shall establish an online learning program model that
26 provides for the following:

27 a. Online access to high-quality content,
28 instructional materials, and blended learning.

29 b. Coursework customized to the needs of the
30 student using online content.

31 c. A means for a student to demonstrate competency
32 in completed online coursework.

33 d. High-quality online instruction taught by
34 appropriately licensed teachers.

- 35 e. Online content and instruction evaluated on the
 36 basis of student learning outcomes.
- 37 f. Use of funds available for online learning for
 38 program development, implementation, and innovation.
- 39 g. Infrastructure that supports online learning.
- 40 h. Online administration of online course
 41 assessments.
- 42 2. Online learning program waiver application. A
 43 school district, charter school, or accredited
 44 nonpublic school may apply to the department for a
 45 waiver to implement an online learning program pursuant
 46 to section 256.9, subsection 65.
- 47 3. Private providers. At the discretion of
 48 the school board or authorities in charge of an
 49 accredited nonpublic school, after consideration
 50 of circumstances created by necessity, convenience,

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- 1 and cost-effectiveness, courses developed by private
 2 providers may be utilized by the school district or
 3 school in implementing a high-quality online learning
 4 program. Courses obtained from private providers shall
 5 be taught by teachers licensed under this chapter.
- 6 4. Grading. Grades in online courses shall be
 7 based, at a minimum, on whether a student mastered the
 8 subject, demonstrated competency, and met the standards
 9 established by the school district. Grades shall be
 10 conferred by appropriately licensed teachers only.
- 11 5. Accreditation criteria. All online courses and
 12 programs shall meet existing accreditation standards.
- 13 Sec. ____ Section 256.33, subsection 1, Code 2011,
 14 is amended to read as follows:
- 15 1. The department shall consort with school
 16 districts, area education agencies, community colleges,
 17 and colleges and universities ~~to provide assistance~~
 18 ~~to them~~ in the use of educational technology for
 19 instruction purposes. The department shall consult
 20 with the advisory committee on telecommunications,
 21 established in section 256.7, subsection 7, and other
 22 users of educational technology on the development
 23 and operation of programs under this section, section
 24 256.9, subsection 65, and section 256.27.>
- 25 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-8180

- 1 Amend House File 2380 as follows:
 2 1. Page 3, after line 25 by inserting:
 3 < (3) Notwithstanding any provision to the contrary,

- 4 an accredited nonpublic school is not required to
 5 meet the core curriculum and core content standards
 6 requirements of this chapter that are in conflict
 7 with tenets and practices of the bona fide religious
 8 institution in charge of the school.>
 9 2. Page 14, line 11, after <submitted> by inserting
 10 <for posting>
 11 3. Page 14, by striking lines 12 and 13 and
 12 inserting <districts, area education agencies, and
 13 charter schools; and may be submitted by accredited
 14 nonpublic schools.>
 15 4. By renumbering as necessary.

J. TAYLOR of Woodbury
 CHAMBERS of O'Brien
 HAGENOW of Polk
 KLEIN of Washington

H-8181

- 1 Amend House File 2380 as follows:
 2 1. Page 55, before line 23 by inserting:
 3 <DIVISION ___
 4 TRAINING PREPARATION AND LICENSURE PROVISIONS
 5 Sec. ___. Section 256.7, subsection 30, Code
 6 Supplement 2011, is amended to read as follows:
 7 30. Set standards and procedures for the approval
 8 of training programs for individuals who seek an
 9 authorization issued by the board of educational
 10 examiners for ~~employment~~ the following:
 11 a. Employment as a school business official
 12 responsible for the financial operations of a school
 13 district.
 14 b. Employment as a school administration manager
 15 responsible for assisting a school principal in
 16 performing noninstructional duties.
 17 Sec. ___. Section 256.16, subsection 1, Code 2011,
 18 is amended by striking the subsection and inserting in
 19 lieu thereof the following:
 20 1. Pursuant to section 256.7, subsection 5, the
 21 state board shall adopt rules requiring all higher
 22 education institutions providing approved practitioner
 23 preparation programs to do the following:
 24 a. Require any candidate for admission to the
 25 practitioner preparation program to have a cumulative
 26 postsecondary grade point average at the time of
 27 application of at least three on a four-point scale,
 28 or its equivalent if another scale is used, unless the
 29 institution, at its discretion, determines that good
 30 cause exists. Each institution shall submit to the
 31 department annually the number of students who received
 32 good cause exemptions under this paragraph, the reasons

33 the exemptions were granted, and the academic outcomes
34 of the students receiving good cause exemptions.

35 b. (1) Administer a basic skills test, which
36 has been approved by the director, to practitioner
37 preparation program admission candidates. Candidates
38 who do not successfully pass the test with a score
39 above the twenty-fifth percentile nationally shall be
40 denied admission to the program.

41 (2) A student shall not successfully complete the
42 program unless the student achieves scores above the
43 twenty-fifth percentile nationally on an assessment
44 approved by the director in pedagogy and at least one
45 content area, and, beginning July 1, 2013, achieves a
46 cumulative grade point average in the program of at
47 least three point on a four-point grade scale, or its
48 equivalent if another grade scale is used.

49 c. Include preparation in reading programs and
50 integrate reading strategies into content area methods

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1 coursework.

2 d. Include in the professional education program,
3 preparation that contributes to the education of
4 students with disabilities and students who are
5 gifted and talented, and preparation in classroom
6 management addressing high-risk behaviors including
7 but not limited to behaviors related to substance
8 abuse. Preparation required under this paragraph must
9 be successfully completed before graduation from the
10 practitioner preparation program.

11 Sec. ____ Section 272.1, Code 2011, is amended by
12 adding the following new subsection:

13 NEW SUBSECTION. 11A. "School administration
14 manager" means a person who is authorized to assist
15 a school principal in performing noninstructional
16 administrative duties.

17 Sec. ____ Section 272.2, subsection 13, Code
18 Supplement 2011, is amended to read as follows:

19 13. Adopt rules to ~~provide for nontraditional~~
20 ~~preparation options for licensing persons who hold~~
21 ~~a bachelor's degree from an accredited college or~~
22 ~~university, who do not meet other requirements for~~
23 licensure establish alternative licensure pathways for
24 an initial teacher license and an initial administrator
25 license and endorsement pursuant to section 272.16.
26 The rules shall prescribe standards and procedures
27 for the approval of alternative principal licensing
28 programs which may be offered in this state by
29 designated agencies located within or outside this
30 state. Procedures provided for approval of alternative
31 principal licensing programs shall include procedures

32 for enforcement of the prescribed standards.

33 Sec. ____ NEW SECTION. 272.16 Alternative
34 licensure and endorsement.

35 1. The board shall establish alternative licensure
36 pathways for an initial teacher license and an initial
37 administrator license and endorsement.

38 2. The alternative pathway for an initial teacher
39 license shall include all of the following components:

40 a. A requirement that the applicant for the
41 alternative pathway to an initial teacher license meet
42 all of the following criteria:

43 (1) Hold, at a minimum, a bachelor's degree from
44 a regionally accredited postsecondary institution and
45 twenty-four postsecondary credit hours in the content
46 area to be taught at the licensure level sought by the
47 applicant; or, in order to teach a foreign language,
48 the applicant shall hold at least a bachelor's degree
49 and be a native speaker of the language to be taught.

50 (2) Have successfully passed a background check

Page 3

1 conducted in accordance with section 272.2, subsection
2 17.

3 (3) Have at least three recent consecutive years of
4 successful, relevant work experience.

5 (4) Have successfully passed a basic skills test,
6 approved by the director, for acceptance. An applicant
7 utilizing the alternative pathway to an initial teacher
8 license shall not be issued such a license unless
9 the student achieves scores above the twenty-fifth
10 percentile nationally on an examination approved by the
11 board for knowledge of pedagogies and in at least one
12 content area.

13 (5) Have a cumulative postgraduate grade point
14 average of at least three on a four-point scale, or its
15 equivalent if another grade scale is used.

16 b. A requirement that the person issued an initial
17 teacher license pursuant to this subsection shall,
18 during the person's first three years of teaching,
19 successfully complete a beginning teacher mentoring and
20 induction program pursuant to section 284.5, and shall
21 successfully complete eighteen postsecondary credit
22 hours of pedagogy coursework before the person may be
23 issued a license beyond the initial license.

24 3. The alternative pathway for an initial
25 administrator license shall include all of the
26 following components:

27 a. A requirement that the applicant for the
28 alternative pathway to an initial administrator license
29 meet all of the following criteria:

30 (1) Hold, at a minimum, a bachelor's degree from a

31 regionally accredited postsecondary institution.
32 (2) Have successfully passed a background check
33 conducted in accordance with section 272.2, subsection
34 17.
35 b. A requirement that a person who is issued an
36 initial administrator license through the alternative
37 pathway specified by this subsection may be employed by
38 a school district or accredited nonpublic school and,
39 for the first consecutive three years of employment
40 as a building principal, shall be supervised and
41 mentored by a person who holds a valid professional
42 administrator license.
43 4. A person with at least five recent years of
44 successful experience as a professional educator, and
45 who is enrolled in an alternative principal licensing
46 program approved by the board, may qualify for an
47 initial administrator license.
48 5. A person with at least five recent years of
49 successful management experience in business; industry;
50 local, state, or federal government; or the military

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1 service of the United States, and who has successfully
2 completed an alternative principal licensing program
3 approved by the board, may qualify for an initial
4 administrator license.
5 6. a. The alternative pathway for an initial
6 administrator endorsement for school superintendents
7 and area education agency administrators shall require
8 an applicant to meet all of the following criteria:
9 (1) Hold, at a minimum, a bachelor's degree from a
10 regionally accredited postsecondary institution.
11 (2) Have successfully passed a background check
12 conducted in accordance with section 272.2, subsection
13 17.
14 (3) Have at least five recent years of successful,
15 relevant experience as a professional educator or
16 management experience in business; industry; local,
17 state, or federal government; or the military service
18 of the United States.
19 b. A person issued an initial administrator
20 endorsement for superintendents or area education
21 agency administrators under this subsection shall
22 successfully complete a beginning mentoring and
23 induction program with a mentor who is a superintendent
24 or area education agency administrator, as appropriate.
25 c. A person issued an initial administrator
26 endorsement for superintendents or area education
27 agency administrators pursuant to this subsection,
28 who successfully completes three years of experience
29 as a superintendent or area education agency

30 administrator, may be issued a license beyond the
 31 initial administrator endorsement.
 32 7. Upon application, a person who holds an initial
 33 administrator license issued pursuant to subsection 3,
 34 and who has three years of successful experience as a
 35 principal, shall be issued a professional administrator
 36 license.
 37 Sec. ____. Section 272.25, subsection 1, Code 2011,
 38 is amended to read as follows:
 39 1. A requirement that each student admitted to
 40 an approved practitioner preparation program must
 41 participate in field experiences that include both
 42 observation and participation in teaching activities in
 43 a variety of school settings. These field experiences
 44 shall comprise a total of at least fifty hours in
 45 duration, at least ten hours of which shall occur prior
 46 to a student's acceptance in an approved practitioner
 47 preparation program. The student teaching experience
 48 shall be a minimum of ~~twelve~~ fifteen weeks in duration
 49 during the student's final year of the practitioner
 50 preparation program.

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1 Sec. ____. Section 272.31, Code 2011, is amended by
 2 adding the following new subsection:
 3 NEW SUBSECTION. 2A. The board shall issue a school
 4 administration manager authorization to an individual
 5 who successfully completes a training program that
 6 meets the standards set by the state board pursuant to
 7 section 256.7, subsection 30, and who complies with
 8 rules adopted by the state board pursuant to subsection
 9 3.>
 10 2. By renumbering as necessary.

CHAMBERS of O'Brien
 FORRISTALL of Pottawattamie
 DOLECHECK of Ringgold

H-8182

1 Amend House File 2435 as follows:
 2 1. Page 29, by striking lines 10 through 13.
 3 2. By renumbering as necessary.

M. SMITH of Marshall

H-8183

1 Amend Senate File 2260, as passed by the Senate, as
 2 follows:
 3 1. Page 5, by striking lines 3 through 13.

- 4 2. Page 6, by striking lines 9 through 25.
5 3. By renumbering as necessary.

SWAIM of Davis

H-8184

1 Amend House File 2429 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 715A.8, Code 2011, is amended
5 to read as follows:

6 715A.8 Identity theft ~~— offenses — penalties.~~

7 1. a. For purposes of this section, "identification
8 information" includes, but is not limited to, the
9 name, address, date of birth, telephone number,
10 driver's license number, nonoperator's identification
11 card number, social security number, student
12 identification number, military identification number,
13 alien identification or citizenship status number,
14 employer identification number, signature, electronic
15 mail signature, electronic identifier ~~or screen~~
16 ~~name, biometric identifier, genetic identification~~
17 ~~information, access device, logo, symbol, trademark,~~
18 ~~place of employment, employee identification number,~~
19 parent's legal surname prior to marriage, demand
20 deposit account number, savings or checking account
21 number, or credit card number of a person.

22 b. For purposes of this section, "financial
23 institution" means the same as defined in section
24 527.2, and includes an insurer organized under Title
25 XIII, subtitle 1, of this Code, or under the laws of
26 any other state or the United States.

27 2. a. A person commits the offense of identity
28 theft if the person fraudulently uses or attempts to
29 fraudulently use identification information of another
30 person, with the intent to obtain credit, property,
31 services, or other benefit knowingly takes, purchases,
32 manufactures, records, possesses, uses, or attempts to
33 take, purchase, manufacture, record, possess, or use
34 identification information of another person or entity
35 without the consent of the other person or entity
36 with the intent to obtain or use the identification
37 information for any unlawful purpose, to cause loss
38 to the other person or entity, to obtain or continue
39 employment, or to obtain any pecuniary benefit to which
40 the person would not otherwise be entitled. An offense
41 is committed regardless of whether the other person or
42 entity actually suffers any economic loss as a result
43 of the offense or whether the person actually obtains
44 any pecuniary benefit.

45 b. A person commits the offense of knowingly

46 accepting the identity of another person if the person,
47 in hiring an employee, knowingly does both of the
48 following:
49 (1) Accepts any identification information of
50 another person with knowledge that the other person

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1 presenting the identification information is not
2 the actual person identified by that identification
3 information.
4 (2) Uses the identification information for the
5 purpose of determining whether the person who presented
6 the identification information has the legal right or
7 authorization under federal law to work in the United
8 States as described and determined pursuant to the
9 processes and procedures under 8 U.S.C. § 1324a.
10 c. (1) A person commits the offense of aggravated
11 identity theft if the person does either of the
12 following:
13 (a) Knowingly takes, purchases, manufactures,
14 records, possesses, uses, or attempts to take,
15 purchase, manufacture, record, possess, or use
16 identification information of five or more other
17 persons or entities without the consent of the other
18 persons or entities with the intent to obtain or
19 use the identification information for any unlawful
20 purpose, to cause loss to the persons or entities, or
21 to obtain any pecuniary benefit to which the person
22 would not otherwise be entitled. An offense is
23 committed regardless of whether the persons or entities
24 actually suffer any economic loss as a result of the
25 offense or whether the person actually obtains any
26 pecuniary benefit.
27 (b) Commits the offense of identity theft under
28 paragraph "a" and causes another person or entity to
29 suffer an economic loss of three thousand dollars or
30 more.
31 (2) In an action for aggravated identity
32 theft pursuant to this paragraph "c", proof of
33 possession outside the regular course of business of
34 identification information of five or more persons
35 or entities may give rise to an inference that the
36 identification information was possessed for an
37 unlawful purpose.
38 d. A person commits the offense of trafficking
39 identity theft if the person knowingly sells,
40 transfers, or transmits any identification information
41 of another person or entity without the consent of
42 the other person or entity for any unlawful purpose,
43 to cause loss to the person or entity, or to obtain
44 any pecuniary benefit to which the person would

45 not otherwise be entitled. An offense is committed
46 regardless of whether the other person or entity
47 actually suffers any economic loss as a result of the
48 offense or whether the person actually obtains any
49 pecuniary benefit.
50 3. If the value of the credit, property, or

Page 3

1 services exceeds one thousand dollars, the person
2 commits a class "D" felony. If the value of the
3 credit, property, or services does not exceed one
4 thousand dollars, the person commits an aggravated
5 misdeemeanor. A violation of this subsection shall be
6 punishable as follows:
7 a. A person who violates subsection 2, paragraph
8 "a", commits a class "D" felony.
9 b. A person who violates subsection 2, paragraph
10 "b", commits a class "D" felony, and notwithstanding
11 section 902.9, subsection 5, shall be punished by
12 confinement for no more than seven years and a fine of
13 at least eight hundred fifty dollars but not more than
14 eight thousand five hundred dollars.
15 c. A person who violates subsection 2, paragraph
16 "c", commits a class "C" felony.
17 d. A person who violates subsection 2, paragraph
18 "d", commits a class "C" felony, and notwithstanding
19 section 902.9, subsection 4, shall be punished by
20 confinement for no more than twelve years and a fine of
21 at least one thousand two hundred fifty dollars but not
22 more than ten thousand two hundred fifty dollars.
23 4. A person of the applicable age indicated
24 in this section who knowingly takes, purchases,
25 manufactures, records, possesses, uses, or attempts
26 to take, purchase, manufacture, record, possess, or
27 use identification information of another person or
28 entity for the following purposes may be considered
29 to have violated the applicable statute or ordinance
30 governing such purposes but shall not be considered to
31 have committed any offense of identity theft under this
32 section:
33 a. Possession or purchase of alcohol by a person
34 under the age of twenty-one.
35 b. Entry by a person under the age of twenty-one
36 onto the premises of an establishment where one may
37 purchase alcoholic beverages as defined in section
38 123.3 for consumption on the premises and in which the
39 servicing of food is only incidental to the consumption
40 of those beverages.
41 c. Entry by a person under the age of seventeen
42 onto the premises of a motion picture theater for the
43 viewing of a motion picture which is prohibited to be

44 viewed by persons under the age of seventeen.
45 d. Possession or purchase of cigarettes or tobacco
46 products by a person under the age of eighteen.
47 e. Entry by a person under the age of twenty-one
48 onto the premises of a racetrack, excursion boat, or
49 gambling structure.
50 f. Entry by a person under the age of eighteen onto

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1 the premises of a business establishment other than
2 an establishment identified in paragraph "b", "c", or
3 "e" of this section where such entry is prohibited by
4 persons under the age of eighteen.
5 g. Obtaining employment in violation of chapter 92.
6 4. 5. A violation of this section is an unlawful
7 practice under section 714.16.
8 5. 6. Violations of this section shall be
9 prosecuted in any of the following venues:
10 a. In the county in which the violation occurred.
11 b. If the violation was committed in more than
12 one county, or if the elements of the offense were
13 committed in more than one county, then in any county
14 where any violation occurred or where an element of the
15 offense occurred.
16 c. In the county where the victim resides.
17 d. In the county where the property that was
18 fraudulently used or attempted to be used subject to
19 the violation was located at the time of the violation.
20 6. 7. Any real or personal property obtained by
21 a person as a result of a violation of this section,
22 including but not limited to any money, interest,
23 security, claim, contractual right, or financial
24 instrument that is in the possession of the person,
25 shall be subject to seizure and forfeiture pursuant
26 to chapter 809A. A victim injured by a violation
27 of this section, or a financial institution that
28 has indemnified a victim injured by a violation of
29 this section, may file a claim as an interest holder
30 pursuant to section 809A.11 for payment of damages
31 suffered by the victim including costs of recovery and
32 reasonable attorney fees.
33 7. 8. A financial institution may file a complaint
34 regarding a violation of this section on behalf of a
35 victim and shall have the same rights and privileges as
36 the victim if the financial institution has indemnified
37 the victim for such violations.
38 8. 9. Upon the request of a victim, a peace
39 officer in any jurisdiction described in subsection 5
40 6 shall take a report regarding an alleged violation
41 of this section and shall provide a copy of the
42 report to the victim. The report may also be provided

43 to any other law enforcement agency in any of the
44 jurisdictions described in subsection 5 6.>

BALTIMORE of Boone

H-8185

1 Amend House File 2380 as follows:
2 1. Page 11, line 16, by striking <The> and
3 inserting <Except as otherwise provided in this
4 subsection, the>
5 2. Page 11, line 22, after <program.> by inserting
6 <Moneys in the fund shall not be disbursed for a grant
7 award under this section without the approval of the
8 state board.>

J. TAYLOR of Woodbury
KAUFMANN of Cedar
PAUSTIAN of Scott
BYRNES of Mitchell

H-8186

1 Amend House File 2380 as follows:
2 1. Page 12, after line 1 by inserting:
3 <Sec. ____ NEW SECTION. 256.27 Iowa learning
4 online initiative.
5 1. An Iowa learning online initiative is
6 established within the department of education to
7 partner with school districts and accredited nonpublic
8 schools to provide distance education to high school
9 students statewide. The department shall utilize
10 a variety of content repositories, including those
11 maintained by the area education agencies and the
12 public broadcasting division, in administering the
13 initiative.
14 2. Coursework offered under the initiative shall
15 meet the requirements of section 256.7, subsections
16 7, 8, and 9, and shall be taught by an appropriately
17 licensed teacher who has completed an online-learning
18 -for-Iowa-educators-professional-development project
19 offered by area education agencies, a teacher
20 preservice program, or comparable coursework.
21 3. Under the initiative, students must be enrolled
22 in a participating school district or school, which
23 is responsible for recording grades received for
24 initiative coursework in a student's permanent record,
25 awarding high school credit for initiative coursework,
26 and issuing high school diplomas to students enrolled
27 in the district or school who participate and complete
28 coursework under the initiative. Each participating
29 school district or school shall identify a site
30 coordinator to serve as a student advocate and as a

31 liaison between the initiative staff and teachers and
 32 the school district or school.

33 4. Coursework offered under the initiative shall
 34 be rigorous and high quality, and the department
 35 shall annually evaluate the quality of the courses,
 36 ensure that coursework is aligned with the state's
 37 core curriculum and core content requirements and
 38 standards, as well as national standards of quality for
 39 online courses issued by an internationally recognized
 40 association for kindergarten through grade twelve
 41 online learning.

42 5. The department may waive any requirement that a
 43 subject being studied under the initiative by a student
 44 enrolled in a school district or school participating
 45 in the initiative be a subject that is offered and
 46 taught by the professional staff of the participating
 47 school district or school.>

48 2. By renumbering as necessary.

J. TAYLOR of Woodbury

H-8187

1 Amend the amendment, H-8151, to House File 2428 as
 2 follows:

3 1. By striking page 1, line 4, through page 2, line
 4 14, and inserting:

5 <<Section 1. Section 321.457, subsection 2, Code
 6 2011, is amended by adding the following new paragraph:
 7 NEW PARAGRAPH. n. (1) Notwithstanding paragraph
 8 "g" or any other provision of this chapter, the
 9 department is authorized to adopt rules providing for
 10 economic export corridors for the transportation of
 11 goods or products manufactured in Iowa to or through
 12 the state of South Dakota and for the return of
 13 unladen semitrailers or unladen full trailers used for
 14 the transportation of those goods or products. The
 15 rules may authorize the operation of the following
 16 combinations of vehicles on an economic export
 17 corridor:

18 (a) A truck tractor-semitrailer-semitrailer
 19 converted to a full trailer by use of a dolly equipped
 20 with a fifth wheel which is considered a part of the
 21 trailer for all purposes, and not a separate unit.

22 (b) A truck tractor-semitrailer-full trailer.

23 (c) A truck tractor-semitrailer-semitrailer.

24 (2) Rules adopted pursuant to this paragraph "n"
 25 shall provide that combinations of vehicles authorized
 26 to operate on an economic export corridor shall meet
 27 all of the following requirements:

28 (a) The length of the combination of vehicles,
 29 excluding the length of the truck tractor, shall not

30 exceed eighty-one and one-half feet.

31 (b) The length of either semitrailer or full
32 trailer shall not exceed forty-five feet. When the
33 semitrailers in a truck tractor-semi-trailer-semi-trailer
34 combination are connected by a rigid frame extension
35 including a fifth wheel connection point attached
36 to the rear frame of the first semitrailer, the
37 length of the frame extension shall not be included
38 when determining the overall length of the first
39 semitrailer.

40 (c) The weight of the second semitrailer or full
41 trailer shall not exceed the weight of the first
42 semitrailer by more than three thousand pounds.

43 (d) The gross weight of the combination of vehicles
44 shall not exceed eighty thousand pounds and the
45 combination of vehicles shall not exceed the gross axle
46 weight limits of section 321.463, subsection 2.

47 (e) The load on each semitrailer or full trailer
48 in the combination shall be an indivisible load. For
49 the purpose of issuing permits for height or width
50 under chapter 321E, the combination of vehicles shall

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1 be considered an indivisible load so long as the load
2 on each semitrailer or full trailer in the combination
3 remains an indivisible load.

4 (3) An economic export corridor established by
5 the department shall not include any segment of the
6 interstate system or any part of the national network
7 of highways identified pursuant to 23 C.F.R. pt.
8 658. This subparagraph does not prohibit operation on
9 any segment of the interstate system or part of the
10 national network of highways that is permitted under
11 paragraph "e".

12 (4) For purposes of this paragraph "n", "full
13 trailer" means as defined in 49 C.F.R. § 390.>>

WORTHAN of Buena Vista

H-8188

1 Amend House File 2380 as follows:

2 1. Page 55, after line 22 by inserting:

3 <DIVISION ____

4 REGENTS UNIVERSITIES – CENTERS OF EXCELLENCE

5 Sec. ____ Section 262.9, Code Supplement 2011, is

6 amended by adding the following new subsection:

7 NEW SUBSECTION. 36. Provide for the establishment
8 of a center for excellence at each of the institutions
9 of higher education governed by the board. The goal
10 of the board shall be to make each center unique and,

- 11 in doing so, eliminate or reduce as much as reasonably
 12 possible the duplication of effort, programs, and
 13 coursework offered by the institutions of higher
 14 education the board governs.>
 15 2. Title page, line 3, after <examiners,> by
 16 inserting <the state board of regents,>
 17 3. By renumbering as necessary.

BYRNES of Mitchell

H-8189

- 1 Amend House File 2380 as follows:
 2 1. By striking page 16, line 6, through page 21,
 3 line 13.
 4 2. Page 22, line 9, by striking <a.>
 5 3. By striking page 22, line 11, through page 23,
 6 line 35, and inserting <students enrolled in grade
 7 ten.>

WINCKLER of Scott

H-8190

- 1 Amend House File 2406 as follows:
 2 1. Page 1, line 14, after <facility> by inserting
 3 <incorporated within or associated with an ethanol
 4 plant to assist the ethanol plant in meeting a low
 5 carbon fuel standard>
 6 2. Page 2, by striking lines 7 and 8 and inserting
 7 <associated with an ethanol ~~e~~generation plant engaged
 8 in the sale of ethanol to states to meet assist the
 9 ethanol plant in>

WAGNER of Linn
 QUIRK of Chickasaw

H-8191

- 1 Amend House File 2380 as follows:
 2 1. Page 4, after line 12 by inserting:
 3 <Sec. ____ NEW SECTION. 256.27 Remediation
 4 council.
 5 1. A remediation council is established consisting
 6 of eight members appointed as follows:
 7 a. One member representing the community colleges
 8 appointed by the president of the Iowa association of
 9 community college presidents.
 10 b. One member representing the accredited private
 11 institutions appointed by the president of the Iowa
 12 association of independent colleges and universities.
 13 c. One member representing the institutions of

14 higher education governed by the state board of regents
15 appointed by the president of the state board of
16 regents.

17 d. One member representing the practitioner
18 preparation programs at institutions of higher
19 education governed by the state board of regents
20 appointed by the president of the state board of
21 regents.

22 e. One member representing school districts
23 appointed by the president of the Iowa association of
24 school boards.

25 f. One member representing accredited nonpublic
26 schools appointed by the director of the department of
27 education.

28 g. One member representing the department of
29 education appointed by the director of the department
30 of education.

31 h. One member representing the area education
32 agencies appointed by the area education agency
33 administrators.

34 2. Council members shall serve three-year terms
35 beginning and ending as provided in section 69.19,
36 and appointments shall comply with sections 69.16 and
37 69.16A. Vacancies on the council shall be filled in
38 the same manner as the original appointment. A person
39 appointed to fill a vacancy shall serve only for the
40 unexpired portion of the term.

41 3. The member representing the department of
42 education shall convene the initial meeting. The
43 council shall elect one of its members as chairperson.
44 The council shall meet at least quarterly, and at any
45 time on the call of the chairperson.

46 4. a. The department shall provide staffing
47 services for the council.

48 b. Notwithstanding section 257.16, subsection 5,
49 the administrative costs of the council shall be paid
50 from the appropriation made pursuant to section 257.16,

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1 subsection 5.

2 5. a. Prior to the initial meeting of the council,
3 the member representing the community colleges shall
4 convene a meeting of members appointed pursuant to
5 subsection 1, paragraphs "a" through "d" to define
6 "remediation" for purposes of the council and outline
7 the skills and expectations for postsecondary level
8 attendance. The definitions and outline shall be
9 distributed and discussed at the initial council
10 meeting.

11 b. The council shall identify measures to help
12 students transition from the secondary to the

13 postsecondary level, limit the cost of remediation,
 14 define and standardize the skill sets that determine
 15 the need for remediation, and create effective
 16 partnerships between secondary schools and higher
 17 education institutions. The council shall review
 18 activities and services designed to align school
 19 district curricula with core postsecondary level
 20 requirements and decrease the need for remedial
 21 coursework at the secondary school grade level through
 22 grade sixteen. The council shall develop strategies to
 23 strengthen grade nine through grade sixteen standards,
 24 competencies, assessment systems, and the professional
 25 development of teachers. For the fiscal year beginning
 26 July 1, 2012, the council shall focus on mathematics
 27 and English remediation measures.

28 6. The council shall submit its findings and
 29 recommendations in a report to the state board
 30 of education and the general assembly by November
 31 15 annually. The state board and department of
 32 education shall use the findings and recommendations to
 33 strengthen the common core curriculum and core content
 34 standards.>

35 2. Page 5, after line 5 by inserting:
 36 <Sec. _____. CONTINGENT EFFECTIVENESS. Section
 37 256.27, subsection 4, paragraph "b", as enacted by this
 38 division of this Act, takes effect only if the section
 39 of the division of this Act enacting section 257.16,
 40 subsection 5, is enacted.>

41 3. By renumbering as necessary.

BYRNES of Mitchell

H-8192

1 Amend House File 2360 as follows:

2 1. By striking everything after the enacting clause
 3 and inserting:

4 <Section 1. Section 543B.7, subsection 5, Code
 5 2011, is amended to read as follows:

6 5. The acts of an auctioneer who is not a licensee
 7 in conducting a public sale or auction, as provided in
 8 this subsection.

9 a. The auctioneer's role must be limited to
 10 establishing the time, place, and method of an auction;
 11 advertising the auction including which shall be
 12 limited to a brief description of the property for
 13 auction and the time and place for the auction; and
 14 crying the property at the auction.

15 (1) The auctioneer shall provide in any advertising
 16 the name and address of the real estate broker who is
 17 providing brokerage services for the transaction and
 18 the name of the real estate broker, ~~or~~ attorney, or

19 closing company who is responsible for closing the sale
20 of the property.

21 (2) The real estate broker providing brokerage
22 services shall be present at the time of the auction
23 and, if found to be in violation of this subsection,
24 shall be subject to a civil penalty of ~~two~~ one thousand
25 ~~five hundred~~ dollars.

26 (3) If the auctioneer closes or attempts to close
27 the sale of the property or otherwise engages in acts
28 defined in sections 543B.3 and 543B.6, or paragraph
29 "b" of this subsection, then the requirements of this
30 chapter do apply to the auctioneer.

31 b. An auctioneer who is not a licensee is expressly
32 prohibited from engaging in the following acts:

33 (1) Contacting the public regarding real property
34 beyond that which is permitted under this section with
35 the purpose of securing or facilitating the sale of
36 such real property.

37 (2) Independently showing property or hosting open
38 houses.

39 (3) Making material and substantive representations
40 regarding title, financing, or closings.

41 (4) Discussing or explaining a contract, lease,
42 agreement, or other real estate document, other than
43 the contract for conducting the auction or other acts
44 permitted by this subsection, with a prospective buyer,
45 owner, or tenant of the real property, with the purpose
46 of securing or facilitating the sale of such real
47 property.

48 (5) Collecting or holding deposit moneys, rent,
49 other moneys, or anything of value received from the
50 owner of real property or from a prospective buyer

Page 2

1 or tenant, other than fees, commissions, or other
2 consideration paid in exchange for conducting the
3 auction or other acts permitted by this subsection,
4 with the purpose of securing or facilitating the sale
5 of such real property.

6 (6) Providing owners of real property or
7 prospective buyers or tenants with advice,
8 recommendations, or suggestions regarding the sale,
9 purchase, exchange, rental, or leasing of real
10 property, except with regard to acts permitted under
11 this subsection.

12 (7) Falsely representing in any manner, orally or
13 in writing, that the auctioneer is a licensee.

14 c. If an investigation pursuant to this chapter
15 reveals that an auctioneer has violated this subsection
16 or has assumed to act in the capacity of a real
17 estate broker or real estate salesperson, the real

18 estate commission ~~may shall~~ issue a cease and desist
 19 order, and shall ~~issue a warning letter notifying the~~
 20 ~~auctioneer of the violation~~ impose a penalty of one
 21 thousand dollars for the first offense, and impose a
 22 penalty of up to the greater of ten thousand dollars
 23 or ten percent of the real estate sales price for each
 24 subsequent violation.>

25 2. Title page, by striking lines 1 through 3 and
 26 inserting <An Act relating to the authorized activities
 27 of auctioneers in conducting a public sale or auction
 28 of real estate, and providing penalty provisions.>

BALTIMORE of Boone

H-8193

1 Amend House File 2380 as follows:
 2 1. Page 55, before line 23 by inserting:
 3 <DIVISION ____
 4 USE OF PPEL REVENUES
 5 Sec. ____ Section 298.3, subsection 1, paragraph i,
 6 Code Supplement 2011, is amended to read as follows:
 7 i. Purchase or repair of transportation equipment
 8 for transporting students.>
 9 2. By renumbering as necessary.

BYRNES of Mitchell

H-8194

1 Amend House File 2380 as follows:
 2 1. Page 14, by striking lines 6 through 13.
 3 2. By renumbering as necessary.

SWEENEY of Hardin
 ALONS of Sioux

H-8195

1 Amend House File 2380 as follows:
 2 1. Page 14, line 11, by striking <shall> and
 3 inserting <may>

SWEENEY of Hardin
 ALONS of Sioux

H-8196

1 Amend House File 2380 as follows:
 2 1. Page 55, before line 23 by inserting:
 3 <DIVISION ____
 4 KINDERGARTEN REQUIREMENT

5 Sec. ____ Section 299.1A, Code 2011, is amended to
6 read as follows:

7 299.1A Compulsory attendance age.

8 1. A Except as provided in subsection 2, a
9 child who has reached the age of six and is under
10 sixteen years of age by September 15 is of compulsory
11 attendance age. However, if a child enrolled in a
12 school district or accredited nonpublic school reaches
13 the age of sixteen on or after September 15, the child
14 remains of compulsory age until the end of the regular
15 school calendar.

16 2. A child who has reached the age of five by
17 September 15 and who is enrolled in a school district
18 shall be considered to be of compulsory attendance
19 age.>

20 2. By renumbering as necessary.

STECKMAN of Cerro Gordo
WINCKLER of Scott
CHAMBERS of O'Brien
FORRISTALL of Pottawattamie
DOLECHECK of Ringgold

H-8197

1 Amend House File 2380 as follows:

2 1. Page 4, after line 12 by inserting:

3 <Sec. ____ NEW SECTION. 256.27 Remediation
4 council.

5 1. A remediation council is established consisting
6 of eight members appointed as follows:

7 a. One member representing the community colleges
8 appointed by the president of the Iowa association of
9 community college presidents.

10 b. One member representing the accredited private
11 institutions appointed by the president of the Iowa
12 association of independent colleges and universities.

13 c. One member representing the institutions of
14 higher education governed by the state board of regents
15 appointed by the president of the state board of
16 regents.

17 d. One member representing the practitioner
18 preparation programs at institutions of higher
19 education governed by the state board of regents
20 appointed by the president of the state board of
21 regents.

22 e. One member representing school districts
23 appointed by the president of the Iowa association of
24 school boards.

25 f. One member representing accredited nonpublic
26 schools appointed by the director of the department of
27 education.

28 g. One member representing the department of
29 education appointed by the director of the department
30 of education.

31 h. One member representing the area education
32 agencies appointed by the area education agency
33 administrators.

34 2. Council members shall serve three-year terms
35 beginning and ending as provided in section 69.19,
36 and appointments shall comply with sections 69.16 and
37 69.16A. Vacancies on the council shall be filled in
38 the same manner as the original appointment. A person
39 appointed to fill a vacancy shall serve only for the
40 unexpired portion of the term.

41 3. The member representing the department of
42 education shall convene the initial meeting. The
43 council shall elect one of its members as chairperson.
44 The council shall meet at least quarterly, and at any
45 time on the call of the chairperson. The department
46 shall provide staffing services for the council.

47 4. a. Prior to the initial meeting of the council,
48 the member representing the community colleges shall
49 convene a meeting of members appointed pursuant to
50 subsection 1, paragraphs "a" through "d" to define

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1 "remediation" for purposes of the council and outline
2 the skills and expectations for postsecondary level
3 attendance. The definitions and outline shall be
4 distributed and discussed at the initial council
5 meeting.

6 b. The council shall identify measures to help
7 students transition from the secondary to the
8 postsecondary level, limit the cost of remediation,
9 define and standardize the skill sets that determine
10 the need for remediation, and create effective
11 partnerships between secondary schools and higher
12 education institutions. The council shall review
13 activities and services designed to align school
14 district curricula with core postsecondary level
15 requirements and decrease the need for remedial
16 coursework at the secondary school grade level through
17 grade sixteen. The council shall develop strategies to
18 strengthen grade nine through grade sixteen standards,
19 competencies, assessment systems, and the professional
20 development of teachers.

21 5. The council shall submit its findings and
22 recommendations in a report to the state board
23 of education and the general assembly by November
24 15 annually. The state board and department of
25 education shall use the findings and recommendations to
26 strengthen the common core curriculum and core content

27 standards.>

28 2. By renumbering as necessary.

WINCKLER of Scott
STECKMAN of Cerro Gordo
CHAMBERS of O'Brien
FORRISTALL of Pottawattamie
DOLECHECK of Ringgold

H-8198

1 Amend House File 2380 as follows:

2 1. Page 14, after line 27 by inserting:

3 <Sec. ____ Section 257.11, subsection 7, Code 2011,
4 is amended to read as follows:

5 7. Shared classes ~~delivered over the Iowa~~
6 ~~communications network.~~

7 a. A school district that provides a virtual class
8 to a pupil in another school district and the school
9 district receiving that virtual class for a pupil shall
10 each receive a supplemental weighting of one-twentieth
11 of the percentage of the pupil's school day during
12 which the pupil attends the virtual class.

13 b. Fifty percent of the funding the school district
14 providing the virtual class receives as a result of
15 this subsection shall be reserved as additional pay for
16 the virtual classroom instructor. If an instructor's
17 contract provides additional pay for teaching a virtual
18 class, the instructor shall receive the greater amount
19 of either the amount provided for in this paragraph or
20 the amount provided for in the instructor's contract.

21 c. A school district receiving a virtual class for
22 a pupil from a community college, which class meets
23 the sharing agreement requirements in subsection 3,
24 shall receive a supplemental funding weighting of
25 one-twentieth of the percentage of the pupil's school
26 day during which the pupil attends the virtual class.

27 d. For the purposes of this subsection, "virtual
28 class" means ~~either~~ any of the following:

29 (1) A class provided by a school district to
30 a pupil in another school district via the Iowa
31 communications network's video services.

32 (2) A class provided by a community college to a
33 pupil in a school district via the Iowa communications
34 network's video services.

35 (3) An advanced placement course provided to a
36 pupil in a school district under an agreement with
37 the Iowa online advanced placement academy science,
38 technology, engineering, and mathematics initiative
39 under section 263.8A, subsection 2.

40 (4) A course provided by the Iowa learning online
41 initiative of the department of education to a pupil

42 in a school district under an agreement with the
 43 department.>
 44 2. By renumbering as necessary.

WINCKLER of Scott
 STECKMAN of Cerro Gordo
 CHAMBERS of O'Brien
 FORRISTALL of Pottawattamie
 DOLECHECK of Ringgold

H-8199

1 Amend House File 2380 as follows:
 2 1. By striking page 2, line 27, through page 3,
 3 line 25.
 4 2. Page 5, after line 5 by inserting:
 5 <Sec. ____ DEPARTMENT OF EDUCATION – CORE
 6 CURRICULUM STUDY. The department of education shall
 7 conduct a study of the core curriculum and the core
 8 content standards and the skills necessary to prepare
 9 students for the future. The department shall develop
 10 a plan for meeting the global education needs of
 11 students in kindergarten through grade twelve that,
 12 at a minimum, determines how to incorporate content
 13 areas that include but are not limited to fine arts,
 14 applied arts, humanities, physical education, and world
 15 languages into the core curriculum. The department
 16 shall submit its findings and recommendations in a
 17 report to the general assembly by November 15, 2012.>
 18 3. By renumbering as necessary.

WINCKLER of Scott

H-8200

1 Amend House File 2380 as follows:
 2 1. By striking page 12, line 26, through page 14,
 3 line 5.
 4 2. By renumbering as necessary.

WINCKLER of Scott

H-8201

1 Amend House File 2380 as follows:
 2 1. By striking page 11, line 27, through page 12,
 3 line 25.
 4 2. Page 55, by striking lines 2 through 22 and
 5 inserting:
 6 <DIVISION ____
 7 ONLINE LEARNING
 8 Sec. ____ Section 256.7, subsections 7, 8, and 9,

9 Code Supplement 2011, are amended to read as follows:

10 7. Adopt rules under chapter 17A for the use
11 of telecommunications as an instructional tool and
12 for educational instruction and content delivery
13 primarily over the internet for students enrolled in
14 kindergarten through grade twelve and served by local
15 school districts, accredited or approved nonpublic
16 schools, area education agencies, community colleges,
17 institutions of higher education under the state board
18 of regents, and independent colleges and universities
19 in elementary and secondary school classes and courses.
20 The rules shall include but need not be limited to
21 rules relating to programs, rigorous alignment of all
22 coursework to the core curriculum and core content
23 standards, educational policy, instructional practices,
24 staff development, use of pilot projects, curriculum
25 monitoring, and the accessibility of licensed teachers.

26 a. When curriculum is provided by means of
27 telecommunications or delivered over the internet, it
28 shall be taught by an appropriately licensed a teacher
29 licensed under chapter 272. ~~The~~ When provided by
30 means of telecommunications, the teacher shall either
31 be present in the classroom, or be present at the
32 location at which the curriculum delivered by means of
33 telecommunications originates.

34 b. The rules shall provide that when the curriculum
35 is taught by an appropriately licensed teacher at the
36 location at which the telecommunications originates,
37 the curriculum received at a remote site shall be under
38 the supervision of a licensed teacher. The licensed
39 teacher at the originating site may provide supervision
40 of students at a remote site or the school district
41 in which the remote site is located may provide for
42 supervision at the remote site if the school district
43 deems it necessary or if requested to do so by the
44 licensed teacher at the originating site.

45 c. For the purposes of this subsection,
46 "supervision" means that the curriculum is monitored
47 by a ~~licensed~~ teacher licensed under chapter 272 and
48 the teacher is accessible to the students receiving the
49 curriculum by means of telecommunications or delivery
50 over the internet.

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1 e. d. The state board shall establish an
2 advisory committee to make recommendations for
3 rules required under this subsection on the use of
4 telecommunications as an instructional tool and for
5 educational instruction and content delivery primarily
6 over the internet. The committee shall be composed
7 of representatives from community colleges and other

8 accredited institutions of higher education, area
9 education agencies, accredited or approved nonpublic
10 schools, and local school districts from various
11 enrollment categories. The representatives shall
12 include board members, school administrators, teachers,
13 parents, students, and associations interested in
14 education.

15 ~~d. e.~~ For the purpose of the rules adopted by
16 the state board, telecommunications means narrowcast
17 communications through systems that are directed toward
18 a narrowly defined audience and includes interactive
19 live communications, and coursework delivered over the
20 internet may also be referred to as online learning.

21 8. Rules adopted under this section shall provide
22 ~~that the following:~~

23 a. That telecommunications and delivery of
24 curriculum over the internet shall not be used by
25 school districts as the exclusive means to provide any
26 course which is required by the minimum educational
27 standards for accreditation.

28 b. That not more than fifty percent of a student's
29 coursework may be delivered over the internet, except
30 when it is medically necessary for a student to take an
31 extended leave of absence from the classroom.

32 c. That a school district implementing an online
33 learning curriculum at its discretion may offer courses
34 developed by private providers. However, such courses
35 shall meet the requirements of this subsection and
36 subsections 7 and 9.

37 9. Develop evaluation procedures that will
38 measure the effects of instruction by means of
39 telecommunications or delivered over the internet
40 on student achievement, socialization, intellectual
41 growth, motivation, and other related factors deemed
42 relevant by the state board, for the development of an
43 educational database. The state board shall consult
44 with the state board of regents and the practitioner
45 preparation departments at its institutions, other
46 practitioner preparation departments located within
47 private colleges and universities, educational research
48 agencies or facilities, and other agencies deemed
49 appropriate by the state board, in developing these
50 procedures.

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1 Sec. ____ Section 256.9, Code Supplement 2011, is
2 amended by adding the following new subsection:
3 NEW SUBSECTION. 65. Develop and establish
4 an online learning program model that meets the
5 requirements of section 256.7, subsections 7, 8, and
6 9, prepares teachers to meet the needs of students in

7 an online environment, including but not limited to
8 building community, developing strategies for working
9 with virtual students, and assessing virtual students.
10 Sec. ____ NEW SECTION. 256.24 Iowa learning online
11 initiative.

12 1. An Iowa learning online initiative is
13 established within the department of education to
14 partner with school districts to provide distance
15 education to high school students statewide. The
16 department shall utilize a variety of content
17 repositories, including those maintained by the
18 area education agencies and the public broadcasting
19 division, in administering the initiative.

20 2. Coursework offered under the initiative shall
21 meet the requirements of section 256.7, subsections
22 7, 8, and 9, and shall be taught by an appropriately
23 licensed teacher who has completed an online-learning
24 -for-Iowa-educators-professional-development project
25 offered by area education agencies, a teacher
26 preservice program, or comparable coursework.

27 3. Under the initiative, students must be
28 enrolled in a participating school district, which
29 is responsible for recording grades received for
30 initiative coursework in a student's permanent record,
31 awarding high school credit for initiative coursework,
32 and issuing high school diplomas to students enrolled
33 in the district who participate and complete coursework
34 under the initiative. Each participating school shall
35 identify a site coordinator to serve as a student
36 advocate and as a liaison between the initiative staff
37 and teachers and the school district.

38 4. Coursework offered under the initiative shall
39 be rigorous and high quality, and the department
40 shall annually evaluate the quality of the courses,
41 ensure that coursework is aligned with the state's
42 core curriculum and core content requirements and
43 standards, as well as national standards of quality for
44 online courses issued by an internationally recognized
45 association for kindergarten through grade twelve
46 online learning.

47 Sec. ____ Section 256.33, subsection 3, Code 2011,
48 is amended to read as follows:

49 3. Priority shall be given to programs integrating
50 ~~telecommunications~~ educational technology into the

Page 4

1 classroom. The department may award grants to school
2 corporations and higher education institutions to
3 perform the functions listed in this section.

4 Sec. ____ Section 279.47, Code 2011, is amended to
5 read as follows:

6 279.47 Telecommunications and internet delivery
 7 — participation by school districts in database
 8 development.
 9 The board of directors of each school district
 10 ~~utilizing telecommunications as an instructional tool~~
 11 providing instruction by means of telecommunications
 12 ~~or delivered over the internet~~ shall participate in
 13 procedures adopted by the state board of education
 14 under section 256.7, subsection 9.>
 15 3. By renumbering as necessary.

MASCHER of Johnson

H-8202

1 Amend House File 2380 as follows:
 2 1. Page 10, line 26, by striking <INNOVATION
 3 ACCELERATION PROGRAM> and inserting <INNOVATIVE
 4 PRACTICES COMMISSION — GRANTS>
 5 2. By striking page 10, line 27, through page 11,
 6 line 14, and inserting:
 7 <Sec. ____ Section 256.7, Code Supplement 2011, is
 8 amended by adding the following new subsection:
 9 NEW SUBSECTION. 35. Adopt rules relating to goals
 10 and program administration for the innovative practices
 11 grants awarded in equal amounts by the innovative
 12 practices commission to school districts under section
 13 256.25. The rules shall provide application procedures
 14 and eligibility criteria, criteria for awarding of
 15 grants, and program evaluation requirements. The goals
 16 shall be designed, at a minimum, to enable grantees to
 17 accomplish all of the following:
 18 a. Expand and develop innovative practices that can
 19 serve as models of best practices.
 20 b. Work in partnership with the private sector,
 21 community-based organizations, and the philanthropic
 22 community.
 23 c. Identify and document best practices that can be
 24 shared and expanded based on demonstrated success.
 25 Sec. ____ NEW SECTION. 256.25 Innovative practices
 26 commission — grants — fund.
 27 1. An innovative practices commission is
 28 established to review and evaluate applications from
 29 school districts for innovation practices grants
 30 in accordance with rules adopted by the state board
 31 pursuant to section 256.7, subsection 35. The purpose
 32 of the grants shall be to improve student education
 33 by supporting the implementation of, and investment
 34 in, innovative practices that are research-based;
 35 and have an impact on improving student achievement
 36 and student academic growth, closing achievement
 37 gaps, decreasing dropout rates, increasing parental

38 involvement, increasing attendance rates, or increasing
39 college career program enrollment and completion rates.
40 The director shall disburse grant moneys from the
41 fund established under this section in equal amounts
42 to grant recipients as directed by the commission.
43 The commission may designate a portion of the moneys
44 available in the fund established under this section to
45 be held in reserve for a designated fiscal year.
46 2. The commission shall consist of eleven voting
47 members and five ex officio, nonvoting members
48 appointed as follows:
49 a. The voting members shall be members of the
50 general public appointed as follows:

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1 (1) One member shall be appointed by the governor.
2 (2) Two members shall be appointed by the president
3 of the senate.
4 (3) One member shall be appointed by the minority
5 leader of the senate.
6 (4) Two members shall be appointed by the speaker
7 of the house of representatives.
8 (5) One member shall be appointed by the minority
9 leader of the house of representatives.
10 (6) One member representing public postsecondary
11 education institutions who is employed by a public
12 postsecondary education institution and who shall be
13 appointed by the governor.
14 (7) Three members representing three different
15 school districts who shall be appointed by the governor
16 as follows:
17 (a) One member shall be a teacher employed by
18 a school district or area education agency who is
19 appointed from a list of three names submitted by a
20 certified employee organization representing teachers
21 licensed under chapter 272.
22 (b) One member shall be an administrator employed
23 by a school district who is appointed from a list of
24 three names submitted by a statewide organization
25 representing administrators licensed under chapter 272.
26 (c) One member shall be a member of a board of
27 directors of a school district who is appointed by a
28 statewide organization representing schools boards.
29 b. The ex officio, nonvoting members shall be
30 appointed as follows:
31 (1) One member who is a member of the state board
32 of education appointed by the chairperson of the state
33 board of education.
34 (2) One member who is a member of the senate shall
35 be appointed by the president of the senate.
36 (3) One member who is a member of the senate shall

37 be appointed by the minority leader of the senate.
 38 (4) One member who is a member of the house of
 39 representatives shall be appointed by the speaker of
 40 the house of representatives.

41 (5) One member who is a member of the house of
 42 representatives shall be appointed by the minority
 43 leader of the house of representatives.

44 c. In appointing members to the commission, proper
 45 consideration shall be given to persons with experience
 46 or special knowledge in one or more of the following
 47 areas: education, business, technology, and finance.

48 d. Commission appointments shall be made in a
 49 manner which provides geographical representation and
 50 complies with sections 69.16, 69.16A, and 69.16C.

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1 e. The initial meeting of the commission shall
 2 be convened by the member representing the public
 3 postsecondary education institutions. The commission
 4 members shall elect a chairperson from among the voting
 5 members of the commission.

6 f. A majority of the voting members constitutes a
 7 quorum for the transaction of any official business.

8 g. Public members of the commission are entitled
 9 to receive reimbursement for actual expenses incurred
 10 while engaged in the performance of official duties.
 11 Legislators' expenses shall be paid from funds
 12 appropriated by section 2.12.

13 h. Meetings of the commission shall be subject to
 14 chapters 21 and 22.

15 3. The department of education shall provide
 16 staffing assistance to the commission.

17 4. The commission shall report annually to the
 18 general assembly by December 1 the number grants
 19 awarded, the names of the school districts receiving
 20 grants and the grant amounts disbursed to each
 21 district, the purposes for which the grants were
 22 awarded, and the measurable outcomes achieved.>

23 3. Page 11, by striking line 15 and inserting:
 24 <5. An innovative practices fund is created in the
 25 state>

26 4. Page 11, line 17, after <director> by inserting
 27 <in accordance with this section>

28 5. Page 11, lines 21 and 22, by striking <for
 29 purposes of the innovation acceleration program>

30 6. Page 11, after line 26 by inserting:
 31 <Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 32 of this Act, being deemed of immediate importance,
 33 takes effect upon enactment.>

34 7. Title page, line 5, by striking <funds> and
 35 inserting <funds; and including effective date

36 provisions>

37 8. By renumbering as necessary.

MASCHER of Johnson

H-8203

1 Amend House File 2380 as follows:

2 1. By striking page 16, line 6, through page 21,
3 line 13.

4 2. Page 22, line 9, by striking <a.>

5 3. Page 22, by striking lines 12 through 17 and
6 inserting <on or after July 1, 2012.>

7 4. By striking page 22, line 18, through page 23,
8 line 35.

9 5. By renumbering as necessary.

WINCKLER of Scott

H-8204

1 Amend House File 2380 as follows:

2 1. By striking page 5, line 6, through page 10,
3 line 24, and inserting:

4 <DIVISION ____

5 TEACHER PERFORMANCE, INSTRUCTIONAL TIME, AND SCHOOL
6 TRANSPORTATION

7 Sec. ____ TEACHER PERFORMANCE, INSTRUCTIONAL TIME,
8 AND SCHOOL TRANSPORTATION — COMMISSION REPORT.

9 1. A teacher evaluation, performance, and
10 career development commission is created to develop
11 recommendations for measures to improve teacher
12 evaluation, teacher performance, and career development
13 opportunities for teachers; changes to the minimum
14 requirements for a school day and school year; and
15 measures to equalize school transportation costs for
16 school districts, including but not limited to a review
17 of alternative transportation funding methods that can
18 provide stronger incentives for districts to operate
19 their transportation systems efficiently. With regard
20 to instructional time, the commission shall review the
21 following:

22 a. Whether the minimum length of an instructional
23 day should be extended and, if so, whether the
24 instructional day should be extended for all students
25 or for specific groups of students.

26 b. Whether the minimum number of instructional days
27 or hours in a school year should be increased and, if
28 so, whether the minimum number of days or hours in a
29 school year should be increased for all students or for
30 specific groups of students.

31 c. Whether the minimum number of instructional days

32 or hours should be rearranged to result in a shorter
33 summer break, with other days or weeks off throughout
34 the school year.

35 d. Whether the minimum school year should be
36 defined by a number of days or by a number of
37 instructional hours.

38 e. Whether there should be a uniform, statewide
39 start date for the school year that can only be
40 waived for the purpose of implementing an innovative
41 educational program.

42 f. Whether resources necessary to extend the
43 minimum length of an instructional day or the minimum
44 length of a school year are justified when compared to
45 competing education priorities.

46 2. The commission shall consist of eleven voting
47 members and five ex officio, nonvoting members
48 appointed by July 1, 2012, as follows:

49 a. The voting members shall be members of the
50 general public appointed as follows:

Page 2

1 (1) One member shall be appointed by the governor.

2 (2) Two members shall be appointed by the president
3 of the senate.

4 (3) One member shall be appointed by the minority
5 leader of the senate.

6 (4) Two members shall be appointed by the speaker
7 of the house of representatives.

8 (5) One member shall be appointed by the minority
9 leader of the house of representatives.

10 (6) One member representing public postsecondary
11 education institutions who is employed by a public
12 postsecondary education institution and who shall be
13 appointed by the governor.

14 (7) Three members representing three different
15 school districts who shall be appointed by the governor
16 as follows:

17 (a) One member shall be a teacher employed by
18 a school district or area education agency who is
19 appointed from a list of three names submitted by a
20 certified employee organization representing teachers
21 licensed under chapter 272.

22 (b) One member shall be an administrator employed
23 by a school district who is appointed from a list of
24 three names submitted by a statewide organization
25 representing administrators licensed under chapter 272.

26 (c) One member shall be a member of a board of
27 directors of a school district who is appointed by a
28 statewide organization representing schools boards.

29 b. The ex officio, nonvoting members shall be
30 appointed as follows:

31 (1) One member who is a member of the state board
32 of education appointed by the chairperson of the state
33 board of education.

34 (2) One member who is a member of the senate shall
35 be appointed by the president of the senate.

36 (3) One member who is a member of the senate shall
37 be appointed by the minority leader of the senate.

38 (4) One member who is a member of the house of
39 representatives shall be appointed by the speaker of
40 the house of representatives.

41 (5) One member who is a member of the house of
42 representatives shall be appointed by the minority
43 leader of the house of representatives.

44 c. In appointing members to the commission, proper
45 consideration shall be given to persons with experience
46 or special knowledge in one or more of the following
47 areas: education, business, technology, and finance.

48 d. The initial meeting of the commission shall
49 be convened by the member representing the public
50 postsecondary education institutions. The commission

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1 members shall elect a chairperson from among the voting
2 members of the commission.

3 e. A majority of the voting members constitutes a
4 quorum for the transaction of any official business.

5 f. Commission appointments shall be made in a
6 manner which provides geographical representation and
7 complies with sections 69.16, 69.16A, and 69.16C.

8 g. Public members of the commission are entitled
9 to receive reimbursement for actual expenses incurred
10 while engaged in the performance of official duties.
11 Legislators' expenses shall be paid from funds
12 appropriated by section 2.12.

13 3. The department of education shall provide
14 staffing assistance to the commission.

15 4. The commission shall submit its findings and
16 recommendations in a report to the general assembly by
17 December 1, 2012.

18 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
19 of this Act, being deemed of immediate importance,
20 takes effect upon enactment.>

21 2. Title page, line 4, by striking <and providing>
22 and inserting <providing>

23 3. Title page, line 5, by striking <funds> and
24 inserting <funds; and including effective date
25 provisions>

26 4. By renumbering as necessary.

H-8205

1 Amend House File 2380 as follows:

2 1. Page 55, after line 22 by inserting:

3 <DIVISION ____

4 REQUIREMENTS FOR SCHOOL RESOURCE OFFICERS AND
5 PRIVATE SECURITY STAFF

6 Sec. ____ Section 232.69, subsection 1, paragraph
7 b, subparagraph (4), Code Supplement 2011, is amended
8 to read as follows:

9 (4) A licensed school employee, certified
10 para-educator, holder of a coaching authorization
11 issued under section 272.31, a school resource officer
12 or an individual who performs private security duties
13 on school district grounds as an employee of or under
14 contract with a school district, or an instructor
15 employed by a community college.>

16 Sec. ____ Section 279.8, Code 2011, is amended to
17 read as follows:

18 279.8 General rules — bonds of employees.

19 1. The board shall make rules for its own
20 government and that of the directors, officers,
21 employees, teachers and pupils, and for the care of
22 the schoolhouse, grounds, and property of the school
23 corporation, and shall aid in the enforcement of the
24 rules, and require the performance of duties imposed
25 by law and the rules.

26 2. The board shall include in its rules provisions
27 regulating the loading and unloading of pupils from
28 a school bus stopped on the highway during a period
29 of reduced highway visibility caused by fog, snow, or
30 other weather conditions.

31 3. The board shall have the authority to include
32 in its rules provisions allowing school corporation
33 employees to use school credit cards to pay for
34 the actual and necessary expenses incurred in the
35 performance of work-related duties.

36 4. Employees of a school corporation maintaining a
37 high school who have the custody of funds belonging to
38 the corporation or funds derived from extracurricular
39 activities and other sources in the conduct of their
40 duties, shall be required to furnish suitable bond
41 indemnifying the corporation or any activity group
42 connected with the school against loss, and employees
43 who have the custody of property belonging to the
44 corporation or any activity group connected with the
45 school may be required to furnish such bond. ~~Said The~~
46 bond or bonds may be in such form and penalty as the
47 board may approve and the premiums on same shall be
48 paid from the general fund of the corporation.

49 5. A school district shall not employ or contract
50 for the services of a school resource officer or

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1 an individual to perform private security duties on
2 school district grounds if the individual has not, at a
3 minimum, met all of the following requirements:
4 a. Successfully completed training that includes
5 but is not limited to de-escalation techniques, anger
6 management techniques, civil rights and unfair or
7 discriminatory practices awareness, recognition of
8 fake or altered identification, and cultural diversity
9 training.
10 b. Satisfied the training requirements of section
11 232.69.>
12 2. By renumbering as necessary.

ABDUL-SAMAD of Polk

H-8206

1 Amend the amendment, H-8151, to House File 2428 as
2 follows:
3 1. By striking page 1, line 4, through page 2, line
4 14, and inserting:
5 <<Section 1. Section 321.457, subsection 2, Code
6 2011, is amended by adding the following new paragraph:
7 NEW PARAGRAPH. n. (1) Notwithstanding paragraph
8 "g" or any other provision of this chapter, the
9 department is authorized to adopt rules providing for
10 economic export corridors for the transportation of
11 goods or products manufactured in Iowa to or through
12 the state of South Dakota and for the return of
13 unladen semitrailers or unladen full trailers used for
14 the transportation of those goods or products. The
15 rules may authorize the operation of the following
16 combinations of vehicles on an economic export
17 corridor:
18 (a) A truck tractor-semitrailer-semitrailer
19 converted to a full trailer by use of a dolly equipped
20 with a fifth wheel which is considered a part of the
21 trailer for all purposes, and not a separate unit.
22 (b) A truck tractor-semitrailer-full trailer.
23 (c) A truck tractor-semitrailer-semitrailer
24 combination, where the semitrailers are connected
25 by a rigid frame extension including a fifth wheel
26 connection point attached to the rear frame of the
27 first semitrailer. The length of the frame extension
28 shall not be included when determining the overall
29 length of the first semitrailer.
30 (2) Rules adopted pursuant to this paragraph "n"
31 shall provide that combinations of vehicles authorized
32 to operate on an economic export corridor shall meet
33 all of the following requirements:

- 34 (a) The length of the combination of vehicles,
 35 excluding the length of the truck tractor, shall not
 36 exceed eighty-one and one-half feet.
- 37 (b) The length of either semitrailer or full
 38 trailer shall not exceed forty-five feet.
- 39 (c) The weight of the second semitrailer or full
 40 trailer shall not exceed the weight of the first
 41 semitrailer by more than three thousand pounds.
- 42 (d) The gross weight of the combination of vehicles
 43 shall not exceed eighty thousand pounds and the
 44 combination of vehicles shall not exceed the gross axle
 45 weight limits of section 321.463, subsection 2.
- 46 (e) The load on each semitrailer or full trailer
 47 in the combination shall be an indivisible load. For
 48 the purpose of issuing permits for height or width
 49 under chapter 321E, the combination of vehicles shall
 50 be considered an indivisible load so long as the load

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- 1 on each semitrailer or full trailer in the combination
 2 remains an indivisible load.
- 3 (3) An economic export corridor established by
 4 the department shall not include any segment of the
 5 interstate system or any part of the national network
 6 of highways identified pursuant to 23 C.F.R. pt.
 7 658. This subparagraph does not prohibit operation on
 8 any segment of the interstate system or part of the
 9 national network of highways that is permitted under
 10 paragraph "e".
- 11 (4) For purposes of this paragraph "n", "full
 12 trailer" means as defined in 49 C.F.R. § 390.>>

WORTHAN of Buena Vista

H-8207

- 1 Amend House File 2380 as follows:
 2 1. By striking page 28, line 12, through page 45,
 3 line 25.
 4 2. By renumbering as necessary.

MASCHER of Johnson

H-8208

- 1 Amend House File 2380 as follows:
 2 1. Page 55, by striking lines 25 through 35 and
 3 inserting:
 4 <Sec. _____. CONTINGENT EFFECTIVENESS. This Act
 5 shall not take effect unless an appropriation is
 6 enacted or the state's share of the cost of this Act is

- 7 specified in accordance with section 25B.2, subsection
 8 3.>
 9 2. Title page, line 4, by striking <and providing>
 10 and inserting <providing>
 11 3. Title page, line 5, by striking <funds>
 12 and inserting <funds; and including a contingent
 13 effectiveness provision>
 14 4. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8209

- 1 Amend House File 2380 as follows:
 2 1. Page 55, before line 23 by inserting:
 3 <DIVISION ___
 4 FOREIGN LANGUAGE INSTRUCTION FOR ELEMENTARY SCHOOL
 5 STUDENTS
 6 Sec. ___. Section 256.11, subsection 3, Code 2011,
 7 is amended to read as follows:
 8 3. The following areas shall be taught in grades
 9 one through six: English-language arts, social
 10 studies, mathematics, science, health, age-appropriate
 11 and research-based human growth and development,
 12 physical education, traffic safety, music, and
 13 visual art. The health curriculum shall include the
 14 characteristics of communicable diseases including
 15 acquired immune deficiency syndrome. At least one
 16 foreign language shall be taught in grades one through
 17 six in school districts. The state board as part
 18 of accreditation standards shall adopt curriculum
 19 definitions for implementing the elementary program.
 20 Sec. ___. FOREIGN LANGUAGE INSTRUCTION FOR
 21 ELEMENTARY STUDENTS — SCHOOL DISTRICT PLAN. The board
 22 of directors of each school district shall develop and
 23 implement a plan to teach at least one foreign language
 24 in grades one through six by the school year beginning
 25 July 1, 2014.
 26 Sec. ___. EFFECTIVE DATE. The section of this
 27 division of this Act amending section 256.11,
 28 subsection 3, takes effect July 1, 2014.>
 29 2. By renumbering as necessary.

ABDUL-SAMAD of Polk

H-8210

- 1 Amend House File 2380 as follows:
 2 1. Page 48, after line 7 by inserting:
 3 <Sec. ___. Section 279.11, Code 2011, is amended to
 4 read as follows:
 5 279.11 Number of schools — attendance — terms ==

6 staffing.

7 1. The board of directors shall determine the
 8 number of schools to be taught, divide the corporation
 9 into such wards or other divisions for school purposes
 10 as may be proper, determine the particular school which
 11 each child shall attend, and designate the period each
 12 school shall be held beyond the time required by law.

13 2. The following minimum staffing requirements
 14 shall apply for kindergarten through grade three:

15 a. At least one teacher shall be present with
 16 students during instructional time.

17 b. One staff member and one teacher shall be
 18 present when eleven to twenty students are present in
 19 a classroom.

20 c. Students under the supervision of a staff member
 21 or teacher shall be within sight of the staff member
 22 or teacher.

23 d. Class size shall not exceed twenty students for
 24 every one teacher.>

25 2. By renumbering as necessary.

STECKMAN of Cerro Gordo

H-8211

1 Amend House File 2380 as follows:

2 1. Page 55, before line 23 by inserting:

3 <DIVISION ____

4 RETURNING DROPOUTS AND DROPOUT PREVENTION MATTERS

5 Sec. ____ Section 257.31, subsection 5, unnumbered
 6 paragraph 1, Code Supplement 2011, is amended to read
 7 as follows:

8 If a district has unusual circumstances, creating
 9 an unusual need for additional funds, including
 10 but not limited to the circumstances enumerated in
 11 paragraphs "a" through "~~n~~" "o", the committee may
 12 grant supplemental aid to the district from any funds
 13 appropriated to the department of education for the
 14 use of the school budget review committee for the
 15 purposes of this subsection. The school budget review
 16 committee shall review a school district's unexpended
 17 fund balance prior to any decision regarding unusual
 18 finance circumstances. Such aid shall be miscellaneous
 19 income and shall not be included in district cost.
 20 In addition to or as an alternative to granting
 21 supplemental aid the committee may establish a modified
 22 allowable growth for the district by increasing its
 23 allowable growth. The school budget review committee
 24 shall review a school district's unspent balance prior
 25 to any decision to increase modified allowable growth
 26 under this subsection.

27 Sec. ____ Section 257.31, subsection 5, Code

28 Supplement 2011, is amended by adding the following new
29 paragraph:

30 NEW PARAGRAPH. o. Unusual need for additional
31 funds for returning dropout and dropout prevention
32 programming pursuant to section 257.41, subsection 1.
33 Sec. ____ Section 257.41, Code 2011, is amended to
34 read as follows:

35 257.41 Funding for programs for returning dropouts
36 and dropout prevention.

37 1. Budget. a. The budget of an approved program
38 for returning dropouts and dropout prevention for a
39 school district, after subtracting funds received
40 from other sources for that purpose, shall be funded
41 annually on a basis of one-fourth or more from
42 the district cost of the school district and up to
43 three-fourths by an increase in allowable growth as
44 defined in section 257.8. Annually, the department
45 of management shall establish a modified allowable
46 growth for each such school district equal to the
47 difference between the approved budget for the program
48 for returning dropouts and dropout prevention for
49 that district and the sum of the amount funded from
50 the district cost of the school district plus funds

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1 received from other sources.

2 b. If the board of directors of a school district
3 determines that funding provided under paragraph "a" is
4 insufficient to meet the returning dropout and dropout
5 prevention programming needs of the school district,
6 the board may submit a request for additional modified
7 allowable growth to the school budget review committee
8 under section 257.31, subsection 5, paragraph "o".

9 2. Appropriate uses of funding. Appropriate uses of
10 the returning dropout and dropout prevention program
11 funding include but are not limited to the following:

12 a. Salary and benefits for instructional staff,
13 instructional support staff, and school-based youth
14 services staff who are working with students who
15 are participating in dropout prevention programs,
16 alternative programs, and alternative schools if
17 the staff person's time is dedicated to working with
18 returning dropouts or students who are deemed, at
19 any time during the school year, to be at risk of
20 dropping out, in order to provide services beyond those
21 which are provided by the school district to students
22 who are not identified as at risk of dropping out.
23 However, if the staff person works part-time with
24 students who are participating in returning dropout and
25 dropout prevention programs, alternative programs, and
26 alternative schools and has another unrelated staff

27 assignment, only the portion of the staff person's time
 28 that is related to the returning dropout and dropout
 29 prevention program, alternative program, or alternative
 30 school may be charged to the program.
 31 b. Professional development for all teachers and
 32 staff working with at-risk students and programs
 33 involving dropout prevention strategies.
 34 c. Research-based resources, materials, software,
 35 supplies, and purchased services that meet all of the
 36 following criteria:
 37 (1) Meet the needs of kindergarten through grade
 38 twelve students identified as at risk of dropping out
 39 and of returning dropouts.
 40 (2) Are beyond those provided by the regular school
 41 program.
 42 (3) Are necessary to provide the services listed in
 43 the school district's dropout prevention plan.
 44 (4) Will remain with the kindergarten through
 45 grade twelve returning dropout and dropout prevention
 46 program.
 47 d. Up to five percent of the total budgeted amount
 48 received pursuant to subsection 1, paragraph "a", may
 49 be used for purposes of providing district-wide or
 50 building-wide returning dropout and dropout prevention

Page 3

1 programming targeted to students who are not deemed at
 2 risk of dropping out.>
 3 2. By renumbering as necessary.

MASCHER of Johnson
 STECKMAN of Cerro Gordo

H-8212

1 Amend House File 2380 as follows:
 2 1. Page 55, before line 23 by inserting:
 3 <DIVISION __
 4 USE OF PPEL REVENUES
 5 Sec. __. Section 297.22, subsection 2, paragraph
 6 a, Code 2011, is amended to read as follows:
 7 a. The board of directors of a school district
 8 may sell, lease, exchange, give, or grant, and accept
 9 any interest in real property to, with, or from a
 10 county, municipal corporation, school district,
 11 community college for the purpose specified in section
 12 298.3, subsection 1, paragraph "n", township, or area
 13 education agency if the real property is within the
 14 jurisdiction of both the grantor and grantee.
 15 Sec. __. Section 298.3, subsection 1, Code
 16 Supplement 2011, is amended by adding the following new

17 paragraph:

18 NEW PARAGRAPH. n. Notwithstanding the requirement
 19 that a school district have exclusive jurisdiction
 20 in all matters within the territory of the school
 21 district under section 274.1 and the limitation
 22 on joint buildings under section 28E.41, joint
 23 infrastructure projects with one or more school
 24 districts or one or more school districts and an
 25 Iowa community college for buildings or facilities
 26 constructed or leased for the purpose of offering
 27 classes under a district-to-community college sharing
 28 agreement or concurrent enrollment program that meets
 29 the requirements for funding under section 257.11,
 30 subsection 3. A school district that wishes to
 31 participate in a joint infrastructure project shall,
 32 prior to entering into a contract for the construction
 33 or leasing of buildings pursuant to this paragraph,
 34 hold a public hearing on the question of entering into
 35 such a contract.>

36 2. By renumbering as necessary.

WILLEMS of Linn
 STECKMAN of Cerro Gordo
 HANSON of Jefferson
 ABDUL-SAMAD of Polk

H-8213

1 Amend House File 2435 as follows:

2 1. Page 61, after line 32 by inserting:

3 <DIVISION ____

4 WHOLE WOMAN'S HEALTH FUNDING PRIORITIES ACT

5 Sec. ____ LEGISLATIVE FINDINGS.

6 1. The general assembly finds all of the following:

7 a. Limited federal and state public funding exists
 8 for family planning and preventive health services for
 9 women generally, and for maternal and fetal patients in
 10 particular. Fiscal constraints mandate that the state
 11 allocate available funding efficiently. The principal
 12 means by which the state may fulfill its duty to manage
 13 these funds is to ensure that funds are distributed by
 14 priority to the most efficient point-of-service health
 15 care providers. The general assembly finds that public
 16 and private providers of primary and preventive care
 17 utilize public funds more effectively than providers of
 18 health care services that are specialized to particular
 19 medical services or discrete patient populations.
 20 Consequently, it is the intent of the general assembly
 21 through this Act, and any rules and policies adopted
 22 under this Act, to prioritize the distribution and
 23 utilization of public funds for family planning,
 24 reproductive health care, and maternal and fetal care

25 to such public and private primary and preventive care
26 providers.
27 b. Prioritization of public health care funding
28 to primary and preventive care also reflects sound
29 health care policy. Individuals who have a primary
30 care clinician are more likely to access health
31 care services, leading to more favorable long-term
32 outcomes. Health care costs are lowered when primary
33 and preventive care is provided by such primary care
34 clinicians in a setting that addresses the whole
35 person by emphasizing counseling, screening, and
36 early detection of leading causes of morbidity and
37 mortality including diabetes, hypertension, obesity,
38 cardiovascular and renal diseases, and asthma.
39 Indirect costs such as lost worker productivity and
40 employer health care costs are also reduced. Most
41 importantly, individual citizens will lead longer,
42 healthier, and happier lives as a result of having less
43 fragmented health care.
44 c. (1) It is also the public policy of this state
45 to ensure delivery of comprehensive preconception and
46 prenatal care for maternal and fetal patients in order
47 to reduce maternal and fetal morbidity and mortality.
48 (2) The national prevention strategy published
49 in June 2011 by the national prevention, health
50 promotion, and public health council created pursuant

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1 to section 4001 of the federal Patient Protection and
2 Affordable Care Act, Pub. L. No. 111-148, states that
3 "Comprehensive preconception and prenatal care includes
4 encouraging women to stop smoking, refrain from using
5 alcohol and other drugs, eat a healthy diet, take folic
6 acid supplements, maintain a healthy weight, control
7 high blood pressure and diabetes, and reduce exposure
8 to workplace and environmental hazards. In addition,
9 screening and providing services to prevent intimate
10 partner violence and infections (e.g., HIV, STI, and
11 viral hepatitis) help to improve the health of the
12 mother and the baby."
13 (3) The general assembly finds that delivery of
14 these critical services is best accomplished through
15 a single point-of-service provider such as a primary
16 care provider, and directed by a primary care clinician
17 who has knowledge of the patient's medical history and
18 personal, familial, and environmental health factors.
19 The utilization of public funding to maximize effective
20 delivery of holistic prenatal and maternal health
21 care conflicts with medical intervention models that
22 emphasize the provision of services to discrete patient
23 subpopulations, including women of child-bearing age,

24 to address discrete patient conditions, or provide
25 particular therapies.

26 d. The general assembly also finds that it is
27 the policy of this state that federal public funds
28 shall not be provided for the direct or indirect
29 costs, including but not limited to administrative
30 costs or expenses, overhead, employee salaries, rent,
31 and telephone and other utilities of non-federally
32 qualified abortions, abortion referral, or abortion
33 counseling, and these activities shall not be
34 subsidized, either directly or indirectly, by federal
35 public funds.

36 Sec. ____ NEW SECTION. 146A.1

37 This chapter shall be known and may be cited as the
38 "Whole Woman's Health Funding Priorities Act".

39 Sec. ____ NEW SECTION. 146A.2 Definitions.

40 As used in this chapter, unless the context
41 otherwise requires:

42 1. "Abortion" means abortion as defined in section
43 146.1.

44 2. "Department" means department as defined in
45 section 7E.4.

46 3. "Federally qualified abortion" means an abortion
47 qualified for federal reimbursement under the medical
48 assistance program pursuant to 42 U.S.C. § 1396, et
49 seq., as amended.

50 4. "Federally qualified health center" means a

Page 3

1 health care provider that is eligible for federal
2 funding under 42 U.S.C. § 1396d(l)(2)(B).

3 5. "Hospital" means a primary or tertiary care
4 facility licensed pursuant to chapter 135B.

5 6. "Public funds" means state funds from whatever
6 source, including without limitation state general
7 funds, state special account and limited purpose grants
8 or loans, and federal funds provided under Title X of
9 the federal Public Health Service Act, 42 U.S.C. § 300,
10 et seq.; Title V of the federal Social Security Act, 42
11 U.S.C. § 701, et seq.; Title XIX of the federal Social
12 Security Act, 42 U.S.C. § 1396, et seq.; or Title XX
13 of the federal Social Security Act, 42 U.S.C. § 1397,
14 et seq.

15 7. "Rural health clinic" means a health care
16 provider that is eligible for federal funding under 42
17 U.S.C. § 1395x(aa)(2).

18 Sec. ____ NEW SECTION. 146A.3 Prioritization of
19 public funds to health care entities.

20 1. Subject to any applicable requirements
21 of federal law, regulations, or guidelines, any
22 expenditures or grants of public funds for family

23 planning services by the state made by a department
24 shall be made in the following order of priority:

- 25 a. To public entities.
- 26 b. To nonpublic hospitals and federally qualified
27 health centers.
- 28 c. To rural health clinics.
- 29 d. To nonpublic health providers that have as their
30 primary purpose the provision of the primary health
31 care services specified in 42 U.S.C. § 254b(b)(1).

32 2. A department shall not enter into a contract
33 with, or make a grant to, any entity that performs
34 abortions that are not federally qualified abortions or
35 maintains or operates a facility where abortions that
36 are not federally qualified abortions are performed.

37 Sec. __. NEW SECTION. 146A.4 Enforcement.

38 1. The attorney general may bring an action in
39 law or equity to enforce the provisions of this
40 chapter, and relief shall be available in appropriate
41 circumstances including recoupment and declaratory
42 and injunctive relief, including without limitation
43 suspension or disbarment.

44 2. Any entity eligible for the receipt of public
45 funds shall have standing to bring any action that
46 the attorney general is authorized to bring pursuant
47 to this section, if an expenditure or grant of public
48 funds made in violation of this chapter has resulted in
49 the reduction of public funds available to the entity,
50 and any award of monetary relief shall be deposited in

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1 a state-maintained fund or account for public funds.
2 3. In an action brought under this section, a
3 prevailing plaintiff shall be entitled to an award of
4 reasonable attorney fees and costs.

5 Sec. __. NEW SECTION. 146A.5 Right of
6 intervention.

7 A member of the general assembly may intervene in
8 any case in which the constitutionality of this chapter
9 is challenged as a matter of right.

10 Sec. __. NEW SECTION. 146A.6 Severability.

11 If any provision of this chapter or its application
12 to any person or circumstance is held invalid,
13 the invalidity does not affect other provisions or
14 application of this chapter which can be given effect
15 without the invalid provision or application, and to
16 this end the provisions of this chapter are severable.

17 Sec. __. NEW SECTION. 146A.7 Effect on
18 expenditures.

19 Any expenditure of public funds made by the
20 department in violation of the provisions of this
21 chapter shall be null and void, and the funds allocated

22 pursuant to such expenditures shall be reallocated to
23 eligible entities.>
24 2. By renumbering as necessary.

SWEENEY of Hardin
SHAW of Pocahontas
ALONS of Sioux
PEARSON of Polk

H-8214

1 Amend House File 2380 as follows:
2 1. Page 45, line 27, by striking <THIRD GRADE> and
3 inserting <EARLY>
4 2. Page 45, line 30, by striking <31.> and
5 inserting <33.>
6 3. Page 46, line 29, by striking <require the
7 retention> and inserting <provide guidance to a school
8 district for determining the progress>
9 4. Page 46, lines 32 and 33, by striking <in
10 accordance with section 279.68, subsection 2>
11 5. Page 47, after line 11 by inserting:
12 <Sec. __. NEW SECTION. 256.25 Iowa family
13 literacy initiative.
14 1. An Iowa family literacy initiative shall
15 be established and administered by the department
16 to provide block grants to eligible entities that
17 integrate early childhood education, adult literacy,
18 parenting education, and interactive parent and child
19 literacy activities. If funds are appropriated by the
20 general assembly for the program the state board shall
21 adopt rules for the administration of the program,
22 which shall be modeled on the federal even start
23 family literacy program enacted pursuant to 20 U.S.C.
24 §6381-6381K. For purposes of this section, "eligible
25 entity" means one or more school districts that
26 enter into a partnership with one or more nonprofit
27 community-based organizations, a public agency other
28 than a school district, a community college, university
29 of higher education governed by the state board of
30 regents, an accredited private institution as defined
31 in section 261.9, or a public or private nonprofit
32 organization of demonstrated quality as determined by
33 the department.
34 2. The department, in consultation with the
35 child development coordinating council and the
36 early childhood Iowa state board, shall develop an
37 application process; establish grant application
38 selection criteria and priorities; and develop
39 indicators of program quality which shall be used by
40 the department to monitor, evaluate, and improve local
41 family literacy projects operated by grantees. The

42 department shall develop project standards for all
 43 of the project elements established pursuant to this
 44 subsection. A local family literacy project awarded a
 45 block grant pursuant to this section shall include but
 46 not be limited to all of the following elements:
 47 a. Identification and recruitment of families most
 48 in need of family literacy services.
 49 b. High-quality, intensive instructional services.
 50 c. Staff qualifications that meet department

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1 standards.
 2 d. Year-round services.
 3 e. Coordination with other programs.
 4 f. Local independent evaluation, the results of
 5 which shall be used for program improvement and to
 6 determine whether the project is meeting expectations
 7 using the indicators of program quality developed by
 8 the department.
 9 Sec. ____ Section 256C.3, Code 2011, is amended by
 10 adding the following new paragraph:
 11 NEW PARAGRAPH. i. Provision for reimbursement of
 12 reasonable administrative costs for persons providing
 13 contract services for a local program. If justified
 14 by the expenses involved, the administrative costs may
 15 exceed eight percent of the direct costs attributed to
 16 the contract services.>
 17 6. By striking page 47, line 12, through page 48,
 18 line 7.
 19 7. Page 48, lines 8 and 9, by striking <and
 20 retention>
 21 8. By striking page 48, line 33, through page 49,
 22 line 3.
 23 9. By striking page 49, line 13, through page 51,
 24 line 20.
 25 10. Page 51, by striking line 21 and inserting:
 26 <2. Intensive instructional services. A school>
 27 11. Page 51, by striking lines 23 through 33 and
 28 inserting:
 29 <a. Provide for the completion of a student
 30 portfolio for any student who exhibits a substantial
 31 deficiency in reading.
 32 b. Provide students who exhibit a substantial
 33 deficiency in reading with intensive instructional
 34 services>
 35 12. By striking page 52, line 16, through page 53,
 36 line 2, and inserting:
 37 <__. Establish a reading enhancement and
 38 acceleration development initiative designed to offer
 39 intensive accelerated reading instruction to each
 40 kindergarten through>

- 41 13. Page 53, by striking lines 6 through 8 and
 42 inserting:
 43 <(1) Provide assessments that measure phonemic
 44 awareness,>
 45 14. Page 53, line 13, by striking <31> and
 46 inserting <33>
 47 15. Page 53, by striking line 23.
 48 16. By striking page 53, line 33, through page 54,
 49 line 11.
 50 17. By renumbering as necessary.

WINCKLER of Scott

H-8215

- 1 Amend House File 2425 as follows:
 2 1. Page 1, after line 8 by inserting:
 3 <3. For purposes of this section, reasonable
 4 attorney fees shall not exceed the hourly rate paid to
 5 court-appointed counsel and are the only attorney fees
 6 an attorney may receive in the civil action.>
 7 2. Page 3, line 1, after <fees> by inserting <,
 8 not to exceed the hourly rate paid to court-appointed
 9 counsel and are the only attorney fees an attorney may
 10 receive in the civil action>
 11 3. By renumbering as necessary.

WILLEMS of Linn

H-8216

- 1 Amend House File 2380 as follows:
 2 1. Page 14, by striking lines 14 and 15 and
 3 inserting:
 4 <DIVISION ____
 5 SCHOOL FUNDING PROVISIONS
 6 Sec. ____ Section 256C.5, subsection 1, paragraph
 7 c, Code Supplement 2011, is amended to read as follows:
 8 c. "Preschool budget enrollment" means the figure
 9 that is equal to ~~fifty~~ sixty percent of the actual
 10 enrollment of eligible students in the preschool
 11 programming provided by a school district approved
 12 to participate in the preschool program on October 1
 13 of the base year, or the first Monday in October if
 14 October 1 falls on a Saturday or Sunday.>
 15 2. Page 15, by striking lines 5 and 6 and
 16 inserting:
 17 <DIVISION ____
 18 SCHOOL INSTRUCTIONAL TIME
 19 Sec. ____ Section 256C.3, subsection 3, paragraph
 20 f, Code 2011, is amended to read as follows:
 21 f. A minimum of ~~ten~~ fifteen hours per week of

22 instruction delivered on the skills and knowledge
 23 included in the student learning standards developed
 24 for the preschool program.>
 25 3. By renumbering as necessary.

STECKMAN of Cerro Gordo
 WINCKLER of Scott
 MASCHER of Johnson

H-8217

1 Amend the amendment, H-8181, to House File 2380 as
 2 follows:
 3 1. Page 1, line 4, by striking <TRAINING> and
 4 inserting <TRAINING,>
 5 2. Page 3, line 13, by striking <postgraduate> and
 6 inserting <postsecondary>

CHAMBERS of O'Brien

H-8218

1 Amend House File 2380 as follows:
 2 1. Page 27, after line 4 by inserting:
 3 <Sec. ____ Section 279.13, subsections 2 and 3,
 4 Code 2011, are amended to read as follows:
 5 2. The contract shall remain in force and effect
 6 for the period stated in the contract, ~~and shall be~~
 7 ~~automatically continued for equivalent periods~~ except
 8 as modified or terminated by mutual agreement of the
 9 board of directors and the teacher or as terminated
 10 in accordance with the provisions specified in this
 11 chapter. A contract shall not be offered by the
 12 employing board to a teacher under its jurisdiction
 13 prior to March 15 of any year. A teacher who has
 14 not accepted a contract for the ensuing school year
 15 tendered by the employing board may resign effective at
 16 the end of the current school year by filing a written
 17 resignation with the secretary of the board. The
 18 resignation must be filed not later than the last day
 19 of the current school year or the date specified by the
 20 employing board for return of the contract, whichever
 21 date occurs first. However, a teacher shall not be
 22 required to return a contract to the board or to resign
 23 less than twenty-one days after the contract has been
 24 offered.
 25 3. If the provisions of a contract executed ~~or~~
 26 ~~automatically renewed~~ under this section conflict with
 27 a collective bargaining agreement negotiated under
 28 chapter 20 and effective when the contract is executed
 29 or renewed, the provisions of the collective bargaining
 30 agreement shall prevail.>

31 2. Page 27, after line 22 by inserting:
 32 <Sec. ____ Section 279.14, subsection 1, Code 2011,
 33 is amended to read as follows:
 34 1. The board shall establish evaluation criteria
 35 and shall implement evaluation procedures. If an
 36 exclusive bargaining representative has been certified,
 37 the board shall negotiate in good faith with respect to
 38 evaluation procedures pursuant to chapter 20. However,
 39 the evaluation procedures established by the board
 40 shall prevail, absent a showing that the evaluation
 41 procedures are arbitrary or capricious.
 42 Sec. ____ Section 279.17, subsection 6, Code 2011,
 43 is amended to read as follows:
 44 6. a. The adjudicator may affirm board action
 45 or remand to the board for further proceedings. The
 46 adjudicator shall may only reverse, modify, or grant
 47 ~~any~~ appropriate relief from the board action if
 48 substantial rights of the teacher establishes by clear
 49 and convincing evidence, after giving deference and
 50 weight to the findings of fact of the board, that

Page 2

1 substantial rights of the teacher have been unduly
 2 prejudiced because the board action is ~~is~~ meets any of the
 3 following criteria:
 4 a. (1) ~~In~~ is in clear violation of a an explicitly
 5 expressed board rule or policy or contract; ~~or,~~
 6 b. (2) ~~Unsupported~~ is unsupported by a
 7 preponderance of the ~~any~~ competent evidence in the
 8 record made before the board when that record is viewed
 9 as a whole; ~~or~~ and is clearly unreasonable, arbitrary,
 10 or capricious.
 11 e. ~~Unreasonable, arbitrary or capricious or~~
 12 characterized by an abuse of discretion or a clearly
 13 unwarranted exercise of discretion.
 14 b. At all times, the adjudicator shall give
 15 deference to the discretion of the board and shall view
 16 the evidence in the light most favorable to the board's
 17 decision.>
 18 3. By renumbering as necessary.

CHAMBERS of O'Brien

H-8219

1 Amend House File 2380 as follows:
 2 1. Page 54, after line 11 by inserting:
 3 <DIVISION ____
 4 TOBACCO PROHIBITED ON SCHOOL PROPERTY
 5 Sec. ____ Section 279.9, Code 2011, is amended to
 6 read as follows:

7 279.9 Use of tobacco, alcoholic beverages, or
 8 controlled substances.
 9 1. The rules shall prohibit the use of tobacco,
 10 including nicotine products, and the use or possession
 11 of alcoholic liquor, wine, or beer or any controlled
 12 substance as defined in section 124.101, subsection 5,
 13 by any student of the schools and the or by anyone on
 14 school property, is prohibited. The school board may
 15 suspend or expel a student for a violation of a rule
 16 under this section. For violation of this section, a
 17 school board may remove a person from school property
 18 and may bar the person's future presence on school
 19 property.
 20 2. As used in this section, "nicotine product"
 21 means any product containing nicotine or any other
 22 preparation of tobacco not described in section 453A.1,
 23 and any product or formulation of matter containing
 24 biologically active amounts of nicotine that is
 25 manufactured, sold, offered for sale, or otherwise
 26 distributed with the expectation that the product
 27 or matter will be introduced into the human body.
 28 "Nicotine product" does not include any cessation
 29 product specifically approved by the United States food
 30 and drug administration for use in reducing, treating,
 31 or eliminating nicotine or tobacco dependence.>
 32 2. By renumbering as necessary.

ABDUL-SAMAD of Polk

H-8220

1 Amend House File 2380 as follows:
 2 1. By striking page 5, line 6, through page 14,
 3 line 5.
 4 2. By striking page 16, line 4, through page 55,
 5 line 1.
 6 3. Page 55, by striking lines 23 through 35.
 7 4. Title page, by striking lines 3 through 5 and
 8 inserting <school districts, and accredited nonpublic
 9 schools.>
 10 5. By renumbering as necessary.

STECKMAN of Cerro Gordo
 WINCKLER of Scott
 GAINES of Polk
 HANSON of Jefferson

MASCHER of Johnson
 ABDUL-SAMAD of Polk
 COHOON of Des Moines
 KELLEY of Jasper

H-8221

1 Amend House File 2380 as follows:
 2 1. Page 3, line 1, after <studies.> by inserting
 3 <The state board shall establish scoring levels of

4 excellence by which students who achieve those levels
 5 may qualify for an Iowa scholars program scholarship.>

MASCHER of Johnson

H-8222

1 Amend House File 2380 as follows:

2 1. Page 55, before line 23 by inserting:

3 <DIVISION ____
 4 SCHOOL START DATE PROVISIONS

5 Sec. ____ Section 257.17, Code 2011, is amended to
 6 read as follows:

7 257.17 Aid reduction for early school starts.
 8 State aid payments made pursuant to section
 9 257.16 for a fiscal year shall be reduced by one
 10 one-hundred-eightieth for each day of that fiscal year
 11 for which the school district begins school before the
 12 earliest starting date specified in section 279.10,
 13 subsection 1. However, this section does not apply
 14 to a school district that has received approval from
 15 the ~~director of state board of education for a year~~
 16 ~~around school year under section 256.20, or from~~
 17 the department of education ~~under section 279.10,~~
 18 ~~subsection 4, to commence classes for regularly~~
 19 ~~established elementary and secondary schools in advance~~
 20 ~~of the starting date established for a pilot program~~
 21 ~~for an innovative school year in accordance with~~
 22 section 279.10, subsection 4 ~~3~~.

23 Sec. ____ Section 279.10, subsection 2, Code 2011,
 24 is amended to read as follows:

25 2. The board of directors shall hold a public
 26 hearing on any ~~proposal~~ request for approval made
 27 pursuant to subsection 3 prior to submitting it to the
 28 department of education for approval.

29 Sec. ____ Section 279.10, subsection 4, Code 2011,
 30 is amended by striking the subsection.>

31 2. By renumbering as necessary.

J. SMITH of Dickinson
 COWNIE of Polk

H-8223

1 Amend Senate File 2313, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
 4 and inserting:

5 <Section 1. 2011 Iowa Acts, chapter 127, section
 6 9, subsection 2, paragraph c, is amended by adding the
 7 following new subparagraph:

8 NEW SUBPARAGRAPH. (3) Notwithstanding section

9 8.33 or any other provision to the contrary,
 10 any unencumbered or unobligated balance of the
 11 appropriation made in this paragraph for the
 12 insurance division or any other appropriation made for
 13 operational purposes for the fiscal year beginning July
 14 1, 2011, and ending June 30, 2012, that remains unused,
 15 unencumbered, or unobligated at the close of the fiscal
 16 year shall not revert but shall remain available to be
 17 used for any relocation costs of the division in the
 18 succeeding fiscal year.

19 Sec. 2. 2011 Iowa Acts, chapter 127, section 61, is
 20 amended to read as follows:

21 SEC. 61. DEPARTMENT OF ADMINISTRATIVE SERVICES.

22 1. There is appropriated from the general fund of
 23 the state to the department of administrative services
 24 for the fiscal year beginning July 1, 2012, and ending
 25 June 30, 2013, the following amounts, or so much
 26 thereof as is necessary, to be used for the purposes
 27 designated, and for not more than the following
 28 full-time equivalent positions:

29 a. For salaries, support, maintenance, and
 30 miscellaneous purposes:

31	\$	<u>2,010,172</u>
32		<u>3,901,735</u>
33	FTEs	<u>84.18</u>
34		<u>78.37</u>

35 b. For the payment of utility costs:

36	\$	<u>1,313,230</u>
37		<u>2,548,973</u>
38	FTEs	<u>1.00</u>

39 Notwithstanding section 8.33, any excess funds
 40 appropriated for utility costs in this lettered
 41 paragraph shall not revert to the general fund of the
 42 state at the end of the fiscal year but shall remain
 43 available for expenditure for the purposes of this
 44 lettered paragraph during the succeeding fiscal year.

45 c. For Terrace Hill operations:

46	\$	<u>202,957</u>
47		<u>393,939</u>
48	FTEs	<u>6.88</u>

49 d. For the I3 distribution account:

50	\$	<u>1,638,973</u>
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Page 2

1 0

2 e. For operations and maintenance of the Iowa
 3 building:

4	\$	<u>497,768</u>
5		<u>966,164</u>
6	FTEs	<u>7.00</u>
7		<u>6.78</u>

8 2. Members of the general assembly serving as
9 members of the deferred compensation advisory board
10 shall be entitled to receive per diem and necessary
11 travel and actual expenses pursuant to section 2.10,
12 subsection 5, while carrying out their official duties
13 as members of the board.

14 3. Any funds and premiums collected by the
15 department for workers' compensation shall be
16 segregated into a separate workers' compensation
17 fund in the state treasury to be used for payment of
18 state employees' workers' compensation claims and
19 administrative costs. Notwithstanding section 8.33,
20 unencumbered or unobligated moneys remaining in this
21 workers' compensation fund at the end of the fiscal
22 year shall not revert but shall be available for
23 expenditure for purposes of the fund for subsequent
24 fiscal years.

25 Sec. 3. DEPARTMENT OF ADMINISTRATIVE SERVICES
26 — TRANSFER — MEDICATION THERAPY MANAGEMENT
27 PROGRAM. Contingent upon the enactment of legislation
28 during the 2012 legislative session establishing
29 a medication therapy management program, there is
30 transferred from the fees collected by the board of
31 pharmacy pursuant to chapter 155A and retained by the
32 board pursuant to the authority granted in section
33 147.82 to the department of administrative services
34 for the fiscal year beginning July 1, 2012, and ending
35 June 30, 2013, \$510,000 to be used for the medication
36 therapy management program.

37 Sec. 4. 2011 Iowa Acts, chapter 127, section 65, is
38 amended to read as follows:

39 SEC. 65. AUDITOR OF STATE.

40 1. There is appropriated from the general fund of
41 the state to the office of the auditor of state for the
42 fiscal year beginning July 1, 2012, and ending June
43 30, 2013, subject to subsection 3 of this section, the
44 following amount, or so much thereof as is necessary,
45 to be used for the purposes designated, and for not
46 more than the following full-time equivalent positions:

47 For salaries, support, maintenance, and
48 miscellaneous purposes:
49 \$ 452,734
50 878,755

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1 FTEs 103.00

2 2. The auditor of state may retain additional
3 full-time equivalent positions as is reasonable and
4 necessary to perform governmental subdivision audits
5 which are reimbursable pursuant to section 11.20
6 or 11.21, to perform audits which are requested by

7 and reimbursable from the federal government, and
 8 to perform work requested by and reimbursable from
 9 departments or agencies pursuant to section 11.5A
 10 or 11.5B. The auditor of state shall notify the
 11 department of management, the legislative fiscal
 12 committee, and the legislative services agency of the
 13 additional full-time equivalent positions retained.

14 3. The auditor of state shall allocate resources
 15 from the appropriation in this section solely for audit
 16 work related to the comprehensive annual financial
 17 report, federally required audits, and investigations
 18 of embezzlement, theft, or other significant financial
 19 irregularities until the audit of the comprehensive
 20 annual financial report is complete.

21 Sec. 5. 2011 Iowa Acts, chapter 127, section 66, is
 22 amended to read as follows:

23 SEC. 66. IOWA ETHICS AND CAMPAIGN DISCLOSURE
 24 BOARD. There is appropriated from the general fund of
 25 the state to the Iowa ethics and campaign disclosure
 26 board for the fiscal year beginning July 1, 2012, and
 27 ending June 30, 2013, the following amount, or so much
 28 thereof as is necessary, 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	\$	<u>237,500</u>
33		<u>475,000</u>
34	FTEs	5.00

35 Sec. 6. 2011 Iowa Acts, chapter 127, section 67,
 36 subsection 1, is amended to read as follows:

37 1. There is appropriated from the general fund
 38 of the state to the department of commerce for the
 39 fiscal year beginning July 1, 2012, and ending June 30,
 40 2013, the following amounts, or so much thereof as is
 41 necessary, for the purposes designated:

42 a. ALCOHOLIC BEVERAGES DIVISION

43 For salaries, support, maintenance, and
 44 miscellaneous purposes, and for not more than the
 45 following full-time equivalent positions:

46	\$	<u>610,196</u>
47		<u>1,184,387</u>
48	FTEs	<u>21.00</u>
49		<u>18.50</u>

50 b. PROFESSIONAL LICENSING AND REGULATION BUREAU

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

4	\$	<u>300,177</u>
5		<u>582,641</u>

6 FTEs 12.00
 7 Sec. 7. 2011 Iowa Acts, chapter 127, section 67,
 8 subsection 2, paragraphs a, b, and c, are amended to
 9 read as follows:

10 a. BANKING DIVISION

11 For salaries, support, maintenance, and
 12 miscellaneous purposes, and for not more than the
 13 following full-time equivalent positions:

14 \$ 4,425,835
 15 9,098,170
 16 FTEs 80.00
 17 70.50

18 b. CREDIT UNION DIVISION

19 For salaries, support, maintenance, and
 20 miscellaneous purposes, and for not more than the
 21 following full-time equivalent positions:

22 \$ 863,998
 23 1,792,995
 24 FTEs 19.00
 25 15.00

26 c. INSURANCE DIVISION

27 (1) For salaries, support, maintenance, and
 28 miscellaneous purposes, and for not more than the
 29 following full-time equivalent positions:

30 \$ 2,491,622
 31 4,983,244
 32 FTEs 106.50
 33 99.50

34 (2) The insurance division may reallocate
 35 authorized full-time equivalent positions as necessary
 36 to respond to accreditation recommendations or
 37 requirements. The insurance division expenditures
 38 for examination purposes may exceed the projected
 39 receipts, refunds, and reimbursements, estimated
 40 pursuant to section 505.7, subsection 7, including the
 41 expenditures for retention of additional personnel,
 42 if the expenditures are fully reimbursable and the
 43 division first does both of the following:

44 (a) Notifies the department of management, the
 45 legislative services agency, and the legislative fiscal
 46 committee of the need for the expenditures.

47 (b) Files with each of the entities named in
 48 subparagraph division (a) the legislative and
 49 regulatory justification for the expenditures, along
 50 with an estimate of the expenditures.

1 Sec. 8. 2011 Iowa Acts, chapter 127, section 67,
 2 subsection 2, paragraph d, subparagraphs (1) and (2),
 3 are amended to read as follows:

4 (1) For salaries, support, maintenance, and

5 miscellaneous purposes, and for not more than the
6 following full-time equivalent positions:

7	\$	4,086,535
8		<u>8,173,069</u>
9	FTEs	79.00

10 (2) The utilities division may expend additional
11 funds, including funds for additional personnel, if
12 those additional expenditures are actual expenses which
13 exceed the funds budgeted for utility regulation and
14 the expenditures are fully reimbursable. Before the
15 division expends or encumbers an amount in excess of
16 the funds budgeted for regulation, the division shall
17 first do both of the following:

18 (a) Notify the department of management, the
19 legislative services agency, and the legislative fiscal
20 committee of the need for the expenditures.

21 (b) File with each of the entities named in
22 subparagraph division (a) the legislative and
23 regulatory justification for the expenditures, along
24 with an estimate of the expenditures.

25 Sec. 9. 2011 Iowa Acts, chapter 127, section 67,
26 subsection 2, paragraph d, subparagraph (4), is amended
27 to read as follows:

28 (4) In addition to the funds otherwise appropriated
29 to the division in subparagraph (1), and contingent
30 upon the enactment of legislation during the ~~2011~~
31 2012 legislative session relating to the permitting,
32 licensing, construction, and operation of nuclear
33 generation facilities and establishing rate-making
34 principles in relation thereto, for salaries, support,
35 consulting, maintenance, and miscellaneous purposes,
36 and for not more than the following full-time
37 equivalent positions:

38	\$	425,000
39	FTEs	3.50

40 Sec. 10. 2011 Iowa Acts, chapter 127, section 68,
41 is amended to read as follows:

42 SEC. 68. DEPARTMENT OF COMMERCE — PROFESSIONAL
43 LICENSING AND REGULATION BUREAU. There is appropriated
44 from the housing trust fund of the Iowa finance
45 authority created in section 16.181, to the bureau of
46 professional licensing and regulation of the banking
47 division of the department of commerce for the fiscal
48 year beginning July 1, 2012, and ending June 30,
49 2013, the following amount, or so much thereof as is
50 necessary, to be used for the purposes designated:

Page 6

1 For salaries, support, maintenance, and
2 miscellaneous purposes:

3	\$	<u>31,159</u>
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62,317

Sec. 11. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION — REGIONAL TELECOMMUNICATIONS

COUNCILS. There is appropriated from the general fund of the state to the Iowa telecommunications and technology commission for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For state aid for regional telecommunications councils:

..... \$ 992,913

The regional telecommunications councils established in section 8D.5 shall use the moneys appropriated in this section to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.

Sec. 12. 2011 Iowa Acts, chapter 127, section 69, is amended to read as follows:

SEC. 69. GOVERNOR AND LIEUTENANT GOVERNOR. There

is appropriated from the general fund of the state to the offices of the governor and the lieutenant governor for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,144,013

..... 2,220,523

..... FTEs 22.88

..... 22.00

Sec. 13. 2011 Iowa Acts, chapter 127, section 70, is amended to read as follows:

SEC. 70. GOVERNOR'S OFFICE OF DRUG CONTROL

POLICY. There is appropriated from the general fund of the state to the governor's office of drug control policy 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, and miscellaneous purposes, including statewide coordination of the drug abuse resistance education (D.A.R.E.) programs or similar programs, and for not more than the following full-time equivalent positions:

1 \$ 145,000

2 290,000

3 FTEs 8.00

4 6.00

5 Sec. 14. 2011 Iowa Acts, chapter 127, section 71,
6 is amended to read as follows:

7 SEC. 71. DEPARTMENT OF HUMAN RIGHTS. There is
8 appropriated from the general fund of the state to
9 the department of human rights for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, the
11 following amounts, or so much thereof as is necessary,
12 to be used for the purposes designated:

13 1. CENTRAL ADMINISTRATION DIVISION

14 For salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:

17 \$ 193,952

18 200,022

19 FTEs 7.00

20 5.35

21 2. COMMUNITY ADVOCACY AND SERVICES DIVISION

22 For salaries, support, maintenance, and
23 miscellaneous purposes, and for not more than the
24 following full-time equivalent positions:

25 \$ 514,039

26 997,746

27 FTEs 17.00

28 9.38

29 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION

30 For salaries, support, maintenance, and
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:

33 \$ 511,946

34 993,685

35 FTEs 10.00

36 The criminal and juvenile justice planning advisory
37 council and the juvenile justice advisory council
38 shall coordinate their efforts in carrying out their
39 respective duties relative to juvenile justice.

40 Sec. 15. 2011 Iowa Acts, chapter 127, section 72,
41 is amended to read as follows:

42 SEC. 72. DEPARTMENT OF INSPECTIONS AND
43 APPEALS. There is appropriated from the general fund
44 of the state to the department of inspections and
45 appeals for the fiscal year beginning July 1, 2012, and
46 ending June 30, 2013, the following amounts, or so much
47 thereof as is necessary, for the purposes designated:

48 1. ADMINISTRATION DIVISION

49 For salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:

2 \$ 763,870
 3 248,409
 4 FTEs 37.40
 5 14.25

6 2. ADMINISTRATIVE HEARINGS DIVISION

7 For salaries, support, maintenance, and
8 miscellaneous purposes, and for not more than the
9 following full-time equivalent positions:

10 \$ 264,377
 11 528,753
 12 FTEs 23.00

13 3. INVESTIGATIONS DIVISION

14 a. For salaries, support, maintenance, and
15 miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:

17 \$ 584,320
 18 1,168,639
 19 FTEs 58.50

20 b. The department, in coordination with the
21 investigations division, shall provide a report to
22 the general assembly by January 10, 2013, concerning
23 the fiscal impact of additional full-time equivalent
24 positions on the department's efforts relative to the
25 Medicaid divestiture program under chapter 249F.

26 4. HEALTH FACILITIES DIVISION

27 a. For salaries, support, maintenance, and
28 miscellaneous purposes, and for not more than the
29 following full-time equivalent positions:

30 \$ 1,777,664
 31 3,917,666
 32 FTEs 134.75
 33 121.75

34 b. The department shall, in coordination with
35 the health facilities division, make the following
36 information available to the public in a timely manner,
37 ~~to include providing the information on as part of~~
38 ~~the department's development efforts to revise the~~
39 ~~department's internet website, during the fiscal year~~
40 ~~beginning July 1, 2012, and ending June 30, 2013:~~

41 (1) The number of inspections conducted by the
42 division annually by type of service provider and type
43 of inspection.

44 (2) The total annual operations budget for the
45 division, including general fund appropriations and
46 federal contract dollars received by type of service
47 provider inspected.

48 (3) The total number of full-time equivalent
49 positions in the division, to include the number of
50 full-time equivalent positions serving in a supervisory

1 capacity, and serving as surveyors, inspectors, or
2 monitors in the field by type of service provider
3 inspected.

4 (4) Identification of state and federal survey
5 trends, cited regulations, the scope and severity of
6 deficiencies identified, and federal and state fines
7 assessed and collected concerning nursing and assisted
8 living facilities and programs.

9 c. It is the intent of the general assembly that
10 the department and division continuously solicit input
11 from facilities regulated by the division to assess and
12 improve the division's level of collaboration and to
13 identify new opportunities for cooperation.

14 5. EMPLOYMENT APPEAL BOARD

15 a. For salaries, support, maintenance, and
16 miscellaneous purposes, and for not more than the
17 following full-time equivalent positions:

18	\$	<u>21,108</u>
19		<u>42,215</u>
20	FTEs	14.00

21 b. The employment appeal board shall be reimbursed
22 by the labor services division of the department
23 of workforce development for all costs associated
24 with hearings conducted under chapter 91C, related
25 to contractor registration. The board may expend,
26 in addition to the amount appropriated under this
27 subsection, additional amounts as are directly billable
28 to the labor services division under this subsection
29 and to retain the additional full-time equivalent
30 positions as needed to conduct hearings required
31 pursuant to chapter 91C.

32 6. CHILD ADVOCACY BOARD

33 a. For foster care review and the court appointed
34 special advocate program, including salaries, support,
35 maintenance, and miscellaneous purposes, and for not
36 more than the following full-time equivalent positions:

37	\$	<u>1,340,145</u>
38		<u>2,680,290</u>
39	FTEs	40.80
40		<u>32.35</u>

41 b. The department of human services, in
42 coordination with the child advocacy board and the
43 department of inspections and appeals, shall submit an
44 application for funding available pursuant to Tit. IV-E
45 of the federal Social Security Act for claims for child
46 advocacy board administrative review costs.

47 c. The court appointed special advocate program
48 shall investigate and develop opportunities for
49 expanding fund-raising for the program.

50 d. Administrative costs charged by the department

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1 of inspections and appeals for items funded under this
 2 subsection shall not exceed 4 percent of the amount
 3 appropriated in this subsection.

4 Sec. 16. 2011 Iowa Acts, chapter 127, section 72,
 5 is amended by adding the following new subsection:

6 NEW SUBSECTION. 7. FOOD AND CONSUMER SAFETY

7 For salaries, support, maintenance, and
 8 miscellaneous purposes, and for not more than the
 9 following full-time equivalent positions:

10 \$ 1,279,331

11 FTEs 21.00

12 Sec. 17. 2011 Iowa Acts, chapter 127, section 73,
 13 is amended to read as follows:

14 SEC. 73. DEPARTMENT OF INSPECTIONS AND APPEALS —
 15 MUNICIPAL CORPORATION FOOD INSPECTIONS. For the fiscal

16 year beginning July 1, 2012, and ending June 30, 2013,
 17 the department of inspections and appeals shall retain
 18 any license fees generated during the fiscal year as
 19 a result of actions under section 137F.3A occurring
 20 during the period beginning July 1, 2009, and ending
 21 June 30, ~~2011~~ 2013, for the purpose of enforcing the
 22 provisions of chapters 137C, 137D, and 137F.

23 Sec. 18. DEPARTMENT OF INSPECTIONS AND
 24 APPEALS — GENERAL SUPPORT — MEDICAID FRAUD FUND

25 APPROPRIATION. There is appropriated from the Medicaid
 26 fraud fund created in section 249A.7 to the health
 27 facilities division of the department of inspections
 28 and appeals for the fiscal year beginning July 1, 2012,
 29 and ending June 30, 2013, the following amount, or
 30 so much thereof as is necessary, to be used for the
 31 purposes designated:

32 For salaries, support, maintenance, and
 33 miscellaneous purposes:

34 \$ 286,661

35 Sec. 19. DEPARTMENT OF INSPECTIONS AND APPEALS
 36 — STATE MATCH REQUIREMENTS — MEDICAID FRAUD FUND

37 APPROPRIATION. There is appropriated from the Medicaid
 38 fraud fund created in section 249A.7 to the department
 39 of inspections and appeals for the fiscal year
 40 beginning July 1, 2012, and ending June 30, 2013, the
 41 following amounts, or so much thereof as is necessary,
 42 to be used for the purposes designated:

43 1. To cover the cost of any state match to draw
 44 down matching federal funds through the department of
 45 human services for additional full-time equivalent
 46 positions for conducting investigations of alleged
 47 fraud and overpayments of food assistance benefits
 48 through electronic benefits transfer:

49 \$ 119,070

50 2. For the state financial match requirement

1 for meeting the federal mandates connected with the
2 department's Medicaid fraud and abuse activities:

3 \$ 885,262

4 3. To cover costs incurred by the department or
5 other agencies in providing regulation, responding to
6 allegations, or other activity involving chapter 135O:

7 \$ 119,480

8 Sec. 20. DEPARTMENT OF INSPECTIONS AND APPEALS
9 — LEGISLATIVE IMPLEMENTATION — MEDICAID FRAUD FUND

10 APPROPRIATION. There is appropriated from the Medicaid
11 fraud fund created in section 249A.7 to the department
12 of inspections and appeals for the fiscal year
13 beginning July 1, 2012, and ending June 30, 2013, the
14 following amount, or so much thereof as is necessary,
15 to be used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous
17 purposes, administration, and other costs associated
18 with implementation of 2010 Iowa Acts, chapter 1177:

19 \$ 250,000

20 Sec. 21. 2011 Iowa Acts, chapter 127, section 78,
21 is amended to read as follows:

22 SEC. 78. RACING AND GAMING COMMISSION.

23 1. RACETRACK REGULATION

24 There is appropriated from the gaming regulatory
25 revolving fund established in section 99F.20 to the
26 racing and gaming commission of the department of
27 inspections and appeals for the fiscal year beginning
28 July 1, 2012, and ending June 30, 2013, the following
29 amount, or so much thereof as is necessary, to be used
30 for the purposes designated:

31 For salaries, support, maintenance, and
32 miscellaneous purposes for the regulation of
33 pari-mutuel racetracks, and for not more than the
34 following full-time equivalent positions:

35 \$ ~~1,255,720~~

36 2,898,925

37 FTEs ~~28.53~~

38 32.03

39 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

40 There is appropriated from the gaming regulatory
41 revolving fund established in section 99F.20 to the
42 racing and gaming commission of the department of
43 inspections and appeals for the fiscal year beginning
44 July 1, 2012, and ending June 30, 2013, the following
45 amount, or so much thereof as is necessary, to be used
46 for the purposes designated:

47 For salaries, support, maintenance, and
48 miscellaneous purposes for administration and
49 enforcement of the excursion boat gambling and gambling
50 structure laws, and for not more than the following

Page 12

1 full-time equivalent positions:
 2 \$ 1,539,050
 3 2,923,838
 4 FTEs 44.22
 5 40.72

6 Sec. 22. 2011 Iowa Acts, chapter 127, section 79,
7 is amended to read as follows:

8 SEC. 79. ROAD USE TAX FUND APPROPRIATION —
 9 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 10 appropriated from the road use tax fund created in
 11 section 312.1 to the administrative hearings division
 12 of the department of inspections and appeals for the
 13 fiscal year beginning July 1, 2012, and ending June 30,
 14 2013, the following amount, or so much thereof as is
 15 necessary, for the purposes designated:

16 For salaries, support, maintenance, and
 17 miscellaneous purposes:
 18 \$ 811,949
 19 1,623,897

20 Sec. 23. 2011 Iowa Acts, chapter 127, section 80,
21 is amended to read as follows:

22 SEC. 80. DEPARTMENT OF MANAGEMENT.

23 1. There is appropriated from the general fund
 24 of the state to the department of management for the
 25 fiscal year beginning July 1, 2012, and ending June 30,
 26 2013, the following amounts, or so much thereof as is
 27 necessary, to be used for the purposes designated:

28 For salaries, support, maintenance, and
 29 miscellaneous purposes, and for not more than the
 30 following full-time equivalent positions:
 31 \$ 1,196,999
 32 2,323,370
 33 FTEs 25.00
 34 20.00

35 2. Of the moneys appropriated in this section, the
 36 department shall use a portion for enterprise resource
 37 planning, providing for a salary model administrator,
 38 conducting performance audits, and for the department's
 39 LEAN process.

40 Sec. 24. 2011 Iowa Acts, chapter 127, section 81,
41 is amended to read as follows:

42 SEC. 81. ROAD USE TAX APPROPRIATION — DEPARTMENT
43 OF MANAGEMENT. There is appropriated from the road use

44 tax fund created in section 312.1 to the department
 45 of management 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 salaries, support, maintenance, and
 50 miscellaneous purposes:

Page 13

1 \$ 28,000
 2 56,000

3 Sec. 25. 2011 Iowa Acts, chapter 127, section 82,
 4 is amended to read as follows:

5 SEC. 82. DEPARTMENT OF REVENUE.

6 1. There is appropriated from the general fund
 7 of the state to the department of revenue for the
 8 fiscal year beginning July 1, 2012, and ending June 30,
 9 2013, the following amounts, or so much thereof as is
 10 necessary, to be used for the purposes designated:

11 For salaries, support, maintenance, and
 12 miscellaneous purposes, and for not more than the
 13 following full-time equivalent positions:

14 \$ 8,829,742
 15 17,138,488
 16 FTEs 303.48
 17 245.46

18 2. Of the funds appropriated pursuant to this
 19 section, \$400,000 shall be used to pay the direct
 20 costs of compliance related to the collection and
 21 distribution of local sales and services taxes imposed
 22 pursuant to chapters 423B and 423E.

23 3. The director of revenue shall prepare and issue
 24 a state appraisal manual and the revisions to the
 25 state appraisal manual as provided in section 421.17,
 26 subsection 17, without cost to a city or county.

27 Sec. 26. 2011 Iowa Acts, chapter 127, section 83,
 28 is amended to read as follows:

29 SEC. 83. MOTOR VEHICLE FUEL TAX

30 APPROPRIATION. There is appropriated from the motor
 31 fuel tax fund created by section 452A.77 to the
 32 department of revenue for the fiscal year beginning
 33 July 1, 2012, and ending June 30, 2013, the following
 34 amount, or so much thereof as is necessary, to be used
 35 for the purposes designated:

36 For salaries, support, maintenance, miscellaneous
 37 purposes, and for administration and enforcement of the
 38 provisions of chapter 452A and the motor vehicle use
 39 tax program:

40 \$ 652,888
 41 1,305,775

42 Sec. 27. 2011 Iowa Acts, chapter 127, section 84,
 43 is amended to read as follows:

44 SEC. 84. SECRETARY OF STATE.

45 1. There is appropriated from the general fund of
 46 the state to the office of the secretary of state for
 47 the fiscal year beginning July 1, 2012, and ending June
 48 30, 2013, the following amounts, or so much thereof as
 49 is necessary, to be used for the purposes designated:

50 For salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the
2 following full-time equivalent positions:

3	\$	<u>1,447,793</u>
4		<u>2,810,159</u>
5	FTEs	<u>45.00</u>
6		34.00

7 2. The state department or state agency which
8 provides data processing services to support voter
9 registration file maintenance and storage shall provide
10 those services without charge.

11 Sec. 28. 2011 Iowa Acts, chapter 127, section 86,
12 is amended to read as follows:

13 SEC. 86. TREASURER.

14 1. There is appropriated from the general fund of
15 the state to the office of treasurer of state for the
16 fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is
18 necessary, to be used for the purposes designated:

19 For salaries, support, maintenance, and
20 miscellaneous purposes, and for not more than the
21 following full-time equivalent positions:

22	\$	<u>427,145</u>
23		<u>829,086</u>
24	FTEs	<u>28.80</u>

25 2. The office of treasurer of state shall supply
26 clerical and secretarial support for the executive
27 council.

28 Sec. 29. 2011 Iowa Acts, chapter 127, section 87,
29 is amended to read as follows:

30 SEC. 87. ROAD USE TAX APPROPRIATION — OFFICE
31 OF TREASURER OF STATE. There is appropriated from

32 the road use tax fund created in section 312.1 to
33 the office of treasurer of state for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the
35 following amount, or so much thereof as is necessary,
36 to be used for the purposes designated:

37 For enterprise resource management costs related to
38 the distribution of road use tax funds:

39	\$	<u>46,574</u>
40		<u>93,148</u>

41 Sec. 30. 2011 Iowa Acts, chapter 127, section 88,
42 is amended to read as follows:

43 SEC. 88. IPERS — GENERAL OFFICE. There is
44 appropriated from the Iowa public employees' retirement
45 system fund to the Iowa public employees' retirement
46 system for the fiscal year beginning July 1, 2012, and
47 ending June 30, 2013, the following amount, or so much
48 thereof as is necessary, to be used for the purposes
49 designated:

50 For salaries, support, maintenance, and other

1 operational purposes to pay the costs of the Iowa
 2 public employees' retirement system, and for not more
 3 than the following full-time equivalent positions:
 4 \$ 8,843,484
 5 17,686,968
 6 FTEs 90.13

7 Sec. 31. 2011 Iowa Acts, chapter 129, section 149,
 8 is amended to read as follows:

9 SEC. 149. MEDICAID FRAUD ACCOUNT — DEPARTMENT OF
 10 INSPECTIONS AND APPEALS. There is appropriated from
 11 the Medicaid fraud account created in section 249A.7
 12 to the department of inspections and appeals for the
 13 fiscal year beginning July 1, 2012, and ending June 30,
 14 2013, the following amount, or so much thereof as is
 15 necessary, to be used for the purposes designated:

16 For the inspection and certification of assisted
 17 living programs and adult day care services, including
 18 program administration and costs associated with
 19 implementation:
 20 \$ 669,764
 21 1,339,527

22 Sec. ____ Section 249A.7, subsection 3, paragraph
 23 b, Code Supplement 2011, is amended to read as follows:

24 b. Notwithstanding section 8.33, moneys credited
 25 to the fund from any other account or fund shall not
 26 revert to the other account or fund. Moneys in the
 27 fund shall only be used as provided in appropriations
 28 ~~from the fund and shall be used in accordance with~~
 29 ~~applicable laws, regulations, and the policies of~~
 30 ~~the office of inspector general of the United States~~
 31 ~~department of health and human services transferred to~~
 32 the health care trust fund created in section 453A.35A.

33 Sec. ____ Section 453A.35A, subsection 1, Code
 34 Supplement 2011, is amended to read as follows:

35 1. A health care trust fund is created in the
 36 office of the treasurer of state. The fund consists
 37 of the revenues generated from the tax on cigarettes
 38 pursuant to section 453A.6, subsection 1, and from
 39 the tax on tobacco products as specified in section
 40 453A.43, subsections 1, 2, 3, and 4, that are credited
 41 to the health care trust fund, annually, pursuant to
 42 section 453A.35. The fund shall also consist of moneys
 43 transferred from the Medicaid fraud fund created in
 44 section 249A.7. Moneys in the fund shall be separate
 45 from the general fund of the state and shall not be
 46 considered part of the general fund of the state.
 47 However, the fund shall be considered a special account
 48 for the purposes of section 8.53 relating to generally
 49 accepted accounting principles. Moneys in the fund
 50 shall be used only as specified in this section and

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1 shall be appropriated only for the uses specified.
 2 Moneys in the fund are not subject to section 8.33
 3 and shall not be transferred, used, obligated,
 4 appropriated, or otherwise encumbered, except as
 5 provided in this section. Notwithstanding section
 6 12C.7, subsection 2, interest or earnings on moneys
 7 deposited in the fund shall be credited to the fund.
 8 Sec. 34. EFFECTIVE UPON ENACTMENT. The following
 9 provision or provisions of this Act, being deemed of
 10 immediate importance, take effect upon enactment:
 11 1. The section of this Act amending 2011 Iowa Acts,
 12 chapter 127, section 9, subsection 2, paragraph "c".
 13 Sec. _____. EFFECTIVE DATE. The following provision
 14 or provisions of this Act take effect July 1, 2013:
 15 1. The section of this Act amending section 249A.7.
 16 2. The section of this Act amending section
 17 453A.35A.
 18 Sec. 35. RETROACTIVE APPLICABILITY. The following
 19 provision or provisions of this Act apply retroactively
 20 to July 1, 2011:
 21 1. The section of this Act amending 2011 Iowa Acts,
 22 chapter 127, section 9, subsection 2, paragraph "c".>
 23 2. Title page, line 3, after <atters> by inserting
 24 <and including effective date and retroactive
 25 applicability provisions>
 26 3. By renumbering, redesignating, and correcting
 27 internal references as necessary.

COMMITTEE ON APPROPRIATIONS

H-8224

1 Amend the amendment, H-8171, to House File 2433 as
 2 follows:
 3 1. Page 1, by striking lines 2 and 3 and inserting:
 4 <____. Page 1, by striking lines 22 and 23 and
 5 inserting <shall follow Robert's rules of order, in
 6 governing the conduct of agency meetings unless it is
 7 inconsistent with Iowa law.>>
 8 2. Page 1, by striking lines 17 through 25 and
 9 inserting:
 10 <(2) The agency shall provide an opportunity
 11 to make these oral presentations using the Iowa
 12 communications network or other electronic means if a
 13 request is received from twenty-five interested persons
 14 residing in the same city or county.>
 15 3. Page 2, after line 16 by inserting:
 16 <____. Page 1, line 30, after <committee> by
 17 inserting <if the committee finds good cause that
 18 notice and public participation would be unnecessary,

- 19 impracticable, or contrary to the public interest.>>
 20 4. Page 4, after line 11 by inserting:
 21 <Sec. ____ Section 99G.24, subsection 7, paragraph
 22 a, Code 2011, is amended to read as follows:
 23 a. Has been convicted of a ~~criminal offense felony~~,
 24 an aggravated misdemeanor, or public offense related
 25 to the security or integrity of the lottery in this or
 26 any other jurisdiction.>>
 27 5. Page 4, by striking line 12.
 28 6. By renumbering as necessary.

PETTENGILL of Benton

H-8225

- 1 Amend the amendment, H-8171, to House File 2433 as
 2 follows:
 3 1. Page 3, by striking lines 26 through 39.
 4 2. Page 4, by striking lines 13 through 28.
 5 3. By renumbering as necessary.

ISENHART of Dubuque

H-8226

- 1 Amend the amendment, H-8184, to House File 2429 as
 2 follows:
 3 1. Page 1, by striking lines 15 through 18 and
 4 inserting <mail signature, electronic identifier
 5 or screen name, biometric identifier, genetic
 6 identification information, access device, logo,
 7 symbol, trademark, place of employment, employee
 8 identification number,>

BALTIMORE of Boone

H-8227

- 1 Amend House File 2422 as follows:
 2 1. Page 2, line 13, after <administrator> by
 3 inserting <or owner>
 4 2. Page 2, line 22, by striking <or immediately
 5 upon>
 6 3. Page 2, by striking line 32 and inserting
 7 <in accordance with the federal Health Insurance
 8 Portability and Accountability Act of 1996, Pub. L. No.
 9 104-191, other state and federal regulations, and rules
 10 adopted by the department, to all of>
 11 4. Page 3, line 24, by striking <residents or
 12 tenants> and inserting <residents, tenants, and staff
 13 of the facility or program>
 14 5. Page 4, after line 1 by inserting:

15 <6. The department shall work with interested
16 stakeholders in developing the proposed rules under
17 this section.>

18 6. Page 4, line 2, by striking <6.> and inserting
19 <7.>

20 7. Page 4, line 34, by striking <admit> and
21 inserting <enter into a lease or occupancy agreement
22 with>

23 8. Page 5, line 1, by striking <administrator> and
24 inserting <manager or owner>

25 9. Page 5, after line 13 by inserting:

26 <Sec. _____. PLACEMENT OF PERSONS REQUIRED TO
27 REGISTER.

28 1. For purposes of this section, "adequate
29 placement" means a placement that will provide the
30 level of care necessary for a person including the
31 level of care provided by a nursing facility or
32 residential care facility.

33 2. For the period beginning July 1, 2012, through
34 June 30, 2013, the department of human services, in
35 compliance with federal and state law, shall secure
36 adequate placements for persons required to register
37 as a sex offender pursuant to chapter 692A who are
38 being released from the custody of the department
39 of corrections and require the type of medical
40 and personal care provided by a nursing facility,
41 residential care facility, or assisted living program;
42 who are being discharged or transferred from nursing
43 facilities, residential care facilities, or assisted
44 living programs pursuant to a provision of this Act;
45 or who require the type of medical and personal care
46 provided by nursing facilities, residential care
47 facilities, or assisted living programs when the
48 persons are unable to gain access to a facility or
49 program because the persons are required to register on
50 the sex offender registry.

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1 3. The department of human services may use a
2 state facility to provide care for such persons or may
3 conduct a request for proposal process to contract with
4 a private facility to care for such persons. A request
5 for proposals shall identify the reimbursement rate
6 and the necessary training for staff in the facility
7 or program.

8 4. The department of human services shall secure
9 an adequate placement for such a person within ten
10 business days of being notified by the department of
11 corrections, the department of inspections and appeals,
12 or a nursing facility, residential care facility,
13 or assisted living program that placement is needed

14 for such person, provided that such period shall not
 15 commence until the department of public safety receives
 16 and approves registration data and makes such data
 17 available on the sex offender registry internet site
 18 pursuant to section 692A.121, subsection 12.>
 19 10. Page 7, line 13, after <aide,> by inserting
 20 <the office of the state long-term care ombudsman,>
 21 11. Page 7, by striking line 16 and inserting:
 22 <c. Representatives of the health care industry and
 23 industry associations.>
 24 12. Page 7, after line 20 by inserting:
 25 <h. Other stakeholders as the department of
 26 inspections and appeals deems necessary.>
 27 13. Page 7, line 21, by striking <h.> and inserting
 28 <i.>
 29 14. Page 8, line 9, after <recommendations,> by
 30 inserting <regulatory challenges,>
 31 15. Page 8, line 26, after <offenses.> by inserting
 32 <The treatment safety plan shall address the procedure
 33 for notifying other residents of the residency of a
 34 person required to register as a sex offender.>
 35 16. Page 8, by striking lines 32 through 34 and
 36 inserting <placement for a person requiring commitment
 37 when the person also has a history of committing sexual
 38 offenses.>
 39 17. Title page, line 1, after <notification> by
 40 inserting <in a nursing facility, residential care
 41 facility, or assisted living program>

FRY of Clarke

H-8228

1 Amend House File 2371 as follows:
 2 1. Page 1, line 35, by striking <commissioner or
 3 other> and inserting <commissioner or other>
 4 2. Page 2, line 1, after <training> by inserting <
 5 provided that a commissioner shall be responsible for
 6 all costs associated with the commissioner's attendance
 7 and completion of such certification training course>
 8 3. Page 2, line 2, by striking <commissioner,> and
 9 inserting <commissioner,>
 10 4. Page 2, line 5, by striking <commissioner,> and
 11 inserting <commissioner,>

HAGER of Allamakee

H-8229

1 Amend the amendment, H-8179, to House File 2380 as
 2 follows:
 3 1. By striking page 1, line 2, through page 3, line
 4 25, and inserting:

5 <__. Page 12, after line 1 by inserting:
6 <Sec. __. NEW SECTION. 256.27 Iowa learning
7 online initiative.
8 1. An Iowa learning online initiative is
9 established within the department of education to
10 partner with school districts and accredited nonpublic
11 schools to provide distance education to high school
12 students statewide. The department shall utilize
13 a variety of content repositories, including those
14 maintained by the area education agencies and the
15 public broadcasting division, in administering the
16 initiative.
17 2. Coursework offered under the initiative shall
18 meet the requirements of section 256.7, subsections
19 7, 8, and 9, and shall be taught by an appropriately
20 licensed teacher who has completed an online-learning
21 -for-Iowa-educators-professional-development project
22 offered by area education agencies, a teacher
23 preservice program, or comparable coursework.
24 3. Under the initiative, students must be enrolled
25 in a participating school district or school, which
26 is responsible for recording grades received for
27 initiative coursework in a student's permanent record,
28 awarding high school credit for initiative coursework,
29 and issuing high school diplomas to students enrolled
30 in the district or school who participate and complete
31 coursework under the initiative. Each participating
32 school district or school shall identify a site
33 coordinator to serve as a student advocate and as a
34 liaison between the initiative staff and teachers and
35 the school district or school.
36 4. Coursework offered under the initiative shall
37 be rigorous and high quality, and the department
38 shall annually evaluate the quality of the courses,
39 ensure that coursework is aligned with the state's
40 core curriculum and core content requirements and
41 standards, as well as national standards of quality for
42 online courses issued by an internationally recognized
43 association for kindergarten through grade twelve
44 online learning.
45 5. The department may waive any requirement that a
46 subject being studied under the initiative by a student
47 enrolled in a school district or school participating
48 in the initiative be a subject that is offered and
49 taught by the professional staff of the participating
50 school district or school.>>

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1 2. By renumbering as necessary.

H-8230

1 Amend the amendment, H-8214, to House File 2380 as
2 follows:

3 1. By striking page 1, line 2, through page 2, line
4 50, and inserting:

5 <__. By striking page 45, line 26, through page
6 54, line 11, and inserting:

7 <DIVISION __
8 EARLY LITERACY

9 Sec. __. Section 256.7, Code Supplement 2011, is
10 amended by adding the following new subsection:
11 NEW SUBSECTION. 33. By July 1, 2013, adopt by
12 rule guidelines for school district implementation of
13 section 279.68, including but not limited to basic
14 levels of reading proficiency on approved assessments
15 and identification of tools that school districts may
16 use in evaluating and reevaluating any student who may
17 be or who is determined to be deficient in reading,
18 including but not limited to initial assessments and
19 subsequent assessments, alternative assessments,
20 and portfolio reviews. The state board shall adopt
21 standards that provide a reasonable expectation that
22 a student's progress toward reading proficiency under
23 section 279.68 is sufficient to master appropriate
24 grade four level reading skills prior to the student's
25 promotion to grade four.

26 Sec. __. Section 256.9, subsection 53, paragraph
27 a, Code Supplement 2011, is amended to read as follows:

28 a. Develop and distribute, or approve, in
29 collaboration with the area education agencies, core
30 curriculum technical assistance and implementation
31 strategies that school districts and accredited
32 nonpublic schools shall utilize, including but not
33 limited to the development and delivery of formative
34 and end-of-course model assessments classroom
35 teachers may use to measure student progress on the
36 core curriculum adopted pursuant to section 256.7,
37 subsection 26. The department shall, in collaboration
38 with the advisory group convened in accordance with
39 paragraph "b" and educational assessment providers,
40 identify and make available to school districts
41 end-of-course and additional model end-of-course and
42 additional assessments to align with the expectations
43 included in the Iowa core curriculum. The model
44 assessments shall be suitable to meet the multiple
45 assessment measures requirement specified in section
46 256.7, subsection 21, paragraph "c".

47 Sec. __. Section 256.9, subsection 53, Code
48 Supplement 2011, is amended by adding the following new
49 paragraphs:

50 NEW PARAGRAPH. c. Identify the scoring levels on

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1 approved grade three reading assessments that provide
2 guidance to a school district for determining the
3 progress of a student pursuant to section 279.68, and
4 develop or identify and approve alternative performance
5 measures for students who are not proficient in
6 reading. Alternative performance measures approved
7 pursuant to this paragraph shall include but not be
8 limited to a demonstration of reading mastery evidenced
9 by portfolios of student work.

10 NEW PARAGRAPH. d. Establish, subject to an
11 appropriation of sufficient funds by the general
12 assembly, an Iowa reading research center to apply
13 current research on literacy to provide for the
14 development and dissemination of all of the following:

15 (1) Promising instructional strategies in reading.

16 (2) Reading assessments.

17 (3) Professional development strategies and
18 materials aligned with current and emerging best
19 practices for the teaching of reading.

20 Sec. ____ NEW SECTION. 256.25 Iowa family literacy
21 initiative.

22 1. An Iowa family literacy initiative shall
23 be established and administered by the department
24 to provide block grants to eligible entities that
25 integrate early childhood education, adult literacy,
26 parenting education, and interactive parent and
27 child literacy activities. If funds are appropriated
28 by the general assembly for the program, the state
29 board shall adopt rules for the administration of
30 the program, which shall be modeled on the federal
31 even start family literacy program enacted pursuant
32 to 20 U.S.C. §6381-6381k. For purposes of this
33 section, "eligible entity" means one or more school
34 districts that enter into a partnership with one or
35 more nonprofit community-based organizations, a public
36 agency other than a school district, a community
37 college, institution of higher education governed
38 by the state board of regents, an accredited private
39 institution as defined in section 261.9, or a public or
40 private nonprofit organization of demonstrated quality
41 as determined by the department.

42 2. The department, in consultation with the
43 child development coordinating council and the
44 early childhood Iowa state board, shall develop an
45 application process; establish grant application
46 selection criteria and priorities; and develop
47 indicators of program quality which shall be used by
48 the department to monitor, evaluate, and improve local
49 family literacy projects operated by grantees. The
50 department shall develop project standards for all

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1 of the project elements established pursuant to this
2 subsection. A local family literacy project awarded a
3 block grant pursuant to this section shall include but
4 not be limited to all of the following elements:

5 a. Identification and recruitment of families most
6 in need of family literacy services.

7 b. High-quality, intensive instructional services.

8 c. Staff qualifications that meet department
9 standards.

10 d. Year-round services.

11 e. Coordination with other programs.

12 f. Local independent evaluation, the results of
13 which shall be used for program improvement and to
14 determine whether the project is meeting expectations
15 using the indicators of program quality developed by
16 the department.

17 Sec. ____ Section 256C.3, subsection 3, Code 2011,
18 is amended by adding the following new paragraph:

19 NEW PARAGRAPH. i. Provision for reimbursement of
20 reasonable administrative costs for persons providing
21 contract services for a local program. If justified
22 by the expenses involved, the administrative costs may
23 exceed eight percent of the direct costs attributed to
24 the contract services.

25 Sec. ____ NEW SECTION. 279.68 Student progression
26 — remedial instruction — reporting requirements.

27 1. Reading deficiency and parental notification.

28 a. A school district shall provide intensive
29 reading instruction to any student who exhibits a
30 substantial deficiency in reading, based upon locally
31 determined or statewide assessments conducted in
32 kindergarten or grade one, grade two, or grade three,
33 or through teacher observations, immediately following
34 the identification of the reading deficiency. The
35 student's reading proficiency shall be reassessed by
36 locally determined and statewide assessments. The
37 student shall continue to be provided with intensive
38 reading instruction until the reading deficiency is
39 remedied.

40 b. The parent or guardian of any student in
41 kindergarten through grade three who exhibits a
42 substantial deficiency in reading, as described in
43 paragraph "a", shall be notified at least annually in
44 writing of the following:

45 (1) That the child has been identified as having a
46 substantial deficiency in reading.

47 (2) A description of the services currently
48 provided to the child.

49 (3) A description of the proposed supplemental
50 instructional services and supports that the school

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1 district will provide to the child that are designed to
2 remediate the identified area of reading deficiency.

3 (4) Strategies for parents and guardians to use
4 in helping the child succeed in reading proficiency,
5 including but not limited to the promotion of
6 parent-guided home reading.

7 (5) That the assessment used pursuant to section
8 256.9, subsection 53, is not the sole determiner of
9 promotion and that additional evaluations, portfolio
10 reviews, performance measures, and assessments are
11 available to the child to assist parents and the school
12 district in knowing when a child is reading at or above
13 grade level and ready for grade promotion.

14 2. Intensive instructional services. A
15 school district shall do all of the following:

16 a. Provide for the completion of a student
17 portfolio for any student who exhibits a substantial
18 deficiency in reading.

19 b. Provide students who exhibit a substantial
20 deficiency in reading with intensive instructional
21 services and supports, free of charge, to remediate
22 the identified areas of reading deficiency,
23 including a minimum of a daily ninety-minute block of
24 scientific-research-based reading instruction and other
25 strategies prescribed by the school district which may
26 include but are not limited to the following:

27 (1) Small group instruction.

28 (2) Reduced teacher-student ratios.

29 (3) More frequent progress monitoring.

30 (4) Tutoring or mentoring.

31 (5) Transition classes containing students in
32 grades three and four.

33 (6) Extended school day, week, or year.

34 (7) Summer reading programs.

35 c. At regular intervals, apprise the parent or
36 guardian of academic and other progress being made
37 by the student and give the parent or guardian other
38 useful information.

39 d. Establish a reading enhancement and acceleration
40 development initiative designed to offer intensive
41 accelerated reading instruction to each kindergarten
42 through grade three student who is assessed as
43 exhibiting a reading deficiency. The initiative shall
44 comply with all of the following criteria:

45 (1) Provide assessments that measure phonemic
46 awareness, phonics, fluency, vocabulary, and
47 comprehension.

48 (2) Be provided during regular school hours in
49 addition to the regular reading instruction.

50 (3) Provide a reading curriculum that meets

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1 guidelines adopted pursuant to section 256.7,
 2 subsection 33, and at a minimum has the following
 3 specifications:
 4 (a) Assists students assessed as exhibiting a
 5 reading deficiency in developing the ability to read
 6 at grade level.
 7 (b) Provides skill development in phonemic
 8 awareness, phonics, fluency, vocabulary, and
 9 comprehension.
 10 (c) Includes a scientifically based and reliable
 11 assessment.
 12 (d) Provides initial and ongoing analysis of each
 13 student's reading progress.
 14 (e) Provides a curriculum in core academic subjects
 15 to assist the student in maintaining or meeting
 16 proficiency levels for the appropriate grade in all
 17 academic subjects.
 18 e. Report to the department of education the
 19 specific intensive reading interventions and supports
 20 implemented by the school district pursuant to this
 21 section. The department shall annually prescribe the
 22 components of required or requested reports, including
 23 but not limited to a report on the number of students
 24 retained under this section.>>
 25 2. By renumbering as necessary.

WINCKLER of Scott

H-8231

1 1. Page 2, line 31, by striking <550,000> and
 2 inserting <550,000 350,000>
 3 2. Page 4, line 29, by striking <242.000> and
 4 inserting <80.667>
 5 3. By renumbering as necessary.

MOORE of Jackson

H-8232

1 Amend the amendment, H-8201, to House File 2380 as
 2 follows:
 3 1. By striking page 1, line 2, through page 4, line
 4 15, and inserting:
 5 <__. Page 12, after line 1 by inserting:
 6 <Sec. NEW SECTION. 256.27 Iowa learning
 7 online initiative.
 8 1. An Iowa learning online initiative is
 9 established within the department of education to
 10 partner with school districts and accredited nonpublic

11 schools to provide distance education to high school
 12 students statewide. The department shall utilize
 13 a variety of content repositories, including those
 14 maintained by the area education agencies and the
 15 public broadcasting division, in administering the
 16 initiative.

17 2. Coursework offered under the initiative shall
 18 meet the requirements of section 256.7, subsections
 19 7, 8, and 9, and shall be taught by an appropriately
 20 licensed teacher who has completed an online-learning
 21 -for-Iowa-educators-professional-development project
 22 offered by area education agencies, a teacher
 23 preservice program, or comparable coursework.

24 3. Under the initiative, students must be enrolled
 25 in a participating school district or school, which
 26 is responsible for recording grades received for
 27 initiative coursework in a student's permanent record,
 28 awarding high school credit for initiative coursework,
 29 and issuing high school diplomas to students enrolled
 30 in the district or school who participate and complete
 31 coursework under the initiative. Each participating
 32 school district or school shall identify a site
 33 coordinator to serve as a student advocate and as a
 34 liaison between the initiative staff and teachers and
 35 the school district or school.

36 4. Coursework offered under the initiative shall
 37 be rigorous and high quality, and the department
 38 shall annually evaluate the quality of the courses,
 39 ensure that coursework is aligned with the state's
 40 core curriculum and core content requirements and
 41 standards, as well as national standards of quality for
 42 online courses issued by an internationally recognized
 43 association for kindergarten through grade twelve
 44 online learning.

45 5. The department may waive any requirement that a
 46 subject being studied under the initiative by a student
 47 enrolled in a school district or school participating
 48 in the initiative be a subject that is offered and
 49 taught by the professional staff of the participating
 50 school district or school.>>

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1 2. By renumbering as necessary.

MASCHER of Johnson
 WINCKLER of Scott

H-8233

1 Amend House File 2214 as follows:

2 1. Page 1, line 2, by striking <prohibited> and

3 inserting <- approval by city or county electorate>

4 2. Page 1, line 8, by striking <ordinance.> and
5 inserting <ordinance, except as provided in this
6 section.>

7 3. Page 1, after line 8 by inserting:

8 <2. a. A city or county may employ the use of
9 automated traffic law enforcement systems only if the
10 city or county electorate approves the use of automated
11 traffic law enforcement systems as provided in this
12 subsection.

13 b. A city or county that proposes to use automated
14 traffic law enforcement systems shall adopt a
15 resolution containing the proposal. The board of
16 supervisors or the city council shall call a special
17 election to vote upon the proposal before the county
18 or city begins installing or using automated traffic
19 law enforcement systems. The board of supervisors or
20 the city council shall publish notice of the proposal
21 at least once, not less than four nor more than twenty
22 days before the date of the election, in one or more
23 newspapers which meet the requirements of section
24 618.14. Notice of the election shall also comply with
25 section 49.53. The election shall be held on a date
26 specified in section 39.2, subsection 4, paragraph "a".
27 The proposal is approved if the vote in favor of the
28 proposal is equal to at least a majority of the total
29 vote cast for and against the proposal at the election.
30 If the proposal is approved by the voters, the board of
31 supervisors or city council may proceed to install and
32 use automated traffic law enforcement systems.>

33 4. Page 1, line 9, by striking <2.> and inserting
34 3.>

35 5. Page 1, by striking lines 18 through 32 and
36 inserting:

37 <Sec. ____ EXISTING AUTOMATED TRAFFIC LAW
38 ENFORCEMENT SYSTEMS – SUSPENSION OF USE – VALIDITY OF
39 PRIOR NOTICES AND CITATIONS. A county or city that is
40 using an automated traffic law enforcement system prior
41 to the effective date of this Act shall discontinue
42 using the system until a proposal for the use of
43 automated traffic law enforcement systems is adopted by
44 resolution and approved by an election as provided in
45 section 321.5A, subsection 2, paragraph "b", as enacted
46 by this Act. However, notices of violations mailed or
47 citations issued pursuant to an ordinance prior to the
48 effective date of this Act shall be processed according
49 to the provisions of the law under which they were
50 authorized.>

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1 6. Title page, line 1, by striking <prohibiting>

2 and inserting <providing for>
3 7. By renumbering as necessary.

SCHULTE of Linn

H-8234

1 Amend House File 2214 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with at least one of the
9 following:
10 a. An official traffic-control signal, to
11 produce recorded images of motor vehicles entering
12 an intersection against a flashing red light, steady
13 circular red light, or a steady red arrow.
14 b. An official traffic-control signal at a railroad
15 grade crossing, as described in section 321.342,
16 to produce recorded images of vehicles violating a
17 flashing red or steady circular red light.
18 c. A speed measuring device, to produce recorded
19 images of motor vehicles travelling at a prohibited
20 rate of speed.
21 Sec. 2. NEW SECTION. 321.5A Automated traffic law
22 enforcement systems.
23 A local authority shall not use an automated traffic
24 law enforcement system except as provided in this
25 section.
26 1. A local authority may by ordinance authorize the
27 use of automated traffic law enforcement systems to
28 detect violations of posted speed limits or official
29 traffic-control signals which constitute municipal or
30 county infractions.
31 2. A local authority shall provide signage, in
32 conformance with the uniform system adopted pursuant
33 to section 321.252, giving notice of the use of
34 an automated traffic law enforcement system on the
35 approach to each location where an automated traffic
36 law enforcement system is in use as follows:
37 a. A sign shall be posted on each road on the
38 approach to the next traffic-control signal where an
39 automated traffic law enforcement system is in use.
40 b. A sign shall be posted on the approach to the
41 next speed limit zone on a road where an automated
42 traffic law enforcement system is being used for speed
43 limit enforcement.
44 c. A temporary sign shall be positioned or posted
45 on the approach to each location where a mobile

46 automated traffic law enforcement system is being used
47 for speed limit enforcement.
48 d. A temporary or permanent sign giving notice of
49 the use of an automated traffic law enforcement system
50 for the enforcement of speed limits shall be positioned

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1 or posted at a distance in advance of the automated
2 traffic law enforcement system which, in relation to
3 the applicable speed limit, would provide adequate
4 notice to a motor vehicle operator travelling at the
5 speed limit before entering the range of the automated
6 traffic law enforcement system.

7 3. Recorded images produced by an automated traffic
8 law enforcement system evidencing a violation of a
9 posted speed limit or an official traffic-control
10 signal shall be reviewed by a peace officer of the
11 local law enforcement agency to affirm that a violation
12 occurred and the identity of the motor vehicle involved
13 in the violation. If following the officer's review,
14 a notice of a fine or citation is issued to the owner
15 of the motor vehicle involved in the violation, the
16 following requirements apply:

17 a. An affidavit bearing the written or electronic
18 signature of the peace officer shall be included on the
19 notice or citation.

20 b. The notice or citation shall contain a
21 statement, in bold type, regarding the process for
22 appealing the fine.

23 c. The notice or citation shall be sent by ordinary
24 mail to the owner of the motor vehicle involved not
25 more than thirty days following the incident giving
26 rise to the notice of a fine or citation, as evidenced
27 by the postmark.

28 4. A local authority shall not charge the owner of
29 a motor vehicle administrative costs in addition to
30 any civil penalty imposed for a violation detected by
31 an automated traffic law enforcement system. Civil
32 penalties imposed for such violations shall not exceed
33 the following amounts:

34 a. For a violation of an official traffic-control
35 signal, fifty dollars.

36 b. For a violation of a speed limit, the amount
37 of the fine established in section 805.8A for an
38 equivalent speeding violation charged as a scheduled
39 violation, subject to the limitation established in
40 section 331.302, subsection 2, for violation of a
41 county ordinance, or the limitation established in
42 section 364.3, subsection 2, for violation of a city
43 ordinance.

44 5. The owner of a motor vehicle shall not be liable

45 for a violation detected by an automated traffic
 46 law enforcement system if a uniform traffic citation
 47 was issued to the operator of the motor vehicle in
 48 connection with the same violation.

49 6. A local authority that uses an automated traffic
 50 law enforcement system shall file annually with the

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1 department of public safety a report comparing the type
 2 and rate of accidents that occurred at each location
 3 where an automated traffic law enforcement system was
 4 employed during the previous year to the type and rate
 5 of accidents at the same location during the previous
 6 consecutive year. The report shall be kept on file and
 7 used by the governing body of the local authority in
 8 evaluating the effectiveness of the automated traffic
 9 law enforcement program in improving public safety.

10 Sec. 3. EXISTING AUTOMATED TRAFFIC LAW
 11 ENFORCEMENT SYSTEMS — VALIDITY OF PRIOR NOTICES AND
 12 CITATIONS. Notices mailed or citations issued of
 13 violations committed prior to the effective date of
 14 this Act, pursuant to a local ordinance authorizing the
 15 use of an automated traffic law enforcement system,
 16 shall not be invalidated by the enactment of this Act
 17 and shall be processed according to the provisions of
 18 the law under which they were authorized.>

19 2. Title page, line 1, by striking <prohibiting>
 20 and inserting <relating to>

21 3. Title page, by striking line 2 and inserting
 22 <systems.>

23 4. By renumbering as necessary.

WENTHE of Fayette

H-8235

1 Amend House File 2214 as follows:

2 1. Page 1, after line 17 by inserting:

3 <3. Notwithstanding subsection 1, a local authority
 4 that is using an automated traffic law enforcement
 5 system prior to the effective date of this Act may
 6 continue to use the system if the authority certifies
 7 to the department of public safety that the use of
 8 the automated traffic law enforcement system has
 9 improved traffic safety at the location or locations
 10 where it has been in use. The certification shall
 11 be accompanied by documentation containing data to
 12 support the claim of improved traffic safety. A local
 13 authority that submits a certification under this
 14 subsection may continue to use an automated traffic
 15 law enforcement system that is covered under the

- 16 certification pursuant to the authorizing ordinance of
 17 the local authority.>
- 18 2. Page 1, by striking lines 22 through 25 and
 19 inserting <enforcement system shall discontinue
 20 using the system and remove all automated traffic law
 21 enforcement system equipment from the highways on or
 22 before July 1, 2012, unless the local authority has
 23 submitted certification to the department of public
 24 safety pursuant to section 321.5A, subsection 3, as
 25 enacted by this Act.>
- 26 3. Page 1, by striking line 26 and inserting:
 27 <2. Except as provided in section 321.5A,
 28 subsection 3, as enacted by this Act, on July 1, 2012,
 29 all local>
- 30 4. Page 1, line 28, by striking <However, notices>
 31 and inserting <Notices>
- 32 5. Page 1, line 29, by striking <such>
- 33 6. Title page, line 1, by striking <prohibiting>
 34 and inserting <relating to>
- 35 7. By renumbering as necessary.

SCHULTE of Linn

H-8236

- 1 Amend House File 2214 as follows:
- 2 1. Page 1, line 2, by striking <prohibited>
- 3 2. Page 1, after line 8 by inserting:
- 4 <2. Notwithstanding subsection 1, a local
 5 authority that has established an automated traffic law
 6 enforcement program prior to the effective date of this
 7 Act shall terminate the program at the earliest date
 8 possible as follows:
- 9 a. If the local authority has entered into a
 10 contract for equipment or services relating to
 11 automated traffic law enforcement systems prior to
 12 the effective date of this Act, the city may continue
 13 to use an automated traffic law enforcement system
 14 or systems to the extent necessary to hold the city
 15 harmless under the terms of the existing contract. A
 16 city that continues using an automated traffic law
 17 enforcement system on or after the effective date of
 18 this Act, as authorized under this paragraph, shall not
 19 extend or renew a contract, or enter any new contract,
 20 for automated traffic law enforcement system equipment
 21 or services on or after the effective date of this Act.
- 22 b. Upon the expiration of all prior contracts for
 23 the use of automated traffic law enforcement systems,
 24 a local authority's ordinance authorizing the use of
 25 automated traffic law enforcement systems is void.
 26 However, notices of violations mailed or citations
 27 issued pursuant to such an ordinance prior to the date

- 28 the ordinance becomes void shall not be invalidated
 29 under this section and shall be processed according
 30 to the provisions of the law under which they were
 31 authorized.>
 32 3. Page 1, line 9, by striking <2.> and inserting
 33 <3.>
 34 4. Page 1, by striking lines 18 through 32.
 35 5. Title page, line 2, after <systems,> by
 36 inserting <providing for temporary continuation of
 37 existing automated traffic law enforcement programs,>
 38 6. By renumbering as necessary.

SCHULTE of Linn

H-8237

- 1 Amend the amendment, H-8181, to House File 2380 as
 2 follows:
 3 1. Page 1, by striking lines 24 through 34.
 4 2. Page 1, by striking lines 45 through 48 and
 5 inserting <content area.>
 6 3. Page 3, by striking lines 13 through 15.
 7 4. By renumbering, redesignating, and correcting
 8 internal references as necessary.

VANDER LINDEN of Mahaska

H-8238

- 1 Amend Senate File 2314, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, line 31, by striking <228,000> and
 4 inserting <182,400>
 5 2. Page 4, line 5, by striking <1,404,000> and
 6 inserting <1,123,200>
 7 3. By renumbering as necessary.

WAGNER of Linn

H-8239

- 1 Amend House File 2214 as follows:
 2 1. Page 1, after line 17 by inserting:
 3 <3. Notwithstanding subsection 1, a local authority
 4 that is using an automated traffic law enforcement
 5 system prior to the effective date of this Act may
 6 continue to use the system if the authority submits an
 7 affidavit to the department of management on or before
 8 June 30, 2012, certifying that discontinuing the use
 9 of the automated traffic law enforcement system would
 10 create a need for additional property taxes to support
 11 operations and services of the local authority.>

- 12 2. Page 1, by striking lines 22 through 25 and
 13 inserting <enforcement system shall discontinue
 14 using the system and remove all automated traffic law
 15 enforcement system equipment from the highways on or
 16 before July 1, 2012, unless the local authority has
 17 submitted an affidavit to the department of management
 18 pursuant to section 321.5A, subsection 3, as enacted
 19 by this Act.>
- 20 3. Page 1, by striking line 26 and inserting:
 21 <2. Except as provided in section 321.5A,
 22 subsection 3, as enacted by this Act, on July 1, 2012,
 23 all local>
- 24 4. Title page, line 1, by striking <prohibiting>
 25 and inserting <relating to>
- 26 5. By renumbering as necessary.

T. OLSON of Linn

H-8240

- 1 Amend the amendment, H-8196, to House File 2380 as
 2 follows:
 3 1. Page 1, line 19, after <age> by inserting
 4 <unless the parent or guardian of the child notifies
 5 the school district in writing of the parent's or
 6 guardian's intent to remove the child from enrollment
 7 in the school district>

CHAMBERS of O'Brien

H-8241

- 1 Amend the amendment, H-8191, to House File 2380 as
 2 follows:
 3 1. Page 2, by striking lines 35 through 40.

BYRNES of Mitchell

H-8242

- 1 Amend the amendment, H-8222, to House File 2380 as
 2 follows:
 3 1. Page 1, after line 30 by inserting:
 4 <Sec. ___. EFFECTIVE DATE. This division of this
 5 Act takes effect July 1, 2013.>
 6 2. By renumbering as necessary.

J. SMITH of Dickinson
 COWNIE of Polk

H-8243

- 1 Amend House File 2435 as follows:
- 2 1. Page 9, line 30, by striking <3,788,859> and
3 inserting <3,979,048>
- 4 2. Page 11, line 6, by striking <70,000> and
5 inserting <132,580>
- 6 3. Page 11, after line 6 by inserting:
7 < (1A) For distribution to the Iowa family planning
8 network agencies for necessary infrastructure,
9 statewide coordination, provider recruitment, service
10 delivery, and provision of assistance to patients in
11 determining an appropriate medical home:
12 \$ 77,609>
- 13 4. Page 11, line 33, by striking <260,000> and
14 inserting <310,000>

PETERSEN of Polk

H-8244

- 1 Amend House File 2435 as follows:
- 2 1. Page 61, after line 23 by inserting:
3 <Sec. ____ Section 237A.13, subsection 7, paragraph
4 a, Code 2011, is amended to read as follows:
5 a. Families with an income at or below one hundred
6 percent of the federal poverty level whose members ~~are~~
7 employed, for at least twenty-eight hours per week in
8 the aggregate, are employed or are participating at a
9 satisfactory level in an approved training program or
10 educational program, and parents with a family income
11 at or below one hundred percent of the federal poverty
12 level who are under the age of twenty-one years and are
13 participating in an educational program leading to a
14 high school diploma or the equivalent.>
- 15 2. By renumbering as necessary.

PETERSEN of Polk

H-8245

- 1 Amend House File 2214 as follows:
- 2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 364.22, Code 2011, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 16. a. A civil penalty imposed
7 for a motor vehicle violation under a city's automated
8 traffic law enforcement program shall not exceed the
9 following amounts:
10 (1) For failure to obey an official traffic control
11 signal, an amount which is twenty-five dollars less

12 than the amount of the fine established in section
 13 805.8A for an equivalent violation charged as a
 14 scheduled violation.

15 (2) For a speeding violation, the amount of the
 16 fine established in section 805.8A for an equivalent
 17 speeding violation charged as a scheduled violation.

18 b. A city shall not charge the owner of a motor
 19 vehicle administrative fees in addition to any civil
 20 penalty imposed for a violation charged under the
 21 city's automated traffic law enforcement program.

22 c. (1) Notwithstanding section 364.22B or any
 23 other provision to the contrary, a city shall not
 24 contract with a private collection designee for
 25 collection of a delinquent fine imposed for a motor
 26 vehicle violation under a city's automated traffic
 27 law enforcement program sooner than six months after
 28 the initial mailing of the notice of the fine to the
 29 owner of the motor vehicle involved in the violation.
 30 Not less than thirty days prior to contracting with a
 31 private collection designee, the city shall send the
 32 person responsible for the fine at least one notice
 33 reminding the person of the delinquent debt and of the
 34 city's intended action with regard to collection of the
 35 debt.

36 (2) A city shall not contract with a private
 37 collection designee for collection of a delinquent
 38 fine imposed for a motor vehicle violation under a
 39 city's automated traffic law enforcement program at any
 40 time while the owner of the motor vehicle is pursuing
 41 an appeal of the fine in accordance with the appeals
 42 process established by the city by ordinance.

43 d. For purposes of this subsection:

44 (1) "Automated traffic law enforcement program"
 45 means the utilization of one or more automated traffic
 46 law enforcement systems to issue citations for civil
 47 violations of traffic laws.

48 (2) "Automated traffic law enforcement system"
 49 means a device with one or more sensors working in
 50 conjunction with an official traffic control signal or

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1 a speed measuring device to produce recorded images
 2 of vehicles being operated in violation of traffic or
 3 speed laws.

4 Sec. 2. UNIFORM APPEALS PROCESS FOR AUTOMATED
 5 TRAFFIC LAW ENFORCEMENT PROGRAMS. The department of
 6 transportation shall coordinate a committee composed
 7 of representatives selected by each city in Iowa
 8 with an automated traffic law enforcement program and
 9 representatives of any other Iowa cities desiring to
 10 participate. The purpose of the committee shall be to

11 design a structured and uniform process for appealing
12 civil penalties imposed under automated traffic law
13 enforcement programs in cities throughout the state.
14 The department shall make a written report to the
15 general assembly on or before December 31, 2013,
16 describing the process agreed to by the committee.>
17 2. Title page, by striking lines 1 through 2 and
18 inserting <An Act relating to civil penalties imposed
19 by cities under an automated traffic law enforcement
20 program and providing for the adoption of a uniform
21 process for appeals.>

HALL of Woodbury

H-8246

1 Amend House File 2214 as follows:
2 1. Page 1, line 8, by striking <ordinance.> and
3 inserting <ordinance, except as provided in this
4 section.>
5 2. Page 1, after line 8 by inserting:
6 <2. The state or a local authority may use an
7 automated traffic law enforcement camera in a road work
8 zone to detect violations by motor vehicle operators
9 traveling at a speed that is more than ten miles per
10 hour above the posted speed limit.>
11 3. Page 1, line 9, by striking <2.> and inserting
12 <3.>
13 4. Page 1, line 22, before <shall> by inserting <in
14 a manner not authorized pursuant to section 321.5A, as
15 enacted by this Act,>
16 5. Page 1, line 28, after <system> by inserting <in
17 a manner not authorized pursuant to section 321.5A, as
18 enacted by this Act,>
19 6. Title page, line 1, by striking <prohibiting>
20 and inserting <relating to>
21 7. By renumbering as necessary.

JORGENSEN of Woodbury

H-8247

1 Amend House File 2214 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation

11 of traffic or speed laws. "Automated traffic law
 12 enforcement system" does not include a device operated
 13 in the presence of a peace officer or a device mounted
 14 on a school bus and operated in the presence of the
 15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
 17 enforcement systems.

18 A local authority shall not use an automated traffic
 19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
 21 the use of automated traffic enforcement systems to
 22 detect violations of posted speed limits or official
 23 traffic-control signals which constitute municipal or
 24 county infractions.

25 2. A local authority shall not charge the owner
 26 of a motor vehicle administrative costs in addition
 27 to any civil penalty imposed for a violation detected
 28 by an automated traffic enforcement system. Civil
 29 penalties imposed for such violations shall not exceed
 30 one hundred dollars.

31 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
 32 SYSTEMS — VALIDITY OF PRIOR NOTICES AND

33 CITATIONS. Notices mailed or citations issued
 34 of violations committed prior to the effective date of
 35 this Act, pursuant to a local ordinance authorizing the
 36 use of an automated traffic enforcement system, shall
 37 not be invalidated by the enactment of this Act and
 38 shall be processed according to the provisions of the
 39 law under which they were authorized.>

40 2. Title page, line 1, by striking <prohibiting>
 41 and inserting <relating to>

42 3. Title page, by striking line 2 and inserting
 43 <systems.>

JORGENSEN of Woodbury

H-8248

1 Amend the amendment, H-8189, to House File 2380 as
 2 follows:

3 1. Page 1, line 3, after <13> by inserting <and
 4 inserting:

5 <Sec. ____ Section 256.7, subsection 26, paragraph
 6 b, Code Supplement 2011, is amended to read as follows:

7 b. Continue the inclusive process begun during the
 8 initial development of a core curriculum for grades
 9 nine through twelve including stakeholder involvement,
 10 including but not limited to representatives from
 11 the private sector and the business community, and
 12 alignment of the core curriculum to other recognized
 13 sets of national and international standards. The
 14 state board shall also recommend quality assessments

15 to school districts and accredited nonpublic schools
16 to measure the core curriculum. The state board
17 shall establish scoring levels of excellence by
18 which students who achieve those levels on quality
19 assessments may qualify for a scholarship under the all
20 Iowa opportunity scholarship program.>>

MASCHER of Johnson

H-8249

1 Amend the amendment, H-8179, to House File 2380 as
2 follows:

- 3 1. Page 1, line 12, by striking <one-half> and
4 inserting <eighteen one-hundredths>
- 5 2. Page 1, line 13, after <pupils> by inserting
6 <, and shall limit a school district's enrollment of
7 pupils in educational instruction and course content
8 that is delivered over the internet to not more than
9 one percent of the school district's enrollment>
- 10 3. Page 3, after line 12 by inserting:
11 <Sec. ____ NEW SECTION. 256.28 Iowa learning
12 online initiative.
 - 13 1. An Iowa learning online initiative is
14 established within the department of education to
15 partner with school districts and accredited nonpublic
16 schools to provide distance education to high school
17 students statewide. The department shall utilize
18 a variety of content repositories, including those
19 maintained by the area education agencies and the
20 public broadcasting division, in administering the
21 initiative.
 - 22 2. Coursework offered under the initiative shall
23 meet the requirements of section 256.7, subsections
24 7, 8, and 9, and shall be taught by an appropriately
25 licensed teacher who has completed an online-learning
26 -for-Iowa-educators-professional-development project
27 offered by area education agencies, a teacher
28 preservice program, or comparable coursework.
 - 29 3. Under the initiative, students must be enrolled
30 in a participating school district or school, which
31 is responsible for recording grades received for
32 initiative coursework in a student's permanent record,
33 awarding high school credit for initiative coursework,
34 and issuing high school diplomas to students enrolled
35 in the district or school who participate and complete
36 coursework under the initiative. Each participating
37 school district or school shall identify a site
38 coordinator to serve as a student advocate and as a
39 liaison between the initiative staff and teachers and
40 the school district or school.
 - 41 4. Coursework offered under the initiative shall

42 be rigorous and high quality, and the department
 43 shall annually evaluate the quality of the courses,
 44 ensure that coursework is aligned with the state's
 45 core curriculum and core content requirements and
 46 standards, as well as national standards of quality for
 47 online courses issued by an internationally recognized
 48 association for kindergarten through grade twelve
 49 online learning.
 50 5. The department may waive any requirement that a

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1 subject being studied under the initiative by a student
 2 enrolled in a school district or school participating
 3 in the initiative be a subject that is offered and
 4 taught by the professional staff of the participating
 5 school district or school.>

6 4. Page 3, after line 24 by inserting:

7 <Sec. ____ CENTER OF EXCELLENCE FOR ONLINE LEARNING
 8 — LEGISLATIVE INTENT. It is the intent of the general
 9 assembly to encourage and support the establishment
 10 of a center for excellence for online learning at the
 11 university of northern Iowa.>

12 5. By renumbering as necessary.

CHAMBERS of O'Brien
 J. TAYLOR of Woodbury

H-8250

1 Amend the amendment, H-8191, to House File 2380 as
 2 follows:

3 1. Page 1, after line 1 by inserting:

4 <____. Page 3, before line 26 by inserting:

5 <DIVISION ____

6 CORE CURRICULUM MATTERS

7 Sec. ____ Section 256.7, subsection 26, paragraph
 8 a, subparagraph (2), Code Supplement 2011, is amended
 9 to read as follows:

10 (2) The rules establishing a core curriculum shall
 11 address the core content standards in subsection 28 and
 12 the skills and knowledge students need to be successful
 13 in the twenty-first century. The core curriculum
 14 shall include social studies and twenty-first century
 15 learning skills which include but are not limited to
 16 civic literacy, health literacy, technology literacy,
 17 financial literacy, and employability skills; and
 18 shall address the curricular needs of students in
 19 kindergarten through grade twelve in those areas.
 20 The department shall further define the twenty-first
 21 century learning skills components by rule. The
 22 provisions of section 256.18 shall be considered by

23 the state board in developing the core curriculum
24 requirements.
25 (3) Notwithstanding any provision to the contrary,
26 an accredited nonpublic school is not required to
27 meet the core curriculum and core content standards
28 requirements of this chapter that are in conflict
29 with tenets and practices of the bona fide religious
30 institution in charge of the school.>>
31 2. By renumbering as necessary.

CHAMBERS of O'Brien

H-8251

1 Amend House File 2214 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.
16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.
18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.
20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.
25 2. Recorded images produced by an automated traffic
26 enforcement system evidencing a violation of a posted
27 speed limit or an official traffic-control signal
28 shall be reviewed by a peace officer of the local law
29 enforcement agency to affirm that a violation occurred
30 and the identity of the motor vehicle involved in the
31 violation. If following the officer's review, a notice
32 of a fine or citation is issued to the owner of the
33 motor vehicle involved in the violation, the following
34 requirements apply:
35 a. An affidavit bearing the written or electronic
36 signature of the peace officer shall be included on the
37 notice or citation.
38 b. The notice or citation shall contain a

39 statement, in bold type, regarding the process for
40 appealing the fine.

41 c. The notice or citation shall be sent by ordinary
42 mail to the owner of the motor vehicle involved not
43 more than thirty days following the incident giving
44 rise to the notice of a fine or citation, as evidenced
45 by the postmark.

46 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
47 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
48 CITATIONS. Notices mailed or citations issued
49 of violations committed prior to the effective date of
50 this Act, pursuant to a local ordinance authorizing the

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1 use of an automated traffic enforcement system, shall
2 not be invalidated by the enactment of this Act and
3 shall be processed according to the provisions of the
4 law under which they were authorized.>

5 2. Title page, line 1, by striking <prohibiting>
6 and inserting <relating to>

7 3. Title page, by striking line 2 and inserting
8 <systems.>

JORGENSEN of Woodbury

H-8252

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.

18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.

25 2. A local authority shall provide signage, in
 26 conformance with the uniform system adopted pursuant
 27 to section 321.252, giving notice of the use of an
 28 automated traffic enforcement system on the approach to
 29 each location where an automated traffic enforcement
 30 system is in use as follows:

31 a. A sign shall be posted on each road on the
 32 approach to the next traffic-control signal where an
 33 automated traffic enforcement system is in use.

34 b. A sign shall be posted on the approach to the
 35 next speed limit zone on a road where an automated
 36 traffic enforcement system is being used for speed
 37 limit enforcement.

38 c. A temporary sign shall be positioned or posted
 39 on the approach to each location where a mobile
 40 automated traffic enforcement system is being used for
 41 speed limit enforcement.

42 d. A temporary or permanent sign giving notice of
 43 the use of an automated traffic enforcement system for
 44 the enforcement of speed limits shall be positioned
 45 or posted at a distance in advance of the automated
 46 traffic enforcement system which, in relation to the
 47 applicable speed limit, would provide adequate notice
 48 to a motor vehicle operator travelling at the speed
 49 limit before entering the range of the automated
 50 traffic enforcement system.>

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1 2. Title page, line 1, by striking <prohibiting>
 2 and inserting <relating to>

3 3. Title page, by striking line 2 and inserting
 4 <systems.>

JORGENSEN of Woodbury

H-8253

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
 3 and inserting:

4 <Section 1. Section 331.307, Code 2011, is amended
 5 by adding the following new subsection:

6 NEW SUBSECTION. 14. a. Notwithstanding any other
 7 provision of law, civil fines collected by a county
 8 from the use of an automated traffic law enforcement
 9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual
 11 obligations of the county relating to the use of
 12 automated traffic law enforcement systems shall be
 13 retained by the county for that purpose.

14 (2) Moneys in excess of the amount necessary

15 for the purpose specified in subparagraph (1) shall
 16 be deposited in the account established in section
 17 602.8108.

18 b. For purposes of this subsection, "automated
 19 traffic law enforcement system" means a device with one
 20 or more sensors working in conjunction with a traffic
 21 control signal or device or a speed-measuring device to
 22 produce recorded images of vehicles being operated in
 23 violation of traffic or speed laws.

24 Sec. 2. Section 364.3, subsection 2, Code
 25 Supplement 2011, is amended to read as follows:

26 2. For a violation of an ordinance, a city shall
 27 not provide a penalty in excess of the maximum fine and
 28 term of imprisonment for a simple misdemeanor under
 29 section 903.1, subsection 1, paragraph "a". An Except
 30 as otherwise provided in this section, an amount equal
 31 to ten percent of all fines collected by cities shall
 32 be deposited in the account established in section
 33 602.8108. ~~However, one~~

34 a. One hundred percent of all fines collected by a
 35 city pursuant to section 321.236, subsection 1, shall
 36 be retained by the city.

37 b. Civil fines collected by a city from the use of
 38 an automated traffic law enforcement system shall be
 39 allocated as follows:

40 (1) The amount necessary to satisfy contractual
 41 obligations of the city relating to the use of
 42 automated traffic law enforcement systems shall be
 43 retained by the city for that purpose.

44 (2) Moneys in excess of the amount necessary
 45 for the purpose specified in subparagraph (1) shall
 46 be deposited in the account established in section
 47 602.8108.

48 (3) For purposes of this subsection, "automated
 49 traffic law enforcement system" means a device with one
 50 or more sensors working in conjunction with a traffic

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1 control signal or device or a speed-measuring device to
 2 produce recorded images of vehicles being operated in
 3 violation of traffic or speed laws.

4 c. The criminal penalty surcharge required by
 5 section 911.1 shall be added to a city fine and is not
 6 a part of the city's penalty.

7 Sec. 3. Section 602.8108, Code Supplement 2011, is
 8 amended by adding the following new subsection:

9 NEW SUBSECTION. 11. The clerk of the district
 10 court shall forward to the treasurer of state, not
 11 later than the fifteenth day of each month, all moneys
 12 received from counties pursuant to section 331.307,
 13 subsection 14, and from cities pursuant to section

14 364.3, subsection 2, paragraph "b", for deposit in the
15 road use tax fund.>
16 2. Title page, by striking lines 1 through 2 and
17 inserting <An Act providing for the disposition of
18 fines collected by a city or county pursuant to an
19 automated traffic law program.>

JORGENSEN of Woodbury

H-8254

1 Amend House File 2214 as follows:
2 1. By striking everything after the enacting clause
3 and inserting:
4 <Section 1. Section 331.307, Code 2011, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 14. a. Notwithstanding any other
7 provision of law, civil fines collected by a county
8 from the use of an automated traffic law enforcement
9 system shall be allocated as follows:
10 (1) The amount necessary to satisfy contractual
11 obligations of the county relating to the use of
12 automated traffic law enforcement systems shall be
13 retained by the county for that purpose.
14 (2) From civil fines collected for violations
15 committed on roads under the jurisdiction of the
16 county, the county shall retain the amount in excess
17 of the amount necessary for the purpose specified in
18 subparagraph (1).
19 (3) Moneys in excess of the amount retained under
20 subparagraph (1) or (2) shall be deposited in the
21 account established in section 602.8108.
22 b. For purposes of this subsection, "automated
23 traffic law enforcement system" means a device with one
24 or more sensors working in conjunction with a traffic
25 control signal or device or a speed-measuring device to
26 produce recorded images of vehicles being operated in
27 violation of traffic or speed laws.
28 Sec. 2. Section 364.3, subsection 2, Code
29 Supplement 2011, is amended to read as follows:
30 2. For a violation of an ordinance, a city shall
31 not provide a penalty in excess of the maximum fine and
32 term of imprisonment for a simple misdemeanor under
33 section 903.1, subsection 1, paragraph "a". ~~An~~ Except
34 as otherwise provided in this section, an amount equal
35 to ten percent of all fines collected by cities shall
36 be deposited in the account established in section
37 602.8108. ~~However, one~~
38 a. One hundred percent of all fines collected by a
39 city pursuant to section 321.236, subsection 1, shall
40 be retained by the city.
41 b. Civil fines collected by a city from the use of

42 an automated traffic law enforcement system shall be
 43 allocated as follows:

44 (1) The amount necessary to satisfy contractual
 45 obligations of the city relating to the use of
 46 automated traffic law enforcement systems shall be
 47 retained by the city for that purpose.

48 (2) From civil fines collected for violations
 49 committed on roads under the jurisdiction of the
 50 city, the city shall retain the amount in excess of

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1 the amount necessary for the purpose specified in
 2 subparagraph (1). A city shall not retain any fines
 3 collected from violations committed on any portion of
 4 a primary or interstate highway including an extension
 5 of a primary highway or interstate within the limits
 6 of the city.

7 (3) Moneys in excess of the amount retained under
 8 subparagraph (1) or (2) shall be deposited in the
 9 account established in section 602.8108.

10 c. For purposes of this subsection, "automated
 11 traffic law enforcement system" means a device with one
 12 or more sensors working in conjunction with a traffic
 13 control signal or device or a speed-measuring device to
 14 produce recorded images of vehicles being operated in
 15 violation of traffic or speed laws.

16 d. The criminal penalty surcharge required by
 17 section 911.1 shall be added to a city fine and is not
 18 a part of the city's penalty.

19 Sec. 3. Section 602.8108, Code Supplement 2011, is
 20 amended by adding the following new subsection:

21 NEW SUBSECTION. 11. The clerk of the district
 22 court shall forward to the treasurer of state, not
 23 later than the fifteenth day of each month, all moneys
 24 received from counties pursuant to section 331.307,
 25 subsection 14, and from cities pursuant to section
 26 364.3, subsection 2, paragraph "b", for deposit in the
 27 road use tax fund.>

28 2. Title page, by striking lines 1 and 2 and
 29 inserting <An Act providing for the disposition of
 30 fines collected by a city or county pursuant to an
 31 automated traffic law enforcement program.>

WAGNER of Linn

H-8255

1 Amend House File 2214 as follows:

2 1. Page 1, line 3, by striking <The> and inserting
 3 <Except as provided in this section, the>

4 2. Page 1, after line 8 by inserting:

5 <2. A local authority may use automated traffic
6 enforcement systems, provided that the number of such
7 systems in relation to the population of the city or
8 county using the systems shall not exceed a ratio of
9 one system for each ten thousand population.>

10 3. Page 1, line 9, by striking <2.> and inserting
11 <3.>

12 4. Page 1, by striking lines 22 through 25
13 and inserting <enforcement system not authorized
14 under section 321.5A, as enacted by this Act, shall
15 discontinue using the system on or before the effective
16 date of this Act.>

17 5. Page 1, line 28, after <system> by inserting
18 <not authorized under section 321.5A, as enacted by
19 this Act,>

20 6. Title page, line 1, by striking <prohibiting>
21 and inserting <relating to>

22 7. By renumbering as necessary.

JORGENSEN of Woodbury

H-8256

1 Amend House File 2214 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:
6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with a traffic control
9 signal or device or a speed-measuring device to produce
10 recorded images of vehicles being operated in violation
11 of traffic or speed laws. "Automated traffic law
12 enforcement system" does not include a device operated
13 in the presence of a peace officer or a device mounted
14 on a school bus and operated in the presence of the
15 driver of the school bus.

16 Sec. 2. NEW SECTION. 321.5A Automated traffic
17 enforcement systems.

18 A local authority shall not use an automated traffic
19 enforcement system except as provided in this section.

20 1. A local authority may by ordinance authorize
21 the use of automated traffic enforcement systems to
22 detect violations of posted speed limits or official
23 traffic-control signals which constitute municipal or
24 county infractions.

25 2. Notwithstanding subsection 1, a local authority
26 shall not use an automated traffic law enforcement
27 system on any road or portion of a road which is not
28 under the jurisdiction of the local authority including
29 but not limited to an interstate or a primary road
30 extension within a city.

31 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
 32 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
 33 CITATIONS. Notices mailed or citations issued
 34 of violations committed prior to the effective date of
 35 this Act, pursuant to a local ordinance authorizing the
 36 use of an automated traffic enforcement system, shall
 37 not be invalidated by the enactment of this Act and
 38 shall be processed according to the provisions of the
 39 law under which they were authorized.>
 40 2. Title page, line 1, by striking <prohibiting>
 41 and inserting <relating to>
 42 3. Title page, by striking line 2 and inserting
 43 <systems.>

WAGNER of Linn

H-8257

1 Amend House File 2214 as follows:
 2 1. By striking everything after the enacting clause
 3 and inserting:
 4 <Section 1. Section 321.1, Code Supplement 2011, is
 5 amended by adding the following new subsection:
 6 NEW SUBSECTION. 95. "Automated traffic law
 7 enforcement system" means a device with one or more
 8 sensors working in conjunction with a traffic control
 9 signal or device or a speed-measuring device to produce
 10 recorded images of vehicles being operated in violation
 11 of traffic or speed laws. "Automated traffic law
 12 enforcement system" does not include a device operated
 13 in the presence of a peace officer or a device mounted
 14 on a school bus and operated in the presence of the
 15 driver of the school bus.
 16 Sec. 2. NEW SECTION. 321.257A Automated traffic
 17 law enforcement systems.
 18 Notwithstanding section 321.252 or any requirement
 19 of the department's manual of traffic control devices,
 20 a local authority that uses an automated traffic
 21 law enforcement system in conjunction with a traffic
 22 control signal shall establish the following minimum
 23 periods of duration for a steady circular yellow,
 24 steady yellow arrow, or flashing yellow arrow light
 25 on every traffic control device within the local
 26 authority's jurisdiction:
 27 1. For a traffic control device located in a speed
 28 zone with a speed limit of twenty-five miles per hour
 29 or less, three seconds.
 30 2. For a traffic control device located in a speed
 31 zone with a speed limit of more than twenty-five miles
 32 per hour but not more than thirty miles per hour, three
 33 and one-half seconds.
 34 3. For a traffic control device located in a speed
 35 zone with a speed limit of more than thirty miles per

36 hour but not more than thirty-five miles per hour, four
37 seconds.

38 4. For a traffic control device located in a speed
39 zone with a speed limit of more than thirty-five miles
40 per hour but not more than forty miles per hour, four
41 and one-half seconds.

42 5. For a traffic control device located in a speed
43 zone with a speed limit of more than forty miles per
44 hour but not more than forty-five miles per hour, five
45 seconds.

46 6. For a traffic control device located in a speed
47 zone with a speed limit of more than forty-five miles
48 per hour but not more than fifty miles per hour, five
49 and one-half seconds.

50 7. For a traffic control device located in a speed

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1 zone with a speed limit of more than fifty miles per
2 hour, six seconds.

3 Sec. 3. EXISTING AUTOMATED TRAFFIC ENFORCEMENT
4 SYSTEMS — VALIDITY OF PRIOR NOTICES AND
5 CITATIONS. Notices mailed or citations issued
6 of violations committed prior to the effective date of
7 this Act, pursuant to a local ordinance authorizing the
8 use of an automated traffic enforcement system, shall
9 not be invalidated by the enactment of this Act and
10 shall be processed according to the provisions of the
11 law under which they were authorized.>

12 2. Title page, by striking lines 1 and 2 and
13 inserting <An Act providing for standardization of
14 yellow lights on traffic control signals in communities
15 using automated traffic law enforcement systems.>

L. MILLER of Scott

H-8258

1 Amend the amendment, H-8234, to House File 2214 as
2 follows:

3 1. Page 2, line 35, by striking <fifty> and
4 inserting <one hundred>

BRANDENBURG of Pottawattamie

H-8259

1 Amend the amendment, H-8257, to House File 2214 as
2 follows:

3 1. By striking page 1, line 16, through page 2,
4 line 2, and inserting:

5 Section 1. Section 321.255, Code 2011, is amended
6 to read as follows:

7 321.255 Local traffic-control devices.

8 1. Local authorities in their respective
 9 jurisdiction shall place and maintain such
 10 traffic-control devices upon highways under their
 11 jurisdiction as they may deem necessary to indicate
 12 and to carry out the provisions of this chapter or
 13 local traffic ordinances or to regulate, warn, or guide
 14 traffic. All Except as provided in this section, all
 15 such traffic-control devices hereafter erected by
 16 local authorities shall conform to the state manual and
 17 specifications.

18 2. Notwithstanding section 321.252 or any
 19 requirement of the department's manual of traffic
 20 control devices, a local authority that uses an
 21 automated traffic law enforcement system in conjunction
 22 with a traffic control signal shall establish the
 23 following minimum periods of duration for a steady
 24 circular yellow, steady yellow arrow, or flashing
 25 yellow arrow light on every traffic control device
 26 within the local authority's jurisdiction:

27 a. For a traffic control device located in a speed
 28 zone with a speed limit of twenty-five miles per hour
 29 or less, three seconds.

30 b. For a traffic control device located in a speed
 31 zone with a speed limit of more than twenty-five miles
 32 per hour but not more than thirty miles per hour, three
 33 and one-half seconds.

34 c. For a traffic control device located in a speed
 35 zone with a speed limit of more than thirty miles per
 36 hour but not more than thirty-five miles per hour, four
 37 seconds.

38 d. For a traffic control device located in a speed
 39 zone with a speed limit of more than thirty-five miles
 40 per hour but not more than forty miles per hour, four
 41 and one-half seconds.

42 e. For a traffic control device located in a speed
 43 zone with a speed limit of more than forty miles per
 44 hour but not more than forty-five miles per hour, five
 45 seconds.

46 f. For a traffic control device located in a speed
 47 zone with a speed limit of more than forty-five miles
 48 per hour but not more than fifty miles per hour, five
 49 and one-half seconds.

50 g. For a traffic control device located in a speed

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1 zone with a speed limit of more than fifty miles per
 2 hour, six seconds.>

3 2. By renumbering as necessary.

H-8260

1 Amend House File 2435 as follows:

2 1. Page 15, after line 2 by inserting:

3 <e. (1) Of the funds appropriated in this
4 subsection, not more than \$10,000 shall be used
5 for purposes of establishing, in coordination with
6 relevant stakeholders, a plan and timetable to allow
7 manufacturers and wholesalers to voluntarily cease
8 manufacturing, selling, or distributing in this state
9 any infant pacifier or reusable beverage container
10 containing bisphenol A.

11 (2) At a minimum, the plan shall ensure that a
12 manufacturer or wholesaler who sells or offers for sale
13 in this state a reusable beverage container that is
14 intended for retail sale shall conspicuously label the
15 container as not including bisphenol A and provide the
16 retailer with affirmation that the container does not
17 contain bisphenol A.

18 (3) A voluntary agreement to cease manufacturing
19 infant pacifiers or reusable beverage containers shall,
20 at a minimum, do all of the following:

21 (a) Require a manufacturer to use the least toxic
22 alternative to bisphenol A.

23 (b) Prohibit a manufacturer from replacing
24 bisphenol A with a substance rated by the United States
25 environmental protection agency as a class A, B, or
26 C carcinogen or a substance listed on the agency's
27 list of chemicals evaluated for carcinogenic potential
28 as known or likely carcinogens, known to be human
29 carcinogens, or likely to be human carcinogens.

30 (c) Prohibit a manufacturer from replacing
31 bisphenol A with a reproductive toxicant that has
32 been identified by the United States environmental
33 protection agency as causing birth defects,
34 reproductive harm, or developmental harm.

35 (4) If the department has not established a plan
36 and a timetable by January 1, 2013, the department
37 shall propose legislation to the 85th general assembly
38 that prohibits products containing bisphenol A from
39 being manufactured, sold, or distributed in this state,
40 with terms not less restrictive than the terms proposed
41 for a voluntary agreement. Such legislation shall
42 provide for the prohibition of products containing
43 bisphenol A by January 1, 2014.>

44 2. By renumbering as necessary.

H-8261

- 1 Amend House File 2380 as follows:
 2 1. Page 3, before line 26 by inserting:
 3 <DIVISION ____
 4 CORE CURRICULUM MATTERS
 5 Sec. ____ Section 256.7, subsection 26, paragraph
 6 a, Code Supplement 2011, is amended by adding the
 7 following new subparagraph:
 8 NEW SUBPARAGRAPH
 9 2. Page 3, before line 26 by inserting:
 10 <Sec. ____ Section 256.7, subsection 26, paragraph
 11 a, Code Supplement 2011, is amended by adding the
 12 following new subparagraph:
 13 NEW SUBPARAGRAPH. (4) The provisions of section
 14 256.18 shall be considered by the state board in
 15 developing the core curriculum requirements.>
 16 3. By renumbering as necessary.

CHAMBERS of O'Brien

H-8262

- 1 Amend the amendment, H-8234, to House File 2214 as
 2 follows:
 3 1. Page 1, line 32, after <system> by inserting <on
 4 traffic control devices>
 5 2. Page 1, line 34, after <on> by inserting <both
 6 sides of>
 7 3. Page 1, line 37, by striking <A sign shall
 8 be posted on> and inserting <A warning sign at least
 9 forty-eight inches by thirty-six inches in size with a
 10 distance plaque having a black legend and black border
 11 on a yellow or fluorescent yellow-green color shall be
 12 posted on both sides of>
 13 4. Page 1, line 40, by striking <A sign shall
 14 be posted on> and inserting <A warning sign at least
 15 forty-eight inches by thirty-six inches in size with a
 16 distance plaque having a black legend and black border
 17 on a yellow or fluorescent yellow-green color shall be
 18 posted on both sides of>
 19 5. Page 1, after line 43 by inserting:
 20 <c. The notice of the use of an automated traffic
 21 law enforcement system shall be positioned so as
 22 to provide adequate perception-response time for
 23 motorists.>
 24 6. Page 1, line 44, by striking <c.> and inserting
 25 d.>
 26 7. By striking page 1, line 48, through page 2,
 27 line 6, and inserting:
 28 <e. The color and size of signage and the
 29 distance of the placement of signage may vary from

30 the requirements of this section, provided that the
 31 variation is based upon an engineering study and a copy
 32 of the engineering study is maintained on file by the
 33 local authority.>

34 8. Page 2, line 28, after <4.> by inserting <a.>

35 9. Page 2, line 34, by striking <a.> and inserting
 36 (1)>

37 10. Page 2, by striking lines 36 through 43 and
 38 inserting:

39 <(2) For a violation of a speed limit for speed
 40 greater than ten miles per hour over the speed limit,
 41 sixty-five dollars.

42 b. A local authority shall not impose a civil
 43 penalty for violation of a speed limit for speed which
 44 is ten miles per hour or less over the speed limit.>

45 11. By renumbering as necessary.

R. OLSON of Polk

H-8263

1 Amend the amendment, H-8245, to House File 2214 as
 2 follows:

3 1. Page 1, line 36, after <(2)> by inserting <A
 4 city's ordinance authorizing the use of automated
 5 traffic law enforcement systems shall provide that
 6 a person charged with a violation shall have the
 7 opportunity to view a video or other recorded images
 8 evidencing the violation prior to the deadline for
 9 filing an appeal.>

ISENHART of Dubuque

H-8264

1 Amend the amendment, H-8223, to Senate File 2313,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 14, after line 10 by inserting:
 5 <Sec. ____ 2011 Iowa Acts, chapter 127, section 85,
 6 is amended to read as follows:

7 **SEC. 85. SECRETARY OF STATE FILING FEES REFUND.**

8 Notwithstanding the obligation to collect fees pursuant
 9 to the provisions of section 489.117, subsection 1,
 10 paragraphs "a" and "o", section 490.122, subsection
 11 1, paragraphs "a" and "s", and section 504.113,
 12 subsection 1, paragraphs "a", "c", "d", "j", "k", "l",
 13 and "m", for the fiscal year beginning July 1, 2012,
 14 the secretary of state may refund these fees to the
 15 filer pursuant to rules established by the secretary of
 16 state. The decision of the secretary of state not to
 17 issue a refund under rules established by the secretary

18 of state is final and not subject to review pursuant
 19 to chapter 17A.>
 20 2. By renumbering as necessary.

WATTS of Dallas

H-8265

1 Amend House File 2410 as follows:
 2 1. Page 27, after line 7 by inserting:
 3 <Sec. ____ Section 461C.4, unnumbered paragraph 1,
 4 Code 2011, is amended to read as follows:
 5 Except as specifically recognized by or provided in
 6 section 461C.6, a holder of land who either directly or
 7 indirectly invites or permits without charge any person
 8 to use such property for recreational purposes or urban
 9 deer control, or a holder who participates in arranging
 10 recreational activities for persons or in accompanying
 11 persons on the holder's premises during participation
 12 in recreational activities, does not thereby:>
 13 2. Title page, line 3, after <resources,> by
 14 inserting <the public use of private property for
 15 recreational purposes,>
 16 3. By renumbering as necessary.

SWEENEY of Hardin

H-8266

1 Amend the amendment, H-8234, to House File 2214 as
 2 follows:
 3 1. Page 2, after line 27, by inserting:
 4 <3A. A local authority's ordinance authorizing the
 5 use of automated traffic law enforcement systems shall
 6 provide that a person charged with a violation shall
 7 have the opportunity to view a video or other recorded
 8 images evidencing the violation prior to the deadline
 9 for filing an appeal.>

ISENHART of Dubuque

H-8267

1 Amend House File 2435 as follows:
 2 1. Page 14, after line 32 by inserting:
 3 <0d. Of the funds appropriated in this subsection,
 4 not more than \$1,000 may be allocated to the university
 5 of Iowa, which in consultation with the department
 6 of public health, shall review and report to the
 7 governor and the general assembly no later than
 8 November 1, 2012, on the feasibility of manufacturing
 9 essential generic pharmaceuticals at the United States

10 food and drug administration-approved manufacturing
 11 facility located at the university, if one or more
 12 pharmaceuticals are found to be periodically or
 13 consistently unavailable to health care providers in
 14 the state for prescription or direct administration,
 15 thereby endangering public health or patient safety.
 16 The report shall include recommendations regarding
 17 any policies, legislation, or resources necessary to
 18 permit such manufacturing if the review finds such
 19 manufacturing to be necessary and feasible.>
 20 2. By renumbering as necessary.

ISENHART of Dubuque

H-8268

1 Amend Senate File 2216, as passed by the Senate, as
 2 follows:
 3 1. Page 8, after line 17 by inserting:
 4 <Sec. __. **NEW SECTION.** 321.383A Construction
 5 equipment — highway operation.
 6 Rubber-tired or rubber-tracked, self-propelled
 7 construction equipment which is not exclusively used in
 8 agricultural operations may be operated on a highway
 9 in accordance with the provisions of this chapter and
 10 rules adopted pursuant to this chapter which apply
 11 to the operation of self-propelled implements of
 12 husbandry, except those provisions relating to driver's
 13 licensing requirements.>
 14 2. Title page, line 1, after <to> by inserting <the
 15 operation of certain equipment on highways, providing
 16 for>
 17 3. By renumbering as necessary.

IVERSON of Wright

H-8269

1 Amend Senate File 2311, as passed by the Senate, as
 2 follows:
 3 1. Page 54, after line 17 by inserting:
 4 <DIVISION __
 5 **HOLDERS OF LAND**
 6 Sec. __. Section 461C.4, Code 2011, is amended to
 7 read as follows:
 8 461C.4 Users not invitees or licensees.
 9 1. Except as specifically recognized by or provided
 10 in section 461C.6, a holder of land who either directly
 11 or indirectly invites or permits without charge any
 12 person to use such property for recreational purposes
 13 or urban deer control does not thereby do any of the
 14 following:

- 15 1. a. Extend any assurance that the premises are
 16 safe for any purpose.
- 17 2. b. Confer upon such person the legal status
 18 of an invitee or licensee to whom the duty of care is
 19 owed.
- 20 3. c. Assume responsibility for or incur liability
 21 for any injury to person or property caused by an act
 22 or omission of such persons.
- 23 2. Subsection 1 applies regardless of whether the
 24 holder of land participates or does not participate in
 25 arranging a recreational activity on the holder's land
 26 or whether the holder of land accompanies or does not
 27 accompany a person on the holder's land.>
- 28 2. Title page, line 9, after <measures> by
 29 inserting <providing for the rights of land holders,>
- 30 3. By renumbering as necessary.

SWEENEY of Hardin

H-8270

- 1 Amend Senate File 430, as amended, passed, and
 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 1, through page 2, line
 4 22, and inserting:
- 5 <Section 1. Section 21.6, subsection 3, paragraph
 6 a, subparagraph (3), Code Supplement 2011, is amended
 7 to read as follows:
- 8 (3) Reasonably relied upon a decision of a court,
 9 a formal opinion of the Iowa public information
 10 board, the attorney general, or the attorney for the
 11 governmental body, given in writing, or as memorialized
 12 in the minutes of the meeting at which a formal oral
 13 opinion was given, or an advisory opinion of the Iowa
 14 public information board, the attorney general, or the
 15 attorney for the governmental body, given in writing.
- 16 Sec. ____. Section 22.7, Code Supplement 2011, is
 17 amended by adding the following new subsection:
- 18 NEW SUBSECTION. 65. Tentative, preliminary,
 19 draft, speculative, or research material, prior
 20 to its completion for the purpose for which it is
 21 intended and in a form prior to the form in which it is
 22 submitted for use or used in the actual formulation,
 23 recommendation, adoption, or execution of any official
 24 policy or action by a public official authorized to
 25 make such decisions for the governmental body or the
 26 government body. This subsection shall not apply to
 27 public records that are actually submitted for use or
 28 are used in the formulation, recommendation, adoption,
 29 or execution of any official policy or action of a
 30 governmental body or a government body by a public
 31 official authorized to adopt or execute official policy

32 for the governmental body or the government body.
33 Sec. ____ Section 22.10, subsection 3, paragraph
34 b, subparagraph (3), Code Supplement 2011, is amended
35 to read as follows:

36 (3) Reasonably relied upon a decision of a court,
37 a formal opinion of the Iowa public information
38 board, the attorney general, or the attorney for the
39 government body, given in writing, or as memorialized
40 in the minutes of the meeting at which a formal oral
41 opinion was given, or an advisory opinion of the Iowa
42 public information board, the attorney general, or the
43 attorney for the government body, given in writing.>

44 2. Page 3, by striking lines 19 through 31 and
45 inserting:

46 <1. An Iowa public information board is created
47 consisting of the following seven members appointed by
48 the governor, subject to confirmation by the senate:

49 a. One member representing the Iowa broadcasters
50 association.

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1 b. One member representing the Iowa newspaper
2 association.

3 c. One member representing the Iowa freedom of
4 information council.

5 d. One member representing the Iowa league of
6 cities.

7 e. One member representing the Iowa state
8 association of counties.

9 f. One member representing the Iowa association of
10 school boards.

11 g. One public member with demonstrated interest
12 and knowledge about the requirements of chapters 21
13 and 22. The public member shall not have been an
14 employee of a governmental body, a government body,
15 or a member of any entity or employed by a member of
16 any entity identified in paragraphs "a" through "f"
17 during the twelve months preceding the public member's
18 appointment.>

19 3. Page 4, after line 12 by inserting:

20 8. The board shall be an independent agency.>

21 4. Page 5, by striking lines 12 through 18 and
22 inserting:

23 <1. Employ one employee as executive director who
24 is an attorney admitted to practice law in the courts
25 of this state to execute its authority and prosecute
26 respondents in proceedings before the board and to
27 represent the board in proceedings before a court.>

28 5. By striking page 10, line 33, through page 11,
29 line 6.

30 6. Page 11, line 11, by striking <2011> and

31 inserting <2012>
 32 7. Page 11, by striking lines 13 and 14 and
 33 inserting <contrary, the executive director of the
 34 board shall not be hired prior to July 1, 2013.>
 35 8. Page 11, line 15, by striking <2012> and
 36 inserting <2013>
 37 9. Page 11, line 23, by striking <2012> and
 38 inserting <2013>
 39 10. By renumbering as necessary.

COMMITTEE ON STATE GOVERNMENT

H-8271

1 Amend Senate File 2295, as passed by the Senate, as
 2 follows:
 3 1. By striking page 1, line 11, through page 2,
 4 line 4, and inserting:
 5 <Sec. ____ Section 614.8A, Code 2011, is amended to
 6 read as follows:
 7 614.8A ~~Damages Commencement of action for minor or '~~
 8 ~~child sexual abuse — time limitation.~~
 9 1. Notwithstanding section 614.8, subsection 2,
 10 and the times limited for actions in this chapter,
 11 the time to file an action relating to sexual abuse
 12 which occurred when the injured person was a minor, is
 13 extended ten years beyond the minor's attainment of
 14 eighteen years of age.
 15 2. An action for damages for injury suffered as a
 16 result of sexual abuse which occurred when the injured
 17 person was a child, but not discovered until after the
 18 injured person is of the age of majority, shall be
 19 brought within four years from the time of discovery
 20 by the injured party of both the injury and the causal
 21 relationship between the injury and the sexual abuse.
 22 However, an action shall not be brought under this
 23 subsection more than twenty years beyond the child's
 24 attainment of eighteen years of age against an employer
 25 or institution based upon vicarious liability.
 26 Sec. ____ NEW SECTION. 728.2A Dissemination by
 27 young persons of material depicting a sex act or nudity.
 28 1. Any person fourteen through eighteen years
 29 of age who knowingly disseminates to another person
 30 fourteen through eighteen years of age material
 31 depicting either or both persons, one of whom is a
 32 minor, engaged in a sex act or in a state of full or
 33 partial nudity, as defined in section 709.21, commits a
 34 simple misdemeanor.
 35 2. A person convicted under this section shall not
 36 be required to register as a sex offender under chapter
 37 692A.
 38 Sec. ____ Section 728.12, Code 2011, is amended by

39 adding the following new subsection:

40 **NEW SUBSECTION.** 5. A violation of this section
41 does not apply to a person fourteen through eighteen
42 years of age if all of the following circumstances
43 apply:

- 44 a. The material was disseminated to a person
45 fourteen through eighteen years of age.
- 46 b. The material depicts the sender, recipient, or
47 both, one of whom is a minor, engaged in a prohibited
48 sex act or in the simulation of a prohibited sex act.
- 49 c. The material was knowingly created with the
50 consent of the persons depicted.

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1 d. The sender of the material knows or reasonably
2 believes the material would not be offensive to the
3 recipient of the material.

4 e. The person does not further disseminate or
5 exhibit the material if the material depicts another
6 person.>

7 2. Title page, line 1, by striking <modifying> and
8 inserting <pertaining to sexually related crimes and
9 penalties, including>

10 3. Title page, lines 1 and 2, by striking <and
11 criminal>

12 4. Title page, line 2, after <minors> by inserting
13 <, the dissemination by a young person of sexually
14 related materials, and the sexual exploitation of
15 minors>

COMMITTEE ON JUDICIARY

H-8272

1 Amend Senate File 2208, as passed by the Senate, as
2 follows:

3 1. Page 1, line 4, by striking <All> and inserting
4 <All Unless otherwise ordered by the court, all>

5 2. Page 1, line 14, after <duties> by inserting
6 <unless otherwise ordered by the court>

7 3. Page 1, line 16, after <disseminated> by
8 inserting <, without court order,>

COMMITTEE ON JUDICIARY

H-8273

1 Amend Senate File 493, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. NEW SECTION. 499A.1A Applicability.
 6 This chapter shall apply to cooperatives established
 7 under this chapter unless otherwise provided in chapter
 8 499C.

9 Sec. 2. NEW SECTION. 499B.1A Applicability.
 10 This chapter shall apply to horizontal property
 11 regimes established under this chapter unless otherwise
 12 provided in chapter 499C.

13 Sec. 3. Section 499B.15, subsection 2, Code 2011,
 14 is amended by striking the subsection.

15 Sec. 4. NEW SECTION. 499B.21 Board of
 16 administration — meetings and records.

17 1. For horizontal property regimes with eight or
 18 more apartments, if the form of administration is a
 19 board of administration, the board of administration
 20 shall comply with the requirements of chapter 499C.

21 2. For horizontal property regimes with seven or
 22 less apartments, if the form of administration is a
 23 board of administration, the board of administration
 24 shall comply with the requirements of section 499C.401,
 25 subsection 2, and sections 499C.402 and 499C.403.

26 Sec. 5. NEW SECTION. 499C.101 Title.

27 This chapter shall be known and cited as the "Iowa
 28 Common Interest Ownership Act".

29 Sec. 6. NEW SECTION. 499C.102 Public policy.

30 The general assembly declares that it is the public
 31 policy of the state that the management and affairs of
 32 common interest communities be conducted openly, and
 33 this chapter shall be construed to provide open access
 34 to the management of the common interest community to
 35 the unit owners.

36 Sec. 7. NEW SECTION. 499C.103 Definitions.

37 As used in this chapter, unless the context
 38 otherwise requires:

39 1. "Bylaws" means the instruments, however
 40 denominated, that contain the procedures for conducting
 41 the affairs of the unit owners association or the
 42 executive board regardless of the form in which the
 43 association is organized, including any amendments to
 44 such instruments.

45 2. "Common element" means:

46 a. For a cooperative under chapter 499A or a
 47 horizontal property regime under chapter 499B, all
 48 portions of the common interest community other than
 49 the units.

50 b. For a planned community, any real estate within

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1 the planned community which is owned or leased by the
 2 unit owners association, other than a unit.

3 c. For all common interest communities, any other

4 interests in real estate for the benefit of unit owners
5 which are subject to the declaration.

6 3. a. "Common interest community" means real estate
7 described in a declaration with respect to which a
8 person, by virtue of the person's ownership of a unit,
9 is obligated to pay for a share of real estate taxes,
10 insurance premiums, maintenance, or improvement of, or
11 services or other expenses related to, common elements,
12 other units, or other real estate described in the
13 declaration. "Common interest community" includes
14 a cooperative under chapter 499A and a horizontal
15 property regime under chapter 499B.

16 b. Common interest community does not include:

17 (1) A covenant that requires the owners of separate
18 parcels of real estate to share costs or other
19 obligations related to a wall, driveway, well, or other
20 similar structure, unless all such owners consent in
21 writing to the creation of a common interest community.

22 (2) Real estate described in paragraph "a" if all
23 units are owned by a single unit owner.

24 4. "Declarant" means any person or group of persons
25 who, as the record title owner of real estate, by
26 a declaration, initially creates a common interest
27 community.

28 5. "Declaration" means the instrument, however
29 denominated, that creates a common interest community,
30 including any amendments to the instrument.

31 6. "Executive board" means the body, regardless of
32 name, designated in the declaration or bylaws to act on
33 behalf of the unit owners association.

34 7. "Planned community" means a common interest
35 community that is not a cooperative under chapter 499A
36 or a horizontal property regime under chapter 499B,
37 and includes property owner or homeowner associations.
38 However, a cooperative under chapter 499A or a
39 horizontal property regime under chapter 499B may be
40 part of a planned community.

41 8. "Rule" means a policy, guideline, restriction,
42 procedure, or regulation, however denominated, which is
43 not set forth in the declaration or bylaws.

44 9. "Unit" means a physical portion of the common
45 interest community designated for separate ownership or
46 occupancy or as otherwise defined in the statute under
47 which the common interest community is organized.

48 10. "Unit owner" means a declarant or other person
49 that owns a unit, but does not include a person
50 having an interest in a unit solely as security for

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1 an obligation. In a horizontal property regime under
2 chapter 499B or a planned community, the declarant is

3 the owner of any unit created by the declaration. In
4 a cooperative under chapter 499A, the declarant is
5 the owner of any unit to which an interest has been
6 allocated until that unit has been conveyed to another
7 person.

8 11. "Unit owners association" means an association,
9 regardless of name, organized as a for-profit or
10 nonprofit corporation, trust, limited liability
11 company, partnership, unincorporated association,
12 or any other form of organization authorized by the
13 laws of this state, the membership of which consists
14 solely of unit owners except following termination
15 of the common interest community, at which time the
16 association shall consist of all former unit owners
17 entitled to distributions of proceeds or their heirs,
18 successors, or assigns.

19 Sec. 8. NEW SECTION. 499C.104 Variation by
20 agreement.

21 Except as expressly provided in this chapter,
22 the provisions of this chapter may not be varied
23 by agreement, and rights conferred by it may not be
24 waived.

25 Sec. 9. NEW SECTION. 499C.105 Applicability.
26 Unless otherwise provided by law:

27 1. This chapter applies to common interest
28 communities within this state having eight or more
29 units.

30 2. Any portion of a declaration, bylaws, covenant,
31 or other contractual provision existing prior to
32 July 1, 2012, that violates or is inconsistent with
33 this chapter is not enforceable. However, nothing in
34 this chapter shall be construed to invalidate other
35 provisions of the declaration, bylaws, plats, or plans
36 of those common interest communities established before
37 July 1, 2012.

38 3. The provisions of this chapter shall prevail
39 over any conflicting provision of law under which a
40 common interest community or unit owners association
41 is organized.

42 Sec. 10. NEW SECTION. 499C.201 Unit owners
43 association – executive board.

44 1. A unit owners association shall have an
45 executive board.

46 2. Except as otherwise provided in the declaration,
47 the bylaws, subsection 3 of this section, or provisions
48 of the statute under which the common interest
49 community is organized, an executive board acts on
50 behalf of the unit owners association.

2 the unit owners association to amend the declaration,
3 to terminate the common interest community, to elect
4 members of the executive board, or determine the
5 qualifications, powers and duties, or terms of office
6 of executive board members. An executive board may
7 fill vacancies in its membership for the unexpired
8 portion of any term.

9 4. A declaration may provide for a period of
10 declarant control of the unit owners association,
11 during which a declarant, or persons designated by the
12 declarant, may appoint and remove the officers and
13 members of the executive board. For declarations filed
14 on or after July 1, 2012, a period of declarant control
15 shall be clearly defined in the declaration.

16 Sec. 11. NEW SECTION. 499C.401 Meetings.

17 1. Meetings of a unit owners association, whether
18 such association is incorporated or unincorporated,
19 shall comply with all of the following:

20 a. A unit owners association shall hold a meeting
21 of unit owners annually at a time, date, and place
22 stated in or determined in accordance with the
23 declaration or bylaws.

24 b. A unit owners association shall hold a special
25 meeting of unit owners to address any matter affecting
26 the unit owners association if the association's
27 president, a majority of the executive board, or an
28 amount of unit owners comprising at least forty percent
29 of all votes in the association, unless a different
30 percentage is specified in the bylaws, request that
31 the secretary call the meeting. If the unit owners
32 association does not notify unit owners of a special
33 meeting within thirty days after the required number
34 of unit owners has requested the secretary to call a
35 special meeting, the requesting members may directly
36 notify all unit owners of the meeting. Only matters
37 described in the meeting notice may be considered at a
38 special meeting.

39 c. A unit owners association shall notify each
40 unit owner of the time, date, and place of each annual
41 and special unit owners meeting not less than ten
42 days and not more than sixty days before the meeting
43 date. Notice may be by any means described in section
44 499C.403. Each meeting notice shall state the time,
45 date, and place of the meeting and the items on the
46 agenda in a manner reasonably calculated to apprise
47 the unit owners of that information, including but not
48 limited to:

49 (1) A statement of the general nature of any
50 proposed amendment to the declaration or bylaws.

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- 1 (2) A statement describing any budget changes.
- 2 (3) Any proposal to remove an officer or member of
3 the executive board.
- 4 d. The requirements relating to the timing of
5 meeting notices under paragraph "c" may be reduced or
6 waived for a meeting called to address an emergency. A
7 meeting called to address an emergency shall be limited
8 to matters arising out of the emergency.
- 9 e. Each unit owner shall be given a reasonable
10 opportunity at any meeting to comment on any matter
11 affecting the common interest community or the unit
12 owners association.
- 13 f. The declaration or bylaws may allow for meetings
14 of unit owners to be conducted by telephonic, video, or
15 other conferencing method, if such method is consistent
16 with subsection 2, paragraph "g".
- 17 2. Meetings of the executive board and committees
18 of the unit owners association, authorized to act for
19 the unit owners association, shall comply with all of
20 the following:
- 21 a. Meetings shall be open to the unit owners except
22 during executive sessions. The executive board and
23 committees of the unit owners association may hold an
24 executive session only during a regular or special
25 meeting of the board or the committee. No final
26 vote or final action may be taken during an executive
27 session. An executive session may only be held for the
28 following reasons:
- 29 (1) To consult with the unit owners association's
30 attorney concerning legal matters governed by
31 attorney-client privilege.
- 32 (2) To discuss existing or potential litigation or
33 mediation, arbitration, or governmental administrative
34 proceedings.
- 35 (3) To discuss matters relating to the job
36 performance, compensation, or health records of an
37 individual employee or specific complaints against an
38 individual employee of the unit owners association or
39 against an independent contractor employed by the unit
40 owners association.
- 41 (4) To discuss contracts, leases, and other
42 commercial transactions for goods or services that are
43 under negotiation, including the review of bids or
44 proposals, if public disclosure of such matters would
45 place the unit owners association at a disadvantage.
- 46 (5) To discuss personal, health, or financial
47 information relating to a unit owner, a specific
48 employee of the unit owners association, or a specific
49 employee of an independent contractor retained by the
50 unit owners association, including any records of the

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1 unit owners association relating to such information.
2 b. For purposes of this section, a gathering of
3 board members at which the board members do not conduct
4 unit owners association business is not a meeting of
5 the executive board. Executive board members shall not
6 use incidental or social gatherings of board members
7 or any other method to evade the meeting and notice
8 requirements of this section.

9 c. During a period of declarant control, the
10 executive board shall meet at least one time each
11 year. At least one of the meetings shall be held at
12 the common interest community or at a place convenient
13 to the unit owners of the common interest community.
14 After termination of the period of declarant control,
15 all executive board meetings shall be at the common
16 interest community or at a place convenient to the unit
17 owners of the common interest community unless the unit
18 owners amend the bylaws to vary the location of such
19 meetings.

20 d. At each executive board meeting, the executive
21 board shall provide a reasonable opportunity for unit
22 owners to comment on any matter affecting the common
23 interest community and the unit owners association.

24 e. Unless the meeting is included in a schedule
25 given to the unit owners or the meeting is called to
26 address an emergency, the secretary or other officer
27 specified in the bylaws shall give notice of each
28 executive board meeting to each executive board member
29 and to each unit owner. Such notice shall be given at
30 least ten days before the meeting and shall state the
31 time, date, place, and agenda of the meeting.

32 f. If any materials are distributed to the
33 executive board before a meeting, the executive board,
34 upon receipt of the materials, shall make copies
35 reasonably available to unit owners, except that the
36 executive board is not required to make available
37 copies of unapproved minutes or materials that are to
38 be considered during an executive session.

39 g. Unless otherwise provided in the declaration or
40 bylaws, the executive board may conduct a meeting by
41 telephonic, video, or other conferencing method if all
42 of the following conditions are met:

43 (1) The meeting notice states the conferencing
44 method to be used and provides information explaining
45 how unit owners may participate in the conference
46 directly or by meeting at a central location or
47 conference connection.

48 (2) The process provides all unit owners the
49 opportunity to hear or perceive the discussion and to
50 comment on matters before the executive board.

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1 h. Following termination of the period of declarant
2 control, unit owners may amend the bylaws to vary the
3 procedures for meetings described in paragraph "g".

4 i. In lieu of a meeting, the executive board may
5 act by unanimous consent if such action is documented
6 in a record authenticated by all executive board
7 members. The secretary shall give prompt notice to all
8 unit owners of any action taken by unanimous consent.
9 After termination of the period of declarant control,
10 an executive board may act by unanimous consent only to
11 undertake ministerial actions or to implement actions
12 previously taken at a meeting of the executive board.

13 j. Unless otherwise restricted by this chapter or
14 the common interest community's bylaws, an executive
15 board may determine rules of procedure for the
16 executive board.

17 k. An executive board may remove any person from
18 a meeting of the executive board upon a finding by a
19 majority of the board members that the person is being
20 disruptive to the meeting. An executive board may bar
21 any person from meetings of the executive board or
22 other meetings of the common interest community for a
23 period of up to one year if the person has been twice
24 removed from a meeting within the preceding twelve
25 months.

26 l. An action by an executive board that is not
27 in compliance with this section is valid unless
28 invalidated by a court. A challenge to the validity of
29 an action of the executive board for failure to comply
30 with this section shall not be brought more than sixty
31 days after the minutes of the executive board of the
32 meeting at which the action was taken are approved
33 or the record of that action is distributed to unit
34 owners, whichever is later.

35 Sec. 12. NEW SECTION. 499C.402 Association
36 records.

37 1. A unit owners association shall retain all of
38 the following:

39 a. Detailed records of receipts and expenditures
40 relating to the operation and administration of
41 the unit owners association and other appropriate
42 accounting records.

43 b. Minutes of all unit owners meetings and
44 executive board meetings, a record of all actions taken
45 by the unit owners or the executive board without
46 a meeting, and a record of all actions taken by a
47 committee in place of the executive board on behalf
48 of the unit owners association. The minutes retained
49 by the unit owners association shall indicate the
50 date, time, and place of the meeting, the names of all

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1 persons present at the meeting, and each action taken
2 at the meeting. The minutes shall also include the
3 results of each vote taken at the meeting, including
4 information indicating the vote of each executive
5 board member present at the meeting. The vote of each
6 executive board member present shall be made public at
7 the open session.

8 c. The names of all unit owners in a form that
9 permits preparation of a list of the names of all
10 owners and the regular mail or electronic mail address
11 at which the unit owners association communicates
12 with them, and the number of votes each unit owner is
13 entitled to cast.

14 d. The unit owners association's original and
15 amended organizational documents, bylaws, including all
16 amendments to the bylaws, and all rules of the common
17 interest community currently in effect.

18 e. All financial statements and tax returns of the
19 unit owners association for the past three years.

20 f. A list of the names and addresses of the current
21 executive board members and officers.

22 g. The unit association's most recent annual report
23 delivered to the secretary of state, if applicable.

24 h. Copies of each contract to which the unit owners
25 association is currently a party.

26 i. Records of executive board or committee actions
27 relating to requests for design or architectural
28 approval from unit owners.

29 j. Ballots, proxies, and other records related to
30 voting by unit owners for one year after the election,
31 action, or vote.

32 2. Except as provided under subsections 3 and
33 4, all records retained by a unit owners association
34 must be available for examination and copying by a
35 unit owner or the unit owner's authorized agent during
36 reasonable business hours or at a mutually convenient
37 time and location upon providing a five days' notice
38 that reasonably identifies the specific records that
39 are being requested.

40 3. Records retained by a unit owners association
41 may be withheld from inspection and copying to the
42 extent that they concern:

43 a. Personally identifiable information, salary, and
44 medical records relating to specific individuals.

45 b. Information relating to contracts, leases, and
46 other commercial transactions to purchase or provide
47 goods or services, currently under negotiation.

48 c. Information relating to existing or potential
49 litigation, mediation, arbitration, or governmental
50 administrative proceedings.

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1 d. Information relating to existing or potential
2 matters involving governmental administrative
3 proceedings or other proceedings before a government
4 tribunal for enforcement of the declaration, bylaws,
5 or rules.

6 e. Communications with the unit owners association
7 attorney which are otherwise protected by the
8 attorney-client privilege or the attorney work-product
9 doctrine.

10 f. Information that if disclosed would violate
11 another provision of law.

12 g. Records of an executive session of the executive
13 board. However, upon the completion of a matter
14 that is the subject of an executive session held
15 under section 499C.401, subsection 2, paragraph "a",
16 subparagraphs (1) through (4), such records of the
17 executive session shall be available for inspection as
18 provided in this section.

19 h. Records directly related to the personal,
20 health, or financial information of a unit owner, if
21 the person requesting the records is not the unit owner
22 that is the subject of the records.

23 4. A unit owners association may charge a
24 reasonable fee for providing copies of any records
25 under this section and for supervising the inspection
26 of such records.

27 5. The right to inspect records under this section
28 includes the right to copy records by photocopying or
29 other means including copies through an electronic
30 transmission, if available, upon request of the
31 requester.

32 6. A unit owners association is not obligated to
33 compile or synthesize information or records under this
34 section.

35 7. Information or records obtained under this
36 section shall not be used for commercial purposes.

37 Sec. 13. NEW SECTION. 499C.403 Notice to unit
38 owners.

39 1. A unit owners association or an executive board,
40 as applicable, shall deliver each notice required to be
41 given by the association or board under this chapter
42 to the regular mail address or electronic mail address
43 provided by each unit owner. If a regular mail address
44 or electronic mail address is not provided by the unit
45 owner, the notice may be delivered using any of the
46 following methods:

47 a. Hand delivery to the unit owner.

48 b. Mailing by regular mail or certified mail, as
49 defined in section 618.15, to the address of the unit.

50 c. Any other method reasonably calculated to

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1 provide notice to the unit owner.
 2 2. The ineffectiveness of a good-faith effort to
 3 deliver notice under subsection 1 does not invalidate
 4 an action taken at a meeting or an action taken by
 5 other means.
 6 Sec. 14. NEW SECTION. 499C.501 Cause of action —
 7 attorney fees.
 8 A declarant, unit owners association, unit owner, or
 9 any other person subject to this chapter may bring an
 10 action to enforce a right granted or obligation imposed
 11 by this chapter, the declaration, or the bylaws. In
 12 any action brought under this chapter, the court
 13 may award reasonable attorney fees to the prevailing
 14 party.>

COMMITTEE ON JUDICIARY

H-8274

1 Amend House File 2351 as follows:
 2 1. Page 15, after line 21 by inserting:
 3 <Sec. ____ NEW SECTION. 9B.21B Fees —
 4 certification.
 5 The secretary of state shall collect the following
 6 fees, for use in offsetting the cost of administering
 7 this chapter:
 8 1. For furnishing a certified copy of any document,
 9 instrument, or paper relating to a notary public, one
 10 dollar per page and five dollars for the certificate.
 11 2. For furnishing an uncertified copy of any
 12 document, instrument, or paper relating to a notary
 13 public, one dollar per page.
 14 3. For certifying, under seal of the secretary
 15 of state, a statement as to the status of a notary
 16 commission which would not appear from a certified
 17 copy of documents on file in the secretary of state's
 18 office, five dollars.>
 19 2. Title page, line 1, before <and> by inserting <,
 20 providing for fees,>
 21 3. By renumbering as necessary.

HAGENOW of Polk

H-8275

1 Amend Senate File 2289, as passed by the Senate, as
 2 follows:
 3 1. By striking page 1, line 33, through page 2,
 4 line 7.

COMMITTEE ON HUMAN RESOURCES

H-8276

1 Amend Senate File 2242, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking lines 1 through 9 and
4 inserting:

5 <Section 1. Section 232.95, subsection 2, paragraph
6 a, subparagraph (1), Code 2011, is amended to read as
7 follows:

8 (1) If removal is ordered, the court must, in
9 addition, make a determination that continuation of
10 the child in the child's home would be contrary to the
11 welfare of the child, and that reasonable efforts, as
12 defined in section 232.102, have been made to prevent
13 or eliminate the need for removal of the child from
14 the child's home. In determining the welfare of the
15 child, the court shall first consider the stability of
16 the child's home.

17 Sec. 2. Section 232.96, subsection 10, paragraph a,
18 Code 2011, is amended to read as follows:

19 a. A determination that continuation of the child
20 in the child's home would be contrary to the welfare of
21 the child, and that reasonable efforts, as defined in
22 section 232.102, have been made to prevent or eliminate
23 the need for removal of the child from the child's
24 home. In determining the welfare of the child, the
25 court shall first consider the stability of the child's
26 home. The court's determination regarding continuation
27 of the child in the child's home, and regarding
28 reasonable efforts, including those made to prevent
29 removal and those made to finalize any permanency plan
30 in effect, as well as any determination by the court
31 that reasonable efforts are not required, must be
32 made on a case-by-case basis. The grounds for each
33 determination must be explicitly documented and stated
34 in the court order. However, preserving the safety of
35 the child is the paramount consideration. If imminent
36 danger to the child's life or health exists at the
37 time of the court's consideration, the determinations
38 otherwise required under this paragraph shall not be a
39 prerequisite for an order for temporary removal of the
40 child.

41 Sec. 3. Section 232.102, subsection 5, paragraph b,
42 Code 2011, is amended to read as follows:

43 b. In order to transfer custody of the child under
44 this subsection, the court must make a determination
45 that continuation of the child in the child's home
46 would be contrary to the welfare of the child, and
47 shall identify the reasonable efforts that have been
48 made. In determining the welfare of the child, the
49 court shall first consider the stability of the child's
50 home. The court's determination regarding continuation

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1 of the child in the child's home, and regarding
2 reasonable efforts, including those made to prevent
3 removal and those made to finalize any permanency plan
4 in effect, as well as any determination by the court
5 that reasonable efforts are not required, must be
6 made on a case-by-case basis. The grounds for each
7 determination must be explicitly documented and stated
8 in the court order. However, preserving the safety of
9 the child is the paramount consideration. If imminent
10 danger to the child's life or health exists at the
11 time of the court's consideration, the determinations
12 otherwise required under this paragraph shall not
13 be a prerequisite for an order for removal of the
14 child. If the court transfers custody of the child,
15 unless the court waives the requirement for making
16 reasonable efforts or otherwise makes a determination
17 that reasonable efforts are not required, reasonable
18 efforts shall be made to make it possible for the child
19 to safely return to the family's home.>

20 2. Page 2, after line 4 by inserting:

21 <Sec. ____ SIBLING INTERACTION WITH CHILDREN IN
22 COURT-ORDERED PLACEMENTS – REPORT. The department
23 of human services shall report on or before May 1,
24 2013, to the governor and general assembly providing
25 information regarding the status of the efforts
26 made by the department and others involved with the
27 child welfare system to comply with the requirements
28 of section 232.108 regarding sibling placements
29 and visitation, or other ongoing interaction. The
30 information shall address recent efforts and efforts
31 made during previous fiscal years.>

32 3. By renumbering as necessary.

COMMITTEE ON HUMAN RESOURCES

H-8277

1 Amend Senate File 2219, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking line 1 and inserting:

4 <Section 1. Section 256D.2A, Code 2011, is amended
5 to read as follows:

6 256D.2A Program funding.

7 1. For the budget year beginning July 1, 2009, and
8 each succeeding budget year, a school district shall
9 expend funds received pursuant to section 257.10,
10 subsection 11, at the kindergarten through grade three
11 levels to reduce class sizes to the state goal of
12 seventeen students for every one teacher and to achieve
13 a higher level of student success in the basic skills,

14 especially reading. In order to support these efforts,
 15 school districts may expend funds received pursuant
 16 to section 257.10, subsection 11, at the kindergarten
 17 through grade three level on programs, instructional
 18 support, and materials that include but are not limited
 19 to the following: additional licensed instructional
 20 staff; additional support for students, such as before
 21 and after school programs, tutoring, and intensive
 22 summer programs; the acquisition and administration of
 23 diagnostic reading assessments; the implementation of
 24 research-based instructional intervention programs for
 25 students needing additional support; the implementation
 26 of all-day, everyday kindergarten programs; and
 27 the provision of classroom teachers with intensive
 28 training programs to improve reading instruction and
 29 professional development in best practices including
 30 but not limited to training programs related to
 31 instruction to increase students' phonemic awareness,
 32 reading abilities, and comprehension skills.

33 2. Notwithstanding subsection 1, for the budget
 34 year beginning July 1, 2012, and each succeeding fiscal
 35 year, a school district may expend two-thirds of the
 36 funds received pursuant to section 257.10, subsection
 37 11, to pay for the costs of complying with education
 38 reform legislation enacted by the 84th General
 39 Assembly, 2012 Regular Session.

40 Sec. ____ Section 256D.9, Code 2011, is amended to
 41 read as follows:

42 256D.9 Future repeal.

43 This chapter is repealed effective July 1, ~~2012~~
 44 2017.

45 2. Title page, line 2, after <program> by inserting
 46 <and to expenditures under the program,>

47 3. By renumbering as necessary.

COMMITTEE ON EDUCATION

H-8278

1 Amend Senate File 451, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
 4 and inserting:

5 <Section 1. Section 257.41, Code 2011, is amended
 6 to read as follows:

7 257.41 Funding for programs for returning dropouts
 8 and dropout prevention.

9 1. Budget. The budget of an approved program for
 10 returning dropouts and dropout prevention for a school
 11 district, after subtracting funds received from other
 12 sources for that purpose, shall be funded annually on
 13 a basis of one-fourth or more from the district cost

14 of the school district and up to three-fourths by an
 15 increase in allowable growth as defined in section
 16 257.8. Annually, the department of management shall
 17 establish a modified allowable growth for each such
 18 school district equal to the difference between the
 19 approved budget for the program for returning dropouts
 20 and dropout prevention for that district and the sum of
 21 the amount funded from the district cost of the school
 22 district plus funds received from other sources.

23 2. Appropriate uses of funding. Appropriate uses of
 24 the returning dropout and dropout prevention program
 25 funding include but are not limited to the following:

26 a. Salary and benefits for instructional staff,
 27 instructional support staff, and school-based youth
 28 services staff who are working with students who
 29 are participating in dropout prevention programs,
 30 alternative programs, and alternative schools, in
 31 a traditional or alternative setting, if the staff
 32 person's time is dedicated to working with returning
 33 dropouts or students who are deemed, at any time
 34 during the school year, to be at risk of dropping out,
 35 in order to provide services beyond those which are
 36 provided by the school district to students who are
 37 not identified as at risk of dropping out. However,
 38 if the staff person works part-time with students who
 39 are participating in returning dropout and dropout
 40 prevention programs, alternative programs, and
 41 alternative schools and has another unrelated staff
 42 assignment, only the portion of the staff person's
 43 time that is related to the returning dropout and
 44 dropout prevention program, alternative program, or
 45 alternative school may be charged to the program. For
 46 purposes of this paragraph, if an alternative setting
 47 is necessary to provide for a program which is offered
 48 at a location off school grounds and which is intended
 49 to serve student needs by improving relationships
 50 and connections to school, decreasing truancy and

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1 tardiness, providing opportunities for course credit
 2 recovery, or helping students identified as at risk
 3 of dropping out to accelerate through multiple grade
 4 levels of achievement within a shortened time frame,
 5 the tuition costs for a student identified as at risk
 6 of dropping out shall be considered an appropriate use
 7 of the returning dropout and dropout prevention program
 8 funding.

9 b. Professional development for all teachers and
 10 staff working with at-risk students and programs
 11 involving dropout prevention strategies.

12 c. Research-based resources, materials, software,

13 supplies, and purchased services that meet all of the
 14 following criteria:

15 (1) Meets the needs of kindergarten through grade
 16 twelve students identified as at risk of dropping out
 17 and of returning dropouts.

18 (2) Are beyond those provided by the regular school
 19 program.

20 (3) Are necessary to provide the services listed in
 21 the school district's dropout prevention plan.

22 (4) Will remain with the kindergarten through
 23 grade twelve returning dropout and dropout prevention
 24 program.

25 d. Up to five percent of the total budgeted amount
 26 received pursuant to subsection 1 may be used for
 27 purposes of providing district-wide or building-wide
 28 returning dropout and dropout prevention programming
 29 targeted to students who are not deemed at risk of
 30 dropping out.

31 3. Limitation. For the fiscal year beginning July
 32 1, 2013, and each succeeding fiscal year, the ratio of
 33 the amount of modified allowable growth established by
 34 the department of management compared to the school
 35 district's total regular program district cost shall
 36 not exceed the highest such ratio for the school
 37 district for any fiscal year beginning before July 1,
 38 2013.

39 Sec. 2. APPLICABILITY. This Act is applicable to
 40 budget years beginning on or after July 1, 2013.>

41 2. Title page, line 3, after <prevention> by
 42 inserting <and including applicability provisions>

COMMITTEE ON EDUCATION

H-8279

1 Amend House File 2435 as follows:

2 1. Page 32, line 12, by striking <56,791,816> and
 3 inserting <60,074,923>

4 2. Page 32, line 14, by striking <51,896,082> and
 5 inserting <55,179,189>

6 3. Page 35, line 29, by striking <77,084,185> and
 7 inserting <78,275,926>

8 4. Page 36, line 15, by striking <30,169,129> and
 9 inserting <31,071,415>

10 5. Page 43, line 5, by striking <33,080,597> and
 11 inserting <35,118,764>

12 6. Page 52, after line 3 by inserting:

13 <PROVIDER REIMBURSEMENTS — CHILD AND FAMILY SERVICES,
 14 CHILD CARE, AND ADOPTION SUBSIDY

15 Sec. __. 2011 Iowa Acts, chapter 129, section
 16 141, subsections 4, 6, and 10 are amended to read as
 17 follows:

18 4. For the fiscal year beginning July 1, 2012,
 19 notwithstanding section 234.38, the foster family
 20 basic daily maintenance rate and the maximum adoption
 21 subsidy rate for children ages 0 through 5 years shall
 22 be ~~\$15.74~~, the rate for children ages 6 through 11
 23 years shall be ~~\$16.37~~, the rate for children ages 12
 24 through 15 years shall be ~~\$17.92~~, and the rate for
 25 children and young adults ages 16 and older shall be
 26 ~~\$18.16~~ increased by 3 percent over the rate in effect
 27 on June 30, 2012. The maximum supervised apartment
 28 living foster care reimbursement rate shall be \$25.00
 29 per day. For youth ages 18 to 21 who have exited
 30 foster care, the maximum preparation for adult living
 31 program maintenance rate shall be \$574.00 per month.
 32 The maximum payment for adoption subsidy nonrecurring
 33 expenses shall be limited to \$500 and the disallowance
 34 of additional amounts for court costs and other related
 35 legal expenses implemented pursuant to 2010 Iowa Acts,
 36 chapter 1031, section 408 shall be continued.

37 6. a. For the fiscal year beginning July 1, 2012,
 38 the reimbursement rates for family-centered service
 39 providers, ~~family foster care service providers, group~~
 40 ~~foster care service providers~~, and the resource family
 41 recruitment and retention contractor shall remain at
 42 the rates in effect on June 30, 2012.

43 b. For the fiscal year beginning July 1, 2012, the
 44 reimbursement rates for family foster care service
 45 providers and group foster care service providers shall
 46 be increased by 3 percent over the rates in effect on
 47 June 30, 2012.

48 10. For the fiscal year beginning July 1, 2012,
 49 for child care providers reimbursed under the state
 50 child care assistance program, the department shall

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1 set provider reimbursement rates based on the rate
 2 reimbursement survey completed in December 2004.
 3 Effective July 1, 2012, the child care provider
 4 reimbursement rates shall ~~remain at~~ be increased by 3
 5 percent over the rates in effect on June 30, 2012. The
 6 department shall set rates in a manner so as to provide
 7 incentives for a nonregistered provider to become
 8 registered by applying the increase only to registered
 9 and licensed providers.>

10 7. By renumbering as necessary.

HEDDENS of Story

H-8280

1 Amend Senate File 2123, as passed by the Senate, as

2 follows:

- 3 1. Page 1, after line 23 by inserting:
 4 <Sec. ____ Section 124.401, subsection 4, Code
 5 Supplement 2011, is amended by adding the following new
 6 paragraphs:
 7 NEW PARAGRAPH. o. Ammonium sulfate.
 8 NEW PARAGRAPH. p. Ammonium nitrate.
 9 NEW PARAGRAPH. q. Sodium hydroxide.>
 10 2. Title page, line 1, after <schedules,> by
 11 inserting <including possession of certain substances
 12 relating to the manufacture of a controlled substance,>
 13 3. By renumbering as necessary.

WORTHAN of Buena Vista

H-8281

1 Amend Senate File 2311, as passed by the Senate, as
 2 follows:

- 3 1. Page 3, line 25, after <3,> by inserting <a.>
 4 2. By striking page 3, line 33, through page 4,
 5 line 2, and inserting <and providing that ~~the project~~
 6 a permanent soil conservation practice will not be
 7 removed, altered, or modified so as to lessen its
 8 effectiveness ~~without the consent of the commissioners,~~
 9 ~~obtained in advance and based on guidelines drawn up by~~
 10 ~~the state soil conservation committee,~~ for a standard
 11 period of twenty years after the date of>
 12 3. Page 4, after line 8 by inserting:
 13 <b. Notwithstanding paragraph "a", the
 14 commissioners may provide for a reduced period that
 15 a permanent soil conservation practice will not be
 16 removed, altered, or modified. The reduced period
 17 may be for any number of years less than the standard
 18 period, and may include related terms or conditions
 19 agreed to by the commissioners and the owner of the
 20 land. The commissioners shall not provide for a
 21 reduced period unless all of the following apply:
 22 (1) The reduced period is due to an extraordinary
 23 condition or unforeseen circumstance as provided in
 24 rules adopted by the division.
 25 (2) The reduced period is in writing and the
 26 reduced period together with any related terms or
 27 conditions are included in the agreement as provided
 28 in paragraph "a", an addendum to the agreement, or
 29 a written waiver. Any addendum or waiver must be
 30 filed with the agreement prior to the permanent soil
 31 conservation practice being removed, altered, or
 32 modified.>
 33 4. By renumbering as necessary.

ISENHART of Dubuque

H-8282

1 Amend House File 2339 as follows:

2 1. Page 11, after line 7 by inserting:

3 <Sec. ____ Section 514E.1, Code 2011, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 12A. "HIPIOWA-FED" means the
6 limited liability company organized by the association
7 for the purposes of administering the state of Iowa
8 temporary high-risk insurance pool program pursuant to
9 a contract with the United States department of health
10 and human services.

11 Sec. ____ Section 514E.2, subsection 2, Code 2011,
12 is amended by striking the subsection and inserting in
13 lieu thereof the following:

14 2. a. The board of directors of the association
15 shall consist of seven voting members and seven
16 nonvoting members. The voting members shall be
17 appointed by the governor, subject to confirmation by
18 the senate. The governor shall designate one voting
19 member as chairperson and one as vice chairperson.

20 b. The voting members of the board of directors
21 shall be appointed by the governor as follows:
22 (1) Two persons who represent the interests of
23 small business from nominations made to the governor
24 by nationally recognized groups that represent the
25 interests of small business.

26 (2) Two persons who represent the interests of
27 consumers from nominations made to the governor
28 by nationally recognized groups that represent the
29 interests of consumers.

30 (3) One person who is an insurance producer
31 licensed under chapter 522B.

32 (4) One person who is a health care actuary or
33 economist with expertise in health insurance.

34 (5) One person who is a health care provider.

35 c. The nonvoting members are as follows:

36 (1) The commissioner or the commissioner's
37 designee.

38 (2) The director of human services or the
39 director's designee.

40 (3) The director of public health or the director's
41 designee.

42 (4) Four members of the general assembly,
43 one appointed by the speaker of the house of
44 representatives, one appointed by the minority leader
45 of the house of representatives, one appointed by the
46 majority leader of the senate, and one appointed by the
47 minority leader of the senate.

48 d. Meetings of the board of directors shall be held
49 at the call of the chairperson or upon the request of
50 at least two voting members. Four voting members shall

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1 constitute a quorum and the affirmative vote of four
2 voting members shall be necessary for any action taken
3 by the board.

4 e. The voting members of the board of directors
5 shall be appointed for staggered terms of three years
6 within sixty days after the effective date of this
7 section of this Act and by December 15 of each year
8 thereafter. The initial terms of the voting members
9 of the board shall be staggered at the discretion
10 of the governor. A voting member of the board is
11 eligible for reappointment. The governor shall fill a
12 vacancy on the board in the same manner as the original
13 appointment for the remainder of the term.

14 f. Members of the board may be reimbursed from the
15 moneys of the association for expenses incurred by them
16 as members, but shall not be otherwise compensated by
17 the association for their services.

18 Sec. ____ Section 514E.2, subsection 4, Code 2011,
19 is amended to read as follows:

20 4. a. The plan of operation may provide that the
21 powers and duties of the association may be delegated
22 to a person who will perform functions similar to those
23 of the association. A delegation under this section
24 takes effect only upon the approval of both the board
25 of directors and the commissioner. The commissioner
26 shall not approve a delegation unless the protections
27 afforded to the insured are substantially equivalent to
28 or greater than those provided under this chapter.

29 b. A delegation made to a person pursuant to
30 this subsection shall be subject to annual review
31 by the government oversight standing committees of
32 the general assembly. Within sixty days after the
33 effective date of this section of this Act and annually
34 thereafter, any person to whom the powers and duties of
35 the association have been delegated pursuant to this
36 subsection shall submit a report to the government
37 oversight committees setting forth the following:

38 (1) The scope of the functions performed by the
39 person.

40 (2) Any contractual provisions between the person
41 and the association or between the person and any other
42 entity on behalf of the association.

43 (3) An accounting of the activities and services
44 performed by the person on behalf of the association.

45 (4) An accounting of all payments made to the
46 person by the association, including but not limited to
47 an itemization of the services rendered and the amount
48 of each payment apportioned to the performance of each
49 activity or service.

50 (5) Any other information requested by the board

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1 of directors of the association, the commissioner of
2 insurance, or the government oversight committees.

3 Sec. ____. Section 514E.2, Code 2011, is amended by
4 adding the following new subsection:

5 NEW SUBSECTION. 5A. The association shall accept
6 third-party payment of premiums for an individual
7 enrolled in health insurance coverage from the
8 association.

9 Sec. ____. Section 514E.2, subsection 7, Code 2011,
10 is amended by adding the following new paragraph:

11 NEW PARAGRAPH. 0b. Following the close of each
12 calendar year, HIPIOWA-FED shall determine the net
13 premiums and payments, the expenses of administration,
14 and the incurred losses of the program for the year.
15 HIPIOWA-FED shall certify the amount of any net loss
16 for the preceding calendar year to the commissioner of
17 insurance and director of revenue and to the United
18 States department of health and human services. In the
19 event that additional federal funding is not provided
20 to HIPIOWA-FED to offset the loss, the loss shall be
21 assessed by the association on behalf of HIPIOWA-FED to
22 all members of the association in proportion to their
23 respective shares of total health insurance premiums
24 or payments for subscriber contracts received in Iowa
25 during the second preceding calendar year, or with paid
26 losses in the year, coinciding with or ending during
27 the calendar year or on any other equitable basis as
28 provided in the plan of operation of the association
29 or as required by the United States department of
30 health and human services. In sharing losses, the
31 association, on behalf of HIPIOWA-FED, may abate or
32 defer in any part the assessment of a member, if, in
33 the opinion of the board of the association, payment
34 of the assessment would endanger the ability of the
35 member to fulfill its contractual obligations. The
36 association, on behalf of HIPIOWA-FED, may also provide
37 for an initial or interim assessment against members of
38 the association if necessary to assure the financial
39 capability of HIPIOWA-FED to meet the incurred or
40 estimated claims expenses or operating expenses of the
41 temporary high-risk insurance pool program until the
42 next calendar year is completed. Net gains, if any,
43 must be held at interest to offset future losses or
44 allocated to reduce future premiums.

45 Sec. ____. Section 514E.2, Code 2011, is amended by
46 adding the following new subsections:

47 NEW SUBSECTION. 12A. The association shall be
48 considered a governmental body for purposes of chapter
49 21 and a government body for purposes of chapter 22.
50 A person to whom the association delegates the duties

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1 and powers of the association shall be considered a
 2 governmental body for purposes of chapter 21 and a
 3 government body for purposes of chapter 22 to the
 4 extent that the person carries out the powers and
 5 duties of the association.

6 NEW SUBSECTION. 12B. HIPIOWA-FED shall be
 7 considered a governmental body for purposes of chapter
 8 21 and a government body for purposes of chapter 22.
 9 A person to whom the duties and powers of the limited
 10 liability company are delegated shall be considered
 11 a governmental body for purposes of chapter 21 and
 12 a government body for purposes of chapter 22 to the
 13 extent that the person carries out the powers and
 14 duties of the limited liability company.

15 Sec. ____ Section 514E.7, subsection 5, paragraph
 16 d, Code 2011, is amended by striking the paragraph.

17 Sec. ____ Section 514J.103, subsection 1, Code
 18 Supplement 2011, is amended to read as follows:

19 1. Except as provided in subsection 2, this chapter
 20 shall apply to all health carriers, including health
 21 carriers issuing a policy or certificate that provides
 22 coverage for dental care.

23 Sec. ____ Section 514J.103, subsection 2, paragraph
 24 a, Code Supplement 2011, is amended to read as follows:

25 a. A policy or certificate that provides coverage
 26 only for a specified disease, specified accident or
 27 accident-only, credit, disability income, hospital
 28 indemnity, long-term care, ~~dental care~~, vision care, or
 29 any other limited supplemental benefit.>

30 2. Page 16, after line 17 by inserting:

31 <Sec. ____ REQUEST FOR AMENDMENT OF CONTRACT
 32 PROVISIONS BY HIPIOWA-FED. Within thirty days after
 33 enactment of the sections of this Act amending sections
 34 514E.1 and 514E.2, HIPIOWA-FED, the limited liability
 35 company organized by the Iowa comprehensive health
 36 insurance association for the purpose of administering
 37 the state of Iowa temporary high-risk insurance pool
 38 program pursuant to a contract with the United States
 39 department of health and human services, shall request
 40 that the United States department of health and human
 41 services amend the requirements of the contract between
 42 HIPIOWA-FED and the department to allow HIPIOWA-FED
 43 to accept third-party payment of premiums for an
 44 individual enrolled in the program.>

45 3. Page 16, after line 21 by inserting:

46 <2. The section of this Act amending section
 47 514E.1.

48 3. The sections of this Act amending section

49 514E.2.>

50 4. By renumbering as necessary.

PETTENGILL of Benton

H-8283

1 Amend the amendment, H-8223, to Senate File 2313,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 15, before line 22 by inserting:

5 <Sec. ____ Section 8A.311, Code Supplement 2011, is
6 amended by adding the following new subsections:

7 NEW SUBSECTION. 12A. a. If the lowest responsive
8 bid received by the state or a political subdivision
9 for products or other purchases is from an out-of-state
10 business and totals less than five hundred thousand
11 dollars, and an Iowa-based business submitted a bid
12 which is within five percent or ten thousand dollars
13 of the price of the lowest bid, whichever is less,
14 the Iowa-based business which submitted the lowest
15 responsive bid shall be notified and shall be allowed
16 to match the lowest bid before a contract is awarded.

17 b. This subsection does not apply to a request
18 for bids or proposals for products or other purchases
19 associated with the following:

20 (1) Road or bridge construction or repair.

21 (2) Architectural or engineering services.

22 NEW SUBSECTION. 12B. a. A response to a request
23 for bids or proposals for products or other purchases
24 by the state or a political subdivision which totals
25 less than five hundred thousand dollars in value shall
26 contain the following information:

27 (1) The percentage of the ownership of the
28 submitting business which is held by Iowa residents.

29 (2) The percentage of the employees who will be
30 carrying out work in connection with the contract
31 who are Iowa residents. For the purposes of this
32 paragraph, "employee" includes part-time, temporary,
33 contract, and substitute employees, and includes
34 employees of any contractors or subcontractors.

35 (3) An estimate of the percentage of purchases
36 to be made by the submitting business in connection
37 with the contract that will be made from Iowa-based
38 businesses.

39 (4) The amount of property tax paid by the
40 submitting business during the most recently completed
41 fiscal year for which such a figure is available.

42 b. This subsection does not apply to a request
43 for bids or proposals for products or other purchases
44 associated with the following:

45 (1) Road or bridge construction or repair.

46 (2) Architectural or engineering services.
 47 NEW SUBSECTION. 12C. Subsections 12A and 12B do
 48 not apply to procurement of or for public improvement
 49 projects.>
 50 2. By renumbering as necessary.

THOMAS of Clayton

H-8284

1 Amend Senate File 2123, as passed by the Senate, as
 2 follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 124.201, subsection 4, Code
 5 2011, is amended to read as follows:

6 4. If any new substance is designated as a
 7 controlled substance under federal law and notice of
 8 the designation is given to the board, the board shall
 9 similarly designate as controlled the new substance
 10 under this chapter after the expiration of thirty days
 11 from publication in the Federal Register of a final
 12 order designating a new substance as a controlled
 13 substance, unless within that thirty-day period the
 14 board objects to the new designation. In that case
 15 the board shall publish the reasons for objection
 16 and afford all interested parties an opportunity
 17 to be heard. At the conclusion of the hearing the
 18 board shall announce its decision. Upon publication
 19 of objection to a new substance being designated
 20 as a controlled substance under this chapter by the
 21 board, control under this chapter is stayed until
 22 the board publishes its decision. If a substance
 23 is designated as controlled by the board under this
 24 ~~paragraph~~ subsection the control shall be temporary and
 25 if within sixty days after the next regular session
 26 of the general assembly convenes it has not made the
 27 corresponding changes in this chapter, the temporary
 28 designation of control of the substance by the board
 29 shall be nullified.

30 Sec. ____ Section 124.204, subsection 4, paragraph
 31 ai, Code Supplement 2011, is amended by striking the
 32 paragraph and inserting in lieu thereof the following:

33 ai. (1) *Salvia divinorum*.

34 (2) *Salvinorin A*.

35 (3) HU-210. [(6aR,10aR)-9-(hydroxymethyl)-6,6-
 36 dimethyl-3-(2-methyloctan-2-yl)
 37 6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol)].

38 (4) HU-211(dexanabinol,
 39 (6aS,10aS)-9-(hydroxymethyl)-6,6-
 40 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
 41 chromen-1-ol).

42 (5) Unless specifically exempted or unless

43 listed in another schedule, any material, compound,
44 mixture, or preparation which contains any quantity of
45 cannabimimetic agents, or which contains their salts,
46 isomers, and salts of isomers whenever the existence of
47 such salts, isomers, and salts of isomers is possible
48 within the specific chemical designation.

49 (a) The term "cannabimimetic agents" means any
50 substance that is a cannabinoid receptor type 1 (CB1

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1 receptor) agonist as demonstrated by binding studies
2 and functional assays within any of the following
3 structural classes:

4 (i) 2-(3-hydroxycyclohexyl)phenol with substitution
5 at the 5-position of the phenolic ring by alkyl or
6 alkenyl, whether or not substituted on the cyclohexyl
7 ring to any extent.

8 (ii) 3-(1-naphthoyl)indole or
9 3-(1-naphthylmethane)indole by substitution at the
10 nitrogen atom of the indole ring, whether or not
11 further substituted on the indole ring to any extent,
12 whether or not substituted on the naphthoyl or naphthyl
13 ring to any extent.

14 (iii) 3-(1-naphthoyl)pyrrole by substitution at
15 the nitrogen atom of the pyrrole ring, whether or not
16 further substituted in the pyrrole ring to any extent,
17 whether or not substituted on the naphthoyl ring to any
18 extent.

19 (iv) 1-(1-naphthylmethylene)indene by substitution
20 of the 3-position of the indene ring, whether or not
21 further substituted in the indene ring to any extent,
22 whether or not substituted on the naphthyl ring to any
23 extent.

24 (v) 3-phenylacetylindole or 3-benzoylindole by
25 substitution at the nitrogen atom of the indole ring,
26 whether or not further substituted in the indole ring
27 to any extent, whether or not substituted on the phenyl
28 ring to any extent.

29 (b) Such terms include:

30 (i) CP 47, 497 and homologues 2-[(1R, 3S)-3-
31 hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol.

32 (ii) JWH-018 and AM678
33 1-Pentyl-3-(1-naphthoyl)indole.

34 (iii) JWH-073 1-Butyl-3-(1-naphthoyl)indole.

35 (iv) JWH-200
36 [1-[2-(4-morpholinyl)ethyl]-1H-indol-3-yl]-1-
37 naphthalenyl-methanone.

38 (v) JWH-19 1-hexyl-3-(1-naphthoyl)indole.

39 (vi) JWH-81

40 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole.

41 (vii) JWH-122

- 42 1-pentyl-3-(4-methyl-1-naphthoyl)indole.
43 (viii) JWH-250
44 1-pentyl-3-(2-methoxynaphthoyl)indole.
45 (ix) RCS-4 and SR-19
46 1-pentyl-3-[(4-methoxy)-benzoyl]indole.
47 (x) RCS-8 and SR-18 1-cyclohexylethyl-3-
48 (-2-methoxyphenylacetyl)indole.
49 (xi) AM2201
50 1-(5-fluoropentyl)-3-(1-naphthoyl)indole.

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- 1 (xii) JWH-203
2 1-pentyl-3-(2-chlorophenylacetyl)indole.
3 (xiii) JWH-398
4 1-pentyl-3-(4-chloro-1-naphthoyl)indole.
5 (xiv) AM694
6 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole.
7 (xv) Cannabicyclohexanol or CP-47,497 C8-homolog
8 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol.
9 Sec. ____ Section 124.204, subsection 6, Code
10 Supplement 2011, is amended by adding the following new
11 paragraph:
12 NEW PARAGRAPH. i. Any substance, compound,
13 mixture or preparation which contains any quantity
14 of any synthetic cathinone that is not approved as
15 a pharmaceutical, including but not limited to the
16 following:
17 (1) Mephedrone, also known as
18 4-methylmethcathinone,(RS)-2-
19 methylamino-1-(4-methylphenyl) propan-1-one.
20 (2) Methylene-dioxypyrovalerone(MDPV)[(1-(1,3-
21 Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-1-pentanone].
22 (3) Methylone, also known as
23 3,4-methylenedioxyethcathinone.
24 (4) Naphthylpyrovalerone (naphyrone).
25 (5) 4-fluoromethcathinone(flephedrone) or a
26 positional isomer of 4-fluoromethcathinone.
27 (6) 4-methoxymethcathinone (methedrone;Bk-PMMA).
28 (7) Ethcathinone.
29 (8) 3,4-methylenedioxyethcathinone(ethylone).
30 (9) Beta-keto-N-methyl-3,4-benzodioxolybutanamine
31 (butylone).
32 (10) N,N-dimethylcathinone(metamfepramone).
33 (11) Alpha-pyrrolidinopropiophenone (alpha-PPP).
34 (12) 4-methoxy-alpha-pyrrolidinopropiophenone
35 (MOPPP).
36 (13) 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone
37 (MDPPP).
38 (14) Alpha-pyrrolidinovalerophenone (alpha-PVP).
39 (15) 6,7-dihydro-5H-indeno(5,6-d)-1,3-dioxal-6
40 6-amine) (MDAI).

- 41 (16) 3-fluoromethcathinone.
42 (17) 4'-Methyl-a-pyrrolidinobutiophenone (MPBP).
43 (18) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine
44 (2C-E).
45 (19) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine
46 (2C-D).
47 (20) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine
48 (2C-C).
49 (21) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine
50 (2C-I).

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- 1 (22) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine
2 (2C-T-2).
3 (23) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine
4 (2C-T-4).
5 (24) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).
6 (25) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine
7 (2C-N).
8 (26) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine
9 (2C-P).>
10 2. Page 1, after line 23 by inserting:
11 <Sec. ____ Section 124.401, subsection 1, paragraph
12 d, Code Supplement 2011, is amended to read as follows:
13 d. Violation of this subsection, with respect
14 to any other controlled substances, counterfeit
15 substances, or simulated controlled substances
16 classified in section 124.204, subsection 4, paragraph
17 "ai", section 124.204, subsection 6, paragraph "i",
18 or classified in schedule IV or V is an aggravated
19 misdemeanor. However, violation of this subsection
20 involving fifty kilograms or less of marijuana or
21 involving flunitrazepam is a class "D" felony.>
22 3. Page 1, after line 26 by inserting:
23 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
24 provisions of this Act, being deemed of immediate
25 importance, take effect upon enactment:
26 1. The section of this Act amending section
27 124.201, subsection 4.
28 2. The section of this Act amending section
29 124.204, subsection 4, paragraph "ai".
30 3. The section of this Act amending section
31 124.204, subsection 6.
32 4. The section of this Act amending section
33 124.401, subsection 1, paragraph "d".>
34 4. Title page, line 2, by striking <applicable> and
35 inserting <applicable, and including effective date
36 provisions>

H-8285

1 Amend House File 2421 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. Section 80B.11, subsection 1, paragraph
5 c, Code 2011, is amended by adding the following new
6 subparagraph:

7 NEW SUBPARAGRAPH. (3) In-service training under
8 this paragraph "c" shall include the requirement
9 that all law enforcement officers complete a course
10 on mental health at least once every four years. In
11 developing the requirements for this training, the
12 director shall seek input from mental health care
13 providers and mental health care consumers.

14 Sec. 2. Section 125.91, subsection 1, Code
15 Supplement 2011, is amended to read as follows:

16 1. The procedure prescribed by this section
17 shall only be used for an intoxicated person who
18 has threatened, attempted, or inflicted physical
19 self-harm or harm on another, and is likely to
20 inflict physical self-harm or harm on another unless
21 immediately detained, or who is incapacitated by a
22 chemical substance, ~~if that person cannot be taken into~~
23 ~~immediate custody under sections 125.75 and 125.81~~
24 ~~because immediate access to the court is not possible~~
25 an application has not been filed naming the person
26 as the respondent pursuant to section 125.75 and the
27 person cannot be ordered into immediate custody and
28 detained pursuant to section 125.81.

29 Sec. 3. Section 135C.3, subsection 1, Code 2011, is
30 amended to read as follows:

31 1. A licensed nursing facility shall provide
32 an organized twenty-four-hour program of services
33 commensurate with the needs of its residents and
34 under the immediate direction of a licensed nurse.
35 Medical and nursing services must be provided
36 under the direction of either a house physician
37 or an individually selected physician. Surgery or
38 obstetrical care shall not be provided within the
39 facility. An admission to the nursing facility must
40 be based on a physician's written order certifying
41 that the individual being admitted requires no greater
42 degree of nursing care than the facility to which the
43 admission is made is licensed to provide and is capable
44 of providing. The nursing facility is not required to
45 admit an individual through court order, referral, or
46 other means without the express prior approval of the
47 administrator of the nursing facility.

48 Sec. 4. Section 135C.4, Code 2011, is amended to
49 read as follows:

50 135C.4 Residential care facilities.

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1 1. Each facility licensed as a residential care
2 facility shall provide an organized continuous
3 twenty-four-hour program of care commensurate with
4 the needs of the residents of the home and under
5 the immediate direction of a person approved and
6 certified by the department whose combined training and
7 supervised experience is such as to ensure adequate and
8 competent care.

9 2. All admissions to residential care facilities
10 shall be based on an order written by a physician
11 certifying that the individual being admitted does
12 not require nursing services or that the individual's
13 need for nursing services can be avoided if home and
14 community-based services, other than nursing care, as
15 defined by this chapter and departmental rule, are
16 provided.

17 3. For the purposes of this section, the home
18 and community-based services to be provided shall
19 be limited to the type included under the medical
20 assistance program provided pursuant to chapter 249A,
21 shall be subject to cost limitations established by
22 the department of human services under the medical
23 assistance program, and except as otherwise provided
24 by the department of inspections and appeals with
25 the concurrence of the department of human services,
26 shall be limited in capacity to the number of licensed
27 residential care facilities and the number of licensed
28 residential care facility beds in the state as of
29 December 1, 2003.

30 4. A residential care facility is not required to
31 admit an individual through court order, referral, or
32 other means without the express prior approval of the
33 administrator of the residential care facility.

34 Sec. 5. Section 228.1, subsection 6, Code 2011, is
35 amended by striking the subsection and inserting in
36 lieu thereof the following:

37 6. "Mental health professional" means an individual
38 who has either of the following qualifications:

39 a. The individual meets all of the following
40 requirements:

41 (1) The individual holds at least a master's degree
42 in a mental health field, including but not limited
43 to psychology, counseling and guidance, nursing,
44 and social work, or is an advanced registered nurse
45 practitioner, a physician assistant, or a physician and
46 surgeon or an osteopathic physician and surgeon.

47 (2) The individual holds a current Iowa license if
48 practicing in a field covered by an Iowa licensure law.

49 (3) The individual has at least two years of
50 post-degree clinical experience, supervised by another

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1 mental health professional, in assessing mental health
2 needs and problems and in providing appropriate mental
3 health services.

4 b. The individual holds a current Iowa license if
5 practicing in a field covered by an Iowa licensure law
6 and is a psychiatrist, an advanced registered nurse
7 practitioner who holds a national certification in
8 psychiatric mental health care registered by the board
9 of nursing, a physician assistant practicing under the
10 supervision of a psychiatrist, or an individual who
11 holds a doctorate degree in psychology and is licensed
12 by the board of psychology.

13 Sec. 6. Section 229.1, Code Supplement 2011, is
14 amended by adding the following new subsection:
15 NEW SUBSECTION. 8A. "Mental health professional"

16 means the same as defined in section 228.1.

17 Sec. 7. Section 229.1, subsection 14, Code
18 Supplement 2011, is amended by striking the subsection.

19 Sec. 8. Section 229.1, subsection 16, Code
20 Supplement 2011, is amended to read as follows:

21 16. "Serious emotional injury" is an injury
22 which does not necessarily exhibit any physical
23 characteristics, but which can be recognized and
24 diagnosed by a licensed physician or other ~~qualified~~
25 mental health professional and which can be causally
26 connected with the act or omission of a person who is,
27 or is alleged to be, mentally ill.

28 Sec. 9. NEW SECTION. 229.5A Preapplication
29 screening assessment — program.

30 Prior to filing an application for involuntary
31 hospitalization pursuant to section 229.6, the clerk
32 of the district court or the clerk's designee shall
33 inform the interested person referred to in section
34 229.6, subsection 1, about the option of requesting
35 a preapplication screening assessment through a
36 preapplication screening assessment program. The state
37 court administrator shall prescribe practices and
38 procedures for implementation of the preapplication
39 screening assessment program.

40 Sec. 10. Section 229.6, Code 2011, is amended to
41 read as follows:

42 229.6 Application for order of involuntary
43 hospitalization.

44 1. Proceedings for the involuntary hospitalization
45 of an individual may be commenced by any interested
46 person by filing a verified application with the
47 clerk of the district court of the county where
48 the respondent is presently located, or which is
49 the respondent's place of residence. The clerk, or
50 the clerk's designee, shall assist the applicant in

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1 completing the application. The application shall:
2 ~~1. a.~~ State the applicant's belief that the
3 respondent is seriously mentally impaired.
4 ~~2. b.~~ State any other pertinent facts.
5 ~~3. c.~~ Be accompanied by any of the following:
6 a. ~~(1)~~ A written statement of a licensed physician
7 in support of the application; ~~or,~~
8 b. ~~(2)~~ One or more supporting affidavits otherwise
9 corroborating the application; ~~or,~~
10 e. ~~(3)~~ Corroborative information obtained and
11 reduced to writing by the clerk or the clerk's
12 designee, but only when circumstances make it
13 infeasible to comply with, or when the clerk considers
14 it appropriate to supplement the information supplied
15 pursuant to, either ~~paragraph "a" or paragraph "b" of~~
16 ~~this subsection~~ subparagraph (1) or (2).
17 2. Prior to the filing of an application pursuant
18 to this section, the clerk or the clerk's designee
19 shall inform the interested person referred to
20 in subsection 1 about the option of requesting a
21 preapplication screening assessment pursuant to section
22 229.5A.
23 Sec. 11. Section 229.10, subsection 1, paragraph b,
24 Code 2011, is amended to read as follows:
25 b. Any licensed physician conducting an examination
26 pursuant to this section may consult with or request
27 the participation in the examination of any ~~qualified~~
28 mental health professional, and may include with or
29 attach to the written report of the examination any
30 findings or observations by any ~~qualified~~ mental
31 health professional who has been so consulted or has so
32 participated in the examination.
33 Sec. 12. Section 229.12, subsection 3, paragraph b,
34 Code 2011, is amended to read as follows:
35 b. The licensed physician or ~~qualified~~ mental
36 health professional who examined the respondent shall
37 be present at the hearing unless the court for good
38 cause finds that the licensed physician's or ~~qualified~~
39 mental health professional's presence or testimony
40 is not necessary. The applicant, respondent, and
41 the respondent's attorney may waive the presence or
42 the telephonic appearance of the licensed physician
43 or ~~qualified~~ mental health professional who examined
44 the respondent and agree to submit as evidence the
45 written report of the licensed physician or ~~qualified~~
46 mental health professional. The respondent's
47 attorney shall inform the court if the respondent's
48 attorney reasonably believes that the respondent, due
49 to diminished capacity, cannot make an adequately
50 considered waiver decision. "Good cause" for finding

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1 that the testimony of the licensed physician or
2 ~~qualified~~ mental health professional who examined the
3 respondent is not necessary may include but is not
4 limited to such a waiver. If the court determines that
5 the testimony of the licensed physician or ~~qualified~~
6 mental health professional is necessary, the court may
7 allow the licensed physician or the ~~qualified~~ mental
8 health professional to testify by telephone.

9 Sec. 13. Section 229.19, subsection 1, paragraph
10 d, Code 2011, is amended by adding the following new
11 subparagraph:

12 NEW SUBPARAGRAPH. (7) To utilize the related best
13 practices for the duties identified in this paragraph
14 "d" developed and promulgated by the judicial council.

15 Sec. 14. Section 229.19, subsection 1, Code 2011,
16 is amended by adding the following new paragraph:

17 NEW PARAGRAPH. e. An advocate may also be
18 appointed pursuant to this section for an individual
19 who has been diagnosed with a co-occurring mental
20 illness and substance-related disorder.

21 Sec. 15. Section 229.22, subsection 1, Code
22 Supplement 2011, is amended to read as follows:

23 1. The procedure prescribed by this section shall
24 ~~not be used unless~~ when it appears that a person
25 should be immediately detained due to serious mental
26 impairment, but ~~that person cannot be immediately~~
27 ~~detained by the procedure prescribed in sections 229.6~~
28 ~~and 229.11 because there is no means of immediate~~
29 ~~access to the district court~~ an application has not
30 been filed naming the person as the respondent pursuant
31 to section 229.6, and the person cannot be ordered into
32 immediate custody and detained pursuant to section
33 229.11.

34 Sec. 16. Section 602.1209, Code 2011, is amended by
35 adding the following new subsection:

36 NEW SUBSECTION. 15A. Prescribe practices and
37 procedures for the implementation of the preapplication
38 screening assessment program referred to in section
39 229.5A.

40 Sec. 17. CONTINUATION OF WORKGROUP BY JUDICIAL
41 BRANCH AND DEPARTMENT OF HUMAN SERVICES —
42 CONSOLIDATION OF SERVICES — PATIENT ADVOCATE. The
43 judicial branch and department of human services
44 shall continue the workgroup implemented pursuant
45 to 2010 Iowa Acts, chapter 1192, section 24,
46 subsection 2, and extended pursuant to 2011 Iowa
47 Acts, chapter 121, section 2, to study and make
48 recommendations relating to the consolidation of
49 the processes for involuntary commitment for persons
50 with substance-related disorders under chapter 125,

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1 for intellectual disability under chapter 222, and
2 for serious mental illness under chapter 229. The
3 workgroup shall also include representatives from
4 the department of public health. The workgroup shall
5 also study and make recommendations concerning the
6 feasibility of establishing an independent statewide
7 patient advocate program for qualified persons
8 representing the interests of patients suffering
9 from mental illness, intellectual disability, or a
10 substance-related disorder and involuntarily committed
11 by the court, in any matter relating to the patients'
12 hospitalization or treatment under chapters 125, 222,
13 and 229, and shall also include recommendations for a
14 patient advocate representing the interests of patients
15 found not guilty of a crime by reason of insanity.
16 The workgroup shall also consider the implementation
17 of consistent reimbursement standards for patient
18 advocates supported by a state-funded system and shall
19 also consider the role of the advocate for a person who
20 has been diagnosed with a co-occurring mental illness
21 and substance-related disorder. The workgroup shall
22 solicit input from current mental health advocates
23 and mental health and substance-related disorder care
24 providers and individuals receiving services whose
25 interests would be represented by an independent
26 statewide advocate program and shall submit a report on
27 the study and make recommendations to the governor and
28 the general assembly by December 1, 2012.

29 Sec. 18. COMPREHENSIVE JAIL DIVERSION PROGRAM
30 — MENTAL HEALTH COURTS — STUDY. The division
31 of criminal and juvenile justice planning of the
32 department of human rights shall conduct a study
33 regarding the possible establishment of a comprehensive
34 statewide jail diversion program, including the
35 establishment of mental health courts, for nonviolent
36 criminal offenders who suffer from mental illness.
37 The division shall solicit input from the department
38 of human services, the department of corrections, and
39 other members of the criminal justice system including
40 but not limited to judges, prosecutors, and defense
41 counsel, and mental health treatment providers and
42 consumers. The division shall establish the duties,
43 scope, and membership of the study commission and
44 shall also consider the feasibility of establishing a
45 demonstration mental health court. The division shall
46 submit a report on the study and make recommendations
47 to the governor and the general assembly by December
48 1, 2012.

49 Sec. 19. PRIOR LAW ENFORCEMENT MENTAL HEALTH
50 TRAINING. A law enforcement officer who has completed

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1 academy-approved mental health training within the
 2 twelve-month period prior to the effective date of this
 3 Act, either through in-service or academy-approved
 4 basic training, shall be considered to have met the
 5 first four-year mental health training requirement
 6 of section 80B.11, subsection 1, paragraph "c",
 7 subparagraph (3), as enacted in this Act.>

SCHULTE of Linn

H-8286

1 Amend the amendment, H-8223, to Senate File 2313,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

- 4 1. Page 8, by striking line 3 and inserting
 5 <240,957>
- 6 2. Page 8, by striking line 11 and inserting
 7 <512,890>
- 8 3. Page 8, by striking line 18 and inserting
 9 <1,133,580>
- 10 4. Page 8, by striking line 31 and inserting
 11 <3,448,670>
- 12 5. Page 9, by striking line 19 and inserting
 13 <40,950>
- 14 6. Page 9, by striking line 38 and inserting
 15 <2,680,290>
- 16 7. Page 10, by striking line 10 and inserting:
 17 <..... \$ 1,240,950>
- 18 8. By striking page 10, line 23, through page 11,
 19 line 19.
- 20 9. Page 12, by striking line 19 and inserting
 21 <1,575,180>
- 22 10. Page 15, by striking lines 7 through 21.
- 23 11. Page 16, after line 7 by inserting:
 24 <Sec. ____ REPEAL. 2011 Iowa Acts, chapter 129,
 25 section 149, is repealed.>
- 26 12. By renumbering as necessary.

KELLEY of Jasper

H-8287

- 1 Amend Senate File 479, as passed by the Senate, as
 2 follows:
- 3 1. Page 1, before line 1 by inserting:
 4 <Section 1. Section 484B.1, Code 2011, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 3A. "Domesticated swine" means
 7 livestock that is a member of the species or subspecies

8 sus scrofa domesticus. "Domesticated swine" does not
9 include a dangerous wild animal as defined in section
10 717F.1, including a member of the species sus scrofa
11 linnaeus, such as swine commonly known as a Russian
12 boar or European boar of either sex.

13 Sec. ____ Section 484B.4, subsection 1, Code 2011,
14 is amended to read as follows:

15 1. A person who owns or controls by lease or
16 otherwise for five or more years, a contiguous tract
17 of land having an area of not less than three hundred
18 twenty acres, and who desires to establish a hunting
19 preserve, to propagate and sell game birds and their
20 young or unhatched eggs, ~~and or~~ shoot game birds, ~~and~~
21 ungulates, or domesticated swine on the land, under
22 this chapter or the rules of the commission, shall
23 make application to the department for an operator's
24 license. The application shall be made under oath of
25 the applicant or under oath of one of its principal
26 officers if the applicant is an association or
27 corporation. Under the authority of this license, any
28 property or facilities to be used for propagating,
29 holding, processing, or pasturing of game birds, ~~or~~
30 ungulates, or domesticated swine shall not be required
31 to be contained within the contiguous land area
32 used for hunting purposes. The application shall be
33 accompanied by an operator's license fee of two hundred
34 dollars.

35 Sec. ____ Section 484B.4, subsection 2, paragraph
36 d, Code 2011, is amended to read as follows:

37 d. The game birds, ~~or~~ ungulates, or domesticated
38 swine released on the preserve will not be detrimental
39 to wildlife.

40 Sec. ____ Section 484B.7, subsection 2, Code 2011,
41 is amended to read as follows:

42 2. Each licensee shall file an annual report with
43 the department on or before April 30. The report
44 shall detail the hunting preserve operations during
45 the preceding license year. The original report shall
46 be forwarded to the department and a copy shall be
47 retained in the hunting preserve's file for three years
48 from the date of expiration of the hunting preserve's
49 last license issued. Records required by this section
50 shall be entered in the annual report record within

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1 twenty-four hours of the event. Failure to keep or
2 submit the required records and reports is grounds for
3 refusal to renew a license for the succeeding year. An
4 on-site inspection of property and facilities shall
5 be conducted by an authorized agent of the department
6 prior to the initial issuance of a hunting preserve

7 license. The hunting preserve may be reinspected by
 8 an agent of the department at any reasonable time.
 9 A licensed hunting preserve shall maintain adequate
 10 facilities for all designated birds, ~~and~~ ungulates,
 11 or domesticated swine held under the hunting preserve
 12 license.

13 Sec. ____ NEW SECTION. 484B.12A Domesticated swine

14 1. The requirements of this chapter applicable
 15 to ungulates shall apply to domesticated swine. In
 16 addition, a person shall not obtain or retain a hunting
 17 preserve license to confine domesticated swine unless
 18 all of the following apply:

19 a. The domesticated swine must be confined by a
 20 fence as provided in section 484B.5 that is constructed
 21 in a manner and using materials approved by the
 22 department of natural resources in cooperation with the
 23 department of agriculture and land stewardship.

24 b. The department of natural resources shall
 25 provide for special tags to identify domesticated swine
 26 in the same manner as provided for ungulates in section
 27 484B.9.

28 c. In addition to the health requirements for
 29 ungulates provided in section 484B.12, a domesticated
 30 swine shall be subject to all statutes and rules
 31 applicable to the health of swine, as provided in Title
 32 V, subtitle 2, including the prevention, control,
 33 and eradication of diseases afflicting swine. The
 34 department of agriculture may adopt rules to provide
 35 for the testing of such swine. The department of
 36 agriculture and land stewardship may require special
 37 information included in records or reports as provided
 38 in section 484B.7.

39 2. The department of natural resources and the
 40 department of agriculture and land stewardship
 41 shall cooperate in administering this section.
 42 In administering this section, the department of
 43 agriculture and land stewardship may inspect a proposed
 44 hunting preserve and its facilities as provided in
 45 section 484B.4 and may inspect the records or reports
 46 of a hunting preserve licensee, and may inspect
 47 the licensed hunting preserve and facilities at any
 48 reasonable time.>

49 2. Page 1, before line 26 by inserting:

50 <Sec. ____ WILD BOARS.

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1 1. As used in this section, "wild boar" means swine
 2 that is a member of the species *sus scrofa linnaeus*,
 3 including but not limited to swine commonly known as a
 4 Russian boar or European boar of either sex.

5 2. Notwithstanding chapter 717F, a person who since

6 July 1, 2007, has confined one or more wild boars on
 7 a contiguous tract of land having an area of not less
 8 than three hundred twenty acres that is or has been
 9 licensed as a hunting preserve under chapter 484B shall
 10 have ninety days from the effective date of this Act to
 11 destroy all wild boars possessed by the person.

12 3. A person who complies with subsection 2 shall
 13 not be subject to section 484B.13, 484B.14, or
 14 717F.11.>

15 3. Title page, line 1, before <cats> by inserting
 16 <, and penalties relating to, swine classified as
 17 domesticated swine and wild boars and>

18 4. By renumbering as necessary.

HORBACH of Tama

H-8288

1 Amend Senate File 2312 as follows:

2 1. Page 4, by striking lines 9 through 11
 3 and inserting <the district court or the clerk's
 4 designee shall require the interested person referred
 5 to in section 229.6, subsection 1, to request a
 6 preapplication>

7 2. Page 5, by striking lines 6 through 8 and
 8 inserting <section, the clerk or the clerk's designee
 9 shall require the interested person referred to in
 10 subsection 1 to request a preapplication screening
 11 assessment pursuant>

ANDERSON of Page

H-8289

1 Amend Senate File 2314, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 3, line 19, by striking <40,607,023> and
 4 inserting <40,327,023>

5 2. Page 3, line 29, by striking <232,672,498> and
 6 inserting <231,872,498>

WAGNER of Linn

H-8290

1 Amend Senate File 2164, as passed by the Senate, as
 2 follows:

3 1. Page 2, after line 4 by inserting:
 4 <Sec. ____ Section 237A.5, subsection 2, Code 2011,
 5 is amended by adding the following new paragraph:
 6 NEW PARAGRAPH. 0g. A person subject to a record
 7 check who is or was employed by a child care facility

8 or child care home provider and is hired by another
9 child care facility or child care home provider,
10 shall be subject to a record check in accordance with
11 this subsection. However, if the person was subject
12 to an evaluation because of a transgression in the
13 person's record and the evaluation determined that
14 the transgression did not warrant prohibition of the
15 person's involvement with child care and the latest
16 record checks do not indicate there is a transgression
17 that was committed subsequent to that evaluation,
18 the person may commence employment with the other
19 child care facility or provider in accordance with
20 the department's evaluation and an exemption from
21 any requirements for reevaluation of the latest
22 record checks is authorized. Authorization of an
23 exemption under this paragraph "0g" from requirements
24 for reevaluation of the latest record checks by
25 the department is subject to all of the following
26 provisions:

27 (1) The position with the subsequent employer
28 is substantially the same or has the same job
29 responsibilities as the position for which the previous
30 evaluation was performed.
31 (2) Any restrictions placed on the person's
32 employment in the previous evaluation by the department
33 shall remain applicable in the person's subsequent
34 employment.
35 (3) The person subject to the record checks has
36 maintained a copy of the previous evaluation and
37 provides the evaluation to the subsequent employer or
38 the previous employer provides the previous evaluation
39 from the person's personnel file pursuant to the
40 person's authorization. If a physical copy of the
41 previous evaluation is not provided to the subsequent
42 employer, the record checks shall be reevaluated.
43 (4) Although an exemption under this paragraph
44 "0g" may be authorized, the subsequent employer may
45 instead request a reevaluation of the record checks and
46 may employ the person while the reevaluation is being
47 performed.>

48 2. Title page, line 3, after <facilities> by
49 inserting <and child care facilities and homes>

50 3. By renumbering as necessary.

LOFGREN of Muscatine
PETERSEN of Polk

H-8291

1 Amend House File 2435 as follows:
2 1. Page 61, after line 23 by inserting:
3 <Sec. ___. Section 237A.13, subsection 7,

4 paragraphs a and c, Code 2011, are amended to read as
5 follows:

6 a. Families with an income at or below one hundred
7 percent of the federal poverty level whose members ~~are~~
8 ~~employed, for~~ at least twenty-eight hours per week in
9 the aggregate, are employed or are participating at a
10 satisfactory level in an approved training program or
11 educational program, and parents with a family income
12 at or below one hundred percent of the federal poverty
13 level who are under the age of twenty-one years and are
14 participating in an educational program leading to a
15 high school diploma or the equivalent.

16 c. Families with an income of more than one hundred
17 percent but not more than one hundred forty-five
18 percent of the federal poverty level whose members ~~are~~
19 ~~employed, for~~ at least twenty-eight hours per week in
20 the aggregate, are employed or are participating at a
21 satisfactory level in an approved training program or
22 educational program.>

23 2. By renumbering as necessary.

PETERSEN of Polk

H-8292

1 Amend Senate File 2121, as passed by the Senate, as
2 follows:

3 1. Page 6, after line 9 by inserting:
4 <7. Promote the office's existing toll-free
5 telephone line and electronic mail address as the
6 "government watchdog hotline", and encourage persons
7 to use the hotline to report fraud, waste, and
8 malfeasance. The government watchdog hotline telephone
9 number and electronic mail address shall be displayed
10 on all state government internet sites, at highway rest
11 areas, at the state fairgrounds, and to the extent
12 practicable in state published materials.>

PETERSEN of Polk

H-8293

1 Amend House File 2226, as passed by the House, as
2 follows:

3 1. Page 1, before line 10 by inserting:
4 <Sec. ____ Section 235A.18, subsection 1, paragraph
5 a, Code Supplement 2011, is amended to read as follows:
6 a. Report and disposition data relating to a
7 particular case of alleged child abuse shall be sealed
8 ten years after the initial placement of the data
9 in the registry unless good cause be shown why the
10 data should remain open to authorized access. If a

11 subsequent report of an alleged case of child abuse
 12 involving the child named in the initial data placed in
 13 the registry as the victim of abuse or a person named
 14 in the data as having abused a child is received by the
 15 department within this ten-year period, the data shall
 16 be sealed ten years after receipt of the subsequent
 17 report unless good cause be shown why the data should
 18 remain open to authorized access. However, ~~such~~
 19 ~~report and a person named in the initial data placed~~
 20 ~~in the registry as having abused a child shall have~~
 21 ~~the person's name removed from the registry if that~~
 22 ~~person has not had a subsequent case of alleged abuse~~
 23 ~~which resulted in the person's name being placed in the~~
 24 ~~registry as the person responsible for the abuse within~~
 25 ~~the ten-year period. Report and~~ disposition data shall
 26 be made available to the department of justice if the
 27 department requests access to the alleged child abuse
 28 records for purposes of review by the prosecutor's
 29 review committee or commitment of sexually violent
 30 predators under chapter 229A.>
 31 2. By renumbering as necessary.

SENATE AMENDMENT

H-8294

1 Amend House File 524, as passed by the House, as
 2 follows:
 3 1. By striking page 1, line 22, through page 4,
 4 line 1, and inserting:
 5 <Sec. ____ Section 441.16, Code Supplement 2011, is
 6 amended to read as follows:
 7 441.16 Budget.
 8 1. All expenditures under this chapter shall be
 9 paid as ~~hereinafter~~ provided in this section.
 10 2. a. Not later than January 1 of each year the
 11 assessor, the examining board, and the board of review
 12 shall each prepare a proposed budget of all expenses
 13 for the ensuing fiscal year. The assessor shall
 14 include in the proposed budget the probable expenses
 15 for defending assessment appeals. Said budgets shall
 16 be combined by the assessor and copies ~~thereof of the~~
 17 budgets forthwith filed by the assessor in triplicate
 18 with the chairperson of the conference board.
 19 ~~3.~~ b. The combined budgets shall contain an
 20 itemized list of the proposed salaries of the assessor
 21 and each deputy, the amount required for field
 22 personnel and other personnel, their number and their
 23 compensation; the estimated amount needed for expenses,
 24 printing, mileage, and other expenses necessary to
 25 operate the assessor's office, the estimated expenses
 26 of the examining board, and the salaries and expenses

27 of the local board of review.

28 4.3. a. Each fiscal year the chairperson of
29 the conference board shall, by written notice, call
30 a meeting of the conference board to consider the
31 proposed budget and to comply with section 24.9.

32 5. b. At such meeting the conference board shall
33 authorize:

34 a. (1) The number of deputies, field personnel,
35 and other personnel of the assessor's office.

36 b. (2) The salaries and compensation of members of
37 the board of review, the assessor, chief deputy, other
38 deputies, field personnel, and other personnel, and
39 determine the time and manner of payment.

40 c. (3) The miscellaneous expenses of the
41 assessor's office, the board of review, and the
42 examining board, including office equipment, records,
43 supplies, and other required items.

44 d. (4) The estimated expense of assessment
45 appeals. All such expense items shall be included in
46 the budget adopted for the ensuing year.

47 6. 4. All tax levies and expenditures provided for
48 herein shall be subject to the provisions of chapter
49 24 and the conference board is hereby declared to be
50 the certifying board.

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1 7.5. a. Any tax for the maintenance of the
2 office of assessor and other assessment procedure
3 shall be levied only upon the property in the area
4 assessed by ~~said the~~ assessor, and such tax levy
5 shall not exceed ~~forty and one-half~~ sixty-seven
6 and one-half cents per thousand dollars of assessed
7 value in the assessing areas where the valuation upon
8 which the tax is levied does not exceed ninety-two
9 million, six hundred thousand dollars; thirty-three and
10 three-fourths cents per thousand dollars of assessed
11 value in assessing areas where the valuation upon
12 which the tax is levied exceeds ninety-two million,
13 six hundred thousand dollars and does not exceed one
14 hundred eleven million, one hundred twenty thousand
15 dollars; twenty-seven cents per thousand dollars of
16 assessed value in assessing areas where the valuation
17 upon which the tax is levied exceeds one hundred eleven
18 million, one hundred twenty thousand dollars area.
19 The county treasurer shall credit the sums received
20 from such levy to a separate fund to be known as the
21 ~~"assessment expense fund"~~ assessment expense fund
22 and from which fund all expenses incurred under this
23 chapter shall be paid. In the case of a county where
24 there is more than one assessor the treasurer shall
25 maintain separate assessment expense funds for each

26 assessor.

27 8. b. The county auditor shall keep a complete
28 record of said funds and shall issue warrants thereon
29 on requisition of the assessor.

30 9. 6. The assessor shall not issue requisitions
31 so as to increase the total expenditures budgeted for
32 the operation of the assessor's office. However,
33 for purposes of promoting operational efficiency,
34 the assessor shall have authority to transfer funds
35 budgeted for specific items for the operation of
36 the assessor's office from one unexpended balance
37 to another; such transfer shall not be made so as to
38 increase the total amount budgeted for the operation of
39 the office of assessor, and no funds shall be used to
40 increase the salary of the assessor or the salaries of
41 permanent deputy assessors. The assessor shall issue
42 requisitions for the examining board and for the board
43 of review on order of the chairperson of each board and
44 for costs and expenses incident to assessment appeals,
45 only on order of the city legal department, in the case
46 of cities and of the county attorney in the case of
47 counties.

48 10. 7. Unexpended funds remaining in the
49 assessment expense fund at the end of a year shall be
50 carried forward into the next year.>

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1 2. By renumbering as necessary.

SENATE AMENDMENT

H-8295

1 Amend House File 2245, 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 257.8, subsection 1, Code
6 Supplement 2011, is amended to read as follows:

7 1. State percent of growth. ~~The state percent of~~
8 ~~growth for the budget year beginning July 1, 2010,~~
9 ~~is two percent.~~ The state percent of growth for the
10 budget year beginning July 1, 2012, is two percent.
11 The state percent of growth for the budget year
12 beginning July 1, 2013, is four percent. The state
13 percent of growth for each subsequent budget year shall
14 be established by statute which shall be enacted within
15 thirty days of the submission in the year preceding the
16 base year of the governor's budget under section 8.21.
17 The establishment of the state percent of growth for
18 a budget year shall be the only subject matter of the

19 bill which enacts the state percent of growth for a
20 budget year.

21 Sec. 2. Section 257.8, subsection 2, Code
22 Supplement 2011, is amended to read as follows:

23 2. Categorical state percent of growth. ~~The~~
24 ~~categorical state percent of growth for the budget~~
25 ~~year beginning July 1, 2010, is two percent.~~ The
26 categorical state percent of growth for the budget
27 year beginning July 1, 2012, is two percent. The
28 categorical state percent of growth for the budget
29 year beginning July 1, 2013, is four percent. The
30 categorical state percent of growth for each budget
31 year shall be established by statute which shall
32 be enacted within thirty days of the submission in
33 the year preceding the base year of the governor's
34 budget under section 8.21. The establishment of the
35 categorical state percent of growth for a budget year
36 shall be the only subject matter of the bill which
37 enacts the categorical state percent of growth for a
38 budget year. The categorical state percent of growth
39 may include state percents of growth for the teacher
40 salary supplement, the professional development
41 supplement, and the early intervention supplement.

42 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
43 deemed of immediate importance, takes effect upon
44 enactment.

45 Sec. 4. APPLICABILITY. This Act is applicable for
46 computing state aid under the state school foundation
47 program for the school budget year beginning July 1,
48 2013.

49 Sec. 5. CODE SECTION 257.8 — IMPLEMENTATION. The
50 requirements of section 257.8 regarding the enactment

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1 of the regular program state percent of growth and
2 categorical state percent of growth within thirty days
3 of the submission in the year preceding the base year
4 of the governor's budget and the requirements that the
5 subject matter of each bill establishing the state
6 percent of growth or the categorical state percent of
7 growth be the only subject matter of the bill do not
8 apply to this Act.>

9 2. Title page, by striking lines 1 through 3 and
10 inserting <An Act establishing the state percent of
11 growth and the categorical state percent of growth for
12 the school foundation program and including effective
13 date and applicability provisions.>

14 3. By renumbering as necessary.

H-8296

- 1 Amend the amendment, H-8223, to Senate File 2313,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, line 33, by striking <475,000> and
- 5 inserting <675,000>
- 6 2. Page 3, line 34, by striking <5.00> and
- 7 inserting <5.00 8.00>

HUNTER of Polk

H-8297

- 1 Amend the amendment, H-8223, to Senate File 2313,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 5, by striking lines 25 through 39.
- 5 2. By renumbering as necessary.

HUNTER of Polk

H-8298

- 1 Amend the amendment, H-8223, to Senate File 2313,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 7, by striking line 2 and inserting
- 5 <490,000>
- 6 2. Page 7, after line 4 by inserting:
- 7 <Of the moneys appropriated in this section,
- 8 \$200,000 shall be for the purpose of the establishment
- 9 of residential substance abuse facilities for
- 10 juveniles.>

HUNTER of Polk

H-8299

- 1 Amend the amendment, H-8223, to Senate File 2313,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 7, by striking lines 2 through 4 and
- 5 inserting:
- 6 <346,213
- 7 FTEs 8.00>

HUNTER of Polk

H-8300

- 1 Amend the amendment, H-8223, to Senate File 2313,

2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 7, by striking lines 18 through 20 and
5 inserting:

6 <226,200
7 FTEs 7.00>

8 2. Page 7, by striking lines 26 through 28 and
9 inserting:

10 <1,235,000
11 FTEs 17.00>

12 3. Page 7, by striking line 34 and inserting:
13 <1,260,000>

HUNTER of Polk

H-8301

1 Amend the amendment, H-8223, to Senate File 2313,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 16, by striking lines 13 through 17.

HUNTER of Polk

H-8302

1 Amend the amendment, H-8223, to Senate File 2313,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 8, by striking line 11 and inserting
5 <678,942>

6 2. Page 8, by striking line 18 and inserting
7 <2,172,971>

8 3. Page 8, by striking line 31 and inserting
9 <5,763,146>

10 4. By striking page 10, line 23, through page 11,
11 line 19.

12 5. Page 15, by striking lines 7 through 21.

13 6. Page 16, after line 7 by inserting:
14 <Sec. ____ REPEAL. 2011 Iowa Acts, chapter 129,
15 section 149, is repealed.>

16 7. By renumbering as necessary.

KELLEY of Jasper

H-8303

1 Amend the House amendment, S-3246, to Senate File
2 365, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. By striking page 1, line 3, through page 2, line
5 31, and inserting:

6 <____. By striking everything after the enacting
7 clause and inserting:

8 <Section 1. Section 232.8, subsection 1, paragraph
9 c, Code 2011, is amended to read as follows:
10 c. Violations by a child, aged sixteen or older,
11 which subject the child to the provisions of section
12 124.401, subsection 1, paragraph "e" or "f", or
13 violations of section 723A.2 which involve a violation
14 of chapter 724, or violation of chapter 724 which
15 constitutes a felony, or violations which constitute
16 a forcible felony are excluded from the jurisdiction
17 of the juvenile court and shall be prosecuted as
18 otherwise provided by law unless the district court
19 transfers jurisdiction of the child to the juvenile
20 court upon motion and for good cause pursuant to
21 section 803.6. ~~A child over whom jurisdiction has not~~
22 ~~been transferred to the juvenile court, and who is~~
23 ~~convicted of a violation excluded from the jurisdiction~~
24 ~~of the juvenile court under this paragraph, shall be~~
25 ~~sentenced pursuant to section 124.401B, 902.9, or~~
26 ~~903.1~~. Notwithstanding any other provision of the
27 Code to the contrary, the district court may accept
28 from a child in district court a plea of guilty, or
29 may instruct the jury on a lesser included offense
30 to the offense excluded from the jurisdiction of the
31 juvenile court under this section, in the same manner
32 as regarding an adult. The judgment and sentence of
33 a child in district court shall be as provided in
34 section 901.5. However, the juvenile court shall
35 have exclusive original jurisdiction in a proceeding
36 concerning an offense of animal torture as provided in
37 section 717B.3A alleged to have been committed by a
38 child under the age of seventeen.

39 Sec. 2. Section 232.8, subsection 3, paragraph a,
40 Code 2011, is amended to read as follows:
41 a. The juvenile court, after a hearing and in
42 accordance with the provisions of section 232.45, may
43 waive jurisdiction of a child alleged to have committed
44 a public offense so that the child may be prosecuted
45 as an adult or youthful offender for such offense in
46 another court. If the child, ~~except a child being~~
47 ~~prosecuted as a youthful offender~~, pleads guilty or is
48 found guilty of a public offense other than a class "A"
49 felony in another court of this state, that court may
50 suspend the sentence or, with the consent of the child,

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1 defer judgment and without regard to restrictions
2 placed upon deferred judgments for adults, place the
3 child on probation for a period of not less than one
4 year upon such conditions as it may require. Upon
5 fulfillment of the conditions of probation, a child
6 who receives a deferred judgment shall be discharged

7 without entry of judgment. A child prosecuted as
8 a youthful offender shall be sentenced pursuant to
9 section 907.3A.

10 Sec. 3. Section 232.45, subsection 6, unnumbered
11 paragraph 1, Code 2011, is amended to read as follows:

12 At the conclusion of the waiver hearing the court
13 may waive its jurisdiction over the child for the
14 alleged commission of the public offense for the
15 purpose of prosecution of the child as an adult if all
16 of the following apply:

17 Sec. 4. Section 232.45, subsection 7, paragraph
18 a, subparagraph (1), Code 2011, is amended to read as
19 follows:

20 (1) The child is twelve through fifteen years of
21 age or ~~younger~~ the child is ten or eleven years of age
22 and has been charged with a public offense that would
23 be classified as a class "A" felony if committed by an
24 adult.

25 Sec. 5. Section 232.45A, subsections 2 and 3, Code
26 2011, are amended to read as follows:

27 2. Once a child sixteen years of age or older
28 has been waived ~~to and convicted of an aggravated~~
29 ~~misdemeanor or a felony in~~ by the juvenile court to the
30 district court, all subsequent criminal proceedings
31 against the child ~~for any aggravated misdemeanor~~
32 ~~or felony occurring subsequent to the date of the~~
33 ~~conviction of the child for any delinquent act~~
34 committed after the date of the waiver by the juvenile
35 court shall begin in district court, notwithstanding
36 sections 232.8 and 232.45. A copy of the findings
37 required by section 232.45, subsection 10, shall
38 be made a part of the record in the district court
39 proceedings. However, upon acquittal or dismissal
40 in district court of all waived offenses and all
41 lesser included offenses of the waived offenses, the
42 proceedings for any delinquent act committed by the
43 child subsequent to such acquittal or dismissal shall
44 begin in juvenile court. Any proceedings initiated in
45 district court for a public offense committed by the
46 child subsequent to the waiver by the juvenile court,
47 but prior to any acquittal or dismissal of all waived
48 offenses and lesser included offenses in district
49 court, shall remain in district court.

50 3. If proceedings against a child ~~for an aggravated~~

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1 ~~misdemeanor or a felony~~ sixteen years of age or older
2 who has previously been waived to and convicted of
3 an aggravated misdemeanor or a felony in the district
4 court are mistakenly begun in the juvenile court, the
5 matter shall be transferred to district court upon

6 the discovery of the prior waiver and conviction,
7 notwithstanding sections 232.8 and 232.45.>

8 Sec. 6. Section 232.50, subsection 1, Code 2011, is
9 amended to read as follows:

10 1. As soon as practicable following the entry
11 of an order of adjudication pursuant to section
12 232.47 or notification that the child has ~~received a~~
13 ~~youthful offender deferred sentence~~ been placed on
14 youthful offender status pursuant to section 907.3A,
15 the court shall hold a dispositional hearing in order
16 to determine what disposition should be made of the
17 matter.

18 Sec. 7. Section 232.52, subsection 1, Code 2011, is
19 amended to read as follows:

20 1. Pursuant to a hearing as provided in section
21 232.50, the court shall enter the least restrictive
22 dispositional order appropriate in view of the
23 seriousness of the delinquent act, the child's
24 culpability as indicated by the circumstances of
25 the particular case, the age of the child, the
26 child's prior record, or the fact that the child has
27 ~~received a youthful offender deferred sentence~~ been
28 placed on youthful offender status under section
29 907.3A. The order shall specify the duration and
30 the nature of the disposition, including the type of
31 residence or confinement ordered and the individual,
32 agency, department, or facility in whom custody is
33 vested. In the case of a child who has ~~received a~~
34 ~~youthful offender deferred sentence~~ been placed on
35 youthful offender status, the initial duration of the
36 dispositional order shall be until the child reaches
37 the age of eighteen.

38 Sec. 8. Section 232.54, subsection 1, paragraph g,
39 Code 2011, is amended to read as follows:

40 g. With respect to a juvenile court dispositional
41 order entered regarding a child who has ~~received a~~
42 ~~youthful offender deferred sentence~~ been placed on
43 youthful offender status under section 907.3A, the
44 dispositional order may be terminated prior to the
45 child reaching the age of eighteen upon motion of the
46 child, the person or agency to whom custody of the
47 child has been transferred, or the county attorney
48 following a hearing before the juvenile court if it is
49 shown by clear and convincing evidence that it is in
50 the best interests of the child and the community to

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1 terminate the order. The hearing may be waived if all
2 parties to the proceeding agree. The dispositional
3 order regarding a child who has ~~received a youthful~~
4 ~~offender deferred sentence~~ been placed on youthful

5 offender status may also be terminated prior to the
6 child reaching the age of eighteen upon motion of the
7 county attorney, if the waiver of the child to district
8 court was conditioned upon the terms of an agreement
9 between the county attorney and the child, and the
10 child violates the terms of the agreement after the
11 waiver order has been entered. The district court
12 shall discharge the child's youthful offender status
13 upon receiving a termination order under this section.

14 Sec. 9. Section 232.54, subsection 1, paragraph h,
15 unnumbered paragraph 1, Code 2011, is amended to read
16 as follows:

17 With respect to a dispositional order entered
18 regarding a child who has ~~received a youthful offender~~
19 ~~deferred sentence~~ been placed on youthful offender
20 status under section 907.3A, the juvenile court may,
21 in the case of a child who violates the terms of the
22 order, modify or terminate the order in accordance with
23 the following:

24 Sec. 10. Section 232.55, subsection 3, Code 2011,
25 is amended to read as follows:

26 3. This section does not apply to dispositional
27 orders entered regarding a child who has ~~received a~~
28 ~~youthful offender deferred sentence~~ been placed on
29 youthful offender status under section 907.3A who
30 is not discharged from probation before or upon the
31 child's eighteenth birthday.

32 Sec. 11. Section 232.56, Code 2011, is amended to
33 read as follows:

34 232.56 Youthful offenders — transfer to district
35 court supervision.

36 The juvenile court shall deliver a report, which
37 includes an assessment of the child by a juvenile court
38 officer after consulting with the judicial district
39 department of correctional services, to the district
40 court prior to the eighteenth birthday of a child who
41 has ~~received a youthful offender deferred sentence~~
42 been placed on youthful offender status under section
43 907.3A. A hearing shall be held in the district court
44 in accordance with section 907.3A to determine whether
45 the child should be discharged from youthful offender
46 status or whether the child shall continue under the
47 supervision of the district court after the child's
48 eighteenth birthday.

49 Sec. 12. Section 901.5, Code Supplement 2011, is
50 amended by adding the following new subsection:

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1 **NEW SUBSECTION.** 14. Notwithstanding any provision
2 in section 907.3 or any other provision of law
3 prescribing a mandatory minimum sentence for the

4 offense, if the defendant is guilty of a public offense
5 other than a class "A" felony, and was a minor at
6 the time the offense was committed, the court may
7 suspend the sentence in whole or in part, including any
8 mandatory minimum sentence, defer sentence, or with the
9 consent of the defendant, defer judgment, and place the
10 defendant on probation, upon such conditions as the
11 court may require.

12 Sec. 13. Section 907.3A, Code 2011, is amended to
13 read as follows:

14 907.3A Youthful offender deferred sentence —
15 youthful offender status.

16 1. Notwithstanding section 907.3 but subject to any
17 conditions of the waiver order, the trial court shall,
18 upon a plea of guilty or a verdict of guilty, ~~defer~~
19 ~~sentence of a youthful offender~~ place the juvenile
20 over whom the juvenile court has waived jurisdiction
21 pursuant to section 232.45, subsection 7, and place
22 the juvenile on youthful offender status. The court
23 shall transfer supervision of the youthful offender
24 to the juvenile court for disposition in accordance
25 with section 232.52. An adjudication of delinquency
26 entered by the juvenile court at disposition for
27 a public offense shall not be deemed a conviction
28 and shall not preclude the subsequent entry of a
29 deferred judgment, conviction, or sentence by the
30 district court. The court shall require supervision
31 of the youthful offender in accordance with section
32 232.54, subsection 1, paragraph "h", or subsection 2
33 of this section. ~~Notwithstanding section 901.2, a~~
34 ~~presentence investigation shall not be ordered by the~~
35 ~~court subsequent to an entry of a plea of guilty or~~
36 ~~verdict of guilty or prior to deferral of sentence of a~~
37 ~~youthful offender under this section.~~

38 2. The court shall hold a hearing prior to a
39 youthful offender's eighteenth birthday to determine
40 whether the youthful offender shall continue on
41 youthful offender status after the youthful offender's
42 eighteenth birthday ~~under the supervision of the~~
43 ~~court or be discharged.~~ Notwithstanding section
44 901.2, the court may order a presentence investigation
45 report including a report for an offense classified
46 as a class "A" felony. The court shall review the
47 report of the juvenile court regarding the youthful
48 offender ~~and prepared pursuant to section 232.56,~~
49 ~~and any presentence investigation report, if ordered~~
50 ~~by the court. The court shall hear evidence by or~~

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1 on behalf of the youthful offender, by the county
2 attorney, and by the person or agency to whom custody

3 of the youthful offender was transferred. The court
4 shall make its decision, pursuant to the sentencing
5 options available in subsection 3, after considering
6 the services available to the youthful offender, the
7 evidence presented, the juvenile court's report, the
8 presentence investigation report if ordered by the
9 court, the interests of the youthful offender, and
10 interests of the community.

11 3. a. Notwithstanding any provision of the Code
12 which prescribes a mandatory minimum sentence for the
13 offense committed by the youthful offender, following
14 transfer of the youthful offender from the juvenile
15 court back to the court having jurisdiction over the
16 criminal proceedings involving the youthful offender,
17 the court ~~may continue the youthful offender deferred~~
18 ~~sentence or enter a sentence, which may be a suspended~~
19 ~~sentence.~~ shall order one of the following sentencing
20 options:

21 (1) Defer judgment and place the youthful offender
22 on probation, upon the consent of the youthful
23 offender.

24 (2) Defer the sentence and place the youthful
25 offender on probation upon such terms and conditions
26 as the court may require.

27 (3) Suspend the sentence and place the youthful
28 offender on probation upon such terms and conditions
29 as the court may require.

30 (4) A term of confinement.

31 (5) Discharge the youthful offender from youthful
32 offender status and terminate the sentence.

33 b. Notwithstanding anything in section 907.7 to
34 the contrary, if the district court ~~either grants~~
35 the youthful offender a deferred judgment, continues
36 the youthful offender deferred sentence, or enters a
37 sentence, and suspends the sentence, and places the
38 youthful offender on probation, the term of formal
39 supervision shall commence upon entry of the order by
40 the district court and may continue for a period not
41 to exceed five years. If the district court enters a
42 sentence of confinement, and the youthful offender was
43 previously placed in secure confinement by the juvenile
44 court under the terms of the initial disposition order
45 or any modification to the initial disposition order,
46 the person shall receive credit for any time spent in
47 secure confinement. During any period of probation
48 imposed by the district court, a youthful offender who
49 violates the terms of probation is subject to section
50 908.11.

2 <and the prosecution of a juvenile in juvenile or>>

SENATE AMENDMENT

H-8304

1 Amend the amendment, H-8270, to Senate File 430,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 5, through page 2, line
5 38, and inserting:

6 <Section 1. Section 7E.5, subsection 2, paragraph
7 a, Code Supplement 2011, is amended to read as follows:

8 a. There is a civil rights commission, a public
9 employment relations board, an interstate cooperation
10 commission, an Iowa ethics, ~~and~~ campaign disclosure,
11 and public information board, and an Iowa law
12 enforcement academy.

13 Sec. ____ Section 8.7, Code Supplement 2011, is
14 amended to read as follows:

15 8.7 Reporting of gifts and bequests received.

16 All gifts and bequests received by a department
17 or accepted by the governor on behalf of the state
18 shall be reported to the Iowa ethics, ~~and~~ campaign
19 disclosure, and public information board and the
20 general assembly's standing committees on government
21 oversight. The Iowa ethics, ~~and~~ campaign disclosure,
22 and public information board shall, by January 31 of
23 each year, submit to the fiscal services division
24 of the legislative services agency a written report
25 listing all gifts and bequests received during the
26 previous calendar year with a value over one thousand
27 dollars and the purpose for each such gift or bequest.
28 The submission shall also include a listing of all
29 gifts and bequests received by a department from
30 a person if the cumulative value of all gifts and
31 bequests received by the department from the person
32 during the previous calendar year exceeds one thousand
33 dollars, and the Iowa ethics, ~~and~~ campaign disclosure,
34 and public information board shall include, if
35 available, the purpose for each such gift or bequest.
36 However, the reports on gifts or bequests filed by the
37 state board of regents and the Iowa state fair board
38 pursuant to section 8.44 shall be deemed sufficient to
39 comply with the requirements of this section.

40 Sec. ____ Section 17A.2, subsection 11, paragraph
41 1, Code 2011, is amended to read as follows:

42 1. An advisory opinion of the Iowa ethics, ~~and~~
43 campaign disclosure, and public information board.

44 Sec. ____ Section 21.6, subsection 3, paragraph a,
45 subparagraph (3), Code Supplement 2011, is amended to
46 read as follows:

47 (3) Reasonably relied upon a decision of a court, a
48 formal opinion of the Iowa ethics, campaign disclosure,
49 and public information board, the attorney general,
50 or the attorney for the governmental body, given in

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1 writing, or as memorialized in the minutes of the
2 meeting at which a formal oral opinion was given,
3 or an advisory opinion of the Iowa ethics, campaign
4 disclosure, and public information board, the attorney
5 general, or the attorney for the governmental body,
6 given in writing.

7 Sec. ____ Section 22.7, subsection 52, paragraph d,
8 Code Supplement 2011, is amended to read as follows:

9 d. This subsection does not apply to a report filed
10 with the Iowa ethics, and campaign disclosure, and
11 public information board pursuant to section 8.7.

12 Sec. ____ Section 22.7, Code Supplement 2011, is
13 amended by adding the following new subsection:

14 NEW SUBSECTION. 65. Tentative, preliminary,
15 draft, speculative, or research material, prior
16 to its completion for the purpose for which it is
17 intended and in a form prior to the form in which it is
18 submitted for use or used in the actual formulation,
19 recommendation, adoption, or execution of any official
20 policy or action by a public official authorized to
21 make such decisions for the governmental body or the
22 government body. This subsection shall not apply to
23 public records that are actually submitted for use or
24 are used in the formulation, recommendation, adoption,
25 or execution of any official policy or action of a
26 governmental body or a government body by a public
27 official authorized to adopt or execute official policy
28 for the governmental body or the government body.

29 Sec. ____ Section 22.10, subsection 3, paragraph
30 b, subparagraph (3), Code Supplement 2011, is amended
31 to read as follows:

32 (3) Reasonably relied upon a decision of a court, a
33 formal opinion of the Iowa ethics, campaign disclosure,
34 and public information board, the attorney general, or
35 the attorney for the government body, given in writing,
36 or as memorialized in the minutes of the meeting at
37 which a formal oral opinion was given, or an advisory
38 opinion of the Iowa ethics, campaign disclosure, and
39 public information board, the attorney general, or the
40 attorney for the government body, given in writing.>

41 2. Page 2, line 25, by striking <Board>

42 3. Page 2, by striking lines 28 and 29 and
43 inserting <through an efficient, informal, and>

44 4. Page 2, line 32, after <Iowa> by inserting
45 <ethics, campaign disclosure, and>

46 5. Page 2, line 33, by striking <23.3> and
 47 inserting <68B.32>
 48 6. Page 3, after line 2 by inserting:
 49 <3A. "Council" means the Iowa public information
 50 advisory council established in section 23.3.>

Page 3

1 7. Page 3, by striking lines 17 through 21 and
 2 inserting:
 3 <Sec. ____ NEW SECTION. 23.3 Iowa public
 4 information advisory council established.
 5 1. An Iowa public information advisory council is
 6 established for the purpose of assembling a diverse
 7 group of persons to make recommendations to the board
 8 concerning the best means to ensure compliance with
 9 and the enforcement of the requirements of chapters 21
 10 and 22. The council shall meet at least quarterly and
 11 at other times as necessary to meet the requirements
 12 of this section. The council shall consist of the
 13 following seven members appointed by the governor:>
 14 8. Page 3, by striking lines 32 through 35 and
 15 inserting:
 16 <g. One member of the public.>
 17 9. Page 4, by striking line 1 and inserting:
 18 <2. Members appointed to the council shall serve
 19 staggered>
 20 10. Page 4, by striking line 4 and inserting:
 21 <3. A quorum of the council shall consist of four
 22 members.>
 23 11. Page 4, by striking line 5 and inserting:
 24 <4. A vacancy on the council shall be filled by the
 25 governor.>
 26 12. Page 4, by striking lines 7 through 12 and
 27 inserting:
 28 <5. The council shall select one of its members to
 29 serve as chairperson.>
 30 13. Page 4, line 14, by striking <Board> and
 31 inserting <Council>
 32 14. Page 4, line 16, by striking <board> and
 33 inserting <council>
 34 15. Page 5, line 11, after <duties> by inserting
 35 <under this chapter>
 36 16. Page 5, line 12, after <two> by inserting
 37 <additional>
 38 17. Page 5, line 13, after <authority> by inserting
 39 <under this chapter>
 40 18. Page 5, line 16, after <employees> by inserting
 41 <executing its authority under this chapter>
 42 19. Page 5, line 30, by striking <or through
 43 mediation and settlement> and inserting <and advice>
 44 20. Page 6, after line 1 by inserting:

45 <4A. Establish a procedure for requesting and
46 issuing board advisory opinions to persons subject to
47 the authority of the board under this chapter.>
48 21. Page 6, line 5, by striking <The board may
49 examine> and inserting <Examine, at its discretion,>
50 22. Page 6, by striking lines 20 through 22 and

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1 inserting <remedies on a respondent who has been found
2 in violation of chapter 21 or>

3 23. Page 6, line 30, after <Make> by inserting <,
4 in cooperation with the council, the attorney general,
5 and the ombudsman,>

6 24. Page 7, line 9, after <annually> by inserting
7 <by January 1>

8 25. Page 7, after line 18 by inserting:
9 <14. Coordinate, in cooperation with the council,
10 the attorney general, and the ombudsman, the
11 investigation and enforcement of complaints alleging
12 violations of chapters 21 and 22 to avoid duplication
13 of services.>

14 26. Page 8, by striking lines 2 through 17 and
15 inserting:
16 <Sec. . NEW SECTION. 23.8 Initial processing
17 of complaint.

18 1. Upon receipt of a complaint alleging a violation
19 of chapter 21 or 22, the executive director of
20 the board or attorney for the board shall review
21 the complaint and determine whether it is legally
22 sufficient pursuant to subsection 2.

23 2. A legally sufficient complaint must allege all
24 of the following:

25 a. Facts that would establish a violation of a
26 provision of chapter 21 or 22 or rules adopted by the
27 board pursuant to chapter 21 or 22.

28 b. Facts that would establish that the conduct
29 providing the basis for the complaint occurred within
30 sixty days of receipt of the complaint.

31 c. Facts that would establish that the subject of
32 the complaint is a party subject to the jurisdiction
33 of the board.

34 3. The complaint and the evaluation regarding
35 legal sufficiency of the complaint by the executive
36 director of the board or the attorney for the board
37 shall be referred to the chairperson of the board.
38 If the chairperson of the board is unavailable, the
39 complaint and the evaluation shall be referred to the
40 vice chairperson of the board.

41 a. If the chairperson or vice chairperson of the
42 board finds the complaint to be legally sufficient,
43 the chairperson or vice chairperson shall accept the

44 complaint and shall notify the parties of that fact in
45 writing.

46 b. If the chairperson or vice chairperson of the
47 board determines that, on its face, the complaint is
48 legally insufficient, involves harmless error, or
49 relates to a specific incident that has been previously
50 finally disposed of on its merits by the board or

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1 a court, the chairperson or vice chairperson shall
2 decline to accept the complaint and shall provide the
3 complainant with a written order explaining the reasons
4 therefor.>

5 27. By striking page 8, line 18, through page 9,
6 line 4, and inserting:

7 <Sec. ____ NEW SECTION. 23.9 Informal assistance.

8 After accepting a complaint, board staff shall
9 promptly work with the parties to reach an informal,
10 expeditious resolution of the complaint.

11 Sec. ____ NEW SECTION. 23.10 Enforcement.

12 1. If informal assistance fails to resolve the
13 matter to the>

14 28. Page 9, line 25, by striking <An attorney
15 selected by the> and inserting <The executive director
16 of the board or an attorney selected by the executive>

17 29. Page 10, by striking lines 4 through 8 and
18 inserting:

19 <(1) Require the respondent to pay damages, as
20 provided for in section 21.6 or 22.10, whichever is
21 applicable, to the extent that provision would make
22 such damages payable if the complainant had sought to
23 enforce a violation in court instead of through the
24 board.

25 (02) Require the respondent to take any remedial
26 action deemed appropriate by the board.

27 (002) Publicly reprimand the respondent for
28 violations of chapter 21 or 22.>

29 30. Page 10, by striking lines 31 and 32 and
30 inserting <officer, or an employee of those branches.>

31 31. By striking page 10, line 33, through page 11,
32 line 6.

33 32. Page 11, by striking lines 7 through 23 and
34 inserting:

35 <Sec. ____ Section 68A.101, Code 2011, is amended
36 to read as follows:

37 68A.101 Citation and administration.

38 This chapter may be cited as the "Campaign Disclosure
39 - Income Tax Checkoff Act". The Iowa ethics, and
40 campaign disclosure, and public information board shall
41 administer this chapter as provided in sections 68B.32,
42 68B.32A, 68B.32B, 68B.32C, and 68B.32D.

43 Sec. ____ Section 68A.102, subsection 2, Code 2011,
44 is amended to read as follows:

45 2. "Board" means the Iowa ethics, ~~and~~ campaign
46 disclosure, and public information board established
47 under section 68B.32.

48 Sec. ____ Section 68A.405, subsection 1, paragraph
49 d, Code 2011, is amended to read as follows:

50 d. If more than one individual is responsible, the

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1 words "paid for by", the names of the individuals, and
2 either the addresses of the individuals or a statement
3 that the addresses of the individuals are on file with
4 the Iowa ethics, ~~and~~ campaign disclosure, and public
5 information board shall appear on the material.

6 Sec. ____ Section 68A.603, Code 2011, is amended to
7 read as follows:

8 68A.603 Rules promulgated.

9 The Iowa ethics, ~~and~~ campaign disclosure, and public
10 information board shall administer the provisions of
11 sections 68A.601, 68A.602, and 68A.604 through 68A.609
12 and shall promulgate all necessary rules in accordance
13 with chapter 17A.

14 Sec. ____ Section 68A.606, Code 2011, is amended to
15 read as follows:

16 68A.606 Funds — campaign expenses only.

17 1. The chairperson of the state statutory political
18 committee shall produce evidence to the Iowa ethics,
19 ~~and~~ campaign disclosure, and public information board
20 not later than the twenty-fifth day of January each
21 year, that all income tax checkoff funds expended for
22 campaign expenses have been utilized exclusively for
23 campaign expenses.

24 2. The Iowa ethics, ~~and~~ campaign disclosure, and
25 public information board shall issue, prior to the
26 payment of any money, guidelines that explain which
27 expenses and evidence thereof qualify as acceptable
28 campaign expenses.

29 3. Should the Iowa ethics, ~~and~~ campaign disclosure,
30 and public information board determine that any part of
31 the funds have been used for noncampaign or improper
32 expenses, the board may order the political party or
33 the candidate to return all or any part of the total
34 funds paid to that political party for that election.
35 When such funds are returned, they shall be deposited
36 in the general fund of the state.

37 Sec. ____ Section 68B.2, subsections 3 and 23, Code
38 2011, are amended to read as follows:

39 3. "Board" means the Iowa ethics, ~~and~~ campaign
40 disclosure, and public information board.

41 23. "Regulatory agency" means the department

42 of agriculture and land stewardship, department of
43 workforce development, department of commerce, Iowa
44 department of public health, department of public
45 safety, department of education, state board of
46 regents, department of human services, department
47 of revenue, department of inspections and appeals,
48 department of administrative services, public
49 employment relations board, state department of
50 transportation, civil rights commission, department of

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1 public defense, Iowa ethics, ~~and~~ campaign disclosure,
2 and public information board, and department of natural
3 resources.

4 Sec. ____ Section 68B.32, subsections 1 and 5, Code
5 2011, are amended to read as follows:

6 1. a. An Iowa ethics, ~~and~~ campaign disclosure,
7 and public information board is established as an
8 independent agency.

9 b. The board shall administer this chapter and set
10 standards for, investigate complaints relating to, and
11 monitor ~~the all of the following~~:

12 (1) The ethics of officials, employees, lobbyists,
13 and candidates for office in the executive branch of
14 state government. ~~The board shall administer and set~~
15 ~~standards for, investigate complaints relating to, and~~
16 ~~monitor the campaign~~

17 (2) Campaign finance practices of candidates
18 for public office. ~~The board shall administer and~~
19 ~~establish standards for, investigate complaints~~
20 ~~relating to, and monitor the~~

21 (3) The reporting of gifts and bequests under
22 section 8.7.

23 c. ~~The board shall administer chapter 23 and set~~
24 ~~standards for, investigate complaints relating to,~~
25 ~~and provide an alternative means by which to secure~~
26 ~~compliance with and enforcement of the requirements of~~
27 ~~chapters 21 and 22.~~

28 d. The board shall consist of six members and shall
29 be balanced as to political affiliation as provided in
30 section 69.16. The members shall be appointed by the
31 governor, subject to confirmation by the senate.

32 5. The board shall employ a full-time executive
33 director who shall be the board's chief administrative
34 officer. The board shall employ or contract for the
35 employment of legal counsel notwithstanding section
36 13.7, and any other personnel as may be necessary
37 to carry out the duties of the board. The board's
38 legal counsel shall be the chief legal officer of
39 the board and shall advise the board on all legal
40 matters relating to the administration of this chapter

41 and ~~chapter~~ chapters 23 and 68A. The state may be
42 represented by the board's legal counsel in any civil
43 action regarding the enforcement of this chapter or
44 chapter 23 or 68A, or at the board's request, the
45 state may be represented by the office of the attorney
46 general. Notwithstanding section 8A.412, all of the
47 board's employees, except for the executive director
48 and legal counsel, shall be employed subject to the
49 merit system provisions of chapter 8A, subchapter IV.
50 The salary of the executive director shall be fixed by

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1 the board, within the range established by the general
2 assembly. The salary of the legal counsel shall be
3 fixed by the board, within a salary range established
4 by the department of administrative services for
5 a position requiring similar qualifications and
6 experience.

7 Sec. ____ Section 68B.32A, subsection 1, Code 2011,
8 is amended to read as follows:

9 1. Adopt rules pursuant to chapter 17A and conduct
10 hearings under sections 23.10, 68B.32B, and 68B.32C and
11 chapter 17A, as necessary to carry out the purposes of
12 this chapter, ~~chapter~~ chapters 23 and 68A, and section
13 8.7.

14 Sec. ____ Section 68B.32A, Code 2011, is amended by
15 adding the following new subsection:

16 NEW SUBSECTION. 20. Exercise the authority,
17 powers, and duties of the board under chapter 23.

18 Sec. ____ Section 68B.35, subsection 2, paragraph
19 e, Code Supplement 2011, is amended to read as follows:

20 e. Members of the state banking council, the Iowa
21 ethics, and campaign disclosure, and public information
22 board, the credit union review board, the economic
23 development authority, the employment appeal board,
24 the environmental protection commission, the health
25 facilities council, the Iowa finance authority, the
26 Iowa public employees' retirement system investment
27 board, the board of the Iowa lottery authority, the
28 natural resource commission, the board of parole, the
29 petroleum underground storage tank fund board, the
30 public employment relations board, the state racing and
31 gaming commission, the state board of regents, the tax
32 review board, the transportation commission, the office
33 of consumer advocate, the utilities board, the Iowa
34 telecommunications and technology commission, and any
35 full-time members of other boards and commissions as
36 defined under section 7E.4 who receive an annual salary
37 for their service on the board or commission. The Iowa
38 ethics, and campaign disclosure, and public information
39 board shall conduct an annual review to determine if

40 members of any other board, commission, or authority
41 should file a statement and shall require the filing
42 of a statement pursuant to rules adopted pursuant to
43 chapter 17A.

44 Sec. ____ Section 68B.35, subsection 5, Code
45 Supplement 2011, is amended to read as follows:

46 5. a. A candidate for statewide office shall
47 file a financial statement with the Iowa ethics, and
48 campaign disclosure, and public information board,
49 a candidate for the office of state representative
50 shall file a financial statement with the chief clerk

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1 of the house of representatives, and a candidate for
2 the office of state senator shall file a financial
3 statement with the secretary of the senate. Statements
4 shall contain information concerning the year preceding
5 the year in which the election is to be held.

6 b. The Iowa ethics, and campaign disclosure,
7 and public information board shall adopt rules
8 pursuant to chapter 17A providing for the filing of
9 the financial statements with the board and for the
10 deposit, retention, and availability of the financial
11 statements. The ethics committees of the house of
12 representatives and the senate shall recommend rules
13 for adoption by the respective houses providing for
14 the filing of the financial statements with the chief
15 clerk of the house or the secretary of the senate and
16 for the deposit, retention, and availability of the
17 financial statements. Rules adopted shall also include
18 a procedure for notification of candidates of the duty
19 to file disclosure statements under this section.

20 Sec. ____ Section 331.210A, subsection 2, paragraph
21 e, subparagraphs (1) and (2), Code 2011, are amended
22 to read as follows:

23 (1) The plan approved by the board of supervisors
24 shall be submitted to the state commissioner of
25 elections for approval. If the state commissioner or
26 the Iowa ethics, and campaign disclosure, and public
27 information board finds that the plan does not meet
28 the standards of section 42.4, the state commissioner
29 shall reject the plan, and the board of supervisors
30 shall direct the commission to prepare and adopt an
31 acceptable plan.

32 (2) For purposes of determining whether the
33 standards of section 42.4 have been met, an
34 eligible elector may file a complaint with the state
35 commissioner of elections within fourteen days after
36 a plan is approved by the board of supervisors of the
37 county in which the eligible elector resides, on a form
38 prescribed by the commissioner, alleging that the plan

39 was drawn for improper political reasons as described
 40 in section 42.4, subsection 5. If a complaint is filed
 41 with the state commissioner of elections, the state
 42 commissioner shall forward the complaint to the Iowa
 43 ethics, and campaign disclosure, and public information
 44 board established in section 68B.32 for resolution.
 45 Sec. ____ Section 331.756, subsection 15, Code
 46 Supplement 2011, is amended to read as follows:
 47 15. Review the report and recommendations of
 48 the Iowa ethics, and campaign disclosure, and
 49 public information board and proceed to institute
 50 the recommended actions or advise the board that

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1 prosecution is not merited, as provided in sections
 2 68B.32C and 68B.32D.>
 3 33. Title page, line 3, by striking <board> and
 4 inserting <Act>
 5 34. Title page, line 3, by striking <and effective
 6 date>

LENSING of Johnson

H-8305

1 Amend the amendment, H-8289, to Senate File 2314,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by striking lines 3 through 6 and
 5 inserting:
 6 <____. Page 1, before line 1 by inserting:
 7 <Sec. ____ 2011 Iowa Acts, chapter 125, section 2,
 8 subsection 1, paragraphs a and c, are amended to read
 9 as follows:

10 a. Operations:
 11 \$ ~~40,356,529~~
 12 40,076,529
 13 FTEs 296.00
 14 c. Highways:
 15 \$~~230,913,992~~
 16 230,113,992
 17 FTEs 2,247.00>

18 ____ Page 6, after line 8 by inserting:
 19 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 20 provision of this Act, being deemed of immediate
 21 importance, takes effect upon enactment:

22 1. The section of this Act amending 2011 Acts,
 23 chapter 125, section 2, subsection 1, paragraphs a and
 24 c.>
 25 ____ By renumbering as necessary.>

WAGNER of Linn

H-8306

1 Amend the amendment, H-8287, to Senate File 479, as
2 passed by the Senate, as follows:

3 1. Page 1, line 12, after <sex.> by inserting <A
4 swine classified by the department of agriculture and
5 land stewardship as fifteen percent or more Russian
6 boar or European boar is not a domesticated swine.>

MUHLBAUER of Crawford

H-8307

1 Amend the amendment, H-8223, to Senate File 2313,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 15, before line 22 by inserting:
5 <Sec. ____ Section 8A.311, Code Supplement 2011, is
6 amended by adding the following new subsections:
7 NEW SUBSECTION. 12A. a. If the lowest responsive
8 bid received by the state or a political subdivision
9 for products or other purchases is from an out-of-state
10 business and totals less than five hundred thousand
11 dollars, and an Iowa-based business submitted a bid
12 which is within five percent or ten thousand dollars
13 of the price of the lowest bid, whichever is less,
14 the Iowa-based business which submitted the lowest
15 responsive bid shall be notified and shall be allowed
16 to match the lowest bid before a contract is awarded.

17 b. This subsection does not apply to a request
18 for bids or proposals for products or other purchases
19 associated with the following:

- 20 (1) Road or bridge construction or repair.
21 (2) Architectural or engineering services.

22 NEW SUBSECTION. 12B. a. A response to a request
23 for bids or proposals for products or other purchases
24 by the state or a political subdivision which totals
25 less than five hundred thousand dollars in value shall
26 contain the following information:

- 27 (1) The percentage of the ownership of the
28 submitting business which is held by Iowa residents.
29 (2) The percentage of the employees who will be
30 carrying out work in connection with the contract
31 who are Iowa residents. For the purposes of this
32 paragraph, "employee" includes part-time, temporary,
33 contract, and substitute employees, and includes
34 employees of any contractors or subcontractors.
35 (3) An estimate of the percentage of purchases
36 to be made by the submitting business in connection
37 with the contract that will be made from Iowa-based
38 businesses.
39 (4) The amount of property tax paid by the

40 submitting business during the most recently completed
 41 fiscal year for which such a figure is available.
 42 b. This subsection does not apply to a request
 43 for bids or proposals for products or other purchases
 44 associated with the following:
 45 (1) Road or bridge construction or repair.
 46 (2) Architectural or engineering services.
 47 NEW SUBSECTION. 12C. Subsections 12A and 12B do
 48 not apply to procurement of or for a public improvement
 49 as defined in section 26.2.>
 50 2. By renumbering as necessary.

THOMAS of Clayton

H-8308

1 Amend Senate File 2038, as passed by the Senate, as
 2 follows:
 3 1. Page 5, before line 24 by inserting:
 4 <Sec. ____ Section 91A.5A, subsection 1, Code 2011,
 5 is amended to read as follows:
 6 1. An employer shall provide each employee who is
 7 a veteran, as defined in section 35.1, with holiday
 8 time off for Veterans Day, November 11, if the employee
 9 would otherwise be required to work on that day, as
 10 provided in this section. If Veterans Day falls on a
 11 Saturday, an employer shall provide the employee with
 12 holiday time off for the preceding Friday. If Veterans
 13 Day falls on a Sunday, an employer shall provide
 14 the employee with holiday time off for the following
 15 Monday. However, if the employee is otherwise required
 16 to work on such a Saturday or Sunday, an employer shall
 17 only be required to provide the employee with holiday
 18 time off for Veterans Day, November 11.>
 19 2. Title page, line 1, after <relating to> by
 20 inserting <veterans by making changes related to>
 21 3. Title page, line 3, after <affairs> by inserting
 22 <and to employer requirements for the observance of
 23 Veterans Day>
 24 4. By renumbering as necessary.

KEARNS of Lee

H-8309

1 Amend the amendment, H-8276, to Senate File 2242, as
 2 passed by the Senate, as follows:
 3 1. Page 2, after line 19 by inserting:
 4 <Sec. ____ Section 232.102, subsection 10, Code
 5 2011, is amended by adding the following new paragraph:
 6 NEW PARAGRAPH. c. If the department, social worker
 7 or caseworker, juvenile court officer, or other agency

8 licensed by the state to conduct a social investigation
 9 and prepare a social report makes a recommendation
 10 regarding placement of a child pursuant to a temporary
 11 removal hearing under section 232.95, adjudicatory
 12 hearing under section 232.96, or transfer of legal
 13 custody proceeding under subsection 5 of this section,
 14 the department, social worker or case worker, juvenile
 15 court officer, or other agency shall first consider and
 16 provide information on the stability of the child's
 17 home.>>
 18 2. By renumbering as necessary.

HEATON of Henry

H-8310

1 Amend Senate File 2038, as passed by the Senate, as
 2 follows:
 3 1. Page 5, after line 8 by inserting:
 4 <Sec. ____ Section 35B.6, subsection 1, paragraphs
 5 a and c, Code 2011, are amended to read as follows:
 6 a. The members of the commission shall qualify by
 7 taking the usual oath of office, ~~and give bond in the~~
 8 ~~sum of five hundred dollars each, conditioned for the~~
 9 ~~faithful discharge of their duties with sureties to be~~
 10 ~~approved by the county auditor.~~ The commission shall
 11 organize by the selection of one of their members as
 12 chairperson and one as secretary. The commission,
 13 subject to the approval of the board of supervisors,
 14 shall employ an executive director or administrator
 15 and shall have the power to employ other necessary
 16 employees when needed, including administrative or
 17 clerical assistants, but no member of the commission
 18 shall be so employed. ~~The compensation of such~~
 19 ~~employees shall be fixed by the board of supervisors.~~
 20 The state department of veterans affairs shall
 21 recognize the executive director or administrator as
 22 a county veterans service officer recognized pursuant
 23 to 38 C.F.R. § 14.628(c) for the purposes of assisting
 24 veterans and their dependents in obtaining federal
 25 benefits. The commission shall recommend the annual
 26 compensation of the executive director or administrator
 27 to the board of supervisors. The board of supervisors
 28 shall consider the recommendation and shall determine
 29 and approve the annual compensation of the executive
 30 director or administrator. The executive director
 31 must possess the same qualifications as provided in
 32 section 35B.3 for commission members. However, this
 33 qualification requirement shall not apply to a person
 34 employed as an executive director prior to July 1,
 35 1989.
 36 c. Upon the employment of an executive director or

37 administrator, the executive director or administrator
 38 shall complete a course of certification training
 39 provided by the department of veterans affairs
 40 pursuant to section 35A.5. If an executive director
 41 or administrator fails to obtain certification within
 42 one year of being employed, the executive director
 43 or administrator shall be removed from office. A
 44 ~~commissioner or other~~ commission employee may also
 45 complete the course of certification training. The
 46 department shall issue the executive director,
 47 administrator, ~~commissioner~~, or employee a certificate
 48 of training after completion of the certification
 49 training course. To maintain certification, the
 50 executive director, administrator, ~~commissioner~~,

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1 or employee shall satisfy the continuing education
 2 requirements established by the national association
 3 of county ~~veteran~~ veterans service officers. Failure
 4 of an executive director or administrator to maintain
 5 certification shall be cause for removal from office.
 6 The expenses of training the executive director or
 7 administrator shall be paid from the appropriation
 8 authorized in section 35B.14.

9 Sec. ____ Section 35B.6, subsection 1, paragraph
 10 d, Code 2011, is amended by adding the following new
 11 subparagraph:

12 NEW SUBPARAGRAPH. (3) Complete and submit all
 13 forms required for federal, state, and county benefits.

14 Sec. ____ Section 35B.6, subsection 2, Code 2011,
 15 is amended to read as follows:

16 2. a. Two or more boards of supervisors may agree,
 17 pursuant to chapter 28E, to share the services of an
 18 executive director or administrator. The agreement
 19 shall provide for the establishment of a commission
 20 of veteran affairs office in each of the counties
 21 participating in the agreement.

22 b. It shall be unlawful for any county board of
 23 supervisors or any county commission of veteran affairs
 24 to place the administration of the duties of the county
 25 commission of veteran affairs under any other agency
 26 of any county, or to publish the names of the veterans
 27 or their families who receive benefits under the
 28 provisions of this chapter.

29 Sec. ____ Section 35B.6, subsection 3, Code 2011,
 30 is amended by striking the subsection.

31 Sec. ____ Section 35B.6, subsection 4, paragraph a,
 32 Code 2011, is amended to read as follows:

33 a. Each county commission of veteran affairs
 34 shall maintain an office in a public building owned,
 35 operated, or leased by the county.

36 Sec. ____ Section 35B.7, Code 2011, is amended to
37 read as follows:

38 35B.7 Meetings — report — budget.

39 The commission shall meet monthly and at other
40 times as necessary. At the monthly meeting it shall
41 determine who are entitled to county benefits and
42 the probable amount required to be expended. The
43 commission shall meet annually to prepare an estimated
44 budget for all expenditures to be made in the next
45 fiscal year and certify the budget to the board of
46 supervisors. The board may approve or reduce the
47 budget for valid reasons shown and entered of record
48 and the board's decision is final.

49 Sec. ____ Section 35B.10, Code 2011, is amended to
50 read as follows:

Page 3

1 35B.10 Disbursements — inspection of records.
2 1. All claims certified by the commission shall
3 be reviewed by the board of supervisors and the
4 county auditor shall issue warrants in payment of the
5 claims. All applications, investigation reports, and
6 case records are privileged communications and ~~shall~~
7 ~~be held~~ confidential, subject to use and inspection
8 only by persons authorized by law in connection with
9 their official duties relating to financial audits and
10 the administration of this chapter or as authorized
11 by order of a district court. ~~However, the county~~
12 ~~commission of veteran affairs shall prepare and file~~
13 ~~in the office of the county auditor on or before the~~
14 ~~thirtieth day of each January, April, July, and October~~
15 ~~a report showing the case numbers of all recipients~~
16 ~~receiving assistance under this chapter, together with~~
17 ~~the amount paid to each during the preceding quarter.~~
18 ~~Each report so filed shall be securely fixed in a~~
19 ~~record book to be used only for such reports made under~~
20 ~~this chapter. A person may sign a release to authorize~~
21 the examination of that person's applications, reports,
22 or records.

23 ~~The record book shall be and the same is hereby~~
24 ~~declared to be a public record, open to public~~
25 ~~inspection at all times during the regular office~~
26 ~~hours of the county auditor. Each person who desires~~
27 ~~to examine said records, other than in pursuance of~~
28 ~~official duties as hereinbefore provided, shall sign~~
29 ~~a written request to examine the same, which shall~~
30 ~~contain an agreement on the part of the signer that~~
31 ~~the signer will not utilize any information gained~~
32 ~~therefrom for commercial or political purposes.~~

33 2. It shall be unlawful for any person, body,
34 association, firm, corporation or any other agency

35 to solicit, disclose, receive, make use of or to
36 authorize, knowingly permit, participate in or
37 acquiesce in the use of any lists, names or other
38 information obtained from the reports above provided
39 for, for commercial or political purposes, and a
40 violation of this provision shall constitute a serious
41 misdemeanor.

42 Sec. ____ Section 35B.14, Code 2011, is amended by
43 adding the following new subsections:

44 NEW SUBSECTION. 3. The commission is responsible
45 for the interment in a suitable cemetery of the body of
46 any veteran, as defined in section 35.1, or the spouse,
47 surviving spouse, or child of the person, if the person
48 has died without leaving sufficient means to defray the
49 funeral expenses. The commission may pay the expenses
50 in a sum not exceeding an amount established by the

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1 board of supervisors.

2 NEW SUBSECTION. 4. Burial expenses shall be paid
3 by the county in which the person died. If the person
4 is a resident of a different county at the time of
5 death, the county of residence shall reimburse the
6 county where the person died for the cost of burial.
7 In either case, the board of supervisors of the
8 respective counties shall audit and pay the account
9 from the funds provided for in this chapter in the
10 manner as other claims are audited and paid.

11 Sec. ____ Section 35B.16, Code 2011, is amended to
12 read as follows:

13 35B.16 Markers for graves.

14 The county commission of veteran affairs may
15 furnish a suitable and appropriate metal marker for
16 the grave of each veteran, as defined in section 35.1,
17 who is buried within the limits of the county. The
18 marker shall be placed at the individual's grave to
19 permanently mark and designate the grave for memorial
20 purposes. The expenses shall be paid from any funds
21 raised as provided in this chapter.

22 Sec. ____ Section 35B.17, Code 2011, is amended to
23 read as follows:

24 35B.17 Maintenance of graves.

25 1. The county boards of supervisors shall each
26 year appropriate and pay to the owners of, or to the
27 public board or officers having control of cemeteries
28 within the state in which any such deceased service
29 person is buried, a sum sufficient to pay for the care
30 and maintenance of the lots on which they are buried
31 in all cases in which provision for such care is not
32 otherwise made, or may conclude their responsibility
33 by paying a mutually agreed to fee for perpetual care

34 when the cemetery authority has established a perpetual
 35 care fund for the cemetery, to be paid either as a lump
 36 sum, or in not to exceed five installments in a manner
 37 agreed to by the parties.

38 2. Payment under subsection 1 shall be made at the
 39 rate charged for like care and maintenance of other
 40 lots of similar size in the same cemetery, upon the
 41 affidavit of the superintendent or other person in
 42 charge of such cemetery, that the same has not been
 43 otherwise paid or provided for.

44 Sec. ____ Section 35B.19, Code 2011, is amended to
 45 read as follows:

46 35B.19 Burial records.

47 The ~~county commission of veteran affairs~~ executive
 48 director or administrator shall be charged with
 49 securing the information requested by the department
 50 of veterans affairs of every person having a military

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1 service record and buried in ~~that~~ the county. Such
 2 information shall be secured from the undertaker
 3 in charge of the burial or cremation and shall be
 4 transmitted by the undertaker to the ~~commission of~~
 5 county veteran affairs office of the county where
 6 burial or disposition of cremated remains is made.
 7 This information shall be recorded alphabetically and
 8 by description of location in the cemetery where the
 9 veteran is buried or the place of disposition of the
 10 cremated remains of the veteran. This recording shall
 11 conform to the directives of the department of veterans
 12 affairs and shall be kept in a book by the ~~county~~
 13 ~~commission executive director or administrator.~~>

14 2. Page 5, after line 23 by inserting:

15 <Sec. ____ Section 64.11, Code 2011, is amended to
 16 read as follows:

17 64.11 Expense of bonds paid by county.

18 If a county treasurer, county attorney, recorder,
 19 auditor, sheriff, medical examiner, ~~member of the~~
 20 ~~veterans affairs commission,~~ member of the board of
 21 supervisors, engineer, steward, or matron elects to
 22 furnish a bond with an association or incorporation as
 23 surety as provided in this chapter, the reasonable cost
 24 of the bond shall be paid by the county where the bond
 25 is filed.

26 Sec. ____ Section 331.381, subsection 6, Code 2011,
 27 is amended to read as follows:

28 6. Audit and pay the burial expense for indigent
 29 veterans, as provided in section ~~35B.15~~ 35B.14,
 30 subsection 4.

31 Sec. ____ Section 331.502, subsections 14 and 15,
 32 Code 2011, are amended by striking the subsections.

33 Sec. ____ Section 331.508, subsection 5, Code 2011,
34 is amended by striking the subsection.>
35 3. Page 5, line 26, by striking <and>
36 4. Page 5, line 27, after <35.12.> by inserting
37 <35A.9, 35B.8, 35B.9, 35B.12, 35B.13, 35B.15, and
38 35B.18>
39 5. Page 5, by striking line 28.
40 6. Title page, line 1, after <relating to> by
41 inserting <veterans by making changes related to>
42 7. Title page, line 3, after <affairs> by inserting
43 <and the county commissions of veterans affairs>
44 8. By renumbering as necessary.

ALONS of Sioux

H-8311

1 Amend Senate File 2296, as passed by the Senate, as
2 follows:
3 1. Page 1, after line 11 by inserting:
4 <Sec. ____ Section 907.3, subsection 3, unnumbered
5 paragraph 1, Code Supplement 2011, is amended to read
6 as follows:
7 By record entry at the time of or after sentencing,
8 the court may suspend the sentence and place the
9 defendant on probation upon such terms and conditions
10 as it may require including commitment to an alternate
11 jail facility or a community correctional residential
12 treatment facility to be followed by a period of
13 probation as specified in section 907.7, or commitment
14 of the defendant to the judicial district department
15 of correctional services for supervision or services
16 under section 901B.1 at the level of sanctions which
17 the district department determines to be appropriate
18 and the payment of fees imposed under section 905.14.
19 A person so committed who has probation revoked shall
20 not be given credit for such time served. However, ~~the~~
21 a person committed to an alternate jail facility or a
22 community correctional residential treatment facility
23 who has probation revoked shall be given credit for
24 time served in the facility. The court shall not
25 suspend any of the following sentences:
26 Sec. ____ APPLICABILITY AND WAIVER OF RIGHTS. A
27 person who commits an offense prior to the effective
28 date of this Act may expressly state to the court, at
29 the time of sentencing, that the person waives any
30 rights under Anderson v. State, 801 N.W.2d 1, relating
31 to the calculation of credit for time served, and agree
32 to be sentenced using credits as calculated under
33 section 907.3 as amended by this Act. If the court
34 finds the waiver voluntary, the sentencing order shall
35 reference the person's waiver of rights under Anderson,

36 and order that credit for time served be calculated
 37 under section 907.3, as amended by this Act.
 38 Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 39 provision or provisions of this Act, being deemed of
 40 immediate importance, take effect upon enactment:
 41 1. The section of this Act amending section 907.3.
 42 2. The section of this Act relating to the waiver
 43 of rights under Anderson v. State.>
 44 2. Title page, line 2, by striking <murder and
 45 providing a penalty> and inserting <murder, credit for
 46 time served while on probation for certain offenses,
 47 providing a penalty, and including effective date
 48 provisions>
 49 3. By renumbering as necessary.

ANDERSON of Page

H-8312

1 Amend Senate File 2293, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, after line 6 by inserting:
 4 <Sec. ____ Section 505.8, subsection 6, Code
 5 Supplement 2011, is amended by adding the following new
 6 paragraph:
 7 NEW PARAGRAPH. 0c. The commissioner, in
 8 cooperation with the consumer advocate, shall provide
 9 information for consumers on the insurance division's
 10 internet site about the impact on Iowa consumers of
 11 the federal Patient Protection and Affordable Care
 12 Act, Pub. L. No. 111-148, as amended by the federal
 13 Health Care and Education Reconciliation Act of 2010,
 14 Pub. L. No. 111-152, and any amendments thereto,
 15 or regulations or guidance issued under those Acts,
 16 including but not limited to funding received by the
 17 state pursuant to the federal Act, benefits offered to
 18 consumers in the state pursuant to the federal Act,
 19 health care coverage expansions in the state and the
 20 number of Iowa consumers who are benefitting from those
 21 expansions as a result of the Act, and future benefits
 22 and expansions which will result from the federal
 23 Act. The information provided shall include links
 24 to federal resources on the internet which provide
 25 periodic updates and bulletins on the implementation
 26 of the federal Act.>
 27 2. By renumbering as necessary.

PETERSEN of Polk

H-8313

1 Amend House File 2442 as follows:

- 2 1. Page 13, after line 20 by inserting:
 3 <Sec. ____ Section 483A.24, Code Supplement 2011,
 4 is amended by adding the following new subsection:
 5 NEW SUBSECTION. 7A. A resident of the state under
 6 sixteen years of age is not required to have a fur
 7 harvester license to accompany the minor's parent or
 8 guardian, or any other competent adult with the consent
 9 of the minor's parent or guardian, while the parent or
 10 guardian or other adult is hunting raccoons so long as
 11 the minor is not hunting and does not carry or use a
 12 firearm or any other weapon.>
 13 2. Title page, line 1, after <hunting> by inserting
 14 <, fur harvester,>
 15 3. By renumbering as necessary.

RAYHONS of Hancock

H-8314

- 1 Amend House File 2440 as follows:
 2 1. Page 1, line 1, after <Code> by inserting
 3 <Supplement>

HELLAND of Polk

H-8315

- 1 Amend Senate File 2293, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, before line 1 by inserting:
 4 <Section 1. NEW SECTION. 103A.71 Residential
 5 contractors.
 6 1. As used in this section:
 7 a. "Catastrophe" means a natural occurrence
 8 including but not limited to fire, earthquake, tornado,
 9 windstorm, flood, or hail storm, which damages or
 10 destroys residential real estate.
 11 b. "Residential contractor" means a person in
 12 the business of contracting to repair or replace
 13 residential roof systems or perform any other
 14 exterior repair, exterior replacement, or exterior
 15 reconstruction work resulting from a catastrophe
 16 on residential real estate or a person offering to
 17 contract with an owner or possessor of residential real
 18 estate to carry out such work.
 19 c. "Residential real estate" means a new or existing
 20 building, including a detached garage, constructed for
 21 habitation by one to four families.
 22 d. "Roof system" includes roof coverings, roof
 23 sheathing, roof weatherproofing, and roof insulation.
 24 2. A residential contractor shall not advertise
 25 or promise to rebate any insurance deductible or

26 any portion thereof as an inducement to the sale of
27 goods or services. A promise to rebate any insurance
28 deductible includes granting any allowance or offering
29 any discount against the fees to be charged or paying
30 a person directly or indirectly associated with the
31 residential real estate any form of compensation,
32 except for items of nominal value. A residential
33 contractor may display a sign or any other type of
34 advertisement on a person's premises provided the
35 person consents to the display and the person receives
36 no compensation from the residential contractor for the
37 placement of the sign or advertising.

38 3. A residential contractor shall not represent
39 or negotiate on behalf of, or offer or advertise
40 to represent or negotiate on behalf of, an owner or
41 possessor of residential real estate on any insurance
42 claim in connection with the repair or replacement
43 of roof systems, or the performance of any other
44 exterior repair, exterior replacement, or exterior
45 reconstruction work on the residential real estate.

46 4. a. A residential contractor contracting to
47 provide goods or services to repair damage resulting
48 from a catastrophe shall provide the person with whom
49 it is contracting a fully completed duplicate notice in
50 at least ten-point bold type which shall contain the

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1 following statement:

2 NOTICE OF BINDING CONTRACT

3 You are entering into a legally binding contract
4 with (insert name of residential contractor) to provide
5 goods and services to repair damage resulting from
6 a naturally occurring catastrophe including but not
7 limited to a fire, earthquake, tornado, windstorm,
8 flood, or hail storm. Except as described in the next
9 sentence, you are responsible for payment to (insert
10 name of residential contractor) for the cost of all
11 goods and services provided whether or not you receive
12 payment from any property and casualty insurance
13 policy with respect to the damage. Your contract
14 with (insert name of residential contractor) is void
15 and you have no responsibility for payment under the
16 contract if (insert name of residential contractor)
17 either advertises or promises to rebate all or any
18 portion of your insurance deductible, or represents or
19 negotiates, or offers to represent or negotiate, on
20 your behalf with your property and casualty insurance
21 company on any insurance claim relating to the damage
22 you have contracted to have repaired. Your signature
23 below acknowledges your understanding of these legal
24 obligations and rights.

25 _____

26 Date

27 _____

28 Signature

29 b. The notice shall be executed by the person with
30 whom the residential contractor is contracting prior to
31 or contemporaneously with entering into the contract.

32 5. A contract entered into with a residential
33 contractor is void if the residential contractor
34 violates subsection 2, 3, or 4.

35 6. A residential contractor violating this section
36 is subject to the penalties and remedies prescribed by
37 this chapter.

38 7. This section shall not be construed to alter
39 or affect the rights and duties prescribed in chapter
40 555A.>

41 2. Page 21, after line 18 by inserting:
42 <Sec. ____ APPLICABILITY. The section of this Act
43 enacting section 103A.71 applies to contracts entered
44 into on or after July 1, 2012.>

45 3. Title page, line 3, after <date> by inserting
46 <and applicability>

47 4. By renumbering as necessary.

BALTIMORE of Boone

H-8316

1 Amend Senate File 430, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 7, line 32, through page 8,
4 line 1.

5 2. Title page, line 3, by striking <fee and>

6 3. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS

H-8317

1 Amend House File 2442 as follows:

2 1. Page 5, by striking lines 13 and 14.

3 2. Page 13, after line 20 by inserting:

4 <Sec. ____ Section 483A.24, Code Supplement 2011,
5 is amended by adding the following new subsection:

6 NEW SUBSECTION. 7A. A resident of the state under
7 sixteen years of age is not required to have a fur
8 harvester license to accompany the minor's parent or
9 guardian, or any other competent adult with the consent
10 of the minor's parent or guardian, while the parent or
11 guardian or other adult is hunting raccoons so long as
12 the minor is not hunting and does not carry or use a
13 firearm or any other weapon.>

14 3. Title page, line 1, after <hunting> by inserting

- 15 <, fur harvester,>
 16 4. By renumbering as necessary.

RAYHONS of Hancock

H-8318

- 1 Amend House File 2338, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 22, by striking <154,111,822> and
 4 inserting <159,811,822>
 5 2. Page 1, line 29, by striking <2,300,000> and
 6 inserting <3,100,000>

SENATE AMENDMENT

H-8319

- 1 Amend House File 2442 as follows:
 2 1. Page 5, line 12, by striking <license, annual>
 3 and inserting <license>
 4 2. Page 5, by striking lines 13 and 14.
 5 3. Page 13, after line 20 by inserting:
 6 <Sec. ____ Section 483A.24, Code Supplement 2011,
 7 is amended by adding the following new subsection:
 8 NEW SUBSECTION. 7A. A resident of the state under
 9 sixteen years of age is not required to have a fur
 10 harvester license to accompany the minor's parent or
 11 guardian, or any other competent adult with the consent
 12 of the minor's parent or guardian, while the parent or
 13 guardian or other adult is hunting raccoons so long as
 14 the minor is not hunting and does not carry or use a
 15 firearm or any other weapon.>
 16 4. Title page, line 1, after <hunting> by inserting
 17 <, fur harvester,>
 18 5. By renumbering as necessary.

RAYHONS of Hancock

H-8320

- 1 Amend Senate File 2317, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 5, line 12, by striking <license> and
 4 inserting <license, annual>
 5 2. Page 5, after line 12 by inserting:
 6 <0p. Fur dealer license, one day,
 7 one location \$250.00
 8 3. Title page, line 1, after <hunting,> by
 9 inserting <fur dealer,>
 10 4. By renumbering as necessary.

RAYHONS of Hancock
 LYKAM of Scott

H-8321

1 Amend House File 2369, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 144.26, subsection 3, Code
5 Supplement 2011, is amended to read as follows:

6 3. a. The county in which a dead body is found
7 is the county of death. If death occurs in a moving
8 conveyance, the county in which the dead body is first
9 removed from the conveyance is the county of death.

10 b. ~~If a decedent died outside of the county of~~
11 ~~the decedent's residence, the state registrar shall~~
12 ~~send a copy of the decedent's death certificate and~~
13 ~~any amendments to the county registrar of the county~~
14 ~~of the decedent's residence. The county registrar~~
15 ~~shall record a death certificate received pursuant to~~
16 ~~this paragraph in the same records in which the death~~
17 ~~certificate of a decedent who died within the county is~~
18 ~~recorded. The state registrar may provide the county~~
19 ~~registrars with electronic access to vital records in~~
20 ~~lieu of the requirements of this paragraph.>~~

21 2. Page 1, after line 12 by inserting:

22 <Sec. ____ EFFECTIVE UPON ENACTMENT. The section
23 of this Act amending section 144.26, being deemed of
24 immediate importance, takes effect upon enactment.>

25 3. Title page, line 1, after <to> by inserting
26 <vital statistics, including>

27 4. Title page, line 1, after <permit> by inserting
28 <and the transmission and recording of certain death
29 certificates, and including effective date provisions>

30 5. By renumbering as necessary.

SENATE AMENDMENT

H-8322

1 Amend House File 2336, as passed by the House, as
2 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 APPROPRIATIONS FOR FY 2012-2013

8 Section 1. 2011 Iowa Acts, chapter 128, section 46,
9 is amended to read as follows:

10 SEC. 46. 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, 2012,
14 and ending June 30, 2013, 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 \$ 8,248,654
23 16,497,308
24 FTEs 366.00

25 2. The department shall submit a report each
26 quarter of the fiscal year to the legislative services
27 agency, the department of management, the members of
28 the joint appropriations subcommittee on agriculture
29 and natural resources, and the chairpersons and
30 ranking members of the senate and house committees on
31 appropriations. The report shall describe in detail
32 the expenditure of moneys appropriated in this section
33 to support the department's administration, regulation,
34 and programs.

35 3. Of the amount appropriated in this section,
36 ~~\$119,000~~ \$238,000 is transferred to Iowa state
37 university of science and technology, to be used
38 for the university's midwest grape and wine industry
39 institute.

40 DESIGNATED APPROPRIATIONS — ANIMAL HUSBANDRY

41 Sec. 2. 2011 Iowa Acts, chapter 128, section 47, is
42 amended to read as follows:

43 SEC. 47. 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, 2012, and ending June 30, 2013, 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 \$ 152,758
5 305,516

6 DESIGNATED APPROPRIATIONS — MOTOR FUEL

7 Sec. 3. 2011 Iowa Acts, chapter 128, section 48, is
8 amended to read as follows:

9 SEC. 48. RENEWABLE FUEL INFRASTRUCTURE FUND —

10 MOTOR FUEL INSPECTION. There is appropriated from the
11 renewable fuel infrastructure fund created in section
12 ~~15C-205~~ 159A.16 to the department of agriculture and
13 land stewardship for the fiscal year beginning July 1,
14 2012, and ending June 30, 2013, the following amount,

15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 For purposes of the inspection of motor fuel,
18 including salaries, support, maintenance, and
19 miscellaneous purposes:

20 \$ 250,000
21 500,000

22 The department shall establish and administer
23 programs for the auditing of motor fuel including
24 biofuel processing and production plants, for screening
25 and testing motor fuel, including renewable fuel,
26 and for the inspection of motor fuel sold by dealers
27 including retail dealers who sell and dispense motor
28 fuel from motor fuel pumps.

29 SPECIAL APPROPRIATIONS

30 Sec. 4. 2011 Iowa Acts, chapter 128, is amended by
31 adding the following new section:

32 NEW SECTION. SEC. 48A. GENERAL FUND — DAIRY

33 REGULATION. There is appropriated from the general
34 fund of the state to the department of agriculture and
35 land stewardship for the fiscal year beginning July 1,
36 2012, and ending June 30, 2013, the following amount,
37 or so much thereof as is necessary, to be used for the
38 purposes designated:

39 1. For purposes of performing functions pursuant to
40 section 192.109, including conducting a survey of grade
41 "A" milk and certifying the results to the secretary
42 of agriculture:

43 \$ 189,196

44 2. Notwithstanding section 8.33, moneys
45 appropriated for the fiscal year beginning July 1,
46 2012, in this section that remain unencumbered or
47 unobligated at the close of the fiscal year shall not
48 revert but shall remain available to be used for the
49 purposes designated until the close of the succeeding
50 fiscal year.

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1 Sec. 5. 2011 Iowa Acts, chapter 131, section 81, is
2 amended to read as follows:

3 SEC. 81. APPROPRIATION — FARMERS WITH
4 DISABILITIES. There is appropriated from the general
5 fund of the state to the department of agriculture and
6 land stewardship for the following fiscal years, the
7 following amounts, or so much thereof as is necessary,
8 for a program for farmers with disabilities:

9 FY 2011-2012..... \$ 97,000

10 FY 2012-2013..... \$ 48,500

11 97,000

12 The moneys appropriated in this section shall be
13 used for the public purpose of providing a grant to

14 a national nonprofit organization with over 80 years
 15 of experience in assisting children and adults with
 16 disabilities and special needs. The moneys shall
 17 be used to support a nationally recognized program
 18 that began in 1986 and has been replicated in at
 19 least 30 other states, but which is not available
 20 through any other entity in this state, and that
 21 provides assistance to farmers with disabilities in
 22 all 99 counties to allow the farmers to remain in
 23 their own homes and be gainfully engaged in farming
 24 through provision of agricultural worksite and home
 25 modification consultations, peer support services,
 26 services to families, information and referral, and
 27 equipment loan services. Notwithstanding section
 28 8.33, moneys appropriated in this section that remain
 29 unencumbered or unobligated at the close of the fiscal
 30 year shall not revert but shall remain available for
 31 expenditure for the purposes designated until the close
 32 of the succeeding fiscal year.

33 DIVISION II

34 DEPARTMENT OF NATURAL RESOURCES

35 GENERAL APPROPRIATIONS FOR FY 2012-2013

36 Sec. 6. 2011 Iowa Acts, chapter 128, section 49, is
 37 amended to read as follows:

38 SEC. 49. GENERAL FUND — DEPARTMENT.

39 1. There is appropriated from the general fund of
 40 the state to the department of natural resources for
 41 the fiscal year beginning July 1, 2012, and ending June
 42 30, 2013, the following amount, or so much thereof as
 43 is necessary, to be used for the purposes designated:

44 For purposes of supporting the department, including
 45 its divisions, for administration, regulation, and
 46 programs; for salaries, support, maintenance, and
 47 miscellaneous purposes; and for not more than the
 48 following full-time equivalent positions:

49	\$ 6,133,344
50	<u>12,466,688</u>

Page 4

1 FTEs 1,145.95

2 2. Of the number of full-time equivalent positions
 3 authorized to the department pursuant to subsection 1,
 4 50.00 full-time equivalent positions shall be allocated
 5 by the department for seasonal employees for purposes
 6 of providing maintenance, upkeep, and sanitary services
 7 at state parks. This subsection shall not impact park
 8 ranger positions within the department.

9 ___a. The department shall use 32 of the
 10 full-time equivalent positions authorized pursuant
 11 to subsection 1 to support full-time park ranger
 12 positions, including four new full-time park ranger

13 positions.

14 b. Notwithstanding paragraph "a", if the department
15 determines that the amount of the appropriation made in
16 subsection 1 is not sufficient to support 32 full-time
17 park ranger positions, it shall support at least 30
18 full-time park ranger positions.

19 c. The department shall not reduce the number of
20 full-time park ranger positions to fewer than 30.

21 3. The department shall submit a report each
22 quarter of the fiscal year to the legislative services
23 agency, the department of management, the members of
24 the joint appropriations subcommittee on agriculture
25 and natural resources, and the chairpersons and
26 ranking members of the senate and house committees on
27 appropriations. The report shall describe in detail
28 the expenditure of moneys appropriated under this
29 section to support the department's administration,
30 regulation, and programs.

31 Sec. 7. 2011 Iowa Acts, chapter 128, section 50, is
32 amended to read as follows:

33 SEC. 50. STATE FISH AND GAME PROTECTION FUND —
34 DIVISION OF FISH AND WILDLIFE.

35 1. There is appropriated from the state fish and
36 game protection fund to the department of natural
37 resources for the fiscal year beginning July 1, 2012,
38 and ending June 30, 2013, the following amount, or
39 so much thereof as is necessary, to be used for the
40 purposes designated:

41 For purposes of supporting the division of fish and
42 wildlife, including for administration, regulation,
43 and programs; and for salaries, support, maintenance,
44 equipment, and miscellaneous purposes:

45 \$ 19,396,577
46 39,951,171

47 . From the amount appropriated in subsection
48 1, the department shall support at least 84 full-time
49 conservation officer positions.

50 2. Notwithstanding section 455A.10, the department

1 may use the unappropriated balance remaining in the
2 state fish and game protection fund to provide for the
3 funding of health and life insurance premium payments
4 from unused sick leave balances of conservation peace
5 officers employed in a protection occupation who
6 retire, pursuant to section 97B.49B.

7 ~~3. Notwithstanding section 455A.10, the department~~
8 ~~of natural resources may use the unappropriated~~
9 ~~balance remaining in the state fish and game protection~~
10 ~~fund for the fiscal year beginning July 1, 2012,~~
11 ~~and ending June 30, 2013, as is necessary to fund~~

11 Sec. 11. 2011 Iowa Acts, chapter 128, is amended by
12 adding the following new section:
13 NEW SECTION. SEC. 54A. GENERAL FUND — FLOODPLAIN
14 MANAGEMENT AND DAM SAFETY.

15 1. There is appropriated from the general fund of
16 the state to the department of natural resources for
17 the fiscal year beginning July 1, 2012, and ending June
18 30, 2013, the following amount, or so much thereof as
19 is necessary, to be used for the purpose designated:

20 For purposes of supporting floodplain management and
21 dam safety:
22 \$ 2,000,000

23 2. Of the amount appropriated in subsection 1, up
24 to \$400,000 may be used by the department to acquire
25 or install stream gages for purposes of tracking and
26 predicting flood events and for compiling necessary
27 data to improve flood frequency analysis.

28 3. Notwithstanding section 8.33, moneys
29 appropriated in subsection 1 that remain unencumbered
30 or unobligated at the close of the fiscal year shall
31 not revert but shall remain available for expenditure
32 for the purposes designated until the close of the
33 fiscal year beginning July 1, 2013.

34 DIVISION III

35 USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION
36 FUND – PURCHASE OF RADIOS

37 Sec. 12. 2011 Iowa Acts, chapter 128, section 19,
38 subsection 1, is amended to read as follows:

39 1. Notwithstanding 2010 Iowa Acts, chapter 1191,
40 section 7, the department of natural resources may use
41 the unappropriated balance remaining in the state fish
42 and game protection fund for the fiscal year beginning
43 July 1, 2010, and ending June 30, 2011, to purchase
44 mobile radios to meet federal and state requirements
45 for homeland security and public safety. This section
46 applies to those moneys in the fund that are not
47 otherwise used, obligated, or encumbered for payment
48 of health and life insurance premium payments for
49 conservation peace officer retirements for that fiscal
50 year. The department may use such moneys until June

Page 7

1 30, ~~2012~~ 2013.

2 Sec. 13. EFFECTIVE UPON ENACTMENT. This division
3 of this Act amending 2011 Iowa Acts, chapter 128,
4 section 19, subsection 1, being deemed of immediate
5 importance, takes effect upon enactment.

6 DIVISION IV

7 IOWA STATE UNIVERSITY
8 APPROPRIATION FOR FY 2012-2013

9 Sec. 14. 2011 Iowa Acts, chapter 128, section 55,

10 is amended to read as follows:

11 SEC. 55. GENERAL FUND — VETERINARY DIAGNOSTIC
12 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, 2012,
16 and ending June 30, 2013, 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	\$ 1,618,818
24	<u>3,237,636</u>
25	FTEs 50.00

26 2. a. Iowa state university of science and
27 technology shall not reduce the amount that it
28 allocates to support the college of veterinary medicine
29 from any other source due to the appropriation made in
30 this section.

31 b. Paragraph "a" does not apply to a reduction made
32 to support the college of veterinary medicine, if the
33 same percentage of reduction imposed on the college
34 of veterinary medicine is also imposed on all of Iowa
35 state university's budget units.

36 3. If by June 30, 2013, Iowa state university
37 of science and technology fails to allocate the
38 moneys appropriated in this section to the college of
39 veterinary medicine in accordance with this section,
40 the moneys appropriated in this section for that fiscal
41 year shall revert to the general fund of the state.

42 DIVISION V

43 ENVIRONMENT FIRST FUND

44 GENERAL APPROPRIATIONS FOR FY 2012-2013

45 Sec. 15. 2011 Iowa Acts, chapter 128, section 57,
46 is amended to read as follows:

47 SEC. 57. DEPARTMENT OF AGRICULTURE AND LAND

48 STEWARDSHIP. There is appropriated from the
49 environment first fund created in section 8.57A to the
50 department of agriculture and land stewardship for the

1 fiscal year beginning July 1, 2012, and ending June 30,
2 2013, the following amounts, or so much thereof as is
3 necessary, to be used for the purposes designated:

4 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

5 a. For the conservation reserve enhancement program
6 to restore and construct wetlands for the purposes of
7 intercepting tile line runoff, reducing nutrient loss,
8 improving water quality, and enhancing agricultural

9 production practices:

10 \$ 500,000

11 1,000,000

12 b. Not more than 10 percent of the moneys
 13 appropriated in paragraph "a" may be used for costs of
 14 administration and implementation of soil and water
 15 conservation practices.

16 c. Notwithstanding any other provision in law,
 17 the department may provide state resources from this
 18 appropriation, in combination with other appropriate
 19 environment first fund appropriations, for cost sharing
 20 to match United States department of agriculture,
 21 natural resources conservation service, wetlands
 22 reserve enhancement program (WREP) funding available
 23 to Iowa.

24 2. WATERSHED PROTECTION

25 a. For continuation of a program that provides
 26 multiobjective resource protections for flood control,
 27 water quality, erosion control, and natural resource
 28 conservation:

29 \$ 450,000

30 900,000

31 b. Not more than 10 percent of the moneys
 32 appropriated in paragraph "a" may be used for costs of
 33 administration and implementation of soil and water
 34 conservation practices.

35 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

36 a. For continuation of a statewide voluntary farm
 37 management demonstration program to demonstrate the
 38 effectiveness and adaptability of emerging practices in
 39 agronomy that protect water resources and provide other
 40 environmental benefits:

41 \$ 312,500

42 625,000

43 b. Not more than 10 percent of the moneys
 44 appropriated in paragraph "a" may be used for costs of
 45 administration and implementation of soil and water
 46 conservation practices.

47 c. Of the amount appropriated in paragraph "a",
 48 ~~\$185,000~~ \$370,000 shall be allocated to an organization
 49 representing soybean growers to provide for an
 50 agriculture and environment performance program in

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1 order to carry out the purposes of this subsection as
 2 specified in paragraph "a".

3 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

4 For use by the department for costs of
 5 administration and implementation of soil and water
 6 conservation practices:

7 \$ 1,000,000

8 2,000,000
 9 5. CONSERVATION RESERVE PROGRAM (CRP)
 10 a. To encourage and assist farmers in enrolling
 11 in and the implementation of the federal conservation
 12 reserve program and to work with them to enhance their
 13 revegetation efforts to improve water quality and
 14 habitat:

15 \$ 500,000
 16 1,000,000

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 \$ 3,150,000
 27 6,656,250

28 b. Not more than 5 percent of the moneys
 29 appropriated in paragraph "a" may be allocated for
 30 cost sharing to address complaints filed under section
 31 161A.47.

32 c. Of the moneys appropriated in paragraph "a",
 33 5 percent shall be allocated for financial incentives
 34 to establish practices to protect watersheds above
 35 publicly owned lakes of the state from soil erosion and
 36 sediment as provided in section 161A.73.

37 d. Not more than 30 percent of a soil and water
 38 conservation district's allocation of moneys as
 39 financial incentives may be provided for the purpose
 40 of establishing management practices to control soil
 41 erosion on land that is row cropped, including but
 42 not limited to no-till planting, ridge-till planting,
 43 contouring, and contour strip-cropping as provided in
 44 section 161A.73.

45 e. The state soil conservation committee
 46 established by section 161A.4 may allocate moneys
 47 appropriated in paragraph "a" to conduct research and
 48 demonstration projects to promote conservation tillage
 49 and nonpoint source pollution control practices.

50 f. The allocation of moneys as financial incentives

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1 as provided in section 161A.73 may be used in
 2 combination with moneys allocated by the department of
 3 natural resources.

4 g. Not more than 15 percent of the moneys
 5 appropriated in paragraph "a" may be used for costs of
 6 administration and implementation of soil and water

7 conservation practices.

8 h. In lieu of moneys appropriated in section
9 466A.5, not more than \$50,000 of the moneys
10 appropriated in paragraph "a" shall be used by the soil
11 conservation division of the department of agriculture
12 and land stewardship to provide administrative support
13 to the watershed improvement review board established
14 in section 466A.3.

15 7. LOCAL FOOD AND FARM PROGRAM COORDINATOR

16 a. For purposes of supporting a local food and farm
17 program ~~coordinator~~ as established pursuant to ~~new~~
18 ~~Codechapter 267Aas enacted in this Act~~, for salaries,
19 support, maintenance, and miscellaneous purposes:

20 \$ ~~37,500~~
21 75,000

22 b. The department shall enter into a cost-sharing
23 agreement with Iowa state university to support the
24 local food and farm program coordinator position as
25 part of the university's cooperative extension service
26 in agriculture and home economics pursuant to ~~new~~
27 ~~Codechapter 267Aas enacted in this Act~~.

28 8. AGRICULTURAL EDUCATION

29 For purposes of allocating moneys to an Iowa
30 association affiliated with a national organization
31 which promotes agricultural education providing for
32 future farmers:

33 \$ ~~12,500~~
34 25,000

35 9. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

36 a. For deposit in the loess hills development and
37 conservation fund created in section 161D.2:

38 \$ ~~237,500~~
39 118,750

40 b. (1) ~~Of the amount appropriated in paragraph~~
41 ~~"a", \$178,125 shall be allocated to the fund's hungry~~
42 ~~canyons account.~~

43 (2) ~~Not more than 10 percent of the moneys~~
44 ~~allocated to the hungry canyons account as provided in~~
45 ~~subparagraph (1) may be used for administrative costs.~~

46 c. (1) Of the amount appropriated in paragraph
47 "a", ~~\$59,375~~ \$118,750 shall be allocated to the fund's
48 loess hills alliance account.

49 (2) Not more than 10 percent of the moneys
50 allocated to the loess hills alliance account

1 as provided in subparagraph (1) may be used for
2 administrative costs.

3 Sec. 16. 2011 Iowa Acts, chapter 128, section 58,
4 is amended to read as follows:

5 SEC. 58. DEPARTMENT OF NATURAL RESOURCES. There is

6 appropriated from the environment first fund created in
7 section 8.57A to the department of natural resources
8 for the fiscal year beginning July 1, 2012, and ending
9 June 30, 2013, the following amounts, or so much
10 thereof as is necessary, to be used for the purposes
11 designated:

12 1. KEEPERS OF THE LAND

13 For statewide coordination of volunteer efforts
14 under the water quality and keepers of the land
15 programs:

16 \$ 50,000
17 100,000

18 2. STATE PARKS MAINTENANCE AND OPERATIONS

19 For regular maintenance of state parks and staff
20 time associated with these activities:

21 \$ 1,605,000
22 3,210,000

23 3. FORESTRY HEALTH MANAGEMENT

24 To provide for forestry health management programs:

25 \$ 50,000
26 100,000

27 4. GEOGRAPHIC INFORMATION SYSTEM (GIS)

28 To provide local watershed managers with geographic
29 information system data for their use in developing,
30 monitoring, and displaying results of their watershed
31 work:

32 \$ 97,500
33 195,000

34 5. WATER QUALITY MONITORING

35 For continuing the establishment and operation of
36 water quality monitoring stations:

37 \$ 1,477,500
38 2,955,000

39 6. PUBLIC WATER SUPPLY SYSTEM ACCOUNT

40 For deposit in the public water supply system
41 account of the water quality protection fund created
42 in section 455B.183A:

43 \$ 250,000
44 500,000

45 7. REGULATION OF ANIMAL FEEDING OPERATIONS

46 For the regulation of animal feeding operations,
47 including as provided for in chapters 459 through 459B:

48 \$ 210,000
49 420,000

50 8. AMBIENT AIR QUALITY

1 For the abatement, control, and prevention of
2 ambient air pollution in this state, including measures
3 as necessary to assure attainment and maintenance of
4 ambient air quality standards from particulate matter:

5 \$ 212,500

6 425,000

7 9. WATER QUANTITY REGULATION

8 For regulating water quantity from surface and
9 subsurface sources by providing for the allocation and
10 use of water resources, the protection and management
11 of water resources, and the preclusion of conflicts
12 among users of water resources, including as provided
13 in chapter 455B, division III, part 4:

14 \$ 247,500

15 495,000

16 10. GEOLOGICAL AND WATER SURVEY

17 For continuing the operations of the department's
18 geological and water survey including but not limited
19 to providing analysis, data collection, investigative
20 programs, and information for water supply development
21 and protection:

22 \$ 100,000

23 200,000

24 DIVISION VI

25 RESOURCES ENHANCEMENT AND PROTECTION

26 (REAP) FUND FOR FY 2012-2013

27 GENERAL APPROPRIATIONS

28 Sec. 17. 2011 Iowa Acts, chapter 128, is amended by
29 adding the following new section:

30 NEW SECTION. SEC. 58A. ENVIRONMENT FIRST

31 FUND. Notwithstanding the amount of the standing
32 appropriation from the general fund of the state to
33 the Iowa resources enhancement and protection fund as
34 provided in section 455A.18, there is appropriated from
35 the environment first fund created in section 8.57A to
36 the Iowa resources enhancement and protection fund,
37 in lieu of the appropriation made in section 455A.18,
38 for the fiscal year beginning July 1, 2012, and ending
39 June 30, 2013, the following amount, to be allocated as
40 provided in section 455A.19:

41 \$ 12,000,000>>

42 2. Title page, line 3, after <protection> by
43 inserting <, and including effective date provisions>

SENATE AMENDMENT

H-8323

1 Amend House File 2335, 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. 2011 Iowa Acts, chapter 134, section
6 30, is amended to read as follows:

7 SEC. 30. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund

9 of the state to the department of justice for the
10 fiscal year beginning July 1, 2012, and ending June 30,
11 2013, the following amounts, or so much thereof as is
12 necessary, to be used for the purposes designated:

13 a. For the general office of attorney general for
14 salaries, support, maintenance, and miscellaneous
15 purposes, including the prosecuting attorneys training
16 program, matching funds for federal violence against
17 women grant programs, victim assistance grants, office
18 of drug control policy prosecuting attorney program,
19 and odometer fraud enforcement, and for not more than
20 the following full-time equivalent positions:

21	\$ <u>3,896,465</u>
22	<u>7,792,930</u>
23	FTEs <u>212.00</u>
24	<u>214.00</u>

25 It is the intent of the general assembly that as
26 a condition of receiving the appropriation provided
27 in this lettered paragraph, the department of justice
28 shall maintain a record of the estimated time incurred
29 representing each agency or department.

30 b. For victim assistance grants:
31 \$ 1,438,200
32 3,026,400

33 The funds appropriated in this lettered paragraph
34 shall be used to provide grants to care providers
35 providing services to crime victims of domestic abuse
36 or to crime victims of rape and sexual assault.
37 The balance of the victim compensation fund
38 established in section 915.94 may be used to provide
39 salary and support of not more than 24 FTEs and
40 to provide maintenance for the victim compensation
41 functions of the department of justice.

42 The department of justice shall transfer at least
43 \$150,000 from the victim compensation fund established
44 in section 915.94 to the victim assistance grant
45 program.

46 c. For legal services for persons in poverty grants
47 as provided in section 13.34:
48 \$ 907,416
49 1,914,831

50 2. a. The department of justice, in submitting

1 budget estimates for the fiscal year commencing July
2 1, 2013, pursuant to section 8.23, shall include a
3 report of funding from sources other than amounts
4 appropriated directly from the general fund of the
5 state to the department of justice or to the office of
6 consumer advocate. These funding sources shall include
7 but are not limited to reimbursements from other state

8 agencies, commissions, boards, or similar entities, and
9 reimbursements from special funds or internal accounts
10 within the department of justice. The department of
11 justice shall also report actual reimbursements for the
12 fiscal year commencing July 1, 2011, and actual and
13 expected reimbursements for the fiscal year commencing
14 July 1, 2012.

15 b. The department of justice shall include the
16 report required under paragraph "a", as well as
17 information regarding any revisions occurring as a
18 result of reimbursements actually received or expected
19 at a later date, in a report to the co-chairpersons
20 and ranking members of the joint appropriations
21 subcommittee on the justice system and the legislative
22 services agency. The department of justice shall
23 submit the report on or before January 15, 2013.

24 Sec. 2. 2011 Iowa Acts, chapter 134, section 31, is
25 amended to read as follows:

26 SEC. 31. 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, 2012, and ending June 30,
31 2013, 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	\$ 1,568,082
37	3,136,163
38	FTEs 22.00

39 Sec. 3. 2011 Iowa Acts, chapter 134, section 32, is
40 amended to read as follows:

41 SEC. 32. DEPARTMENT OF CORRECTIONS — FACILITIES.

42 1. There is appropriated from the general fund of
43 the state to the department of corrections for the
44 fiscal year beginning July 1, 2012, and ending June
45 30, 2013, the following amounts, or so much thereof as
46 is necessary, to be used for the operation of adult
47 correctional institutions, reimbursement of counties
48 for certain confinement costs, and federal prison
49 reimbursement, to be allocated as follows:

50 a. For the operation of the Fort Madison

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1 correctional facility, including salaries, support,
2 maintenance, and miscellaneous purposes:

3	\$20,515,641
4	42,686,899

5 As a condition of receiving an appropriation under
6 this lettered paragraph the department of corrections

7 shall submit, to the co-chairpersons and ranking
 8 members of the joint appropriations subcommittee on
 9 the justice system by January 15, 2013, the plans for
 10 the integration of the John Bennett facility and the
 11 clinical care unit into the new Fort Madison maximum
 12 security correctional facility and the future plans for
 13 the use of the current Fort Madison maximum security
 14 correctional facility after the inmates are transferred
 15 to the new facility.

16 b. For the operation of the Anamosa correctional
 17 facility, including salaries, support, maintenance, and
 18 miscellaneous purposes:

19 \$ 15,992,987
 20 33,697,392

21 It is the intent of the general assembly that the
 22 department of corrections fully operate the Luster
 23 Heights facility at the facility's 88-bed capacity.

24 c. For the operation of the Oakdale correctional
 25 facility, including salaries, support, maintenance, and
 26 miscellaneous purposes:

27 \$ 27,797,213
 28 57,950,613

29 d. For the operation of the Newton correctional
 30 facility, including salaries, support, maintenance, and
 31 miscellaneous purposes:

32 \$ 12,979,379
 33 27,127,290

34 e. For the operation of the Mt. Pleasant
 35 correctional facility, including salaries, support,
 36 maintenance, and miscellaneous purposes:

37 \$ 12,958,908
 38 26,751,707

39 f. For the operation of the Rockwell City
 40 correctional facility, including salaries, support,
 41 maintenance, and miscellaneous purposes:

42 \$ 4,658,233
 43 9,758,146

44 g. For the operation of the Clarinda correctional
 45 facility, including salaries, support, maintenance, and
 46 miscellaneous purposes:

47 \$ 12,241,178
 48 26,357,056

49 Moneys received by the department of corrections as
 50 reimbursement for services provided to the Clarinda

1 youth corporation are appropriated to the department
 2 and shall be used for the purpose of operating the
 3 Clarinda correctional facility.

4 h. For the operation of the Mitchellville
 5 correctional facility, including salaries, support,

6 maintenance, and miscellaneous purposes:

7 \$ ~~7,807,687~~
8 16,558,690

9 i. For the operation of the Fort Dodge correctional
10 facility, including salaries, support, maintenance, and
11 miscellaneous purposes:

12 \$ ~~14,531,118~~
13 30,062,193

14 j. For reimbursement of counties for temporary
15 confinement of work release and parole violators, as
16 provided in sections 901.7, 904.908, and 906.17, and
17 for offenders confined pursuant to section 904.513:

18 \$ ~~387,546~~
19 1,075,092

20 k. For federal prison reimbursement, reimbursements
21 for out-of-state placements, and miscellaneous
22 contracts:

23 \$ ~~119,706~~
24 484,411

25 ~~1. For three correctional officer full-time~~
26 ~~equivalent positions that are to be assigned to~~
27 ~~a correctional institution by the director of the~~
28 ~~department of corrections:~~

29 \$ ~~78,581~~

30 2. The department of corrections shall use moneys
31 appropriated in subsection 1 to continue to contract
32 for the services of a Muslim imam and a Native American
33 spiritual leader.

34 Sec. 4. 2011 Iowa Acts, chapter 134, section 33, is
35 amended to read as follows:

36 SEC. 33. DEPARTMENT OF CORRECTIONS —
37 ADMINISTRATION. There is appropriated from the general
38 fund of the state to the department of corrections for
39 the fiscal year beginning July 1, 2012, and ending June
40 30, 2013, the following amounts, or so much thereof as
41 is necessary, to be used for the purposes designated:

42 1. For general administration, including salaries,
43 support, maintenance, employment of an education
44 director to administer a centralized education
45 program for the correctional system, and miscellaneous
46 purposes:

47 \$ ~~2,417,771~~
48 5,181,582

49 Ob. It is the intent of the general assembly
50 that as a condition of receiving the appropriation

1 provided in this lettered paragraph the department of
2 corrections shall not, except as otherwise provided
3 in paragraph "c", enter into a new contract, unless
4 the contract is a renewal of an existing contract.

5 for the expenditure of moneys in excess of \$100,000
 6 during the fiscal year beginning July 1, 2012, for the
 7 privatization of services performed by the department
 8 using state employees as of July 1, 2012, or for the
 9 privatization of new services by the department without
 10 prior consultation with any applicable state employee
 11 organization affected by the proposed new contract and
 12 prior notification of the co-chairpersons and ranking
 13 members of the joint appropriations subcommittee on the
 14 justice system.

15 b. It is the intent of the general assembly
 16 that each lease negotiated by the department of
 17 corrections with a private corporation for the purpose
 18 of providing private industry employment of inmates in
 19 a correctional institution shall prohibit the private
 20 corporation from utilizing inmate labor for partisan
 21 political purposes for any person seeking election to
 22 public office in this state and that a violation of
 23 this requirement shall result in a termination of the
 24 lease agreement.

25 c. It is the intent of the general assembly that as
 26 a condition of receiving the appropriation provided in
 27 this subsection the department of corrections shall not
 28 enter into a lease or contractual agreement pursuant to
 29 section 904.809 with a private corporation for the use
 30 of building space for the purpose of providing inmate
 31 employment without providing that the terms of the
 32 lease or contract establish safeguards to restrict, to
 33 the greatest extent feasible, access by inmates working
 34 for the private corporation to personal identifying
 35 information of citizens.

36 2. For educational programs for inmates at state
 37 penal institutions:

38 \$ ~~1,154,055~~
 39 2,558,109

40 b. It is the intent of the general assembly that
 41 moneys appropriated in this subsection shall be used
 42 solely for the purpose indicated and that the moneys
 43 shall not be transferred for any other purpose. In
 44 addition, it is the intent of the general assembly
 45 that the department shall consult with the community
 46 colleges in the areas in which the institutions
 47 are located to utilize moneys appropriated in this
 48 subsection to fund the high school completion, high
 49 school equivalency diploma, adult literacy, and adult
 50 basic education programs in a manner so as to maintain

1 these programs at the institutions.

2 c. To maximize the funding for educational
 3 programs, the department shall establish guidelines

4 and procedures to prioritize the availability of
5 educational and vocational training for inmates based
6 upon the goal of facilitating an inmate's successful
7 release from the correctional institution.

8 d. The director of the department of corrections
9 may transfer moneys from Iowa prison industries and the
10 canteen operating funds established pursuant to section
11 904.310, for use in educational programs for inmates.

12 e. Notwithstanding section 8.33, moneys
13 appropriated in this subsection that remain unobligated
14 or unexpended at the close of the fiscal year shall not
15 revert but shall remain available to be used only for
16 the purposes designated in this subsection until the
17 close of the succeeding fiscal year.

18 3. For the development of the Iowa corrections
19 offender network (ICON) data system:

20 \$ ~~212,182~~
21 424,364

22 4. For offender mental health and substance abuse
23 treatment:

24 \$ ~~11,160~~
25 22,319

26 5. For viral hepatitis prevention and treatment:

27 \$ ~~83,941~~
28 167,881

29 6. It is the intent of the general assembly that
30 for the fiscal year addressed by this section the
31 department of corrections shall continue to operate the
32 correctional farms under the control of the department
33 at the same or greater level of participation and
34 involvement as existed as of January 1, 2011; shall not
35 enter into any rental agreement or contract concerning
36 any farmland under the control of the department that
37 is not subject to a rental agreement or contract as of
38 January 1, 2011, without prior legislative approval;
39 and shall further attempt to provide job opportunities
40 at the farms for inmates. The department shall attempt
41 to provide job opportunities at the farms for inmates
42 by encouraging labor-intensive farming or gardening
43 where appropriate; using inmates to grow produce
44 and meat for institutional consumption; researching
45 the possibility of instituting food canning and
46 cook-and-chill operations; and exploring opportunities
47 for organic farming and gardening, livestock ventures,
48 horticulture, and specialized crops.

49 ~~7. The department of corrections shall solicit~~
50 ~~requests for information to improve efficiencies at the~~

1 ~~pharmacy under the control of the department.~~

2 Sec. 5. 2011 Iowa Acts, chapter 134, section 34, is

3 amended to read as follows:

4 SEC. 34. JUDICIAL DISTRICT DEPARTMENTS OF
5 CORRECTIONAL SERVICES.

6 1. There is appropriated from the general fund of
7 the state to the department of corrections for the
8 fiscal year beginning July 1, 2012, and ending June
9 30, 2013, for salaries, support, maintenance, and
10 miscellaneous purposes, the following amounts, or
11 so much thereof as is necessary, to be allocated as
12 follows:

13 a. For the first judicial district department of
14 correctional services:

15 \$ 6,102,474
16 14,301,004

17 b. For the second judicial district department of
18 correctional services:

19 \$ 5,168,474
20 11,001,278

21 c. For the third judicial district department of
22 correctional services:

23 \$ 2,799,883
24 7,245,713

25 d. For the fourth judicial district department of
26 correctional services:

27 \$ 2,695,678
28 5,520,807

29 e. For the fifth judicial district department of
30 correctional services, including funding for electronic
31 monitoring devices for use on a statewide basis:

32 \$ 9,371,065
33 19,530,766

34 f. For the sixth judicial district department of
35 correctional services:

36 \$ 6,556,282
37 14,095,408

38 g. For the seventh judicial district department of
39 correctional services:

40 \$ 3,246,407
41 7,673,973

42 h. For the eighth judicial district department of
43 correctional services:

44 \$ 3,439,858
45 7,914,828

46 2. Each judicial district department of
47 correctional services, within the funding available,
48 shall continue programs and plans established within
49 that district to provide for intensive supervision, sex
50 offender treatment, diversion of low-risk offenders

2 development, and expanded use of intermediate criminal
3 sanctions.

4 3. Each judicial district department of
5 correctional services shall provide alternatives to
6 prison consistent with chapter 901B. The alternatives
7 to prison shall ensure public safety while providing
8 maximum rehabilitation to the offender. A judicial
9 district department of correctional services may also
10 establish a day program.

11 4. The governor's office of drug control policy
12 or any succeeding entity of the governor's office of
13 drug control policy shall consider federal grants made
14 to the department of corrections for the benefit of
15 each of the eight judicial district departments of
16 correctional services as local government grants, as
17 defined pursuant to federal regulations.

18 5. The department of corrections shall continue
19 to contract with a judicial district department
20 of correctional services to provide for the rental
21 of electronic monitoring equipment which shall be
22 available statewide.

23 Sec. 6. 2011 Iowa Acts, chapter 134, section 39, is
24 amended to read as follows:

25 SEC. 39. IOWA LAW ENFORCEMENT ACADEMY.

26 1. There is appropriated from the general fund of
27 the state to the Iowa law enforcement academy for the
28 fiscal year beginning July 1, 2012, and ending June 30,
29 2013, the following amount, or so much thereof as is
30 necessary, to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous
32 purposes, including jailer training and technical
33 assistance, and for not more than the following
34 full-time equivalent positions:

35	\$	<u>434,349</u>
36		<u>968,698</u>
37	FTEs	<u>24.55</u>
38		<u>25.50</u>

39 It is the intent of the general assembly that the
40 Iowa law enforcement academy may provide training of
41 state and local law enforcement personnel concerning
42 the recognition of and response to persons with
43 Alzheimer's disease.

44 The Iowa law enforcement academy may temporarily
45 exceed and draw more than the amount appropriated in
46 this subsection and incur a negative cash balance as
47 long as there are receivables equal to or greater than
48 the negative balance and the amount appropriated in
49 this subsection is not exceeded at the close of the
50 fiscal year.

1 2. The Iowa law enforcement academy may select
 2 at least five automobiles of the department of public
 3 safety, division of state patrol, prior to turning over
 4 the automobiles to the department of administrative
 5 services to be disposed of by public auction, and
 6 the Iowa law enforcement academy may exchange any
 7 automobile owned by the academy for each automobile
 8 selected if the selected automobile is used in training
 9 law enforcement officers at the academy. However,
 10 any automobile exchanged by the academy shall be
 11 substituted for the selected vehicle of the department
 12 of public safety and sold by public auction with the
 13 receipts being deposited in the depreciation fund to
 14 the credit of the department of public safety, division
 15 of state patrol.

16 Sec. 7. 2011 Iowa Acts, chapter 134, section 40, is
 17 amended to read as follows:

18 SEC. 40. STATE PUBLIC DEFENDER. There is
 19 appropriated from the general fund of the state to the
 20 office of the state public defender of the department
 21 of inspections and appeals for the fiscal year
 22 beginning July 1, 2012, and ending June 30, 2013, the
 23 following amounts, or so much thereof as is necessary,
 24 to be allocated as follows for the purposes designated:

25 1. For salaries, support, maintenance,
 26 miscellaneous purposes, and for not more than the
 27 following full-time equivalent positions:

28 \$ 12,541,591
 29 25,862,182
 30 FTEs 219.00

31 2. For ~~the fees of court appointed attorneys for~~
 32 indigent payments on behalf of eligible adults and
 33 juveniles from the indigent defense fund, in accordance
 34 with section ~~232.141 and chapter 815~~ 815.11:

35 \$ 15,340,464
 36 29,901,929

37 Sec. 8. 2011 Iowa Acts, chapter 134, section 41, is
 38 amended to read as follows:

39 SEC. 41. BOARD OF PAROLE. There is appropriated
 40 from the general fund of the state to the board of
 41 parole for the fiscal year beginning July 1, 2012, and
 42 ending June 30, 2013, the following amount, or so much
 43 thereof as is necessary, to be used for the purposes
 44 designated:

45 For salaries, support, maintenance, miscellaneous
 46 purposes, and for not more than the following full-time
 47 equivalent positions:

48 \$ 526,918
 49 1,203,835
 50 FTEs ~~12.50~~

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1 13.00
 2 Sec. 9. 2011 Iowa Acts, chapter 134, section 42, is
 3 amended to read as follows:
 4 SEC. 42. DEPARTMENT OF PUBLIC DEFENSE. There is
 5 appropriated from the general fund of the state to
 6 the department of public defense for the fiscal year
 7 beginning July 1, 2012, and ending June 30, 2013, the
 8 following amounts, or so much thereof as is necessary,
 9 to be used for the purposes designated:

10 1. MILITARY DIVISION
 11 For salaries, support, maintenance, miscellaneous
 12 purposes, and for not more than the following full-time
 13 equivalent positions:
 14 \$ 2,763,521
 15 5,527,042
 16 FTEs 313.00
 17 296.00

18 The military division may temporarily exceed
 19 and draw more than the amount appropriated in this
 20 subsection and incur a negative cash balance as long
 21 as there are receivables of federal funds equal to
 22 or greater than the negative balance and the amount
 23 appropriated in this subsection is not exceeded at the
 24 close of the fiscal year.

25 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 26 DIVISION

27 For salaries, support, maintenance, miscellaneous
 28 purposes, and for not more than the following full-time
 29 equivalent positions:
 30 \$ 918,439
 31 1,836,877
 32 FTEs 40.00
 33 35.34

34 For statewide flood mitigation:
 35 \$ 100,000

36 a. The homeland security and emergency management
 37 division may temporarily exceed and draw more than
 38 the ~~amount~~ amounts appropriated in this subsection
 39 and incur a negative cash balance as long as there
 40 are receivables of federal funds equal to or greater
 41 than the negative balance and the ~~amount~~ amounts
 42 appropriated in this subsection ~~is~~ are not exceeded at
 43 the close of the fiscal year.

44 b. It is the intent of the general assembly that
 45 the homeland security and emergency management division
 46 work in conjunction with the department of public
 47 safety, to the extent possible, when gathering and
 48 analyzing information related to potential domestic
 49 or foreign security threats, and when monitoring such
 50 threats.

1 Sec. 10. 2011 Iowa Acts, chapter 134, section 43,
2 is amended to read as follows:

3 SEC. 43. DEPARTMENT OF PUBLIC SAFETY. There is
4 appropriated from the general fund of the state to
5 the department of public safety for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amounts, or so much thereof as is necessary,
8 to be used for the purposes designated:

9 1. For the department's administrative functions,
10 including the criminal justice information system, and
11 for not more than the following full-time equivalent
12 positions:

13 \$ 2,003,538
14 4,007,075
15 FTEs 36.00

16 2. For the division of criminal investigation,
17 including the state's contribution to the peace
18 officers' retirement, accident, and disability system
19 provided in chapter 97A in the amount of the state's
20 normal contribution rate, as defined in section
21 97A.8, multiplied by the salaries for which the
22 funds are appropriated, to meet federal fund matching
23 requirements, and for not more than the following
24 full-time equivalent positions:

25 \$ 6,266,966
26 12,533,931
27 FTEs 159.10
28 154.60

29 The department shall employ one additional special
30 agent and one additional criminalist for the purpose
31 of investigating cold cases. Prior to employing the
32 additional special agent and criminalist authorized
33 in this paragraph, the department shall provide a
34 written statement to prospective employees that states
35 to the effect that the positions are being funded by
36 a temporary federal grant and there are no assurances
37 that funds from other sources will be available after
38 the federal funding expires. If the federal funding
39 for the additional positions expires during the fiscal
40 year, the number of full-time equivalent positions
41 authorized in this subsection is reduced by 2.00 FTEs.

42 3. For the criminalistics laboratory fund created
43 in section 691.9:

44 \$ 151,173
45 302,345

46 4. a. For the division of narcotics enforcement,
47 including the state's contribution to the peace
48 officers' retirement, accident, and disability system
49 provided in chapter 97A in the amount of the state's
50 normal contribution rate, as defined in section

Page 12

1 97A.8, multiplied by the salaries for which the
2 funds are appropriated, to meet federal fund matching
3 requirements, and for not more than the following
4 full-time equivalent positions:

5 \$ 3,214,942
6 6,429,884
7 FTEs 74.00
8 68.00

9 b. For the division of narcotics enforcement for
10 undercover purchases:

11 \$ 54,521
12 109,042

13 5. For the division of state fire marshal, for fire
14 protection services as provided through the state fire
15 service and emergency response council as created in
16 the department, and for the state's contribution to the
17 peace officers' retirement, accident, and disability
18 system provided in chapter 97A in the amount of the
19 state's normal contribution rate, as defined in section
20 97A.8, multiplied by the salaries for which the funds
21 are appropriated, and for not more than the following
22 full-time equivalent positions:

23 \$ 2,149,354
24 4,298,707
25 FTEs 55.00
26 54.00

27 6. For the division of state patrol, for salaries,
28 support, maintenance, workers' compensation costs,
29 and miscellaneous purposes, including the state's
30 contribution to the peace officers' retirement,
31 accident, and disability system provided in chapter 97A
32 in the amount of the state's normal contribution rate,
33 as defined in section 97A.8, multiplied by the salaries
34 for which the funds are appropriated, and for not more
35 than the following full-time equivalent positions:

36 \$ 25,951,617
37 52,403,233
38 FTEs 513.00
39 502.00

40 It is the intent of the general assembly that
41 members of the state patrol be assigned to patrol
42 the highways and roads in lieu of assignments for
43 inspecting school buses for the school districts.

44 7. For deposit in the sick leave benefits fund
45 established under section 80.42 for all departmental
46 employees eligible to receive benefits for accrued sick
47 leave under the collective bargaining agreement:

48 \$ 139,759
49 279,517

50 8. For costs associated with the training and

1 equipment needs of volunteer fire fighters:

2 \$ 362,760

3 795,520

4 a. Notwithstanding section 8.33, moneys
5 appropriated in this subsection that remain
6 unencumbered or unobligated at the close of the fiscal
7 year shall not revert but shall remain available for
8 expenditure only for the purpose designated in this
9 subsection until the close of the succeeding fiscal
10 year.

11 b. Notwithstanding section 8.39, within the
12 moneys appropriated in this section, the department
13 of public safety may reallocate moneys as necessary
14 to best fulfill the needs provided for in the
15 appropriation. However, the department shall not
16 reallocate an appropriation made to the department
17 in this section unless notice of the reallocation
18 is given to the legislative services agency and
19 the department of management prior to the effective
20 date of the reallocation. The notice shall include
21 information regarding the rationale for reallocating
22 the appropriation. The department shall not reallocate
23 an appropriation made in this section for the purpose
24 of eliminating any program.

25 9. For costs associated with the training and
26 operation of the statewide interoperable communications
27 system board excluding salaries and contracts:

28 \$ 148,000

29 Sec. 11. 2011 Iowa Acts, chapter 134, section 44,
30 is amended to read as follows:

31 SEC. 44. GAMING ENFORCEMENT.

32 1. There is appropriated from the gaming
33 enforcement revolving fund created in section 80.43 to
34 the department of public safety for the fiscal year
35 beginning July 1, 2012, and ending June 30, 2013, the
36 following amount, or so much thereof as is necessary,
37 to be used for the purposes designated:

38 For any direct and indirect support costs for
39 agents and officers of the division of criminal
40 investigation's excursion gambling boat, gambling
41 structure, and racetrack enclosure enforcement
42 activities, including salaries, support, maintenance,
43 miscellaneous purposes, and for not more than the
44 following full-time equivalent positions:

45 \$ 4,918,153

46 10,335,709

47 FTEs 120.00

48 115.00

49 2. For each additional license to conduct gambling
50 games on an excursion gambling boat, gambling

1 structure, or racetrack enclosure issued during
2 the fiscal year beginning July 1, 2012, there is
3 appropriated from the gaming enforcement fund to
4 the department of public safety for the fiscal year
5 beginning July 1, 2012, and ending June 30, 2013, an
6 additional amount of not more than \$521,000 to be used
7 for not more than 6.00 additional full-time equivalent
8 positions.

9 3. The department of public safety, with the
10 approval of the department of management, may employ
11 no more than two special agents and four gaming
12 enforcement officers for each additional riverboat
13 or gambling structure regulated after July 1, 2012,
14 and one special agent for each racing facility which
15 becomes operational during the fiscal year which
16 begins July 1, 2012. One additional gaming enforcement
17 officer, up to a total of four per riverboat or
18 gambling structure, may be employed for each riverboat
19 or gambling structure that has extended operations to
20 24 hours and has not previously operated with a 24-hour
21 schedule. Positions authorized in this subsection
22 are in addition to the full-time equivalent positions
23 otherwise authorized in this section.

24 Sec. 12. 2011 Iowa Acts, chapter 134, section 45,
25 is amended to read as follows:

26 SEC. 45. CIVIL RIGHTS COMMISSION. There is
27 appropriated from the general fund of the state to the
28 Iowa state civil rights commission for the fiscal year
29 beginning July 1, 2012, and ending June 30, 2013, the
30 following amount, or so much thereof as is necessary,
31 to be used for the purposes designated:

32 For salaries, support, maintenance, miscellaneous
33 purposes, and for not more than the following full-time
34 equivalent positions:

35	\$	648,535
36		<u>1,297,069</u>
37	FTEs	28.00

38 The Iowa state civil rights commission may enter
39 into a contract with a nonprofit organization to
40 provide legal assistance to resolve civil rights
41 complaints.

42 Sec. 13. 2011 Iowa Acts, chapter 134, is amended by
43 adding the following new section:

44 NEW SECTION. SEC. 45A. DIVISION OF CRIMINAL AND
45 JUVENILE JUSTICE PLANNING — APPROPRIATION. There is
46 appropriated from the general fund of the state to the
47 division of criminal and juvenile justice planning of
48 the department of human rights for the fiscal year
49 beginning July 1, 2012, and ending June 30, 2013, the
50 following amount, or so much thereof as is necessary,

1 to be used for the purposes designated:
 2 For criminal and juvenile justice research:
 3 \$ 80,000
 4 FTEs 1.00

5 Sec. 14. 2011 Iowa Acts, chapter 134, section 46,
 6 is amended to read as follows:

7 SEC. 46. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 8 DIVISION. There is appropriated from the wireless
 9 E911 emergency communications fund created in section
 10 34A.7A to the administrator of the homeland security
 11 and emergency management division of the department of
 12 public defense for the fiscal year beginning July 1,
 13 2012, and ending June 30, 2013, an amount not exceeding
 14 ~~\$200,000~~ \$250,000 to be used for implementation,
 15 support, and maintenance of the functions of the
 16 administrator and program manager under chapter 34A and
 17 to employ the auditor of the state to perform an annual
 18 audit of the wireless E911 emergency communications
 19 fund.

20 Sec. 15. Section 80.18, unnumbered paragraph 2,
 21 Code 2011, is amended to read as follows:

22 The department may expend moneys from the support
 23 allocation of the department as reimbursement for
 24 replacement or repair of personal items of the
 25 department's peace officers or employees damaged or
 26 destroyed during a peace officer's or employee's course
 27 of employment. However, the reimbursement shall not
 28 exceed the greater of ~~one hundred fifty two hundred~~
 29 dollars or the amount agreed to under the collective
 30 bargaining agreement for each item. The department
 31 shall adopt rules in accordance with chapter 17A to
 32 administer this paragraph.

33 Sec. 16. Section 80.43, subsection 1, Code 2011, is
 34 amended to read as follows:

35 1. A gaming enforcement revolving fund is created
 36 in the state treasury under the control of the
 37 department. The fund shall consist of fees collected
 38 and deposited into the fund paid by licensees pursuant
 39 to section 99D.14, subsection 2, paragraph "b", and
 40 fees paid by licensees pursuant to section 99F.10,
 41 subsection 4, paragraph "b". All costs for agents and
 42 officers plus any direct ~~and indirect~~ support costs for
 43 such agents and officers of the division of criminal
 44 investigation's racetrack, excursion boat, or gambling
 45 structure enforcement activities shall be paid from
 46 the fund as provided in appropriations made for this
 47 purpose by the general assembly.

48 Sec. 17. Section 85.67, Code 2011, is amended to
 49 read as follows:

50 85.67 Administration of fund — special counsel —

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1 payment of award.

2 The attorney general shall appoint a staff member to
3 represent the treasurer of state and the fund in all
4 proceedings and matters arising under this division.
5 The attorney general shall be reimbursed up to ~~one~~
6 ~~hundred fifty two hundred~~ thousand dollars annually
7 from the fund for services provided related to the
8 fund. The commissioner of insurance shall consider the
9 reimbursement to the attorney general as an outstanding
10 liability when making a determination of funding
11 availability under section 85.65A, subsection 2. In
12 making an award under this division, the workers'
13 compensation commissioner shall specifically find the
14 amount the injured employee shall be paid weekly, the
15 number of weeks of compensation which shall be paid by
16 the employer, the date upon which payments out of the
17 fund shall begin, and, if possible, the length of time
18 the payments shall continue.

19 Sec. 18. Section 99D.14, subsection 2, paragraph b,
20 Code Supplement 2011, is amended to read as follows:

21 b. Notwithstanding sections 8.60 and 99D.17, the
22 portion of the fee paid pursuant to paragraph "a"
23 relating to the costs of special agents plus any
24 direct and indirect support costs for the agents, for
25 the division of criminal investigation's racetrack
26 activities, ~~shall not be deposited in the general~~
27 ~~fund of the state but instead shall be deposited into~~
28 the gaming enforcement revolving fund established
29 in section 80.43. However, the department of public
30 safety shall transfer, on an annual basis, the portion
31 of the regulatory fee attributable to the indirect
32 support costs of the special agents to the general fund
33 of the state.

34 Sec. 19. Section 99F.10, subsection 4, paragraph b,
35 Code Supplement 2011, is amended to read as follows:

36 b. Notwithstanding sections 8.60 and 99F.4, the
37 portion of the fee paid pursuant to paragraph "a"
38 relating to the costs of special agents and officers
39 plus any direct and indirect support costs for the
40 agents and officers, for the division of criminal
41 investigation's excursion gambling boat or gambling
42 structure activities, ~~shall not be deposited in~~
43 ~~the general fund of the state but instead shall be~~
44 deposited into the gaming enforcement revolving fund
45 established in section 80.43. However, the department
46 of public safety shall transfer, on an annual basis,
47 the portion of the regulatory fee attributable to the
48 indirect support costs of the special agents and gaming
49 enforcement officers to the general fund of the state.

50 Sec. 20. Section 654.4B, subsection 2, paragraph b,

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1 Code Supplement 2011, is amended to read as follows:

2 b. This subsection is repealed July 1, ~~2012~~ 2013.

3 Sec. 21. Section 904A.4A, Code 2011, is amended by
4 adding the following new subsections:

5 NEW SUBSECTION. 7. Act as the representative of
6 the board relative to the passage, defeat, approval, or
7 modification of legislation that is being considered by
8 the general assembly.

9 NEW SUBSECTION. 8. Develop a budget for the board
10 subject to the approval of the board and prepare all
11 reports required by law.

12 NEW SUBSECTION. 9. Hire and supervise all staff
13 pursuant to the provisions of chapter 8A, subchapter
14 IV.

15 Sec. 22. REPEAL. Section 904A.4B, Code 2011, is
16 repealed.

17 Sec. 23. DEPARTMENT OF PUBLIC SAFETY BUILDING
18 DESIGNATION. The state office building located at
19 215 east seventh street, which houses the department
20 of public safety, shall be named after Oran Pape, the
21 first member of the state patrol killed in the line of
22 duty and the only member of the state patrol to have
23 been murdered. An appropriate commemorative plaque
24 shall be placed near the entrance of the state building
25 in recognition of Oran Pape and his sacrifice as a
26 member of the state patrol.

27 Sec. 24. EFFECTIVE UPON ENACTMENT. The following
28 provisions of this Act, being deemed of immediate
29 importance, take effect upon enactment:

30 1. The section of this Act amending section 80.43,
31 subsection 1.

32 2. The section of this Act amending section 99D.14,
33 subsection 2, paragraph "b".

34 3. The section of this Act amending section 99F.10,
35 subsection 4.>

SENATE AMENDMENT

H-8324

1 Amend House File 2305, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 2, after line 4 by inserting:

4 <Sec. ____ Section 231.14, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. j. Adopt policies and
7 administrative rules pursuant to chapter 17A that
8 support the capabilities of the area agencies on aging
9 and the aging and disabilities resource centers to
10 serve older individuals and persons with disabilities

11 experiencing Alzheimer's disease or related dementias.>

12 2. Page 7, after line 16 by inserting:

13 <Sec. ____ Section 231.64, Code 2011, is amended by
14 striking the section and inserting in lieu thereof the
15 following:

16 231.64 Aging and disability resource center program.

17 1. The aging and disability resource center program
18 shall be administered by the department consistent
19 with the federal Act. The department shall designate
20 participating entities to establish a coordinated
21 system for providing all of the following:

22 a. Comprehensive information, referral, and
23 assistance regarding the full range of available public
24 and private long-term care programs, options, service
25 providers, and resources within a community, including
26 information on the availability of integrated long-term
27 care.

28 b. Personal counseling to assist individuals in
29 assessing their existing or anticipated long-term
30 care needs and developing and implementing a plan
31 for long-term care designed to meet their specific
32 needs and circumstances. The plan for long-term
33 care may include support with person-centered care
34 transitions to assist consumers and family caregivers
35 with transitions between home and care settings.

36 c. Consumer access to the range of
37 publicly-supported long-term care programs for which
38 consumers may be eligible, by serving as a convenient
39 point of entry for such programs.

40 2. The aging and disability resource center
41 program shall assist older individuals, persons with
42 disabilities age eighteen or older, family caregivers,
43 and people who inquire about or request assistance
44 on behalf of members of these groups, as they seek
45 long-term care services and supports.>

46 3. By renumbering as necessary.

SENATE AMENDMENT

H-8325

1 Amend House File 2228, as passed by the House, as
2 follows:

3 1. Page 1, after line 32 by inserting:

4 <Sec. ____ Section 321.323A, Code 2011, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 3. a. A person convicted of a
7 violation of this section commits a simple misdemeanor
8 punishable as a scheduled violation under section
9 805.8A, subsection 11.

10 b. A person convicted of a violation of this
11 section which resulted in an accident causing bodily

12 injury to or the death of another person may be subject
 13 to the following penalties in addition to the penalty
 14 provided for a scheduled violation in section 805.8A,
 15 subsection 11, or any other penalty provided by law:

16 (1) For a violation causing bodily injury to
 17 another person, a fine of five hundred dollars.

18 (2) For a violation causing death, a fine of one
 19 thousand dollars.

20 c. Upon receiving a record of a person's conviction
 21 for a violation under paragraph "a" which resulted in
 22 an accident causing damage to the property of another
 23 person or bodily injury to or death of another person,
 24 the department shall suspend the person's driver's
 25 license or operating privileges, upon thirty days'
 26 notice and without preliminary hearing, as follows:

27 (1) For a violation causing damage to the property
 28 of another person, but not resulting in bodily injury
 29 or death of to another person, the department shall
 30 suspend the violator's driver's license or operating
 31 privileges for ninety days.

32 (2) For a violation causing bodily injury to
 33 another person, the department shall suspend the
 34 violator's driver's license or operating privileges for
 35 one hundred eighty days.

36 (3) For a violation causing death, the department
 37 shall suspend the violator's driver's license or
 38 operating privileges for one year.

39 Sec. ____ Section 321.482A, unnumbered paragraph 1,
 40 Code 2011, is amended to read as follows:

41 Notwithstanding section 321.482, a person who is
 42 convicted of operating a motor vehicle in violation
 43 of section 321.178, subsection 2, paragraph "a",
 44 subparagraph (2), section 321.180B, subsection 6,
 45 section 321.194, subsection 1, paragraph "c", section
 46 321.256, section 321.257, section 321.275, subsection
 47 4, section 321.276,321.297, 321.298, 321.299, 321.302,
 48 321.303, 321.304, 321.305, 321.306, 321.307, 321.308,
 49 section 321.309, subsection 2, or section 321.311,
 50 321.319, 321.320, 321.321, 321.322, 321.323, ~~321.323A,~~

Page 2

1 321.324, 321.324A, 321.327, 321.329, or 321.333 causing
 2 serious injury to or the death of another person may be
 3 subject to the following penalties in addition to the
 4 penalty provided for a scheduled violation in section
 5 805.8A or any other penalty provided by law:

6 Sec. ____ PUBLIC AWARENESS AND COMPLIANCE
 7 PROGRAMS. The department of transportation, in
 8 conjunction with the department of public safety, shall
 9 establish programs to foster public awareness of and
 10 compliance with the requirements of section 321.323A.>

- 11 2. Title page, line 2, after <to> by inserting
12 <change lanes or>
13 3. Title page, line 3, by striking <situations.>
14 and inserting <situations, and providing penalties.>
15 4. By renumbering as necessary.

SENATE AMENDMENT

H-8326

1 Amend House File 2168, as passed by the House, as
2 follows:

3 1. Page 2, after line 19 by inserting:
4 <Sec. ____ Section 12C.23A, subsection 3,
5 unnumbered paragraph 1, Code 2011, is amended to read
6 as follows:

7 If a bank is closed by its primary state or federal
8 regulator, including a bank that has accepted public
9 funds deposits under section 12B.10, subsection 7, each
10 public funds depositor with deposits in the bank shall
11 notify the treasurer of state of the amount of any
12 claim within thirty days of the closing. The treasurer
13 of state shall implement the following procedures:

14 Sec. ____ Section 12C.23A, subsection 3, paragraph
15 d, Code 2011, is amended to read as follows:

16 d. If the loss of public funds is not covered by
17 federal deposit insurance and the proceeds of the
18 closed bank's assets that are liquidated within thirty
19 days of the closing of the bank are not sufficient to
20 cover the loss, then any further payments to cover
21 the loss will come from the state sinking fund for
22 public deposits in banks. If the balance in that
23 sinking fund is inadequate to pay the entire loss,
24 then the treasurer shall obtain the additional amount
25 needed by making an assessment against other banks that
26 are organized under chapter 524, national banks with
27 offices in this state, and branches of out-of-state
28 banks located in this state whose public funds deposits
29 exceed federal deposit insurance coverage. A bank's
30 assessment shall be determined by multiplying the total
31 amount of the remaining loss to all public depositors
32 in the closed bank by a percentage that represents
33 the assessed bank's proportional share of the total
34 of uninsured public funds deposits held by all banks
35 and all branches of out-of-state banks, based upon the
36 average of the uninsured public funds of the assessed
37 bank or branch of an out-of-state bank as of the end of
38 the four calendar quarters prior to the date of closing
39 of the closed bank and the average of the uninsured
40 public funds in all banks and branches of out-of-state
41 banks as of the end of the four calendar quarters prior
42 to the date of closing of the closed bank, excluding

43 the amount of uninsured public funds held by the closed
 44 bank at the end of the four calendar quarters. Each
 45 bank shall pay its assessment to the treasurer of
 46 state within three business days after it receives
 47 notice of assessment. For purposes of this section,
 48 when calculating uninsured public funds, a bank shall
 49 include all deposits of customers of other financial
 50 institutions as permitted by section 12B.10, subsection

Page 2

1 7.>

SENATE AMENDMENT

H-8327

1 Amend Senate File 2321, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
 4 and inserting:

5 <MIDWESTERN HIGHER EDUCATION COMPACT

6 Section 1. 2011 Iowa Acts, chapter 132, section 32,
 7 is amended to read as follows:

8 SEC. 32. There is appropriated from the general
 9 fund of the state to the department of education for
 10 the following fiscal years, the following amounts, or
 11 so much thereof as is necessary, to be used for the
 12 purposes designated:

13 To be distributed to the midwestern higher education
 14 compact to pay Iowa's member state annual obligation:

15 FY 2010-2011.....	\$	39,000
16 FY 2011-2012.....	\$	100,000
17 FY 2012-2013.....	\$	50,000
18		<u>100,000</u>

19 Notwithstanding section 8.33, moneys appropriated
 20 in this section, to the department of education
 21 for purposes of paying Iowa's member state annual
 22 obligation under the midwestern higher education
 23 compact, that remain unencumbered or unobligated at the
 24 close of the fiscal year beginning July 1, 2010, and
 25 ending June 30, 2011, shall not revert but shall remain
 26 available for expenditure for the purpose designated
 27 until the close of the succeeding fiscal year.

28 DEPARTMENT FOR THE BLIND

29 Sec. 2. 2011 Iowa Acts, chapter 132, section 97, is
 30 amended to read as follows:

31 SEC. 97. ADMINISTRATION. There is appropriated
 32 from the general fund of the state to the department
 33 for the blind for the fiscal year beginning July 1,
 34 2012, and ending June 30, 2013, the following amount,
 35 or so much thereof as is necessary, to be used for the

36 purposes designated:

37 1. For salaries, support, maintenance,
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:

40 \$ 845,908
41 1,691,815
42 FTEs 88.00

43 2. For costs associated with universal access to
44 audio information over the phone on demand for blind
45 and print handicapped Iowans:

46 \$ 25,000
47 50,000

48 COLLEGE STUDENT AID COMMISSION

49 Sec. 3. 2011 Iowa Acts, chapter 132, section 98, is
50 amended to read as follows:

Page 2

1 SEC. 98. There is appropriated from the general
2 fund of the state to the college student aid commission
3 for the fiscal year beginning July 1, 2012, and ending
4 June 30, 2013, the following amounts, or so much
5 thereof as is necessary, to be used for the purposes
6 designated:

7 1. GENERAL ADMINISTRATION

8 For salaries, support, maintenance, miscellaneous
9 purposes, and for not more than the following full-time
10 equivalent positions:

11 \$ 116,472
12 232,943
13 FTEs 3.95

14 ~~2. STUDENT AID PROGRAMS~~

15 ~~For payments to students for the Iowa grant program~~
16 ~~established in section 261.93:~~

17 \$ 395,589

18 ~~3. DES MOINES UNIVERSITY — HEALTH CARE~~
19 ~~PROFESSIONAL RECRUITMENT PROGRAM~~

20 ~~For forgivable loans to Iowa students attending Des~~
21 ~~Moines university — osteopathic medical center under~~
22 ~~the forgivable loan repayment program for health care~~
23 ~~professionals established pursuant to section 261.19:~~

24 \$ 162,987
25 325,973

26 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

27 For purposes of providing national guard educational
28 assistance under the program established in section
29 261.86:

30 \$ 1,593,117
31 4,486,233

32 5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

33 For the teacher shortage loan forgiveness program
34 established in section 261.112:

35 \$ 196,226
 36 392,452
 37 6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM
 38 For purposes of the all Iowa opportunity foster care
 39 grant program established pursuant to section 261.6:
 40 \$ 277,029
 41 554,057
 42 7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM
 43 a. For purposes of the all Iowa opportunity
 44 scholarship program established pursuant to section
 45 261.87:
 46 \$ 1,120,427
 47 2,240,854
 48 b. If the moneys appropriated by the general
 49 assembly to the college student aid commission for
 50 fiscal year 2012-2013 for purposes of the all Iowa

Page 3

1 opportunity scholarship program exceed \$500,000,
 2 "eligible institution" as defined in section 261.87,
 3 shall, during fiscal year 2012-2013, include accredited
 4 private institutions as defined in section 261.9,
 5 subsection 1.

6 ~~8. REGISTERED NURSE AND NURSE EDUCATOR LOAN~~
 7 ~~FORGIVENESS PROGRAM~~

8 ~~a. For purposes of the registered nurse and nurse~~
 9 ~~educator loan forgiveness program established pursuant~~
 10 ~~to section 261.23:~~

11 \$ ~~40,426~~

12 ~~b. It is the intent of the general assembly that~~
 13 ~~the commission continue to consider moneys allocated~~
 14 ~~pursuant to this subsection as moneys that meet the~~
 15 ~~state matching funds requirements of the federal~~
 16 ~~leveraging educational assistance program and the~~
 17 ~~federal supplemental leveraging educational assistance~~
 18 ~~program established under the Higher Education Act of~~
 19 ~~1965, as amended.~~

20 ~~9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION~~
 21 ~~GRANT PROGRAM~~

22 ~~For purposes of the barber and cosmetology arts and~~
 23 ~~sciences tuition grant program established pursuant to~~
 24 ~~section 261.18:~~

25 \$ ~~18,469~~

26 DEPARTMENT OF EDUCATION

27 Sec. 4. 2011 Iowa Acts, chapter 132, section 102,
 28 is amended to read as follows:

29 SEC. 102. There is appropriated from the general
 30 fund of the state to the department of education for
 31 the fiscal year beginning July 1, 2012, and ending June
 32 30, 2013, the following amounts, or so much thereof as
 33 is necessary, to be used for the purposes designated:

34 1. GENERAL ADMINISTRATION

35 For salaries, support, maintenance, miscellaneous
 36 purposes, and for not more than the following full-time
 37 equivalent positions:

38 \$ 2,956,906
 39 5,913,812
 40 FTEs 81.67

41 2. VOCATIONAL EDUCATION ADMINISTRATION

42 For salaries, support, maintenance, miscellaneous
 43 purposes, and for not more than the following full-time
 44 equivalent positions:

45 \$ 224,638
 46 598,197
 47 FTEs 11.50

48 3. VOCATIONAL REHABILITATION SERVICES DIVISION

49 a. For salaries, support, maintenance,
 50 miscellaneous purposes, and for not more than the

Page 4

1 following full-time equivalent positions:

2 \$ 2,481,584
 3 4,963,168
 4 FTEs 255.00

5 b. For matching funds for programs to enable
 6 persons with severe physical or mental disabilities to
 7 function more independently, including salaries and
 8 support, and for not more than the following full-time
 9 equivalent position:

10 \$ 19,564
 11 39,128
 12 FTEs 1.00

13 c. For the entrepreneurs with disabilities program
 14 established pursuant to section 259.4, subsection 9:

15 \$ 72,768
 16 145,535

17 d. For costs associated with centers for
 18 independent living:

19 \$ 20,147
 20 40,294

21 4. STATE LIBRARY

22 a. For salaries, support, maintenance,
 23 miscellaneous purposes, and for not more than the
 24 following full-time equivalent positions:

25 \$ 604,810
 26 1,209,619
 27 FTEs 17.00

28 b. For the enrich Iowa program established under
 29 section 256.57:

30 \$ 837,114
 31 1,674,227

32 5. LIBRARY SERVICE AREA SYSTEM

33 For ~~state aid salaries, support, maintenance,~~
 34 ~~miscellaneous purposes, and for not more than the~~
 35 ~~following full-time equivalent positions:~~
 36 \$ ~~502,722~~
 37 1,005,444
 38 FTEs 12.00

39 6. PUBLIC BROADCASTING DIVISION

40 For salaries, support, maintenance, capital
 41 expenditures, miscellaneous purposes, and for not more
 42 than the following full-time equivalent positions:
 43 \$ ~~3,327,011~~
 44 4,024,434
 45 FTEs 82.00

46 7. REGIONAL TELECOMMUNICATIONS COUNCILS

47 For state aid:
 48 \$ ~~496,457~~
 49 The regional telecommunications councils established
 50 in section 8D.5 shall use the moneys appropriated in

Page 5

1 ~~this subsection to provide technical assistance for~~
 2 ~~network classrooms, planning and troubleshooting for~~
 3 ~~local area networks, scheduling of video sites, and~~
 4 ~~other related support activities.~~

5 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

6 For reimbursement for vocational education
 7 expenditures made by secondary schools:
 8 \$ ~~1,315,067~~
 9 2,630,134

10 Moneys appropriated in this subsection shall be used
 11 to reimburse school districts for vocational education
 12 expenditures made by secondary schools to meet the
 13 standards set in sections 256.11, 258.4, and 260C.14.

14 9. SCHOOL FOOD SERVICE

15 For use as state matching funds for federal
 16 programs that shall be disbursed according to federal
 17 regulations, including salaries, support, maintenance,
 18 miscellaneous purposes, and for not more than the
 19 following full-time equivalent positions:
 20 \$ ~~1,088,399~~
 21 2,176,797
 22 FTEs 20.58

23 10. EARLY CHILDHOOD IOWA FUND — GENERAL AID

24 For deposit in the school ready children grants
 25 account of the early childhood Iowa fund created in
 26 section 256L.11:
 27 \$ ~~2,693,057~~
 28 5,386,113

29 a. From the moneys deposited in the school ready
 30 children grants account for the fiscal year beginning
 31 July 1, 2012, and ending June 30, 2013, not more than

32 \$265,950 is allocated for the early childhood Iowa
33 office and other technical assistance activities. The
34 early childhood Iowa state board shall direct staff to
35 work with the early childhood stakeholders alliance
36 created in section 256I.12 to inventory technical
37 assistance needs. Moneys allocated under this lettered
38 paragraph may be used by the early childhood Iowa state
39 board for the purpose of skills development and support
40 for ongoing training of staff. However, except as
41 otherwise provided in this subsection, moneys shall not
42 be used for additional staff or for the reimbursement
43 of staff.

44 b. As a condition of receiving moneys appropriated
45 in this subsection, each early childhood Iowa area
46 board shall report to the early childhood Iowa state
47 board progress on each of the local indicators approved
48 by the area board. Each early childhood Iowa area
49 board must also submit an annual budget for the area's
50 comprehensive school ready children grant developed for

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1 providing services for children from birth through five
2 years of age, and provide other information specified
3 by the early childhood Iowa state board, including
4 budget amendments as needed. The early childhood Iowa
5 state board shall establish a submission deadline for
6 the annual budget and any budget amendments that allow
7 a reasonable period of time for preparation by the
8 early childhood Iowa area boards and for review and
9 approval or request for modification of the materials
10 by the early childhood Iowa state board. In addition,
11 each early childhood Iowa area board must continue to
12 comply with reporting provisions and other requirements
13 adopted by the early childhood Iowa state board in
14 implementing section 256I.9.

15 c. Of the amount appropriated in this subsection
16 for deposit in the school ready children grants account
17 of the early childhood Iowa fund, \$2,318,018 shall
18 be used for efforts to improve the quality of early
19 care, health, and education programs. Moneys allocated
20 pursuant to this paragraph may be used for additional
21 staff and for the reimbursement of staff. The early
22 childhood Iowa state board may reserve a portion of the
23 allocation, not to exceed \$88,650, for the technical
24 assistance expenses of the early childhood Iowa state
25 office, including the reimbursement of staff, and
26 shall distribute the remainder to early childhood Iowa
27 areas for local quality improvement efforts through
28 a methodology identified by the early childhood Iowa
29 state board to make the most productive use of the
30 funding, which may include use of the distribution

31 formula, grants, or other means.

32 d. Of the amount appropriated in this subsection
33 for deposit in the school ready children grants account
34 of the early childhood Iowa fund, \$825,030 shall
35 be used for support of professional development and
36 training activities for persons working in early care,
37 health, and education by the early childhood Iowa
38 state board in collaboration with the professional
39 development component group of the early childhood
40 Iowa stakeholders alliance maintained pursuant to
41 section 256I.12, subsection 7, paragraph "b", and the
42 early childhood Iowa area boards. Expenditures shall
43 be limited to professional development and training
44 activities agreed upon by the parties participating in
45 the collaboration.

46 11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION
47 ASSISTANCE

48 a. For deposit in the school ready children grants
49 account of the early childhood Iowa fund created in
50 section 256I.11:

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1 \$ ~~2,714,439~~
2 5,428,877

3 b. The amount appropriated in this subsection shall
4 be used for early care, health, and education programs
5 to assist low-income parents with tuition for preschool
6 and other supportive services for children ages three,
7 four, and five who are not attending kindergarten in
8 order to increase the basic family income eligibility
9 requirement to not more than 200 percent of the federal
10 poverty level. In addition, if sufficient funding is
11 available after addressing the needs of those who meet
12 the basic income eligibility requirement, an early
13 childhood Iowa area board may provide for eligibility
14 for those with a family income in excess of the basic
15 income eligibility requirement through use of a sliding
16 scale or other copayment provisions.

17 12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND
18 PARENT EDUCATION

19 a. For deposit in the school ready children grants
20 account of the early childhood Iowa fund created in
21 section 256I.11:

22 \$ ~~6,182,217~~
23 12,364,434

24 b. The amount appropriated in this subsection
25 shall be used for family support services and parent
26 education programs targeted to families expecting a
27 child or with newborn and infant children through age
28 five and shall be distributed using the distribution
29 formula approved by the early childhood Iowa state

30 board and shall be used by an early childhood Iowa
31 area board only for family support services and parent
32 education programs targeted to families expecting a
33 child or with newborn and infant children through age
34 five.

35 c. In order to implement the legislative intent
36 stated in sections 135.106 and 256L.9, that priority
37 for home visitation program funding be given to
38 programs using evidence-based or promising models
39 for home visitation, it is the intent of the general
40 assembly to phase-in the funding priority as follows:

41 (1) By July 1, 2013, 25 percent of state
42 funds expended for home visiting programs are for
43 evidence-based or promising program models.

44 (2) By July 1, 2014, 50 percent of state
45 funds expended for home visiting programs are for
46 evidence-based or promising program models.

47 (3) By July 1, 2015, 75 percent of state
48 funds expended for home visiting programs are for
49 evidence-based or promising program models.

50 (4) By July 1, 2016, 90 percent of state

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1 funds expended for home visiting programs are for
2 evidence-based or promising program models. The
3 remaining 10 percent of funds may be used for
4 innovative program models that do not yet meet the
5 definition of evidence-based or promising programs.

6 d. For the purposes of this subsection, unless the
7 context requires:

8 (1) "Evidence-based program" means a program that
9 is based on scientific evidence demonstrating that
10 the program model is effective. An evidence-based
11 program shall be reviewed onsite and compared to
12 program model standards by the model developer or the
13 developer's designee at least every five years to
14 ensure that the program continues to maintain fidelity
15 with the program model. The program model shall have
16 had demonstrated significant and sustained positive
17 outcomes in an evaluation utilizing a well-designed and
18 rigorous randomized controlled research design or a
19 quasi-experimental research design, and the evaluation
20 results shall have been published in a peer-reviewed
21 journal.

22 (2) "Family support programs" includes group-based
23 parent education or home visiting programs that are
24 designed to strengthen protective factors, including
25 parenting skills, increasing parental knowledge of
26 child development, and increasing family functioning
27 and problem solving skills. A family support program
28 may be used as an early intervention strategy to

29 improve birth outcomes, parental knowledge, family
 30 economic success, the home learning environment, family
 31 and child involvement with others, and coordination
 32 with other community resources. A family support
 33 program may have a specific focus on preventing child
 34 maltreatment or ensuring children are safe, healthy,
 35 and ready to succeed in school.

36 (3) "Promising program" means a program that meets
 37 all of the following requirements:

38 (a) The program conforms to a clear, consistent
 39 family support model that has been in existence for at
 40 least three years.

41 (b) The program is grounded in relevant
 42 empirically-based knowledge.

43 (c) The program is linked to program-determined
 44 outcomes.

45 (d) The program is associated with a national
 46 or state organization that either has comprehensive
 47 program standards that ensure high-quality service
 48 delivery and continuous program quality improvement
 49 or the program model has demonstrated through the
 50 program's benchmark outcomes that the program has

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1 achieved significant positive outcomes equivalent
 2 to those achieved by program models with published
 3 significant and sustained results in a peer-reviewed
 4 journal.

5 (e) The program has been awarded the Iowa family
 6 support credential and has been reviewed onsite
 7 at least every five years to ensure the program's
 8 adherence to the Iowa family support standards approved
 9 by the early childhood Iowa state board created in
 10 section 256I.3 or a comparable set of standards. The
 11 onsite review is completed by an independent review
 12 team that is not associated with the program or the
 13 organization administering the program.

14 e. (1) The data reporting requirements adopted
 15 by the early childhood Iowa state board pursuant
 16 to section 256I.4 for the family support programs
 17 targeted to families expecting a child or with newborn
 18 and infant children through age five and funded
 19 through the board shall require the programs to
 20 participate in a state administered internet-based data
 21 collection system by July 1, 2013. The data reporting
 22 requirements shall be developed in a manner to provide
 23 for compatibility with local data collection systems.
 24 The state board's annual report submitted each January
 25 to the governor and general assembly under section
 26 256I.4 shall include family support program outcomes
 27 beginning with the January 2015 report.

- 28 (2) The data on families served that is collected
 29 by the family support programs funded through the
 30 early childhood Iowa initiative shall include but is
 31 not limited to basic demographic information, services
 32 received, funding utilized, and program outcomes for
 33 the children and families served. The state board
 34 shall adopt performance benchmarks for the family
 35 support programs and shall revise the Iowa family
 36 support credential to incorporate the performance
 37 benchmarks on or before January 1, 2014.
 38 (3) The state board shall identify minimum
 39 competency standards for the employees and supervisors
 40 of family support programs funded through the early
 41 childhood Iowa initiative. The state board shall
 42 submit recommendations concerning the standards to the
 43 governor and general assembly on or before January 1,
 44 2014.
 45 (4) On or before January 1, 2013, the state board
 46 shall adopt criminal and child abuse record check
 47 requirements for the employees and supervisors of
 48 family support programs funded through the early
 49 childhood Iowa initiative.
 50 (5) The state board shall develop a plan to

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1 implement a coordinated intake and referral process for
 2 publicly funded family support programs in order to
 3 engage the families expecting a child or with newborn
 4 and infant children through age five in all communities
 5 in the state by July 1, 2015.

6 13. BIRTH TO AGE THREE SERVICES

7 For expansion of the federal Individuals with
 8 Disabilities Education Improvement Act of 2004, Pub.
 9 L. No. 108-446, as amended to January 1, 2012, birth
 10 through age three services due to increased numbers of
 11 children qualifying for those services:

12 \$ 860,700

13 1,721,400

14 From the moneys appropriated in this subsection,
 15 \$383,769 shall be allocated to the child health
 16 specialty clinic at the state university of Iowa to
 17 provide additional support for infants and toddlers
 18 who are born prematurely, drug-exposed, or medically
 19 fragile.

20 14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

21 To provide moneys for costs of providing textbooks
 22 to each resident pupil who attends a nonpublic school
 23 as authorized by section 301.1:

24 \$ 280,107

25 560,214

26 Funding under this subsection is limited to \$20 per

27 pupil and shall not exceed the comparable services
 28 offered to resident public school pupils.
 29 15. CORE CURRICULUM AND CAREER INFORMATION AND
 30 DECISION-MAKING SYSTEM

31 For purposes of implementing the statewide core
 32 curriculum for school districts and accredited
 33 nonpublic schools and a state-designated career
 34 information and decision-making system:

35 \$ 500,000
 36 1,000,000

37 16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

38 For purposes of the student achievement and teacher
 39 quality program established pursuant to chapter
 40 284, and for not more than the following full-time
 41 equivalent positions:

42 \$ 2,392,500
 43 4,785,000
 44 FTEs 2.00

45 17. JOBS FOR AMERICA'S GRADUATES

46 For school districts to provide direct services to
 47 the most at-risk senior high school students enrolled
 48 in school districts through direct intervention by a
 49 jobs for America's graduates specialist:

50 \$ 20,000

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1 540,000

2 18. COMMUNITY COLLEGES

3 a. For general state financial aid to merged
 4 areas as defined in section 260C.2 in accordance with
 5 chapters 258 and 260C:

6 \$ 81,887,324
 7 163,774,647

8 ~~The funds appropriated in this subsection shall~~
 9 ~~be allocated pursuant to the formula established in~~
 10 ~~section 206C.18C.~~

11 Notwithstanding the allocation formula in section
 12 260C.18C, the funds appropriated in this subsection
 13 shall be allocated as follows:

14	(1) Merged Area I	\$ 8,178,529
15	(2) Merged Area II	\$ 8,649,157
16	(3) Merged Area III	\$ 7,965,651
17	(4) Merged Area IV	\$ 3,912,374
18	(5) Merged Area V	\$ 9,005,542
19	(6) Merged Area VI	\$ 7,619,814
20	(7) Merged Area VII	\$ 11,384,176
21	(8) Merged Area IX	\$ 4,176,695
22	(9) Merged Area X	\$ 5,055,309
23	(10) Merged Area XI	\$ 25,355,377
24	(11) Merged Area XII	\$ 9,282,987
25	(12) Merged Area XIII	\$ 9,596,897

26	(13) Merged Area XIV	\$ 3,974,533
27	(14) Merged Area XV	\$ 12,453,604
28	(15) Merged Area XVI	\$ 7,166,002
29	b. For distribution to community colleges to	
30	supplement faculty salaries:	
31	.....	\$ 250,000
32		500,000
33	c. For deposit in the workforce training and	
34	economic development funds created pursuant to section	
35	260C.18A:	
36	.....	\$ 2,500,000
37		5,000,000

STATE BOARD OF REGENTS

39 Sec. 5. 2011 Iowa Acts, chapter 132, section 103,
40 is amended to read as follows:

41 SEC. 103. There is appropriated from the general
42 fund of the state to the state board of regents for the
43 fiscal year beginning July 1, 2012, and ending June 30,
44 2013, the following amounts, or so much thereof as is
45 necessary, to be used for the purposes designated:

46 1. OFFICE OF STATE BOARD OF REGENTS

47 a. For salaries, support, maintenance,
48 miscellaneous purposes, and for not more than the
49 following full-time equivalent positions:

50	\$ 532,503
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1		1,065,005
2 FTEs	15.00

3 The state board of regents shall submit a monthly
4 financial report in a format agreed upon by the state
5 board of regents office and the legislative services
6 agency.

7 Notwithstanding section 262.9, subsection 19, or any
8 other provision of law to the contrary, neither the
9 board nor any of the institutions of higher education
10 governed by the board shall implement an increase in
11 tuition at any institution of higher education the
12 board governs for the 2012-2013 fiscal year.

13 b. For moneys to be allocated to the southwest Iowa
14 graduate studies center:

15	.....	\$ 43,736
16		87,471

17 c. For moneys to be allocated to the siouxland
18 interstate metropolitan planning council for the
19 tristate graduate center under section 262.9,
20 subsection 22:

21	.....	\$ 33,301
22		66,601

23 d. For moneys to be allocated to the quad-cities
24 graduate studies center:

25 \$ 64,888
 26 129,776
 27 e. For moneys to be distributed to Iowa public
 28 radio for public radio operations:
 29 \$ 195,784
 30 391,568
 31 2. STATE UNIVERSITY OF IOWA
 32 a. General university, including lakeside
 33 laboratory
 34 For salaries, support, maintenance, equipment,
 35 miscellaneous purposes, and for not more than the
 36 following full-time equivalent positions:
 37 \$104,868,656
 38 191,737,311
 39 FTEs 5,058.55
 40 b. Oakdale campus
 41 For salaries, support, maintenance, miscellaneous
 42 purposes, and for not more than the following full-time
 43 equivalent positions:
 44 \$ 1,093,279
 45 2,186,558
 46 FTEs 38.25
 47 c. State hygienic laboratory
 48 For salaries, support, maintenance, miscellaneous
 49 purposes, and for not more than the following full-time
 50 equivalent positions:

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1 \$ 1,768,358
 2 3,536,716
 3 FTEs 102.50
 4 d. Family practice program
 5 For allocation by the dean of the college of
 6 medicine, with approval of the advisory board, to
 7 qualified participants to carry out the provisions
 8 of chapter 148D for the family practice program,
 9 including salaries and support, and for not more than
 10 the following full-time equivalent positions:
 11 \$ 894,133
 12 1,788,265
 13 FTEs 190.40
 14 e. Child health care services
 15 For specialized child health care services,
 16 including childhood cancer diagnostic and treatment
 17 network programs, rural comprehensive care for
 18 hemophilia patients, and the Iowa high-risk infant
 19 follow-up program, including salaries and support, and
 20 for not more than the following full-time equivalent
 21 positions:
 22 \$ 329,728
 23 659,456

24	.....	FTEs	57.97
25	f. Statewide cancer registry		
26	For the statewide cancer registry, and for not more		
27	than the following full-time equivalent positions:		
28	.....	\$	<u>74,526</u>
29	.....		<u>149,051</u>
30	.....	FTEs	2.10
31	g. Substance abuse consortium		
32	For moneys to be allocated to the Iowa consortium		
33	for substance abuse research and evaluation, and		
34	for not more than the following full-time equivalent		
35	position:		
36	.....	\$	<u>27,765</u>
37	.....		<u>55,529</u>
38	.....	FTEs	1.00
39	h. Center for biocatalysis		
40	For the center for biocatalysis, and for not more		
41	than the following full-time equivalent positions:		
42	.....	\$	<u>361,864</u>
43	.....		<u>723,727</u>
44	.....	FTEs	6.28
45	i. Primary health care initiative		
46	For the primary health care initiative in the		
47	college of medicine, and for not more than the		
48	following full-time equivalent positions:		
49	\$	<u>324,465</u>
50		<u>648,930</u>

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1	FTEs	5.89
2	From the moneys appropriated in this lettered		
3	paragraph, \$254,889 shall be allocated to the		
4	department of family practice at the state university		
5	of Iowa college of medicine for family practice faculty		
6	and support staff.		
7	j. Birth defects registry		
8	For the birth defects registry, and for not more		
9	than the following full-time equivalent position:		
10	.....	\$	<u>19,144</u>
11	.....		<u>38,288</u>
12	.....	FTEs	1.00
13	k. Larned A. Waterman Iowa nonprofit resource		
14	center		
15	For the Larned A. Waterman Iowa nonprofit resource		
16	center, and for not more than the following full-time		
17	equivalent positions:		
18	.....	\$	<u>81,270</u>
19	.....		<u>162,539</u>
20	.....	FTEs	2.75
21	l. Iowa online advanced placement academy science,		
22	technology, engineering, and mathematics initiative		

23 For the Iowa online advanced placement academy
24 science, technology, engineering, and mathematics
25 initiative:

26 \$ 240,925

27 481,849

28 3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

29 a. General university

30 For salaries, support, maintenance, equipment,
31 miscellaneous purposes, and for not more than the
32 following full-time equivalent positions:

33 \$ 82,172,599

34 154,245,198

35 FTEs 3,647.42

36 b. Agricultural experiment station

37 For the agricultural experiment station salaries,
38 support, maintenance, miscellaneous purposes, and
39 for not more than the following full-time equivalent
40 positions:

41 \$ 14,055,939

42 28,111,877

43 FTEs 546.98

44 c. Cooperative extension service in agriculture and
45 home economics

46 For the cooperative extension service in agriculture
47 and home economics salaries, support, maintenance,
48 miscellaneous purposes, and for not more than the
49 following full-time equivalent positions:

50 \$ 8,968,361

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1 17,936,722

2 FTEs 383.34

3 d. Leopold center

4 For agricultural research grants at Iowa state
5 university of science and technology under section
6 266.39B, and for not more than the following full-time
7 equivalent positions:

8 \$ 198,709

9 397,417

10 FTEs 11.25

11 e. Livestock disease research

12 For deposit in and the use of the livestock disease
13 research fund under section 267.8:

14 \$ 86,423

15 172,845

16 4. UNIVERSITY OF NORTHERN IOWA

17 a. General university

18 For salaries, support, maintenance, equipment,
19 miscellaneous purposes, and for not more than the
20 following full-time equivalent positions:

21 \$ 37,367,293

22 71,734,586
 23 FTEs 1,447.50
 24 b. Recycling and reuse center
 25 For purposes of the recycling and reuse center, and
 26 for not more than the following full-time equivalent
 27 positions:
 28 \$ 87,628
 29 175,256
 30 FTEs 3.00
 31 c. Science, technology, engineering, and
 32 mathematics (STEM) collaborative initiative
 33 For purposes of establishing a science, technology,
 34 engineering, and mathematics (STEM) collaborative
 35 initiative, and for not more than the following
 36 full-time equivalent positions:
 37 \$ 867,928
 38 1,734,656
 39 FTEs 6.20
 40 (1) From the moneys appropriated in this lettered
 41 paragraph, up to \$282,000 shall be allocated for
 42 salaries, staffing, and institutional support. The
 43 remainder of the moneys appropriated in this lettered
 44 paragraph shall be expended only to support activities
 45 directly related to recruitment of kindergarten
 46 through grade 12 mathematics and science teachers and
 47 for ongoing mathematics and science programming for
 48 students enrolled in kindergarten through grade 12.
 49 (2) The university of northern Iowa shall work with
 50 the community colleges to develop STEM professional

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1 development programs for community college instructors
 2 and STEM curriculum development.
 3 d. Real estate education program
 4 For purposes of the real estate education program,
 5 and for not more than the following full-time
 6 equivalent position:
 7 \$ 62,651
 8 125,302
 9 FTEs 1.00
 10 5. STATE SCHOOL FOR THE DEAF
 11 For salaries, support, maintenance, miscellaneous
 12 purposes, and for not more than the following full-time
 13 equivalent positions:
 14 \$ 4,339,982
 15 8,679,964
 16 FTEs 126.60
 17 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 18 For salaries, support, maintenance, miscellaneous
 19 purposes, and for not more than the following full-time
 20 equivalent positions:

21 \$ 1,809,466
 22 3,618,931
 23 FTEs 62.87

24 7. TUITION AND TRANSPORTATION COSTS

25 For payment to local school boards for the tuition
 26 and transportation costs of students residing in the
 27 Iowa braille and sight saving school and the state
 28 school for the deaf pursuant to section 262.43 and
 29 for payment of certain clothing, prescription, and
 30 transportation costs for students at these schools
 31 pursuant to section 270.5:

32 \$ 5,882
 33 11,763

34 8. LICENSED CLASSROOM TEACHERS

35 For distribution at the Iowa braille and sight
 36 saving school and the Iowa school for the deaf based
 37 upon the average yearly enrollment at each school as
 38 determined by the state board of regents:

39 \$ 41,025
 40 82,049

41 Sec. ____ Section 256.86, Code 2011, is amended to
 42 read as follows:

43 256.86 Competition with private sector.

44 1. It is the intent of the general assembly that
 45 the division shall not compete with the private sector
 46 by actively seeking revenue from its operations except
 47 as provided in this chapter.

48 2. a. The division may receive revenue for
 49 providing services, products, and usage of facilities
 50 and equipment if one or more of the following

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1 conditions are met:

2 (1) The service, product, or usage is not
 3 reasonably available in the private sector.

4 (2) The division can provide the service, product,
 5 or usage at a time, price, location, or terms that are
 6 not reasonably available through the private sector.

7 (3) The service, product, or usage is deemed by
 8 the division to be related to public service or the
 9 educational mission of the division.

10 b. The division may charge reasonable fees for
 11 providing services, products, and usage of facilities
 12 and equipment in accordance with paragraph "a",
 13 including but not limited to a reasonable equipment and
 14 facilities usage fee.

15 c. Fees charged in accordance with this subsection
 16 shall be deposited in the capital equipment replacement
 17 revolving fund created pursuant to section 256.87.

18 3. It is not the intent of the general assembly to
 19 prohibit the receipt of charitable contributions as

20 defined by section 170 of the Internal Revenue Code.

21 4. The board, the governor, or the administrator
22 may apply for and accept federal or nonfederal gifts,
23 loans, or grants of funds and may use the funds for
24 projects under this chapter.

25 Sec. 6. Section 256.87, Code 2011, is amended to
26 read as follows:

27 256.87 Costs and fees — capital equipment
28 replacement revolving fund.

29 ~~1. The board may provide noncommercial production
30 or reproduction services for other public agencies,
31 nonprofit corporations or associations organized
32 under state law, or other nonprofit organizations,
33 and may collect the costs of providing the services
34 from the public agency, corporation, association, or
35 organization, plus a separate equipment usage fee in
36 an amount determined by the board and based upon the
37 equipment used. The costs shall be deposited to the
38 credit of the board. The separate equipment usage fee
39 shall be deposited in the capital equipment replacement
40 revolving fund.~~

41 2. The board may establish a capital equipment
42 replacement revolving fund into which shall be
43 deposited equipment usage fees collected under
44 subsection 1 and funds from other sources designated
45 for deposit in the A capital equipment replacement
46 revolving fund is created in the state treasury. The
47 revolving fund shall be administered by the board and
48 shall consist of moneys collected by the division as
49 fees and any other moneys obtained or accepted by the
50 division for deposit in the revolving fund.

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1 2. The board may expend moneys from the capital
2 equipment replacement revolving fund to update
3 facilities and purchase technical equipment for
4 operating the educational radio and television facility
5 its operations.

6 3. Notwithstanding section 12C.7, subsection
7 2, interest or earnings on moneys in the revolving
8 fund shall be credited to the revolving fund.
9 Notwithstanding section 8.33, moneys in the revolving
10 fund that remain unencumbered or unobligated at the
11 close of the fiscal year shall not revert to any other
12 fund but shall remain available in the revolving fund
13 for the purposes designated.

14 Sec. 7. Section 261.25, subsection 2, Code
15 Supplement 2011, is amended to read as follows:

16 2. There is appropriated from the general fund of
17 the state to the commission for each fiscal year the
18 sum of ~~four~~ two million dollars for tuition grants

19 for students attending for-profit accredited private
 20 institutions located in Iowa. A for-profit institution
 21 which, effective March 9, 2005, or effective January
 22 8, 2010, purchased an accredited private institution
 23 that was exempt from taxation under section 501(c)
 24 of the Internal Revenue Code, shall be an eligible
 25 institution under the tuition grant program. For
 26 purposes of the tuition grant program, "for-profit
 27 accredited private institution" means an accredited
 28 private institution which is not exempt from taxation
 29 under section 501(c)(3) of the Internal Revenue Code
 30 but which otherwise meets the requirements of section
 31 261.9, subsection 1, paragraph "b", and whose students
 32 were eligible to receive tuition grants in the fiscal
 33 year beginning July 1, 2003.

34 Sec. 8. Section 261B.11, subsection 10, Code 2011,
 35 is amended to read as follows:

36 10. ~~Accredited higher education institutions that~~
 37 ~~meet the criteria established under section 261.92,~~
 38 ~~subsection 1 Public or private institutions of higher~~
 39 ~~learning located in Iowa which are accredited by the~~
 40 ~~north central association of colleges and schools~~
 41 ~~accrediting agency; and promote equal opportunity~~
 42 ~~and affirmative action efforts in the recruitment,~~
 43 ~~appointment, assignment, and advancement of personnel~~
 44 ~~at the institution and provide information regarding~~
 45 ~~such efforts to the commission upon request.~~

46 Sec. 9. Section 284.13, subsection 1, paragraphs a
 47 through d, Code Supplement 2011, are amended to read
 48 as follows:

49 a. For the fiscal year beginning July 1, ~~2011~~ 2012,
 50 and ending June 30, ~~2012~~ 2013, to the department of

Page 19

1 education, the amount of ~~six~~ five hundred eighty-five
 2 thousand dollars for the issuance of national board
 3 certification awards in accordance with section 256.44.
 4 Of the amount allocated under this paragraph, not
 5 less than eighty-five thousand dollars shall be used
 6 to administer the ambassador to education position in
 7 accordance with section 256.45.

8 b. For the fiscal year beginning July 1, ~~2011~~
 9 2012, and ending June 30, ~~2012~~ 2013, an amount up to
 10 two million ~~three~~ four hundred ~~ninety-five~~ sixty-three
 11 thousand ~~one~~ five hundred ~~fifty-seven~~ ninety dollars
 12 for first-year and second-year beginning teachers, to
 13 the department of education for distribution to school
 14 districts and area education agencies for purposes
 15 of the beginning teacher mentoring and induction
 16 programs. A school district or area education agency
 17 shall receive one thousand three hundred dollars per

18 beginning teacher participating in the program. If the
 19 funds appropriated for the program are insufficient
 20 to pay mentors, school districts, and area education
 21 agencies as provided in this paragraph, the department
 22 shall prorate the amount distributed to school
 23 districts and area education agencies based upon the
 24 amount appropriated. Moneys received by a school
 25 district or area education agency pursuant to this
 26 paragraph shall be expended to provide each mentor with
 27 an award of five hundred dollars per semester, at a
 28 minimum, for participation in the school district's or
 29 area education agency's beginning teacher mentoring
 30 and induction program; to implement the plan; and to
 31 pay any applicable costs of the employer's share of
 32 contributions to federal social security and the Iowa
 33 public employees' retirement system or a pension and
 34 annuity retirement system established under chapter
 35 294, for such amounts paid by the district or area
 36 education agency.

37 c. For the fiscal year beginning July 1, ~~2011~~
 38 2012, and ending June 30, ~~2012~~ 2013, up to six hundred
 39 thousand dollars to the department for purposes of
 40 implementing the professional development program
 41 requirements of section 284.6, assistance in developing
 42 model evidence for teacher quality committees
 43 established pursuant to section 284.4, subsection 1,
 44 paragraph "c", and the evaluator training program in
 45 section 284.10. A portion of the funds allocated to
 46 the department for purposes of this paragraph may be
 47 used by the department for administrative purposes and
 48 for not more than four full-time equivalent positions.
 49 d. For the fiscal year beginning July 1, ~~2011~~
 50 2012, and ending June 30, ~~2012~~ 2013, an amount up to

Page 20

1 one million one hundred ~~four~~ thirty-six thousand ~~eight~~
 2 four hundred ~~forty-three~~ ten dollars to the department
 3 for the establishment of teacher development academies
 4 in accordance with section 284.6, subsection 10. A
 5 portion of the funds allocated to the department
 6 for purposes of this paragraph may be used for
 7 administrative purposes.

8 Sec. 10. 2011 Iowa Acts, chapter 132, section 99,
 9 is repealed.

10 Sec. 11. REPEAL. Sections 261.92, 261.93, 261.93A,
 11 261.94, 261.95, 261.96, and 261.97, Code and Code
 12 Supplement 2011, are repealed.>

13 2. Title page, lines 4 and 5, by striking <regents,
 14 and providing effective date provisions> and inserting
 15 <regents>

H-8328

1 Amend Senate File 2316, 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 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 2012-2013..... \$ 20,000,000
16 FY 2013-2014..... \$ 20,000,000

17 b. For renovations and related improvements to a
18 cottage at the Iowa juvenile home at Toledo:

19 FY 2012-2013..... \$ 500,000

20 2. DEPARTMENT OF CORRECTIONS:

21 For repairs and renovation of the hot water loop
22 system at the Newton correctional facility:

23 FY 2012-2013..... \$ 425,000

24 3. DEPARTMENT OF CULTURAL AFFAIRS

25 a. For exterior and interior repairs and related
26 improvements to the state historical building,
27 including the addition of a visitor center:

28 FY 2012-2013..... \$ 2,000,000

29 b. For deposit into the Iowa great places program
30 fund created in section 303.3D for Iowa great places
31 program projects that meet the definition of the term
32 "vertical infrastructure" in section 8.57, subsection
33 6, paragraph "c":

34 FY 2012-2013..... \$ 1,000,000

35 4. DEPARTMENT OF EDUCATION

36 a. For accelerated career education program capital
37 projects at community colleges that are authorized
38 under chapter 260G and that meet the definition of
39 the term "vertical infrastructure" in section 8.57,
40 subsection 6, paragraph "c":

41 FY 2012-2013..... \$ 5,000,000

42 b. For maintenance and lease costs associated with
43 connections for part III of the Iowa communications
44 network, notwithstanding section 8.57, subsection 6,
45 paragraph "c":

46 FY 2012-2013..... \$ 2,727,000

47 5. DEPARTMENT OF HUMAN SERVICES

48 For the renovation and construction of certain
49 nursing facilities, consistent with the provisions of
50 chapter 249K:

Page 2

1 FY 2012-2013..... \$ 250,000
2 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
3 COMMISSION
4 For replacement of equipment for the Iowa
5 communications network, notwithstanding section 8.57,
6 subsection 6, paragraph "c":
7 FY 2012-2013..... \$ 2,248,653
8 The commission may continue to enter into contracts
9 pursuant to section 8D.13 for the replacement of
10 equipment and for operations and maintenance costs of
11 the network.
12 In addition to moneys appropriated in this
13 subsection, the commission may use a financing
14 agreement entered into by the treasurer of state in
15 accordance with section 12.28 for the replacement
16 of equipment for the network. For purposes of this
17 subsection, the treasurer of state is not subject to
18 the maximum principal limitation contained in section
19 12.28, subsection 6. Repayment of any amounts financed
20 shall be made from receipts associated with fees
21 charged for use of the network.
22 7. DEPARTMENT OF NATURAL RESOURCES
23 For implementation of lake projects that have
24 established watershed improvement initiatives
25 and community support in accordance with the
26 department's annual lake restoration plan and report,
27 notwithstanding section 8.57, subsection 6, paragraph
28 "c":
29 FY 2012-2013..... \$ 5,459,000
30 8. DEPARTMENT OF PUBLIC DEFENSE
31 a. For major maintenance projects at national guard
32 armories and facilities:
33 FY 2012-2013..... \$ 2,000,000
34 b. For construction improvement projects at
35 statewide readiness centers:
36 FY 2012-2013..... \$ 2,050,000
37 c. For construction upgrades at Camp Dodge
38 including sanitary system and sewer system
39 improvements:
40 FY 2012-2013..... \$ 610,000
41 d. For renovation, repair, and related improvements
42 at the joint forces headquarters building:
43 FY 2012-2013..... \$ 500,000
44 9. BOARD OF REGENTS
45 For allocation by the state board of regents to the
46 state university of Iowa, Iowa state university of
47 science and technology, and the university of northern
48 Iowa to reimburse the institutions for deficiencies
49 in the operating funds resulting from the pledging of
50 tuition, student fees and charges, and institutional

1 income to finance the cost of providing academic and
2 administrative buildings and facilities and utility
3 services at the institutions:
4 FY 2012-2013..... \$ 25,130,412
5 10. DEPARTMENT OF TRANSPORTATION
6 a. For acquiring, constructing, and improving
7 recreational trails within the state:
8 FY 2012-2013..... \$ 3,000,000
9 b. For deposit into the public transit
10 infrastructure grant fund created in section 324A.6A,
11 for projects that meet the definition of "vertical
12 infrastructure" in section 8.57, subsection 6,
13 paragraph "c":
14 FY 2012-2013..... \$ 1,500,000
15 c. For infrastructure improvements at the
16 commercial service airports within the state:
17 FY 2012-2013..... \$ 1,500,000
18 d. For infrastructure improvements at general
19 aviation airports within the state:
20 FY 2012-2013..... \$ 750,000
21 e. For deposit into the railroad revolving loan and
22 grant fund created in section 327H.20A, notwithstanding
23 section 8.57, subsection 6, paragraph "c":
24 FY 2012-2013..... \$ 1,500,000
25 11. DEPARTMENT OF VETERANS AFFAIRS
26 For a boiler replacement and related improvements
27 at the Iowa veterans home:
28 FY 2012-2013..... \$ 975,919
29 12. STATE FAIR AUTHORITY
30 For renovations and improvements including but not
31 limited to the cultural center at the state fair:
32 FY 2012-2013..... \$ 500,000
33 13. TREASURER OF STATE
34 For distribution in accordance with chapter 174 to
35 qualified fairs which belong to the association of Iowa
36 fairs for county fair infrastructure improvements:
37 FY 2012-2013..... \$ 1,060,000
38 Sec. 2. REVERSION. For purposes of section 8.33,
39 unless specifically provided otherwise, unencumbered
40 or unobligated moneys made from an appropriation in
41 this division of this Act shall not revert but shall
42 remain available for expenditure for the purposes
43 designated until the close of the fiscal year that ends
44 three years after the end of the fiscal year for which
45 the appropriation is made. However, if the project
46 or projects for which such appropriation was made are
47 completed in an earlier fiscal year, unencumbered or
48 unobligated moneys shall revert at the close of that
49 same fiscal year.

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1 TECHNOLOGY REINVESTMENT FUND

2 Sec. 3. There is appropriated from the technology
 3 reinvestment fund created in section 8.57C to the
 4 following entities for the fiscal year beginning July
 5 1, 2012, and ending June 30, 2013, the following
 6 amounts, or so much thereof as is necessary, to be used
 7 for the purposes designated:

8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

9 For technology improvement projects:
 10 \$ 1,000,000

11 2. DEPARTMENT OF CORRECTIONS

12 a. For costs associated with the Iowa corrections
 13 offender network data system:

14 \$ 500,000

15 b. For the provision of land mobile radio
 16 communications equipment purchased by the department of
 17 corrections with the goal of achieving compliance with
 18 the federal communications commission's narrowbanding
 19 mandate deadline, and for achieving interoperability as
 20 defined in section 80.28:

21 \$ 3,500,000

22 If the department of public safety enters into a
 23 public-private partnership, through a competitive
 24 bidding process, for the provision of the statewide
 25 network and the purchase of compatible equipment, the
 26 department of corrections shall join that effort.

27 As a condition of this appropriation, all land
 28 mobile radio communications equipment purchased by
 29 the department of corrections shall be compliant with
 30 the federal communications commission's narrowbanding
 31 mandate and shall provide the maximum amount of
 32 statewide coverage and interoperability, throughout
 33 all phases of migration, to the department of public
 34 safety's future statewide digital radio network
 35 utilizing P-25 standards.

36 3. DEPARTMENT OF EDUCATION

37 a. For the continued development and implementation
 38 of an educational data warehouse that will be utilized
 39 by teachers, parents, school district administrators,
 40 area education agency staff, department of education
 41 staff, and policymakers:

42 \$ 600,000

43 The department may use a portion of the moneys
 44 appropriated in this lettered paragraph for an
 45 e-transcript data system capable of tracking students
 46 throughout their education via interconnectivity with
 47 multiple schools.

48 b. To the public broadcasting division for the
 49 purchase of eight high-powered transmitting tubes:

50 \$ 320,000

1 4. DEPARTMENT OF HUMAN RIGHTS

2 For the cost of equipment and computer software for
3 the continued development and implementation of Iowa's
4 criminal justice information system:

5 \$ 1,742,397

6 5. DEPARTMENT OF MANAGEMENT

7 a. For the continued development and implementation
8 of a searchable database that can be placed on the
9 internet for budget and financial information:

10 \$ 45,000

11 b. For completion of the comprehensive electronic
12 grant management system:

13 \$ 125,000

14 6. IOWA JUDICIAL BRANCH

15 For costs associated with the continued development
16 and implementation of the electronic document
17 management system:

18 \$ 4,000,000

19 Sec. 4. REVERSION. For purposes of section 8.33,
20 unless specifically provided otherwise, unencumbered
21 or unobligated moneys made from an appropriation in
22 this division of this Act shall not revert but shall
23 remain available for expenditure for the purposes
24 designated until the close of the fiscal year that ends
25 three years after the end of the fiscal year for which
26 the appropriation was made. However, if the project
27 or projects for which such appropriation was made are
28 completed in an earlier fiscal year, unencumbered or
29 unobligated moneys shall revert at the close of that
30 same fiscal year.

31 DIVISION III

32 CHILDREN'S HEALTH INSURANCE PROGRAM — TECHNOLOGY
33 REINVESTMENT FUND

34 Sec. 5. CHILDREN'S HEALTH INSURANCE PROGRAM —
35 TECHNOLOGY REINVESTMENT FUND. Moneys received from
36 the federal government through the child enrollment
37 contingency fund established pursuant to section 103
38 of the federal Children's Health Insurance Program
39 Reauthorization Act of 2009, Pub. L. No. 111-3, are
40 appropriated to the technology reinvestment fund
41 created in section 8.57C for the following fiscal
42 years, to be used, in addition to any other amounts
43 appropriated to the technology reinvestment fund, for
44 the purposes of section 8.57C, subsection 2:

45 FY 2012-2013..... \$ 14,000,000

46 FY 2013-2014..... \$ 6,000,000

47 The moneys appropriated pursuant to this section
48 shall not be used for any appropriations that receive
49 federal funding. Notwithstanding section 8.33 the
50 moneys appropriated in this section shall not revert to

1 the fund from which appropriated.

2 DIVISION IV

3 DEPARTMENT OF TRANSPORTATION — RADIOS

4 Sec. 6. DEPARTMENT OF TRANSPORTATION —
5 RADIOS. All land mobile radio communications equipment
6 purchased by the department of transportation shall be
7 compliant with the federal communications commission's
8 narrowbanding mandate and shall provide the maximum
9 amount of statewide coverage and interoperability,
10 throughout all phases of migration, to the department
11 of public safety's future statewide digital radio
12 network utilizing P-25 standards.

13 Sec. 7. EFFECTIVE UPON ENACTMENT. This division of
14 this Act, being deemed of immediate importance, takes
15 effect upon enactment.

16 Sec. 8. RETROACTIVE APPLICABILITY. This division
17 of this Act applies retroactively to July 1, 2011.

18 DIVISION V

19 CHANGES TO PRIOR APPROPRIATIONS

20 Sec. 9. 2011 Iowa Acts, chapter 128, section 19,
21 subsection 2, is amended to read as follows:

22 2. a. The mobile radios purchased by the
23 department of natural resources pursuant to subsection
24 1 shall be compatible with a statewide public safety
25 radio network, ~~if created in legislation enacted by~~
26 ~~the 2011 regular session of the General Assembly,~~
27 ~~which may include provisions in 2011 Iowa Acts,~~
28 ~~Senate File 541, if enacted 2011 Iowa Acts, ch. 133,~~
29 ~~section 3, subsection 8, paragraph a.~~ The department
30 shall purchase the mobile radios after conducting a
31 competitive bidding process.

32 b. As a condition of this appropriation, all land
33 mobile radio communications equipment purchased by the
34 department of natural resources shall be compliant with
35 the federal communications commission's narrowbanding
36 mandate and shall provide the maximum amount of
37 statewide coverage and interoperability, throughout
38 all phases of migration, to the department of public
39 safety's future statewide digital radio network
40 utilizing P-25 standards.

41 Sec. 10. 2011 Iowa Acts, chapter 133, section
42 1, subsection 3, paragraph b, is amended to read as
43 follows:

44 b. For the construction project and one-time
45 furniture, fixture, and equipment costs at the Iowa
46 correctional facility for women at Mitchellville:

47 FY 2011-2012.....	\$ 3,061,556
48 FY 2012-2013.....	\$ 5,391,062
49 FY 2013-2014.....	\$ 26,769,040

50 Sec. 11. 2011 Iowa Acts, chapter 133, section

Page 7

1 1, subsection 10, paragraph c, is amended to read as
2 follows:

3 c. For projects for immediate fire safety needs
4 and for compliance with the federal Americans with
5 Disabilities Act, at the regents institutions:

6 FY 2011-2012..... \$ 2,000,000
7 FY 2012-2013..... \$ 2,000,000

8 Of the amounts appropriated in this lettered
9 paragraph, up to \$2,000,000 may be used to fund
10 deductibles on property insurance and to provide
11 the necessary match for funds which may be available
12 from the federal emergency management agency for the
13 cleanup, repair, and restoration of facilities at the
14 state school for the deaf and the Iowa braille and
15 sight saving school due to storm damage in the calendar
16 year 2011, notwithstanding section 8.57, subsection 6,
17 paragraph "c".

18 Sec. 12. 2011 Iowa Acts, chapter 133, section
19 1, subsection 13, paragraph b, is amended to read as
20 follows:

21 b. For the Iowa veterans home to upgrade generator
22 emissions controls to meet required stack emissions
23 for four generators and ~~related improvements for the~~
24 construction of a building that secures vehicles during
25 nonuse and inclement weather:

26 FY 2011-2012..... \$ 250,000

27 Sec. 13. 2011 Iowa Acts, chapter 133, section
28 3, subsection 8, paragraph a, is amended to read as
29 follows:

30 a. For the provision of a statewide public safety
31 radio network and the purchase of compatible radio
32 communications equipment with the goal of achieving
33 compliance with the federal communications commission's
34 narrowbanding mandate deadline, and for achieving
35 "interoperability", as defined in section 80.28:

36 FY 2011-2012..... \$ 2,500,000
37 FY 2012-2013..... \$ 2,500,000
38 FY 2013-2014..... \$ 2,500,000

39 Of the amounts appropriated in this lettered
40 paragraph, the department of public safety may
41 enter into a public-private partnership, through a
42 competitive bidding process, for the provision of
43 the statewide network and the purchase of compatible
44 equipment.

45 As a condition of this appropriation, all land
46 mobile radio communications equipment purchased by the
47 department of public safety shall be compliant with
48 the federal communications commission's narrowbanding
49 mandate and shall provide the maximum amount of
50 statewide coverage and interoperability, throughout

1 all phases of migration, to the department of public
2 safety's future statewide digital radio network
3 utilizing P-25 standards.

4 On or before January 13, 2012, the department of
5 public safety shall provide a report to the legislative
6 services agency and the department of management.
7 The report shall detail the status of the funds
8 appropriated in this subsection and shall include
9 the estimated needs of the departments of public
10 safety, corrections, and natural resources to achieve
11 interoperability and to meet the federal narrowbanding
12 mandate, any changes in estimated costs to meet those
13 needs, and the status of requests for proposals to
14 develop a public-private partnership.

15 Sec. 14. 2011 Iowa Acts, chapter 133, section 5,
16 subsection 1, is amended to read as follows:

17 1. DEPARTMENT OF CORRECTIONS

18 For the construction project and one-time furniture,
19 fixture, and equipment costs at the Iowa correctional
20 facility for women at Mitchellville:

21 \$ 4,430,952

22 Sec. 15. EFFECTIVE UPON ENACTMENT. This division
23 of this Act, being deemed of immediate importance,
24 takes effect upon enactment.

25 DIVISION VI

26 MISCELLANEOUS CODE CHANGES

27 Sec. 16. Section 8.57, subsection 6, paragraph
28 e, subparagraph (1), subparagraph division (d),
29 subparagraph subdivision (ii), Code Supplement 2011, is
30 amended to read as follows:

31 (ii) However, in lieu of the deposit in
32 subparagraph subdivision (i), for the fiscal year
33 beginning July 1, 2010, and for each fiscal year
34 thereafter until the principal and interest on all
35 bonds issued by the treasurer of state pursuant to
36 section 12.87 are paid, as determined by the treasurer
37 of state, ~~sixty-four~~ fifty-five million seven hundred
38 fifty thousand dollars of the excess moneys directed to
39 be deposited in the rebuild Iowa infrastructure fund
40 under subparagraph subdivision (i) shall be deposited
41 in the general fund of the state.

42 Sec. 17. Section 8.57A, subsection 4, paragraph c,
43 Code Supplement 2011, is amended to read as follows:

44 c. There is appropriated from the rebuild Iowa
45 infrastructure fund for the fiscal year beginning
46 July 1, 2012, and ending June 30, 2013, the sum
47 of ~~thirty-five~~ twenty-three million dollars to the
48 environment first fund, notwithstanding section 8.57,
49 subsection 6, paragraph "c".

50 Sec. 18. Section 8.57C, subsection 3, paragraph a,

Page 9

1 Code Supplement 2011, is amended to read as follows:

2 a. (1) There is appropriated from the general fund
3 of the state for the fiscal year beginning July 1,
4 2012, and for each subsequent fiscal year thereafter
5 ending June 30, 2013, the sum of seventeen five million
6 five hundred thousand dollars, and for the fiscal year
7 beginning July 1, 2013, and ending June 30, 2014,
8 the sum of five million dollars to the technology
9 reinvestment fund.

10 (2) There is appropriated from the general fund of
11 the state for the fiscal year beginning July 1, 2014,
12 and for each subsequent fiscal year thereafter, the sum
13 of seventeen million five hundred thousand dollars to
14 the technology reinvestment fund.

15 Sec. 19. Section 16.181A, subsection 1, Code 2011,
16 is amended by striking the subsection.

17 Sec. 20. Section 428A.8, subsection 2, paragraphs
18 d, e, and f, Code 2011, are amended to read as follows:

19 d. For the fiscal year beginning July 1, 2012,
20 ~~seventy-five~~ fifty-two and one-half percent of the
21 receipts shall be deposited in the general fund, ~~twenty~~
22 forty-two and one-half percent of the receipts shall be
23 transferred to the housing trust fund, and five percent
24 of the receipts shall be transferred to the shelter
25 assistance fund.

26 e. For the fiscal year beginning July 1, 2013,
27 ~~seventy~~ forty-seven and one-half percent of the
28 receipts shall be deposited in the general fund,
29 ~~twenty-five~~ forty-seven and one-half percent of the
30 receipts shall be transferred to the housing trust
31 fund, and five percent of the receipts shall be
32 transferred to the shelter assistance fund.

33 f. For the fiscal year beginning July 1, 2014, and
34 each succeeding fiscal year, ~~sixty-five~~ forty-two and
35 one-half percent of the receipts shall be deposited in
36 the general fund, ~~thirty~~ fifty-two and one-half percent
37 of the receipts shall be transferred to the housing
38 trust fund, and five percent of the receipts shall be
39 transferred to the shelter assistance fund.

40 Sec. 21. Section 428A.8, subsection 3, Code 2011,
41 is amended to read as follows:

42 3. Notwithstanding subsection 2, the amount of
43 money that shall be transferred pursuant to this
44 section to the housing trust fund in any one fiscal
45 year shall not exceed ~~three~~ six million dollars. Any
46 money that otherwise would be transferred pursuant to
47 this section to the housing trust fund in excess of
48 that amount shall be deposited in the general fund of
49 the state.>

50 2. Title page, by striking lines 2 through 5 and

Page 10

1 inserting <departments, agencies, and entities from the
2 rebuild Iowa infrastructure fund and the technology
3 reinvestment fund, providing for related>

COMMITTEE ON APPROPRIATIONS

H-8329

1 Amend Senate File 2219, as passed by the Senate, as
2 follows:

3 1. Page 1, by striking line 1 and inserting:
4 <Section 1. Section 256D.2A, Code 2011, is amended
5 to read as follows:

6 256D.2A Program funding.
7 1. For the budget year beginning July 1, 2009, and
8 each succeeding budget year, a school district shall
9 expend funds received pursuant to section 257.10,
10 subsection 11, at the kindergarten through grade three
11 levels to reduce class sizes to the state goal of
12 seventeen students for every one teacher and to achieve
13 a higher level of student success in the basic skills,
14 especially reading. In order to support these efforts,
15 school districts may expend funds received pursuant
16 to section 257.10, subsection 11, at the kindergarten
17 through grade three level on programs, instructional
18 support, and materials that include but are not limited
19 to the following: additional licensed instructional
20 staff; additional support for students, such as before
21 and after school programs, tutoring, and intensive
22 summer programs; the acquisition and administration of
23 diagnostic reading assessments; the implementation of
24 research-based instructional intervention programs for
25 students needing additional support; the implementation
26 of all-day, everyday kindergarten programs; and
27 the provision of classroom teachers with intensive
28 training programs to improve reading instruction and
29 professional development in best practices including
30 but not limited to training programs related to
31 instruction to increase students' phonemic awareness,
32 reading abilities, and comprehension skills.

33 2. Notwithstanding subsection 1, for the budget
34 year beginning July 1, 2012, and each succeeding fiscal
35 year, a school district may expend two-thirds of the
36 funds received pursuant to section 257.10, subsection
37 11, to pay for the costs of complying with education
38 reform legislation enacted by the 84th General
39 Assembly, 2012 Regular Session.

40 Sec. ____ Section 256D.9, Code 2011, is amended to
41 read as follows:

42 256D.9 Future repeal.

43 This chapter is repealed effective July 1, ~~2012~~

44 2017.>

45 2. Title page, line 2, after <program> by inserting
46 <and to expenditures under the program,>

47 3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS

H-8330

1 Amend Senate File 2315, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 74, after line 13 by inserting:

4 <DIVISION ____
5 FUNDING PROVISIONS

6 Sec. ____ NEW SECTION. 331.424D County mental
7 health and disabilities services fund.

8 1. For the purposes of this chapter and chapter
9 426B, unless the context otherwise requires:

10 a. "Base year expenditures for mental health and
11 disabilities services" means the same as defined in
12 section 331.438, Code Supplement 2011, minus the amount
13 the county received from the property tax relief fund
14 pursuant to section 426B.1, Code 2011, for the fiscal
15 year beginning July 1, 2012.

16 b. "County population expenditure target amount"
17 means the product of the statewide per capita
18 expenditure target amount multiplied by a county's
19 general population.

20 c. "County services fund" means a county mental
21 health and disabilities services fund created pursuant
22 to this section.

23 d. "Per capita growth amount" means the amount by
24 which the statewide per capita expenditure target
25 amount may grow from one year to the next.

26 e. "Statewide per capita expenditure target amount"
27 means the dollar amount of a statewide expenditure
28 target per person as established by statute.

29 2. The county finance committee created in section
30 333A.2 shall consult with the department of human
31 services in adopting rules and prescribing forms for
32 administering the county services funds.

33 3. a. For the fiscal year beginning July 1, 2013,
34 and succeeding fiscal years, revenues from taxes
35 and other sources designated by a county for mental
36 health and disabilities services shall be credited
37 to a mental health and disabilities services fund
38 which shall be created by the county. The board shall
39 make appropriations from the county services fund
40 for payment of services provided under the regional
41 service system management plan approved pursuant to
42 section 331.439A. The county may pay for the services
43 in cooperation with other counties by combining

44 appropriations from the county services fund with
45 appropriations from the county services funds of other
46 counties, through the county's regional administrator,
47 or through another arrangement specified in the
48 regional governance agreement entered into by the
49 county under section 331.438E.
50 b. Appropriations specifically authorized to be

Page 2

1 made from the county services fund shall not be made
2 from any other fund of the county.

3 4. For the fiscal year beginning July 1, 2013,
4 and succeeding fiscal years, receipts from the state
5 or federal government for the mental health and
6 disabilities services administered or paid for by a
7 county shall be credited to the county services fund,
8 including moneys distributed to the county through the
9 department of human services and moneys distributed
10 pursuant to chapter 426B to the county for property tax
11 relief.

12 5. a. For the fiscal year beginning July 1, 2013,
13 and for each subsequent fiscal year, the county shall
14 certify a levy for payment of services from the county
15 services fund. For each fiscal year, county revenues
16 from taxes levied by the county and credited to the
17 county services fund shall not exceed an amount equal
18 to the amount of the county population expenditure
19 target for the fiscal year for which the budget is
20 certified.

21 b. The county auditor and the board of supervisors
22 shall certify the levy for the county services fund as
23 required by paragraph "a". A levy certified under this
24 subsection is not subject to the provisions of section
25 331.426 or to any other provision in law authorizing a
26 county to exceed, increase, or appeal a property tax
27 levy limit.

28 Sec. ____ Section 426B.1, subsection 2, Code 2011,
29 is amended by striking the subsection and inserting in
30 lieu thereof the following:

31 2. There is appropriated from the general fund
32 of the state to the property tax relief fund for the
33 indicated fiscal years the following amounts to be used
34 as provided in this chapter:

35 a. For the fiscal year beginning July 1, 2013,
36 seventeen million three hundred thirty-one thousand six
37 hundred eighty dollars.

38 b. For the fiscal year beginning July 1, 2014,
39 thirty-six million fifty-four thousand two hundred
40 eighty dollars.

41 c. For the fiscal year beginning July 1, 2015,
42 sixty-three million one hundred thirty thousand eight

43 hundred ninety-nine dollars.
 44 d. For the fiscal year beginning July 1, 2016,
 45 ninety-four million three hundred fifteen thousand one
 46 hundred fifty-one dollars.
 47 e. For the fiscal year beginning July 1, 2017,
 48 and succeeding fiscal years, one hundred twenty-five
 49 million seven hundred fifty-three thousand five hundred
 50 thirty-four dollars.

Page 3

1 Sec. ____ Section 426B.2, subsections 1 and 2, Code
 2 2011, are amended by striking the subsections.
 3 Sec. ____ Section 426B.2, subsection 3, paragraph
 4 a, Code 2011, is amended to read as follows:
 5 a. The director of human services shall draw
 6 warrants on the property tax relief fund, payable to
 7 the county treasurer in the amount due to a county in
 8 accordance with ~~subsection 4~~ paragraph "b" and section
 9 426B.3A and mail the warrants to the county auditors in
 10 July and January of each year.
 11 Sec. ____ Section 426B.3, subsection 1, Code 2011,
 12 is amended to read as follows:
 13 1. The county auditor shall reduce the certified
 14 budget amount received from the board of supervisors
 15 for the succeeding fiscal year for the county mental
 16 health, ~~mental retardation~~, and ~~developmental~~
 17 ~~disabilities services fund created in~~ pursuant to
 18 section ~~331.424A~~ 331.424D by an amount equal to the
 19 amount the county will receive from the property
 20 tax relief fund pursuant to section ~~426B.2~~ 426B.3A,
 21 subsection 6, for the succeeding fiscal year for
 22 purposes of replacing the designated portion of the
 23 per capita county base property tax equivalent and
 24 for any equalization payment and the auditor shall
 25 determine the rate of taxation necessary to raise the
 26 reduced amount. On the tax list, the county auditor
 27 shall compute the amount of taxes due and payable
 28 on each parcel before and after the amount received
 29 from the property tax relief fund is used to reduce
 30 the county budget. The director of human services
 31 shall notify the county auditor of each county of the
 32 amount of moneys the county will receive from the
 33 property tax relief fund pursuant to section ~~426B.2~~
 34 426B.3A, subsection 6, for the succeeding fiscal year
 35 for purposes of replacing the designated portion of
 36 the per capita county base property tax equivalent.
 37 If the amount the county will receive pursuant to
 38 section 426B.3A, for any purpose is changed after the
 39 county has certified its budget, the county board of
 40 supervisors may amend the certified budget to reflect
 41 the change and the county auditor shall revise the levy

42 rate and amount of taxes due and payable on each parcel
43 accordingly. Such an amendment to the budget shall be
44 made without public hearing and without being subject
45 to protest.

46 Sec. ____ **NEW SECTION.** 426B.3A Per capita funding.

47 1. Commencing with the fiscal year beginning July
48 1, 2013, the state and county funding for the mental
49 health and disability services administered or paid for
50 by counties shall be provided based on a statewide per

Page 4

1 per capita expenditure target amount computed in accordance
2 with this section.

3 2. The statewide per capita expenditure target
4 amount shall consist of the sum of the following:

5 a. A county base property tax equivalent to
6 forty-one dollars and twenty-eight cents per capita.
7 b. A per capita growth amount, which may be stated
8 as a percentage of the prior fiscal year's county base
9 property tax per capita amount, as established by
10 statute.

11 3. There is appropriated each fiscal year from the
12 general fund of the state an amount necessary to pay
13 the per capita growth amount established for the fiscal
14 year.

15 4. The per capita growth amount for the fiscal year
16 beginning July 1, 2013, is three percent of the per
17 capita amount established in subsection 2, paragraph
18 "a".

19 5. The per capita growth amount established
20 by statute shall provide funding for increases in
21 non-Medicaid expenditures from county services funds
22 due to service costs, additional service populations,
23 additional core service domains, and numbers of persons
24 receiving services.

25 6. a. For the fiscal year beginning July 1, 2013,
26 each county with a county population expenditure target
27 amount that exceeds the county's base year expenditures
28 for mental health and disabilities services shall
29 receive an equalization payment in the amount of the
30 difference. The equalization payments shall be made
31 from the moneys appropriated to the property tax relief
32 fund in section 426B.1, subsection 2. The counties
33 receiving an equalization payment under this paragraph
34 shall receive an equalization payment in the same
35 amount for each succeeding fiscal year.

36 b. For the fiscal year beginning July 1, 2013, the
37 moneys appropriated to the property tax relief fund in
38 section 426B.1, subsection 2, shall be distributed to
39 provide the equalization payments required in paragraph
40 "a".

- 41 c. For the fiscal year beginning July 1, 2014, the
 42 moneys appropriated to the property tax relief fund in
 43 section 426B.1, subsection 2, shall be distributed to
 44 provide the equalization payment required in paragraph
 45 "a" and for the state to replace an amount equal to ten
 46 dollars and forty-two cents per capita of the county
 47 base property tax equivalent to forty-one dollars and
 48 twenty-eight cents per capita.
- 49 d. For the fiscal year beginning July 1, 2015, the
 50 moneys appropriated to the property tax relief fund in

Page 5

1 section 426B.1, subsection 2, shall be distributed to
 2 provide the equalization payment required in paragraph
 3 "a" and for the state to replace an amount equal to
 4 twenty dollars and seventy-five cents per capita of
 5 the county base property tax equivalent to forty-one
 6 dollars and twenty-eight cents per capita.

7 e. For the fiscal year beginning July 1, 2016, the
 8 moneys appropriated to the property tax relief fund in
 9 section 426B.1, subsection 2, shall be distributed to
 10 provide the equalization payment required in paragraph
 11 "a" and for the state to replace an amount equal to
 12 thirty-one dollars and seven cents per capita of
 13 the county base property tax equivalent to forty-one
 14 dollars and twenty-eight cents per capita.

15 f. For the fiscal year beginning July 1, 2017, and
 16 each succeeding fiscal year, the moneys appropriated
 17 to the property tax relief fund in section 426B.1,
 18 subsection 2, shall be distributed to provide the
 19 equalization payment required in paragraph "a" and
 20 for the state to replace an amount equal to forty-one
 21 dollars and twenty-eight cents per capita of the county
 22 base property tax equivalent to forty-one dollars and
 23 twenty-eight cents per capita.

24 Sec. ____. Section 426B.6, Code Supplement 2011, is
 25 amended to read as follows:

26 426B.6 Future repeal.

27 This chapter is repealed July 1, ~~2013~~ 2018.

28 Sec. ____. EFFECTIVE DATE. The following provisions
 29 of this division of this Act takes effect July 1, 2013:

- 30 1. The section of this Act amending section 426B.1.
- 31 2. The sections of this Act amending section
- 32 426B.2.

- 33 3. The section of this Act amending section 426B.3.

34 Sec. ____. APPLICABILITY. The following provisions
 35 of this division of this Act are applicable commencing
 36 with the budget and tax levy certification process for
 37 the fiscal year beginning July 1, 2013:

- 38 1. The section of this Act amending section 426B.1.
- 39 2. The sections of this Act amending section

40 426B.2.
 41 3. The section of this Act amending section
 42 426B.3.>
 43 2. Title page, line 4, after <regions> by inserting
 44 <, making appropriations, revising related property tax
 45 levy provisions,>

COMMITTEE ON APPROPRIATIONS

H-8331

1 Amend Senate File 2237, as passed by the Senate, as
 2 follows:
 3 1. Page 2, after line 21 by inserting:
 4 <Sec. __. Section 99B.8, subsection 6, paragraph
 5 b, Code 2011, is amended by adding the following new
 6 subparagraph:
 7 NEW SUBPARAGRAPH. (4) A qualified organization
 8 that has been licensed under this chapter prior to
 9 January 1, 2012, and that is a religious organization.>
 10 2. Title page, line 1, after <An Act> by inserting
 11 <relating to social and charitable gambling concerning
 12 allowable prizes at annual game nights conducted by
 13 religious organizations and>
 14 3. By renumbering as necessary.

LUKAN of Dubuque

H-8332

1 Amend Senate File 2289, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 10, by striking <grants.> and
 4 inserting <grants and for local administrative costs.
 5 Reimbursement of a local administrator's administrative
 6 costs shall be five percent for local administration
 7 and processing of grants, based on the total amount
 8 of grant aid approved. An additional five percent in
 9 reimbursement shall be provided for individual disaster
 10 case management services provided by or through the
 11 local administrator when the local administrator
 12 provides or has arranged for the provision of advance
 13 distribution of aid to individuals rather than
 14 reimbursement to such individuals.>

ISENHART of Dubuque

H-8333

1 Amend House File 2450 as follows:
 2 1. Page 1, line 2, by striking <prohibited>
 3 2. Page 1, after line 8 by inserting:

- 4 <1A. Notwithstanding subsection 1, a local
 5 authority that has established an automated traffic law
 6 enforcement program prior to the effective date of this
 7 Act shall terminate the program at the earliest date
 8 possible as follows:
- 9 a. If the local authority has entered into a
 10 contract for equipment or services relating to
 11 automated traffic law enforcement systems prior to
 12 the effective date of this Act, the city may continue
 13 to use an automated traffic law enforcement system
 14 or systems to the extent necessary to hold the city
 15 harmless under the terms of the existing contract. A
 16 city that continues using an automated traffic law
 17 enforcement system on or after the effective date of
 18 this Act, as authorized under this paragraph, shall not
 19 extend or renew a contract, or enter any new contract,
 20 for automated traffic law enforcement system equipment
 21 or services on or after the effective date of this Act.
- 22 b. Upon the expiration of all prior contracts for
 23 the use of automated traffic law enforcement systems,
 24 a local authority's ordinance authorizing the use of
 25 automated traffic law enforcement systems is void.
 26 However, notices of violations mailed or citations
 27 issued pursuant to such an ordinance prior to the date
 28 the ordinance becomes void shall not be invalidated
 29 under this section and shall be processed according
 30 to the provisions of the law under which they were
 31 authorized.>
- 32 3. Page 1, by striking lines 18 through 32.
- 33 4. Title page, line 1, by striking <prohibiting>
 34 and inserting <relating to>
- 35 5. By renumbering as necessary.

T. OLSON of Linn

H-8334

- 1 Amend House File 2450 as follows:
- 2 1. Page 1, after line 8 by inserting:
- 3 <1A. Notwithstanding subsection 1, a local
 4 authority that is using an automated traffic law
 5 enforcement system prior to the effective date of this
 6 Act may continue to use the system if the authority
 7 certifies to the department of public safety that the
 8 use of the automated traffic law enforcement system has
 9 improved traffic safety at the location or locations
 10 where it has been in use. The certification shall
 11 be accompanied by documentation containing data to
 12 support the claim of improved traffic safety. A local
 13 authority that submits a certification under this
 14 subsection may continue to use an automated traffic
 15 law enforcement system that is covered under the

- 16 certification pursuant to the authorizing ordinance of
17 the local authority.>
18 2. Page 1, by striking lines 22 through 25 and
19 inserting <enforcement system shall discontinue
20 using the system and remove all automated traffic law
21 enforcement system equipment from the highways on or
22 before July 1, 2012, unless the local authority has
23 submitted certification to the department of public
24 safety pursuant to section 321.5A, subsection 1A, as
25 enacted by this Act.>
26 3. Page 1, by striking line 26 and inserting:
27 <2. Except as provided in section 321.5A,
28 subsection 1A, as enacted by this Act, on July 1, 2012,
29 all local>
30 4. Page 1, line 28, by striking <However, notices>
31 and inserting <Notices>
32 5. Page 1, line 29, by striking <such>
33 6. Title page, line 1, by striking <prohibiting>
34 and inserting <relating to>
35 7. By renumbering as necessary.

T. OLSON of Linn

H-8335

- 1 Amend House File 2449 as follows:
2 1. Page 35, by striking lines 14 through 21.
3 2. Page 35, by striking line 24.
4 3. By renumbering as necessary.

LENSING of Johnson

H-8336

- 1 Amend House File 2449 as follows:
2 1. Page 10, by striking lines 13 through 29.
3 2. By renumbering, redesignating, and correcting
4 internal references as necessary.

LENSING of Johnson

H-8337

- 1 Amend House File 2449 as follows:
2 1. Page 9, by striking lines 12 through 15.
3 2. By renumbering as necessary.

HALL of Woodbury
GASKILL of Wapello

H-8338

1 Amend House File 2449 as follows:

2 1. By striking page 2, line 10, through page 5,
3 line 8, and inserting:

4 <DIVISION ____
5 SPAN OF CONTROL

6 Sec. ____ SPAN OF CONTROL COMPLIANCE.

7 1. The department of management, in collaboration
8 with the department of administrative services,
9 shall comply with the requirements of section 8A.402,
10 subsection 2, paragraph "g", concerning the ratio of
11 supervisory employees to other employees in executive
12 branch agencies.

13 2. In complying with the requirements of subsection
14 1, the department of management shall, by July 31,
15 2012, do all of the following:

16 a. Ensure that a five-member review board as
17 described in section 8A.402, subsection 2, paragraph
18 "g", is established.

19 b. Submit a report to the general assembly
20 documenting, for all applicable executive branch
21 agencies, whether the executive branch agency
22 has met the target aggregate ratio as provided in
23 section 8A.402, subsection 2, paragraph "g", has
24 been granted an exception to the policy through the
25 executive council, or has been granted a waiver by the
26 five-member review board.

27 3. Notwithstanding any provision of law to the
28 contrary, any appropriation from the general fund
29 of the state to the department of management for the
30 fiscal year beginning July 1, 2012, and ending June
31 30, 2013, shall be reduced by ten percent if the
32 department of management fails to comply with all of
33 the requirements of subsection 2.

34 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
35 of this Act, being deemed of immediate importance,
36 takes effect upon enactment.

37 DIVISION ____
38 HEALTH INSURANCE TASK FORCE

39 Sec. ____ STATE EMPLOYEE HEALTH INSURANCE TASK
40 FORCE.

41 1. A state employee health insurance task force
42 is created under the authority of the legislative
43 council. Members of the task force shall be appointed
44 by the legislative council and shall include but
45 not be limited to members of the general assembly;
46 representatives of employee organizations representing
47 state employees; representatives of employers of
48 state employees, including the judicial branch;
49 representatives involved in administering employee
50 health benefits from the department of administrative

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1 services; and representatives from insurers providing
2 group health insurance to state employees.

3 2. The task force shall examine all aspects of
4 providing health care coverage to state employees
5 and their families with the goal of providing quality
6 health care coverage at an affordable cost. The task
7 force shall examine strategies for reducing the cost
8 of health care coverage, including but not limited to
9 wellness and other comparable programs.

10 3. The task force shall submit a report, including
11 its findings and recommendations, to the general
12 assembly by December 31, 2012.>

13 2. By renumbering, redesignating, and correcting
14 internal references as necessary.

LENSING of Johnson

H-8339

1 Amend Senate File 451, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 257.41, Code 2011, is amended
6 to read as follows:

7 257.41 Funding for programs for returning dropouts
8 and dropout prevention.

9 1. Budget. The budget of an approved program for
10 returning dropouts and dropout prevention for a school
11 district, after subtracting funds received from other
12 sources for that purpose, shall be funded annually on
13 a basis of one-fourth or more from the district cost
14 of the school district and up to three-fourths by an
15 increase in allowable growth as defined in section
16 257.8. Annually, the department of management shall
17 establish a modified allowable growth for each such
18 school district equal to the difference between the
19 approved budget for the program for returning dropouts
20 and dropout prevention for that district and the sum of
21 the amount funded from the district cost of the school
22 district plus funds received from other sources.

23 2. Appropriate uses of funding. Appropriate uses of
24 the returning dropout and dropout prevention program
25 funding include but are not limited to the following:

26 a. Salary and benefits for instructional staff,
27 instructional support staff, and school-based youth
28 services staff who are working with students who
29 are participating in dropout prevention programs,
30 alternative programs, and alternative schools, in
31 a traditional or alternative setting, if the staff

32 person's time is dedicated to working with returning
33 dropouts or students who are deemed, at any time
34 during the school year, to be at risk of dropping out,
35 in order to provide services beyond those which are
36 provided by the school district to students who are
37 not identified as at risk of dropping out. However,
38 if the staff person works part-time with students who
39 are participating in returning dropout and dropout
40 prevention programs, alternative programs, and
41 alternative schools and has another unrelated staff
42 assignment, only the portion of the staff person's
43 time that is related to the returning dropout and
44 dropout prevention program, alternative program, or
45 alternative school may be charged to the program. For
46 purposes of this paragraph, if an alternative setting
47 is necessary to provide for a program which is offered
48 at a location off school grounds and which is intended
49 to serve student needs by improving relationships
50 and connections to school, decreasing truancy and

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1 tardiness, providing opportunities for course credit
2 recovery, or helping students identified as at risk
3 of dropping out to accelerate through multiple grade
4 levels of achievement within a shortened time frame,
5 the tuition costs for a student identified as at risk
6 of dropping out shall be considered an appropriate use
7 of the returning dropout and dropout prevention program
8 funding.
9 b. Professional development for all teachers and
10 staff working with at-risk students and programs
11 involving dropout prevention strategies.
12 c. Research-based resources, materials, software,
13 supplies, and purchased services that meet all of the
14 following criteria:
15 (1) Meets the needs of kindergarten through grade
16 twelve students identified as at risk of dropping out
17 and of returning dropouts.
18 (2) Are beyond those provided by the regular school
19 program.
20 (3) Are necessary to provide the services listed in
21 the school district's dropout prevention plan.
22 (4) Will remain with the kindergarten through
23 grade twelve returning dropout and dropout prevention
24 program.
25 d. Up to five percent of the total budgeted amount
26 received pursuant to subsection 1 may be used for
27 purposes of providing district-wide or building-wide
28 returning dropout and dropout prevention programming
29 targeted to students who are not deemed at risk of
30 dropping out.

31 3. Limitation.

32 a. For the fiscal year beginning July 1, 2013, and
 33 each succeeding fiscal year, the ratio of the amount of
 34 modified allowable growth established by the department
 35 of management compared to the school district's total
 36 regular program district cost shall not exceed such
 37 ratio for the school district for the fiscal year
 38 beginning July 1, 2011.

39 b. Notwithstanding paragraph "a", if a school
 40 district's ratio, as described in paragraph "a", for
 41 any fiscal year beginning on or after July 1, 2010,
 42 but before July 1, 2013, is less than two and one-half
 43 percent, the school district's ratio, for fiscal years
 44 beginning on or after July 1, 2013, may be an amount
 45 not to exceed two and one-half percent.

46 Sec. 2. APPLICABILITY. This Act is applicable to
 47 budget years beginning on or after July 1, 2013.>

48 2. Title page, line 3, after <prevention> by
 49 inserting <and including applicability provisions>

DOLECHECK of Ringgold

H-8340

1 Amend House File 2449 as follows:

2 1. Page 2, after line 11 by inserting:

3 <Sec. ____ Section 2.10, subsection 1, Code 2011,
 4 is amended to read as follows:

5 1. Every member of the general assembly ~~except the~~
 6 ~~presiding officer of the senate, the speaker of the~~
 7 ~~house, the majority and minority floor leader of each~~
 8 ~~house, and the president pro tempore of the senate~~
 9 ~~and speaker pro tempore of the house~~ shall receive
 10 an annual salary of twenty-five thousand dollars for
 11 the year 2007 and subsequent years while serving as
 12 a member of the general assembly. In addition, each
 13 such member shall receive a per diem, as defined in
 14 subsection 5, for expenses of office, except travel,
 15 for each day the general assembly is in session
 16 commencing with the first day of a legislative session
 17 and ending with the day of final adjournment of each
 18 legislative session as indicated by the journals of
 19 the house and senate, except that if the length of
 20 the first regular session of the general assembly
 21 exceeds one hundred ten calendar days and the second
 22 regular session exceeds one hundred calendar days,
 23 the payments shall be made only for one hundred ten
 24 calendar days for the first session and one hundred
 25 calendar days for the second session. Members from
 26 Polk county shall receive an amount per day equal to
 27 three-fourths of the per diem of the non-Polk county
 28 members. Each member shall receive a three hundred

29 dollar per month allowance for legislative district
 30 constituency postage, travel, telephone costs, and
 31 other expenses. Travel expenses shall be paid at the
 32 rate established by section 8A.363 for actual travel
 33 in going to and returning from the seat of government
 34 by the nearest traveled route for not more than one
 35 time per week during a legislative session unless the
 36 general assembly otherwise provides.
 37 Sec. ____ Section 2.10, subsection 2, Code 2011, is
 38 amended by striking the subsection.>
 39 2. By renumbering as necessary.

THOMAS of Clayton

H-8341

1 Amend House File 2449 as follows:
 2 1. Page 10, line 22, after <value.> by inserting
 3 <The request for a waiver, pilot project, or other
 4 approach shall not place an undue burden on any
 5 business involved in the distribution or retail sale
 6 of food items.>
 7 2. Page 10, line 22, by striking <submitted> and
 8 inserting <submitted, following consultation with an
 9 association representing Iowa groceries.>

THOMAS of Clayton

H-8342

1 Amend the amendment, H-8328, to Senate File 2316,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 34, by striking <1,000,000> and
 5 inserting <2,700,000>
 6 2. Page 8, by striking lines 37 and 38 and
 7 inserting <of state, ~~sixty-four million seven hundred~~
 8 fifty-four million fifty thousand dollars of the excess
 9 moneys directed to>
 10 3. By renumbering as necessary.

THOMAS of Clayton

H-8343

1 Amend House File 2450 as follows:
 2 1. By striking everything after the enacting clause
 3 and inserting:
 4 <Section 1. Section 331.307, Code 2011, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 14. a. Notwithstanding any other
 7 provision of law, civil fines collected by a county

8 from the use of an automated traffic law enforcement
9 system shall be allocated as follows:

10 (1) The amount necessary to satisfy contractual
11 obligations of the county relating to the use of
12 automated traffic law enforcement systems shall be
13 retained by the county for that purpose.

14 (2) Of the moneys in excess of the amount necessary
15 for the purpose specified in subparagraph (1), fifty
16 percent shall be retained by the county and fifty
17 percent shall be deposited in the account established
18 in section 602.8108 for deposit in the road use tax
19 fund.

20 b. For purposes of this subsection, "automated
21 traffic law enforcement system" means a device with one
22 or more sensors working in conjunction with a traffic
23 control signal or device or a speed-measuring device to
24 produce recorded images of vehicles being operated in
25 violation of traffic or speed laws.

26 Sec. 2. Section 364.3, subsection 2, Code
27 Supplement 2011, is amended to read as follows:

28 2. For a violation of an ordinance, a city shall
29 not provide a penalty in excess of the maximum fine
30 and term of imprisonment for a simple misdemeanor
31 under section 903.1, subsection 1, paragraph "a". ~~An~~
32 Except as otherwise provided in this subsection, an
33 amount equal to ten percent of all fines collected by
34 cities shall be deposited in the account established in
35 section 602.8108. ~~However, one~~

36 a. One hundred percent of all fines collected by a
37 city pursuant to section 321.236, subsection 1, shall
38 be retained by the city.

39 b. Civil fines collected by a city from the use of
40 an automated traffic law enforcement system shall be
41 allocated as follows:

42 (1) The amount necessary to satisfy contractual
43 obligations of the city relating to the use of
44 automated traffic law enforcement systems shall be
45 retained by the city for that purpose.

46 (2) Of the moneys in excess of the amount necessary
47 for the purpose specified in subparagraph (1), fifty
48 percent shall be retained by the city and fifty percent
49 shall be deposited in the account established in
50 section 602.8108 for deposit in the road use tax fund.

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1 (3) For purposes of this subsection, "automated
2 traffic law enforcement system" means a device with one
3 or more sensors working in conjunction with a traffic
4 control signal or device or a speed-measuring device to
5 produce recorded images of vehicles being operated in
6 violation of traffic or speed laws.

7 c. The criminal penalty surcharge required by
 8 section 911.1 shall be added to a city fine and is not
 9 a part of the city's penalty.
 10 Sec. 3. Section 602.8108, Code Supplement 2011, is
 11 amended by adding the following new subsection:
 12 NEW SUBSECTION. 11. The clerk of the district
 13 court shall forward to the treasurer of state all
 14 moneys received from counties pursuant to section
 15 331.307, subsection 14, and from cities pursuant to
 16 section 364.3, subsection 2, paragraph "b", for deposit
 17 in the road use tax fund.>
 18 2. Title page, by striking lines 1 and 2 and
 19 inserting <An Act providing for the disposition of
 20 fines collected by a city or county pursuant to an
 21 automated traffic law enforcement program.>

MURPHY of Dubuque

H-8344

1 Amend the amendment, H-8284, to Senate File 2123, as
 2 passed by the Senate, as follows:
 3 1. Page 3, after line 8 by inserting:
 4 <(6) *Mitragyna speciosa*.
 5 (7) *Mitragynine*.>
 6 2. By renumbering as necessary.

BAUDLER of Adair

H-8345

1 Amend the amendment, H-8327, to Senate File 2321,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 12, after line 39 by inserting:
 5 <As a condition of receiving the appropriation in
 6 this paragraph, the university shall determine the
 7 base salary of an employee who is classified by the
 8 university in a ninety percent and not a full-time
 9 position during a pay period based upon the actual
 10 earnings of the employee during that pay period for
 11 purposes of retirement and insurance benefit purposes.>

T. TAYLOR of Linn

H-8346

1 Amend the amendment, H-8327, to Senate File 2321,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 18, after line 45 by inserting:
 5 <Sec. ____. Section 284.6, subsection 8, Code

6 Supplement 2011, is amended to read as follows:

7 8. a. For each year in which a school district
8 and an area education agency receives funds calculated
9 and paid to school districts and area education
10 agencies for professional development pursuant to
11 section 257.10, subsection 10, ~~or and~~ section 257.37A,
12 subsection 2, the school district and area education
13 agency shall create quality professional development
14 opportunities. The goal for the use of the funds
15 is to provide one additional contract day or the
16 equivalent thereof for professional development and
17 use of the funds is limited to providing professional
18 development to teachers, including additional salaries
19 for time beyond the normal negotiated agreement; pay
20 for substitute teachers, professional development
21 materials, speakers, and professional development
22 content; and costs associated with implementing the
23 individual professional development plans. The use of
24 the funds shall be balanced between school district,
25 attendance center, and individual professional
26 development plans, or area education agency and
27 individual professional development plans, as
28 appropriate, making every reasonable effort to provide
29 equal access to all teachers.

30 b. Each school district and area education agency
31 receiving funds under section 257.10, subsection 10,
32 or section 257.37A, subsection 2, shall set aside
33 up to three percent of such funds for purposes of
34 compensating substitute teachers to temporarily replace
35 teachers who are employed by accredited nonpublic
36 schools located within the school district and area
37 education boundaries and who are required to receive
38 Iowa core curriculum professional development provided
39 elsewhere than on accredited nonpublic school property.
40 The substitute teacher shall be employed to teach only
41 coursework that is nonsectarian. Funds set aside by
42 a school district and area education agency pursuant
43 to this paragraph shall be paid on a prorated basis
44 to the area education agency providing the Iowa core
45 curriculum professional development to the accredited
46 nonpublic school teacher. The proration shall be
47 based upon the amount of the professional development
48 funds calculated and paid to the school district
49 under section 257.10, subsection 10, and the amount
50 of the professional development funds calculated

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1 and paid to the area education agency under section
2 257.37A, subsection 2. The area education agency
3 providing the professional development to an accredited
4 nonpublic school teacher pursuant to this paragraph

5 shall reimburse the accredited nonpublic school for
 6 the compensation of the substitute teacher from the
 7 professional development funds available to the agency
 8 pursuant to this paragraph. If three percent of such
 9 funds identified in this paragraph are expended by
 10 school districts and area education agencies, this
 11 paragraph requires no further reimbursements.>

12 2. By renumbering as necessary.

ALONS of Sioux

H-8347

1 Amend House Resolution 130 as follows:

2 1. Page 3, after line 21 by inserting:

3 <BE IT FURTHER RESOLVED, That Rule 31, subsection
 4 8, of the Rules of the House, as adopted by the
 5 House of Representatives during the 2011 Session
 6 in House Resolution 11, as amended by the House of
 7 Representatives during the 2012 Session in House
 8 Resolution 102, is amended to read as follows:

9 8. No amendment to the rules of the house, to any
 10 resolution or bill, except technical amendments and
 11 amendments to bills substituted for by senate files
 12 containing substantially identical title, language,
 13 subject matter, purpose and intrasectional arrangement,
 14 shall be considered by the membership of the house
 15 without a copy of the amendment having been filed with
 16 the chief clerk by 4:00 p.m. or within one-half hour of
 17 adjournment, whichever is later, on the day preceding
 18 floor debate on the amendment. If the house adjourns
 19 prior to 2:00 p.m. on Friday, the final deadline is two
 20 hours after adjournment. However, committee amendments
 21 filed pursuant to the submission of the committee
 22 report may be accepted after this deadline. This
 23 provision shall not apply to any proposal debated on
 24 the floor of the house after the thirteenth week of
 25 the first session and the eleventh week of the second
 26 session. No amendment or amendment to an amendment
 27 to a bill, rule of the house, or resolution shall be
 28 considered by the membership of the house without
 29 a copy of the amendment being on the desks of the
 30 entire membership of the house prior to consideration.
 31 However, the membership of the house may consider an
 32 amendment or an amendment to an amendment to a bill,
 33 rule of the house, or resolution without a copy of the
 34 amendment being on the desks of the entire membership
 35 of the house prior to consideration if a copy of the
 36 amendment is made available to the entire membership of
 37 the house electronically. However, no amendment to an
 38 amendment to any resolution or bill, which amendment to
 39 the amendment strikes everything after the resolving or

40 enacting clause, shall be considered by the membership
41 of the house unless a copy of the amendment to the
42 amendment is made available to the entire membership of
43 the house three days prior to consideration.>

THOMAS of Clayton

H-8348

1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:

3 1. Page 1, lines 24 and 25, by striking <an
4 employer or institution based upon vicarious liability>
5 and inserting <any party other than the individual
6 accused of perpetrating the sexual abuse>

7 2. Page 2, after line 6 by inserting:
8 <Sec. ____ Section 907.3, subsection 3, unnumbered
9 paragraph 1, Code Supplement 2011, is amended to read
10 as follows:

11 By record entry at the time of or after sentencing,
12 the court may suspend the sentence and place the
13 defendant on probation upon such terms and conditions
14 as it may require including commitment to an alternate
15 jail facility or a community correctional residential
16 treatment facility to be followed by a period of
17 probation as specified in section 907.7, or commitment
18 of the defendant to the judicial district department
19 of correctional services for supervision or services
20 under section 901B.1 at the level of sanctions which
21 the district department determines to be appropriate
22 and the payment of fees imposed under section 905.14.
23 A person so committed who has probation revoked shall
24 not be given credit for such time served. However, the
25 a person committed to an alternate jail facility or a
26 community correctional residential treatment facility
27 who has probation revoked shall be given credit for
28 time served in the facility. The court shall not
29 suspend any of the following sentences:

30 Sec. ____ APPLICABILITY AND WAIVER OF RIGHTS. A
31 person who commits an offense prior to the effective
32 date of this Act may expressly state to the court, at
33 the time of sentencing, that the person waives any
34 rights under Anderson v. State, 801 N.W.2d 1, relating
35 to the calculation of credit for time served, and agree
36 to be sentenced using credits as calculated under
37 section 907.3 as amended by this Act. If the court
38 finds the waiver voluntary, the sentencing order shall
39 reference the person's waiver of rights under Anderson,
40 and order that credit for time served be calculated
41 under section 907.3, as amended by this Act.

42 Sec. ____ EFFECTIVE UPON ENACTMENT. The following
43 provision or provisions of this Act, being deemed of

44 immediate importance, take effect upon enactment:
 45 1. The section of this Act amending section 907.3.
 46 2. The section of this Act relating to the waiver
 47 of rights under Anderson v. State.>
 48 3. Page 2, by striking lines 7 through 15 and
 49 inserting:
 50 <__. Title page, by striking lines 1 and 2 and

Page 2

1 inserting <An Act pertaining to sexually related
 2 crimes, penalties, the time period to bring related
 3 actions, and the calculation of credit for time served,
 4 and including effective date provisions.>>
 5 4. By renumbering as necessary.

BALTIMORE of Boone

H-8349

1 Amend the amendment, H-8327, to Senate File 2321,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 18, after line 13 by inserting:
 5 <Sec. __. Section 261.19, subsection 3, Code
 6 Supplement 2011, is amended to read as follows:
 7 3. A health care professional recruitment revolving
 8 fund is created in the state treasury as a separate
 9 fund under the control of the commission for deposit of
 10 moneys appropriated to or received by the commission
 11 for use under the program. ~~The commission shall~~
 12 ~~deposit payments made by health care professional~~
 13 ~~recruitment program recipients and the proceeds from~~
 14 ~~the sale of osteopathic loans awarded pursuant to~~
 15 ~~section 261.19, subsection 2, paragraph "b", Code 2011,~~
 16 ~~into the health care professional recruitment revolving~~
 17 ~~fund. Moneys credited to the fund shall be used to~~
 18 ~~supplement moneys appropriated for the health care~~
 19 ~~professional recruitment program, for loan repayment~~
 20 ~~in accordance with this section, and to pay for loan~~
 21 ~~or interest repayment defaults by program recipients.~~
 22 Notwithstanding section 8.33, any balance in the fund
 23 on June 30 of any fiscal year shall not revert to the
 24 general fund of the state but shall remain in the fund
 25 and be continuously available for loan forgiveness
 26 under the program. Notwithstanding section 12C.7,
 27 subsection 2, interest or earnings on moneys deposited
 28 in the fund shall be credited to the fund.>
 29 2. By renumbering as necessary.

DOLECHECK of Ringgold

H-8350

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 13 by inserting:
5 <Sec. ____ Section 260C.14, Code 2011, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 23. Adopt a policy, if a portion
8 of the tuition collected by the community college
9 is set aside to provide financial assistance for
10 enrolled students, to give notice to each student
11 who pays tuition of the set-aside practice and the
12 percentage and dollar amount of tuition payments which
13 the community college sets aside to provide financial
14 assistance to students enrolled in the community
15 college. The board shall prescribe by rule the minimum
16 standards for the manner, form, and content of the
17 notice. Notice shall be prominently disclosed using
18 the following methods:

19 a. On the community college's printed tuition
20 billing statements and receipts if the community
21 college provides such billings or receipts to its
22 students as evidence of tuition payment.
23 b. By written and electronic communication if the
24 community college does not provide printed tuition
25 billing statements or receipts as evidence of tuition
26 payment.
27 c. In all written and electronic communications
28 sent by the community college to a student related to
29 the student's tuition charges.>

30 2. Page 18, after line 45 by inserting:
31 <Sec. ____ Section 262.9, Code Supplement 2011, is
32 amended by adding the following new subsection:
33 NEW SUBSECTION. 36. Direct the institutions of
34 higher education under its control that set aside a
35 portion of the tuition collected by the institution to
36 provide financial assistance for enrolled students, to
37 give notice to each student who pays tuition of the
38 set-aside practice and the percentage and dollar amount
39 of tuition payments which the institution sets aside to
40 provide financial assistance to students enrolled in
41 the institution. The state board shall prescribe by
42 rule the minimum standards for the manner, form, and
43 content of the notice. Notice shall be prominently
44 disclosed using the following methods:

45 a. On the institution's printed tuition billing
46 statements and receipts if the institution provides
47 such billings or receipts to its students as evidence
48 of tuition payment.
49 b. By written and electronic communication if the
50 institution does not provide printed tuition billing

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- 1 statements or receipts as evidence of tuition payment.
- 2 c. In all written and electronic communications
- 3 sent by the institution to a student related to the
- 4 student's tuition charges.>
- 5 3. By renumbering as necessary.

RAECKER of Polk

H-8351

- 1 Amend Senate File 2289, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 10 and 11 and
- 4 inserting <grants and case management. The department
- 5 of human services may solicit competitive bids and
- 6 enter into a contract with a term of not more than
- 7 three years, after which the contract may be renewed or
- 8 rebid, with one or more providers of a statewide>
- 9 2. Page 1, line 15, after <area.> by inserting <In
- 10 addition to including contract terms for a contractor
- 11 to seek reimbursement of costs for damages paid by
- 12 individuals with valid receipts, any contract with a
- 13 statewide provider shall require the provider to fund
- 14 or arrange with a third party to advance assistance
- 15 to eligible recipients for qualified expenses, with
- 16 such advances to be refunded to the provider by the
- 17 department upon receipt of documentation required by
- 18 the department.>

ISENHART of Dubuque

H-8352

- 1 Amend the amendment, H-8328, to Senate File 2316,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, after line 34 by inserting:
- 5 <c. For providing a grant to the Grout museum
- 6 district for the Sullivan brothers veterans museum
- 7 for costs associated with the oral history exhibit
- 8 including but not limited to exhibit information
- 9 technology, computer connectivity, and interactive
- 10 display technologies, notwithstanding section 8.57,
- 11 subsection 6, paragraph "c":
- 12 FY 2012-2013..... \$ 150,000>
- 13 2. Page 4, by striking lines 4 and 5 and inserting
- 14 <following entities for the following fiscal years, the
- 15 following>
- 16 3. Page 4, after line 9 by inserting:
- 17 FY 2012-2013>

- 18 4. Page 4, after line 13 by inserting:
- 19 FY 2012-2013>
- 20 5. Page 4, after line 20 by inserting:
- 21 FY 2012-2013>
- 22 6. Page 4, after line 35 by inserting:
- 23 <Sec. ____ DEPARTMENT OF CULTURAL AFFAIRS
- 24 For providing a grant to the Grout museum district
- 25 for the Sullivan brothers veterans museum for costs
- 26 associated with the oral history exhibit including but
- 27 not limited to exhibit information technology, computer
- 28 connectivity, and interactive display technologies,
- 29 notwithstanding section 8.57, subsection 6, paragraph
- 30 "c":
- 31 FY 2013-2014..... \$ 129,450>
- 32 7. Page 4, after line 41 by inserting:
- 33 FY 2012-2013>
- 34 8. Page 4, after line 49 by inserting:
- 35 FY 2012-2013>
- 36 9. Page 5, after line 4 by inserting:
- 37 FY 2012-2013>
- 38 10. Page 5, after line 9 by inserting:
- 39 FY 2012-2013>
- 40 11. Page 5, after line 12 by inserting:
- 41 FY 2012-2013>
- 42 12. Page 5, after line 17 by inserting:
- 43 FY 2012-2013>
- 44 13. By renumbering as necessary.

KRESSIG of Black Hawk
 BERRY of Black Hawk
 KAJTAZOVIC of Black Hawk

H-8353

- 1 Amend House File 2390, as passed by the House, as
- 2 follows:
- 3 1. Page 3, line 8, after <act.> by inserting <A
- 4 visual depiction containing pictorial representations
- 5 of different minors shall be prosecuted and punished as
- 6 separate offenses for each pictorial representation of
- 7 a different minor in the visual depiction. However,
- 8 violations of this subsection involving multiple visual
- 9 depictions of the same minor shall be prosecuted and
- 10 punished as one offense.>

SENATE AMENDMENT

H-8354

- 1 Amend the amendment, H-8328, to Senate File 2316,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:

- 4 1. Page 1, line 16, by striking <20,000,000> and
- 5 inserting <18,500,000>
- 6 2. Page 3, after line 28 by inserting:
- 7 <__ SECRETARY OF STATE
- 8 For interest free loans to counties for basic
- 9 equipment, hardware, and software necessary to
- 10 implement the precinct atlas program and technology for
- 11 election administration, notwithstanding section 8.57,
- 12 subsection 6, paragraph "c":
- 13 FY 2012-2013..... \$ 1,500,000
- 14 FY 2013-2014..... \$ 1,500,000>
- 15 3. By renumbering as necessary.

ISENHART of Dubuque

H-8355

- 1 Amend the amendment, H-8327, to Senate File 2321,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 11, before line 38 by inserting:
- 5 <d. Notwithstanding section 260C.14, subsection
- 6 2, or any other provision of law to the contrary, the
- 7 board of directors of a community college shall not
- 8 implement an increase in tuition for the 2012-2013
- 9 fiscal year.>
- 10 2. By renumbering as necessary.

MURPHY of Dubuque

H-8356

- 1 Amend the amendment, H-8327, to Senate File 2321,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 3, after line 25 by inserting:
- 5 <Sec. __. 2011 Iowa Acts, chapter 132, section
- 6 101, is amended to read as follows:
- 7 SEC. 101. WORK-STUDY APPROPRIATION FOR FY
- 8 2012-2013. Notwithstanding section 261.85, for the
- 9 fiscal year beginning July 1, 2012, and ending June 30,
- 10 2013, the amount appropriated from the general fund of
- 11 the state to the college student aid commission for the
- 12 work-study program under section 261.85 shall be ~~zero~~
- 13 \$250,000.>
- 14 2. By renumbering as necessary.

WOLFE of Clinton
HANSON of Jefferson

H-8357

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, after line 40 by inserting:
5 <The department shall not implement amendments
6 to section 256.44 enacted during the 84th General
7 Assembly, 2012 Regular Session, unless and until an
8 entity established by the governor or the general
9 assembly in 2012 to study teacher performance,
10 compensation, and career development includes provision
11 for the national board for professional teaching
12 standards awards in any plan the entity submits in a
13 final report to the governor and general assembly.>

MASCHER of Johnson

H-8358

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, by striking lines 6 through 19 and
5 inserting:
6 <8. REGISTERED NURSE AND NURSE EDUCATOR LOAN
7 FORGIVENESS PROGRAM

8 a. For purposes of the registered nurse and nurse
9 educator loan forgiveness program established pursuant
10 to section 261.23:

11 \$ 40,426
12 80,852

13 b. It is the intent of the general assembly that
14 the commission continue to consider moneys allocated
15 pursuant to this subsection as moneys that meet the
16 state matching funds requirements of the federal
17 leveraging educational assistance program and the
18 federal supplemental leveraging educational assistance
19 program established under the Higher Education Act of
20 1965, as amended.>

21 2. By renumbering as necessary.

MASCHER of Johnson

H-8359

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, after line 33 by inserting:
5 <Sec. ____ NEW SECTION. 261.115 Public service
6 loan repayment program.

7 1. A public service loan repayment program is
8 established to be administered by the commission.
9 2. An individual is eligible for the program if
10 the individual is a resident of Iowa and is employed
11 full-time by a public service organization located in
12 Iowa. For purposes of this section, "public service
13 organization" includes a state agency, an institution
14 of higher education governed by the state board of
15 regents, an area education agency, a school district,
16 a public child or family service agency, a nonprofit
17 organization that is exempt from taxation under section
18 501(a) of the Internal Revenue Code, or a private
19 organization that is a not-for-profit business, a
20 labor union, a partisan political organization, or
21 an organization engaged in religious activities that
22 provides any of the following secular services:
23 a. Emergency management.
24 b. Military service.
25 c. Public safety.
26 d. Law enforcement.
27 e. Public interest law services.
28 f. Early childhood education.
29 g. Public service for individuals with disabilities
30 and the elderly.
31 h. Public health.
32 i. Public education.
33 j. Public library services.
34 k. School library or other school-based services.
35 3. Each applicant for loan repayment shall submit
36 information requested by the commission in the manner
37 required by the commission, including but not limited
38 to an affidavit of employment verifying that the
39 applicant meets the requirements of subsection 2.
40 4. The annual amount of loan repayment shall
41 not exceed twenty percent of the individual's total
42 federally guaranteed Stafford loan amount under
43 the federal family education loan program or the
44 federal direct loan program, including principal and
45 interest, whichever amount is less. The total amount
46 of loan repayment to an individual pursuant to this
47 subsection shall not exceed fifty thousand dollars.
48 An individual shall be eligible to apply for the loan
49 repayment program for not more than five years, but the
50 individual has ten years to complete the employment

Page 2

1 requirements.
2 5. A public service loan repayment fund is created
3 in the state treasury as a separate fund under the
4 control of the commission. The fund shall consist of
5 any moneys appropriated by the general assembly and any

6 other moneys available to and obtained or accepted by
7 the commission from the federal government or private
8 sources for placement in the fund. Notwithstanding
9 section 8.33, moneys deposited in the fund shall
10 not revert to any fund of the state at the end of
11 any fiscal year but shall remain in the fund and be
12 continuously available for purposes of this section.
13 Notwithstanding section 12C.7, subsection 2, interest
14 or earnings on moneys deposited in the fund shall be
15 credited to the fund.

16 6. The commission shall submit by January 1
17 annually a report to the general assembly listing the
18 number of individuals who received loan repayment
19 pursuant to this section during the most recent fiscal
20 year, the types of public service organizations by
21 which the program participants were employed, the
22 amount paid to each program participant, and other
23 information identified by the commission as indicators
24 of outcomes from the program.>

25 2. Page 18, after line 45 by inserting:

26 <Sec. ____ Section 262.9, subsection 9, Code
27 Supplement 2011, is amended to read as follows:

28 9. Accept and administer trusts and may authorize
29 nonprofit foundations acting solely for the support
30 of institutions governed by the board to accept and
31 administer trusts deemed by the board to be beneficial.
32 Notwithstanding the provisions of section 633.63, the
33 board and such nonprofit foundations may act as trustee
34 in such instances. Beginning July 1, 2013, the board
35 shall require the foundations to ask each individual
36 who makes a charitable donation to the foundation
37 whether the donor will permit five percent of the
38 amount donated to be set aside by the foundation for
39 deposit into a scholarship fund for students enrolled
40 at the institution for which the foundation is acting.

41 Sec. ____ Section 262.9, Code Supplement 2011, is
42 amended by adding the following new subsection:
43 NEW SUBSECTION. 36. Develop and implement by
44 July 1, 2014, a policy addressing the measures that
45 institutions of higher education governed by the board
46 shall take to provide financial literacy information,
47 tools, and skills to the institutions' students.

48 Sec. ____ Section 262.26, Code 2011, is amended to
49 read as follows:

50 262.26 Report of board.

Page 3

1 The board shall, biennially, at the time provided by
2 law, report to the governor and the legislature such
3 facts, observations, and conclusions respecting each
4 of such institutions as in the judgment of the board

5 should be considered by the legislature. Such report
6 shall contain an itemized account of the receipts
7 and expenditures of the board, and also the reports
8 made to the board by the executive officers of the
9 several institutions or a summary thereof, and shall
10 submit budgets for biennial appropriations deemed
11 necessary and proper to be made for the support of the
12 several institutions and for the extraordinary and
13 special expenditures for buildings, betterments, and
14 other improvements. Beginning July 1, 2013, reports
15 submitted to the board by the executive officers of
16 the institutions of higher education governed by the
17 board pursuant to this section shall include but not
18 be limited to the four-year, five-year, and six-year
19 student graduation rates of the institutions.>

20 3. By renumbering as necessary.

WESSEL-KROESCHELL of Story
HEDDENS of Story

H-8360

1 Amend House File 2450 as follows:

2 1. Page 1, after line 8 by inserting:

3 <1A. Notwithstanding subsection 1, a local
4 authority that is using an automated traffic law
5 enforcement system prior to the effective date of this
6 Act may continue to use the system if the authority
7 submits an affidavit to the department of management on
8 or before June 30, 2012, certifying that discontinuing
9 the use of the automated traffic law enforcement
10 system would create a need for additional property
11 taxes to support operations and services of the local
12 authority.>

13 2. Page 1, by striking lines 22 through 25 and
14 inserting <enforcement system shall discontinue
15 using the system and remove all automated traffic law
16 enforcement system equipment from the highways on or
17 before July 1, 2012, unless the local authority has
18 submitted an affidavit to the department of management
19 pursuant to section 321.5A, subsection 1A, as enacted
20 by this Act.>

21 3. Page 1, by striking line 26 and inserting:

22 <2. Except as provided in section 321.5A,
23 subsection 1A, as enacted by this Act, on July 1, 2012,
24 all local>

25 4. Title page, line 1, by striking <prohibiting>
26 and inserting <relating to>

27 5. By renumbering as necessary.

T. OLSON of Linn

H-8361

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 4 by inserting:

5 <DIVISION ____

6 FY 2012-2013 EDUCATION APPROPRIATIONS>

7 2. Page 11, by striking line 7 and inserting

8 <188,774,647>

9 3. Page 11, by striking lines 14 through 28 and
10 inserting:

11	< (1) Merged Area I	\$ 9,410,108
12	(2) Merged Area II	\$ 9,618,608
13	(3) Merged Area III	\$ 8,869,371
14	(4) Merged Area IV	\$ 4,362,345
15	(5) Merged Area V	\$ 10,583,054
16	(6) Merged Area VI	\$ 8,504,520
17	(7) Merged Area VII	\$ 12,895,629
18	(8) Merged Area IX	\$ 16,261,078
19	(9) Merged Area X	\$ 29,382,410
20	(10) Merged Area XI	\$ 30,644,465
21	(11) Merged Area XII	\$ 10,588,450
22	(12) Merged Area XIII	\$ 11,187,562
23	(13) Merged Area XIV	\$ 4,444,054
24	(14) Merged Area XV	\$ 13,939,682
25	(15) Merged Area XVI	\$ 8,083,311>

26 4. Page 11, by striking lines 33 through 37 and
27 inserting:

28 <e. For deposit in the workforce training and
29 economic development funds created pursuant to section
30 260C.18A:

31 \$ 2,500,000>

32 5. Page 20, after line 12 by inserting:

33 <DIVISION ____

34 WORKER TRAINING PROGRAMS IN COMMUNITY COLLEGES

35 Sec. ____ Section 84A.6, Code Supplement 2011, is
36 amended by adding the following new subsection:

37 NEW SUBSECTION. 4. The department of workforce
38 development, in consultation with the college student
39 aid commission, shall issue a quarterly report
40 identifying industries in which the department finds
41 a shortage of skilled workers in this state for the
42 purposes of the skilled workforce shortage tuition
43 grant program established in section 261.130.

44 Sec. ____ Section 260C.18A, subsection 1, Code
45 Supplement 2011, is amended by adding the following new
46 paragraph:

47 NEW PARAGRAPH. c. There is appropriated from the
48 general fund of the state to the workforce training and
49 economic development funds, the following amounts:

50 (1) For the fiscal year beginning July 1, 2012,

Page 2

1 and ending June 30, 2013, the sum of twelve million
2 dollars.

3 (2) For the fiscal year beginning July 1, 2013,
4 and ending June 30, 2014, the sum of twelve million
5 dollars.

6 (3) For the fiscal year beginning July 1, 2014,
7 and ending June 30, 2015, the sum of twelve million
8 dollars.

9 Sec. ____ Section 260C.18A, subsection 2, Code
10 Supplement 2011, is amended by adding the following new
11 paragraph:

12 NEW PARAGRAPH. j. Development and implementation
13 of the national career readiness certificate and the
14 skills certification system endorsed by the national
15 association of manufacturers.

16 Sec. ____ Section 260I.2, Code Supplement 2011, is
17 amended to read as follows:

18 260I.2 Gap tuition assistance program — fund —
19 appropriation.

20 1. A gap tuition assistance program is established
21 to provide funding to community colleges for need-based
22 tuition assistance to applicants to enable completion
23 of continuing education certificate training programs
24 for in-demand occupations.

25 2. a. There is established for the community
26 colleges a gap tuition assistance fund in the state
27 treasury to be administered by the department of
28 education. The funds in the gap tuition assistance
29 fund are appropriated to the department of education
30 for the gap tuition assistance program.

31 b. There is appropriated from the general fund
32 of the state to the gap tuition assistance fund, the
33 following amounts:

34 (1) For the fiscal year beginning July 1, 2012, and
35 ending June 30, 2013, the sum of two million dollars.

36 (2) For the fiscal year beginning July 1, 2013, and
37 ending June 30, 2014, the sum of two million dollars.

38 (3) For the fiscal year beginning July 1, 2014, and
39 ending June 30, 2015, the sum of two million dollars.

40 c. The aggregate total of grants awarded from the
41 gap tuition assistance fund during a fiscal year shall
42 not be more than two million dollars.

43 d. Moneys in the fund shall be allocated pursuant
44 to the formula established in section 260C.18C.

45 Notwithstanding section 8.33, moneys in the fund
46 at the close of the fiscal year shall not revert
47 to the general fund of the state but shall remain
48 available for expenditure for the purpose designated
49 for subsequent fiscal years. Notwithstanding section
50 12C.7, subsection 2, interest or earnings on moneys in

Page 3

1 the fund shall be credited to the fund.

2 Sec. ____ Section 260I.7, Code Supplement 2011, is
3 amended to read as follows:

4 260I.7 Initial assessment.

5 An applicant for tuition assistance under this
6 chapter shall complete an initial assessment
7 administered by the community college receiving the
8 application to determine the applicant's readiness
9 to complete an eligible certificate program. The
10 assessment shall include assessments for completion of
11 a national career readiness certificate, including the
12 areas of reading for information, applied mathematics,
13 and locating information. ~~An applicant must achieve a
14 bronze-level certificate or the minimum score required
15 for an eligible certificate program, whichever is
16 higher, in order to be approved for tuition assistance.~~
17 An applicant shall complete any additional assessments
18 and occupational research required by an eligible
19 certificate program.

20 Sec. ____ **NEW SECTION.** 261.130 Skilled workforce
21 shortage tuition grant program — appropriation.

22 1. A skilled workforce shortage tuition grant may
23 be awarded to any resident of Iowa who is admitted and
24 in attendance as a full-time or part-time student in
25 a career-technical or career option program to pursue
26 an associate's degree or other training at a community
27 college in the state, and who establishes financial
28 need.

29 2. Skilled workforce shortage tuition grants shall
30 be awarded only to students pursuing a career-technical
31 or career option program in an industry identified as
32 having a shortage of skilled workers by a community
33 college after conducting a regional skills gap analysis
34 or by the department of workforce development in the
35 department's most recent quarterly report pursuant to
36 section 84A.6, subsection 4.

37 3. The amount of a skilled workforce shortage
38 tuition grant shall not exceed the lesser of one-half
39 of a student's tuition and fees for an approved
40 career-technical or career option program or the amount
41 of the student's established financial need.

42 4. All classes identified by the community college
43 as required for completion of the student's approved
44 career-technical or career option program shall be
45 considered a part of the student's career-technical or
46 career option program for the purpose of determining
47 the student's eligibility for a grant. Notwithstanding
48 subsection 5, if a student is making satisfactory
49 academic progress but the student cannot complete
50 a career-technical or career option program in the

Page 4

1 time frame allowed for a student to receive a skilled
2 workforce shortage tuition grant as provided in
3 subsection 5 because additional classes are required
4 to complete the program, the student may continue to
5 receive a skilled workforce shortage tuition grant for
6 not more than one additional enrollment period.

7 5. a. A qualified full-time student may receive
8 skilled workforce shortage tuition grants for not
9 more than four semesters or the trimester or quarter
10 equivalent of two full years of study. A qualified
11 part-time student enrolled in a course of study
12 including at least three semester hours but fewer than
13 twelve semester hours or the trimester or quarter
14 equivalent may receive skilled workforce shortage
15 tuition grants for not more than eight semesters or the
16 trimester or quarter equivalent of two full years of
17 full-time study.

18 b. However, if a student resumes study after at
19 least a two-year absence, the student may again be
20 eligible for the specified amount of time, except that
21 the student shall not receive assistance for courses
22 for which credit was previously received.

23 6. A skilled workforce shortage tuition grant shall
24 be awarded on an annual basis, requiring reapplication
25 by the student for each year. Payments under the
26 grant shall be allocated equally among the semesters
27 or quarters of the year upon certification by the
28 community college that the student is in full-time or
29 part-time attendance in a career-technical or career
30 option program consistent with the requirements of
31 this section. If the student discontinues attendance
32 before the end of any term after receiving payment
33 of the grant, the entire amount of any refund due
34 that student, up to the amount of any payments made
35 under the annual grant, shall be paid by the community
36 college to the state.

37 7. If a student receives financial aid under any
38 other program, the full amount of that financial aid
39 shall be considered part of the student's financial
40 resources available in determining the amount of the
41 student's financial need for that period.

42 8. The commission shall administer this program and
43 shall:

44 a. Provide application forms for distribution to
45 students by Iowa high schools and community colleges.

46 b. Adopt rules for approving career-technical or
47 career option programs in industries identified by the
48 department of workforce development pursuant to section
49 84A.6, subsection 4; determining financial need;
50 defining residence for the purposes of this section;

Page 5

1 processing and approving applications for grants; and
 2 determining priority for grants.
 3 c. Approve and award grants on an annual basis.
 4 d. Make an annual report to the governor and
 5 general assembly. The report shall include the number
 6 of students receiving assistance and the industries
 7 identified by the community colleges and by the
 8 department of workforce development pursuant to section
 9 84A.6, subsection 4, for which students were admitted
 10 to a career-technical or career option program.
 11 9. Each applicant, in accordance with the rules
 12 established by the commission, shall:
 13 a. Complete and file an application for a skilled
 14 workforce shortage tuition grant.
 15 b. Be responsible for the submission of the
 16 financial information required for evaluation of the
 17 applicant's need for a grant, on forms determined by
 18 the commission.
 19 c. Report promptly to the commission any
 20 information requested.
 21 d. Submit a new application for reevaluation of
 22 the applicant's eligibility to receive a second-year
 23 renewal of the grant.
 24 10. a. There is appropriated from the general
 25 fund of the state to the commission for the skilled
 26 workforce shortage tuition grant program, the following
 27 amounts:
 28 (1) For the fiscal year beginning July 1, 2012, and
 29 ending June 30, 2013, the sum of six million dollars.
 30 (2) For the fiscal year beginning July 1, 2013, and
 31 ending June 30, 2014, the sum of six million dollars.
 32 (3) For the fiscal year beginning July 1, 2014, and
 33 ending June 30, 2015, the sum of six million dollars.
 34 b. Notwithstanding section 8.33, moneys
 35 appropriated in this subsection that remain
 36 unencumbered or unobligated at the close of the fiscal
 37 year shall not revert but shall remain available for
 38 expenditure for the purposes designated until the close
 39 of the fiscal year that begins July 1, 2014.>
 40 6. By renumbering as necessary.

HALL of Woodbury
 STECKMAN of Cerro Gordo
 BERRY of Black Hawk
 GAINES of Polk
 HANSON of Jefferson
 HUNTER of Polk
 JACOBY of Johnson
 KEARNS of Lee
 KRESSIG of Black Hawk

WINCKLER of Scott
 ABDUL-SAMAD of Polk
 COHOON of Des Moines
 GASKILL of Wapello
 HEDDENS of Story
 ISENHART of Dubuque
 KAJTAZOVIC of Black Hawk
 KELLEY of Jasper
 LENSING of Johnson

LYKAM of Scott
 McCARTHY of Polk
 MUHLBAUER of Crawford
 OLDSOON of Polk
 T. OLSON of Linn
 RUNNING-MARQUARDT of Linn
 THEDE of Scott
 WESSEL-KROESCHELL of Story
 WOLFE of Clinton

MASCHER of Johnson
 H. MILLER of Webster
 MURPHY of Dubuque
 R. OLSON of Polk
 PETERSEN of Polk
 T. TAYLOR of Linn
 THOMAS of Clayton
 WITTNEBEN of Emmet

H-8362

1 Amend the amendment, H-8327, to Senate File 2321,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

- 4 1. Page 12, line 38, by striking <191,737,311> and
- 5 inserting <221,538,802>
- 6 2. Page 14, after line 27 by inserting:
- 7 <m. For the Iowa flood center for use by the
- 8 university's college of engineering pursuant to section
- 9 466C.1:
- 10 \$ 1,500,000>
- 11 3. Page 14, line 34, by striking <154,245,198> and
- 12 inserting <173,592,567>
- 13 4. Page 15, line 22, by striking <71,734,586> and
- 14 inserting <82,939,749>
- 15 5. Page 15, line 38, by striking <1,734,656> and
- 16 inserting <4,734,656>

WESSEL-KROESCHELL of Story
 JACOBY of Johnson
 LENSING of Johnson
 BERRY of Black Hawk
 KRESSIG of Black Hawk
 HANSON of Jefferson
 ABDUL-SAMAD of Polk
 GASKILL of Wapello
 ISENHART of Dubuque
 McCARTHY of Polk
 MURPHY of Dubuque
 R. OLSON of Polk
 PETERSEN of Polk
 T. TAYLOR of Linn
 WOLFE of Clinton

HEDDENS of Story
 MASCHER of Johnson
 WILLEMS of Linn
 KAJTAZOVIC of Black Hawk
 WINCKLER of Scott
 STECKMAN of Cerro Gordo
 GAINES of Polk
 HUNTER of Polk
 KEARNS of Lee
 MUHLBAUER of Crawford
 OLDSOON of Polk
 T. OLSON of Linn
 RUNNING-MARQUARDT of Linn
 WITTNEBEN of Emmet

H-8363

1 Amend the amendment, H-8327, to Senate File 2321,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

- 4 1. Page 18, after line 13 by inserting:
- 5 <Sec. ____ Section 261.19, subsection 3, Code

6 Supplement 2011, is amended to read as follows:
7 3. A health care professional recruitment revolving
8 fund is created in the state treasury as a separate
9 fund under the control of the commission for deposit of
10 moneys appropriated to or received by the commission
11 for use under the program. ~~The commission shall~~
12 ~~deposit payments made by health care professional~~
13 ~~recruitment program recipients and the proceeds from~~
14 ~~the sale of osteopathic loans awarded pursuant to~~
15 ~~section 261.19, subsection 2, paragraph "b", Code 2011,~~
16 ~~into the health care professional recruitment revolving~~
17 ~~fund. Moneys credited to the fund shall be used to~~
18 ~~supplement moneys appropriated for the health care~~
19 ~~professional recruitment program, for loan repayment~~
20 ~~in accordance with this section, and to pay for loan~~
21 ~~or interest repayment defaults by program recipients.~~
22 Notwithstanding section 8.33, any balance in the fund
23 on June 30 of any fiscal year shall not revert to the
24 general fund of the state but shall remain in the fund
25 and be continuously available for loan forgiveness
26 under the program. Notwithstanding section 12C.7,
27 subsection 2, interest or earnings on moneys deposited
28 in the fund shall be credited to the fund.>
29 2. By renumbering as necessary.

WINCKLER of Scott
HEDDENS of Story

H-8364

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 3, by striking lines 20 through 25 and
5 inserting:
6 <9. BARBER AND COSMETOLOGY ARTS AND SCIENCES
7 TUITION GRANT PROGRAM
8 For purposes of the barber and cosmetology arts and
9 sciences tuition grant program established pursuant to
10 section 261.18:
11 \$ 18,469
12 36,938>
13 2. By renumbering as necessary.

STECKMAN of Cerro Gordo
WINCKLER of Scott
ISENHART of Dubuque

H-8365

1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as

3 follows:

- 4 1. Page 4, line 44, by striking <4,024,434> and
5 inserting <6,969,021>

WINCKLER of Scott
LENSING of Johnson

H-8366

- 1 Amend the amendment, H-8327, to Senate File 2321,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 18, by striking lines 34 through 45.
5 2. By renumbering as necessary.

ABDUL-SAMAD of Polk
GAINES of Polk

H-8367

- 1 Amend the amendment, H-8310, to Senate File 2038, as
2 passed by the Senate, as follows:
3 1. Page 1, line 44, by striking <commissioner or
4 other> and inserting <commissioner or other>
5 2. Page 1, line 45, after <training> by inserting
6 <, provided that a commissioner shall be responsible
7 for all costs associated with the commissioner's
8 attendance and completion of such certification
9 training course>
10 3. Page 1, line 47, by striking <commissioner,> and
11 inserting <commissioner,>
12 4. Page 1, line 50, by striking <commissioner,> and
13 inserting <commissioner,>

HAGER of Allamakee

H-8368

- 1 Amend the amendment, H-8339, to Senate File 451,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by striking lines 31 through 45 and
5 inserting:
6 <3. Limitation. For the fiscal year beginning July
7 1, 2013, and each succeeding fiscal year, the ratio of
8 the amount of modified allowable growth established by
9 the department of management compared to the school
10 district's total regular program district cost shall
11 not exceed two and one-half percent. However, if the
12 school district's highest such ratio so determined for
13 any fiscal year beginning on or after July 1, 2009,
14 but before July 1, 2012, exceeded two and one-half

15 percent, the ratio shall not exceed the highest such
16 ratio established during that period.>
17 2. By renumbering as necessary.

KOESTER of Polk

H-8369

1 Amend Senate File 364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 2, after line 35 by inserting:

4 <Sec. ____ Section 148B.2, subsection 2, Code 2011,
5 is amended to read as follows:

6 2. "Occupational therapy" means the therapeutic
7 ~~application of specific tasks used for the purpose of~~
8 ~~evaluation and treatment of problems interfering with~~
9 ~~functional performance in persons impaired by physical~~
10 ~~illness or injury, emotional disorder, congenital or~~
11 ~~developmental disability, or the aging process in~~
12 ~~order to achieve optimum function, for maintenance of~~
13 ~~health and prevention of disability~~ use of occupations,
14 including everyday life activities with individuals,
15 groups, populations, or organizations to support
16 participation, performance, and function in roles and
17 situations in home, school, workplace, community, and
18 other settings. Occupational therapy services are
19 provided for habilitation, rehabilitation, and the
20 promotion of health and wellness to those who have
21 or are at risk for developing an illness, injury,
22 disease, disorder, condition, impairment, disability,
23 activity limitation, or participation restriction.
24 Occupational therapy addresses the physical, cognitive,
25 psychosocial, sensory-perceptual, and other aspects of
26 performance in a variety of contexts and environments
27 to support engagement in occupations that affect
28 physical and mental health, well-being, and quality of
29 life.

30 Sec. ____ Section 148B.3, subsection 5, Code 2011,
31 is amended by striking the subsection.

32 Sec. ____ Section 148B.3, subsection 6, Code 2011,
33 is amended to read as follows:

34 6. A nonresident performing occupational therapy
35 services in the state who is not licensed under
36 this chapter, if the services are performed for not
37 more than ~~ninety~~ thirty days in a calendar year in
38 association with an occupational therapist licensed
39 under this chapter, and ~~the nonresident meets either of~~
40 the following requirements:

41 a. The nonresident is licensed under the law of
42 another state which has licensure requirements at least
43 as stringent as the requirements of this chapter, ~~or,~~

44 b. The nonresident meets the requirements for

45 certification as an occupational therapist registered
 46 (O.T.R.), or a certified occupational therapy assistant
 47 (C.O.T.A.) established by the ~~American national board~~
 48 for certification in occupational therapy association.
 49 Sec. ____ Section 148B.4, Code 2011, is amended to
 50 read as follows:

Page 2

1 148B.4 Limited permit.

2 1. A limited permit to practice occupational
 3 therapy may be granted to persons a person who have
 4 has completed the education and experience academic
 5 and field work requirements of for occupational
 6 therapists under this chapter and has not yet taken or
 7 received the results of the entry-level certification
 8 examination. This permit shall A permit granted
 9 pursuant to this subsection shall be valid for a period
 10 of time as determined by the board by rule and shall
 11 allow the person to practice occupational therapy under
 12 the direction and appropriate supervision of a licensed
 13 an occupational therapist and shall be valid until
 14 the date on which the results of the next qualifying
 15 examination have been made public licensed under this
 16 chapter. This The permit shall expire when the person
 17 is issued a license under section 148B.5 or if the
 18 person is notified that the person did not pass the
 19 examination. The limited permit shall not be renewed
 20 if the applicant has failed the examination.

21 2. A limited permit to assist in the practice of
 22 occupational therapy may be granted to a person who
 23 has completed the academic and field work requirements
 24 for occupational therapy assistants under this chapter
 25 and has not yet taken or received the results of the
 26 entry-level certification examination. A permit
 27 granted pursuant to this subsection shall be valid for
 28 a period of time as determined by the board by rule
 29 and shall allow the person to assist in the practice
 30 of occupational therapy under the direction and
 31 appropriate supervision of an occupational therapist
 32 licensed under this chapter. The permit shall expire
 33 when the person is issued a license under section
 34 148B.5 or if the person is notified that the person did
 35 not pass the examination. The limited permit shall not
 36 be renewed.

37 Sec. ____ Section 148B.6, Code 2011, is amended to
 38 read as follows:

39 148B.6 Waiver of requirements for licensing.

40 1. The board may waive the examination and grant a
 41 license;

42 1. to To a person certified prior to January
 43 1, 1981, as an occupational therapist registered

44 (O.T.R.) or a certified occupational therapy assistant
45 (C.O.T.A.) by the American Occupational Therapy
46 Association occupational therapy association.
47 ~~2. The board shall waive the education and~~
48 ~~experience requirements for licensure in section~~
49 ~~148B.5, subsections 1 and 2, for applicants for a~~
50 ~~license who present evidence to the board that they~~

Page 3

1 ~~have been engaged in the practice of occupational~~
2 ~~therapy on and prior to January 1, 1981. Proof of~~
3 ~~actual practice shall be presented to the board in a~~
4 ~~manner as it prescribes by rule. To obtain the benefit~~
5 ~~of this waiver, an applicant must successfully complete~~
6 ~~the examination within one year from January 1, 1981.~~
7 ~~However, the waiver is conditional upon the applicant~~
8 ~~satisfying the education and experience requirements of~~
9 ~~section 148B.5, subsections 1 and 2, within five years~~
10 ~~of the waiver being granted and if those requirements~~
11 ~~are not satisfied at the expiration of those five years~~
12 ~~the board shall revoke the license.~~

13 ~~3. 2. The board may waive the examination and~~
14 ~~grant a license to~~ To ~~an applicant who presents proof~~
15 ~~of current licensure as an occupational therapist~~
16 ~~or occupational therapy assistant in another state,~~
17 ~~the District of Columbia, or a territory of the~~
18 ~~United States which requires standards for licensure~~
19 ~~considered by the board to be equivalent to the~~
20 ~~requirements for licensure of this chapter.~~

21 Sec. . NEW SECTION. 148B.8 Unlawful practice.

22 1. A person shall not practice occupational therapy
23 or assist in the practice of occupational therapy,
24 provide occupational therapy services, hold oneself out
25 as an occupational therapist or occupational therapy
26 assistant or as being able to practice occupational
27 therapy or assist in the practice of occupational
28 therapy, or provide occupational therapy services in
29 this state unless the person is licensed under this
30 chapter.

31 2. It is unlawful for any person not licensed as an
32 occupational therapist in this state or whose license
33 is suspended or revoked to use in connection with the
34 person's name or place of business in this state the
35 words "occupational therapist", "licensed occupational
36 therapist", or any word, title, letters, or designation
37 that implies that the person is an occupational
38 therapist.

39 3. It is unlawful for any person not licensed as an
40 occupational therapy assistant in this state or whose
41 license is suspended or revoked to use in connection
42 with the person's name or place of business in this

43 state, the words "occupational therapy assistant",
 44 "licensed occupational therapy assistant", or any word,
 45 title, letters, or designation that implies that the
 46 person is an occupational therapy assistant.
 47 Sec. ____ NEW SECTION. 148B.9 False use of titles
 48 prohibited.
 49 A person or business entity, including the
 50 employees, agents, or representatives of the

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1 business entity, shall not use in connection with
 2 that person or business entity's business activity,
 3 the words "occupational therapy", "occupational
 4 therapist", "licensed occupational therapist", "doctor
 5 of occupational therapy", "occupational therapy
 6 assistant", "licensed occupational therapy assistant",
 7 or the letters "O.T.", "O.T./L.", "O.T.D.", "O.T.A.",
 8 "O.T.A./L.", or any words, abbreviations, or insignia
 9 indicating or implying that occupational therapy
 10 is provided or supplied unless such services are
 11 provided by or under the direction and supervision of
 12 an occupational therapist licensed pursuant to this
 13 chapter.>
 14 2. Title page, line 1, by striking <of> and
 15 inserting <and regulation of persons offering
 16 occupational therapy services, and>
 17 3. By renumbering as necessary.

KOESTER of Polk

H-8370

1 Amend House File 2292, as passed by the House, as
 2 follows:
 3 1. Page 1, after line 13 by inserting:
 4 <Sec. ____ FEDERAL LAW. A person who confines fish
 5 as provided in this Act shall comply with applicable
 6 national pollutant discharge elimination system permit
 7 requirements as provided in the federal Water Pollution
 8 Control Act, 33 U.S.C. ch. 26, as amended, and 40
 9 C.F.R. pts. 122 and 412.>
 10 2. By renumbering as necessary.

SENATE AMENDMENT

H-8371

1 Amend Senate File 2245, as passed by the Senate, as
 2 follows:
 3 1. Page 1, lines 5 and 6, by striking <committee,
 4 and provide staffing assistance to the committee>

- 5 2. Page 1, line 6, by striking <committee shall>
6 3. Page 1, line 6, after <study> by inserting
7 <shall evaluate>
8 4. Page 1, line 9, by striking <committee> and
9 inserting <study>
10 5. By striking page 1, line 13, through page 2,
11 line 3.
12 6. Page 2, line 4, by striking <committee> and
13 inserting <commandant of the Iowa veterans home>
14 7. Page 2, line 4, after <the> by inserting
15 <department of veterans affairs, the commission of
16 veterans affairs, the department of public health, the>
17 8. Page 2, lines 7 and 8, by striking <In the
18 report the committee shall advise or> and inserting
19 <The report shall>
20 9. By renumbering as necessary.

CHAMBERS of O'Brien

H-8372

- 1 Amend House File 2449 as follows:
2 1. Page 2, by striking lines 12 through 30.
3 2. By striking page 3, line 25, through page 4,
4 line 17, and inserting:
5 <Sec. ____ STATE EMPLOYEE HEALTH INSURANCE TASK
6 FORCE.
7 1. A state employee health insurance task force
8 is created under the authority of the legislative
9 council. Members of the task force shall be appointed
10 by the legislative council and shall include but
11 not be limited to members of the general assembly;
12 representatives of employee organizations representing
13 state employees; representatives of employers of
14 state employees, including the judicial branch;
15 representatives involved in administering employee
16 health benefits from the department of administrative
17 services; and representatives from insurers providing
18 group health insurance to state employees.
19 2. The task force shall examine all aspects of
20 providing health care coverage to state employees
21 and their families with the goal of providing quality
22 health care coverage at an affordable cost. The task
23 force shall examine strategies for reducing the cost
24 of health care coverage, including but not limited to
25 wellness and other comparable programs.
26 3. The task force shall submit a report, including
27 its findings and recommendations, to the general
28 assembly by December 31, 2012.>
29 3. By striking page 4, line 33, through page 5,
30 line 8, and inserting:
31 <DIVISION ____

32 SPAN OF CONTROL
 33 Sec. ____ SPAN OF CONTROL COMPLIANCE.
 34 1. The department of management, in collaboration
 35 with the department of administrative services,
 36 shall comply with the requirements of section 8A.402,
 37 subsection 2, paragraph "g", concerning the ratio of
 38 supervisory employees to other employees in executive
 39 branch agencies.
 40 2. In complying with the requirements of subsection
 41 1, the department of management shall, by July 31,
 42 2012, do all of the following:
 43 a. Ensure that a five-member review board as
 44 described in section 8A.402, subsection 2, paragraph
 45 "g", is established.
 46 b. Submit a report to the general assembly
 47 documenting, for all applicable executive branch
 48 agencies, whether the executive branch agency
 49 has met the target aggregate ratio as provided in
 50 section 8A.402, subsection 2, paragraph "g", has

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1 been granted an exception to the policy through the
 2 executive council, or has been granted a waiver by the
 3 five-member review board.
 4 3. Notwithstanding any provision of law to the
 5 contrary, any appropriation from the general fund
 6 of the state to the department of management for the
 7 fiscal year beginning July 1, 2012, and ending June
 8 30, 2013, shall be reduced by ten percent if the
 9 department of management fails to comply with all of
 10 the requirements of subsection 2.
 11 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 12 of this Act, being deemed of immediate importance,
 13 takes effect upon enactment.>
 14 4. By renumbering, redesignating, and correcting
 15 internal references as necessary.

LENSING of Johnson

H-8373

1 Amend the amendment, H-8328, to Senate File 2316,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 6, after line 17 by inserting:
 5 <DIVISION ____
 6 ECONOMIC DEVELOPMENT AUTHORITY — CONTINGENT
 7 APPROPRIATION
 8 Sec. ____ ECONOMIC DEVELOPMENT AUTHORITY —
 9 APPROPRIATION.
 10 1. For the fiscal year beginning July 1, 2013,

11 and ending June 30, 2014, there is appropriated from
 12 the rebuild Iowa infrastructure fund to the economic
 13 development authority \$2,000,000 for the Des Moines
 14 area regional transit authority (DART) to develop a
 15 bus rapid transit service including the acquisition
 16 of specialty hybrid buses, construction of electronic
 17 infrastructure, construction of bus stations, and
 18 related improvements to develop a rapid transit
 19 service, notwithstanding section 8.57, subsection 6,
 20 paragraph "c".

21 2. This appropriation is contingent upon the
 22 authority's receipt of local funds and the receipt of
 23 a federal grant, by December 31, 2013, in an amount
 24 sufficient to complete the project. The authority
 25 shall notify the legislative services agency and the
 26 department of management if such funds are received no
 27 later than January 15, 2014.

28 Sec. ___. REVERSION. For purposes of section 8.33,
 29 unless specifically provided otherwise, unencumbered
 30 or unobligated moneys made from an appropriation in
 31 this division of this Act shall not revert but shall
 32 remain available for expenditure for the purposes
 33 designated until the close of the fiscal year that ends
 34 three years after the end of the fiscal year for which
 35 the appropriation is made. However, if the project
 36 or projects for which such appropriation was made are
 37 completed in an earlier fiscal year, unencumbered or
 38 unobligated moneys shall revert at the close of that
 39 same fiscal year.>

40 2. By renumbering as necessary.

OLDSON of Polk
 ABDUL-SAMAD of Polk
 HUNTER of Polk

PETERSEN of Polk
 GAINES of Polk
 R. OLSON of Polk

H-8374

1 Amend the amendment, H-8270, to Senate File 430,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 2, after line 18 by inserting:

5 <___. Page 3, by striking lines 32 through 35 and
 6 inserting:

7 <2. Appointments to the board shall be subject to
 8 sections 69.16 and 69.16A.>>

9 2. Page 2, after line 27 by inserting:

10 <___. Page 9, line 25, after <respondent.> by
 11 inserting <Notwithstanding section 17A.10A, if there
 12 are no material facts in dispute, the board may order
 13 that the contested case procedures relating to the
 14 presentation of evidence shall not apply.>

15 ___. Page 10, after line 11 by inserting:

16 <(3) Require the respondent to take any remedial
 17 action deemed appropriate by the board.>>
 18 3. By renumbering as necessary.

ROGERS of Black Hawk

H-8375

1 Amend Senate File 2311, as passed by the Senate, as
 2 follows:

3 1. Page 54, after line 17 by inserting:

4 <DIVISION ____

5 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
 6 FUND BOARD

7 Sec. ____ Section 455G.4, subsection 1, paragraph
 8 a, subparagraphs (4) and (5), Code Supplement 2011, are
 9 amended to read as follows:

10 (4) ~~Two One~~ public ~~members~~ member appointed by
 11 the governor and confirmed by the senate to ~~staggered~~
 12 ~~a four-year terms, except that, of the first members~~
 13 ~~appointed, one public member shall be appointed~~
 14 ~~for a term of two years and one for a term of four~~
 15 ~~years~~ term. A public member shall have experience,
 16 knowledge, and expertise of the subject matter embraced
 17 within this chapter. The ~~two~~ public ~~members~~ member
 18 shall have experience in either, or both, financial
 19 markets or insurance.

20 (5) ~~Two~~ Four owners or operators appointed by the
 21 governor as follows:

22 (a) One member shall be an owner or operator who is
 23 self-insured.

24 (b) One member shall be a member of the petroleum
 25 marketers and convenience stores of Iowa or its
 26 designee.

27 (c) One member shall be an owner or operator of
 28 sites in more than one state.

29 (d) One member shall be an owner or operator of a
 30 single site.

31 Sec. ____ Section 455G.4, subsection 1, paragraph
 32 b, Code Supplement 2011, is amended by striking the
 33 paragraph.>

34 2. By renumbering as necessary.

S. OLSON of Clinton
 PAUSTIAN of Scott

H-8376

1 Amend the amendment, H-8328, to Senate File 2316,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 6, after line 17 by inserting:

5 <DIVISION ____
 6 ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND
 7 ACCOUNT – APPROPRIATION

8 Sec. ____ ENDOWMENT FOR IOWA'S HEALTH RESTRICTED
 9 CAPITALS FUND ACCOUNT. There is appropriated from

10 the endowment for Iowa's health restricted capitals
 11 fund account to the department of education for the
 12 fiscal year beginning July 1, 2012, and ending June 30,
 13 2013, the following amount, or so much thereof as is
 14 necessary, to be used for the purpose designated:

15 For major renovation and major repair needs,
 16 including health, life, and fire safety needs and for
 17 compliance with the federal Americans with Disabilities
 18 Act, for state buildings and facilities under the
 19 purview of the community colleges:

20 \$ 2,000,000

21 Sec. ____ REVERSION. For purposes of section 8.33,
 22 unless specifically provided otherwise, unencumbered
 23 or unobligated moneys made from an appropriation in
 24 this division of this Act shall not revert but shall
 25 remain available for expenditure for the purposes
 26 designated until the close of the fiscal year that ends
 27 one year after the end of the fiscal year for which
 28 the appropriation is made. However, if the project
 29 or projects for which such appropriation was made are
 30 completed in an earlier fiscal year, unencumbered or
 31 unobligated moneys shall revert at the close of that
 32 same fiscal year.>

33 2. Page 6, after line 19 by inserting:

34 Sec. ____ 2009 Iowa Acts, chapter 170, section 25,
 35 subsection 1, is amended to read as follows:

36 d. DEPARTMENT OF PUBLIC SAFETY

37 For construction of a state emergency response
 38 training facility to be located in merged area XI:

39 \$ ~~2,000,000~~

40 0>

41 3. Page 10, by striking lines 2 and 3 and inserting
 42 <rebuild Iowa infrastructure fund, the technology
 43 reinvestment fund, and the endowment for Iowa's health
 44 restricted capitals fund, providing for related>

45 4. By renumbering as necessary.

COHOON of Des Moines

H-8377

1 Amend the amendment, H-8339, to Senate File 451,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 2, by striking line 46 and inserting:

5 <Sec. ____ APPLICABILITY.

6 1. Notwithstanding section 257.38, subsection 1,

7 section 257.40, subsection 1, or any other provision of
 8 law to the contrary, the section of this Act enacting
 9 section 257.41, subsection 2, is applicable to budget
 10 years beginning on or after July 1, 2012, for purposes
 11 of the appropriate uses of funding for returning
 12 dropout and dropout prevention program plans approved
 13 for budget years beginning on or after July 1, 2012.
 14 2. The section of this Act enacting section 257.41,
 15 subsection 3, is applicable to>
 16 2. By renumbering as necessary.

KOESTER of Polk

H-8378

1 Amend the amendment, H-8328, to Senate File 2316,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, after line 19 by inserting:
 5 <c. For projects relating to routine maintenance
 6 of buildings, including recurring, preventive, and
 7 on-going maintenance of building systems and equipment:
 8 FY 2012-2013..... \$ 3,000,000>

9 2. Page 7, line 1, by striking <paragraph c, is>
 10 and inserting <paragraphs c through e, are>

11 3. Page 7, after line 17 by inserting:
 12 <d. For construction, renovation, and related
 13 improvements for phase II of the agricultural and
 14 biosystems engineering complex, including classrooms,
 15 laboratories, and offices at Iowa state university of
 16 science and technology:

17	FY 2011-2012.....	\$ 1,000,000
18	FY 2012-2013.....	\$ 20,800,000
19		<u>19,300,000</u>
20	FY 2013-2014.....	\$ 20,000,000
21		<u>21,500,000</u>
22	FY 2014-2015.....	\$ 18,600,000

23 e. For the renovation and related improvements to
 24 the dental science building at the state university
 25 of Iowa including but not limited to renovation of
 26 clinical spaces and development of a multidisciplinary
 27 clinical area:

28	FY 2011-2012.....	\$ 1,000,000
29	FY 2012-2013.....	\$ 12,000,000
30		<u>10,500,000</u>
31	FY 2013-2014.....	\$ 8,000,000
32		<u>9,500,000</u>
33	FY 2014-2015.....	\$ 8,000,000>

34 4. Page 8, after line 26 by inserting:
 35 <Sec. ____ Section 8.57, subsection 6, paragraph c,
 36 Code Supplement 2011, is amended to read as follows:
 37 c. Moneys in the fund in a fiscal year shall be

38 used as directed by the general assembly for public
 39 vertical infrastructure projects. For the purposes of
 40 this subsection, "vertical infrastructure" includes only
 41 land acquisition and construction; routine maintenance
 42 of buildings, including recurring, preventive, and
 43 on-going maintenance of building systems and equipment;
 44 major renovation and major repair of buildings; all
 45 appurtenant structures; utilities; site development;
 46 recreational trails; and debt service payments on
 47 academic revenue bonds issued in accordance with
 48 chapter 262A for capital projects at board of regents
 49 institutions. "Vertical infrastructure" does not
 50 include ~~routine, recurring maintenance~~ or operational

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1 expenses or leasing of a building, appurtenant
 2 structure, or utility without a lease-purchase
 3 agreement.>
 4 5. By renumbering as necessary.

COHOON of Des Moines

H-8379

1 Amend the amendment, H-8328, to Senate File 2316,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 1, line 15, by striking <20,000,000> and
 5 inserting <18,500,000>
 6 2. Page 2, after line 21 by inserting:
 7 <___. DEPARTMENT OF MANAGEMENT
 8 For interest free loans to counties for basic
 9 equipment, hardware, and software necessary to
 10 implement the precinct atlas program and technology for
 11 election administration, notwithstanding section 8.57,
 12 subsection 6, paragraph "c":
 13 FY 2012-2013..... \$ 1,500,000
 14 FY 2013-2014..... \$ 1,500,000>
 15 3. By renumbering as necessary.

ISENHART of Dubuque
STECKMAN of Cerro Gordo

H-8380

1 Amend House File 2455 as follows:
 2 1. Page 3, by striking lines 19 and 20 and
 3 inserting <for the following fiscal year for the
 4 purposes authorized in this subsection.>

BALTIMORE of Boone

H-8381

- 1 Amend House File 2435 as follows:
 2 1. Page 14, line 15, by striking <2,540,489> and
 3 inserting <2,645,489>
 4 2. Page 14, line 31, by striking <\$436,582> and
 5 inserting <\$541,582>

HALL of Woodbury

H-8382

- 1 Amend the Senate amendment, H-8370, to House File
 2 2292, as passed by the House, as follows:
 3 1. Page 1, line 9, by striking <412> and inserting
 4 <451>
 5 2. By renumbering as necessary.

HEIN of Jones

H-8383

- 1 Amend House File 2439 as follows:
 2 1. Page 1, after line 12 by inserting:
 3 <Sec. ____ Section 423.2, subsection 4, paragraph
 4 b, Code Supplement 2011, is amended to read as follows:
 5 b. The tax imposed under this subsection covers
 6 the total amount from the operation of games of skill,
 7 games of chance, and raffles, and bingo games as
 8 defined in chapter 99B, card game tournaments conducted
 9 under section 99B.7B, and musical devices, weighing
 10 machines, shooting galleries, billiard and pool tables,
 11 bowling alleys, pinball machines, slot-operated devices
 12 selling merchandise not subject to the general sales
 13 taxes and on the total amount from devices or systems
 14 where prizes are in any manner awarded to patrons and
 15 upon the receipts from fees charged for participation
 16 in any game or other form of amusement, and generally
 17 upon the sales price from any source of amusement
 18 operated for profit, not specified in this section, and
 19 upon the sales price from which tax is not collected
 20 for tickets or admission, but tax shall not be imposed
 21 upon any activity exempt from sales tax under section
 22 423.3, subsection 78, or upon amounts received from the
 23 operation of bingo games by a qualified organization in
 24 accordance with section 99B.7. Every person receiving
 25 any sales price from the sources described in this
 26 section is subject to all provisions of this subchapter
 27 relating to retail sales tax and other provisions of
 28 this chapter as applicable.>
 29 2. Title page, by striking line 3 and inserting
 30 <for resale and by creating sales tax exemptions for
 31 amounts received from the operation of certain bingo

32 games and for certain>
 33 3. By renumbering as necessary.

ISENHART of Dubuque
 LUKAN of Dubuque

H-8384

1 Amend Senate File 2311, as passed by the Senate, as
 2 follows:

3 1. Page 1, line 9, after <industries> by inserting
 4 <, including the promotion of recycling and bottle
 5 deposit programs which protect precious agricultural
 6 resources>

7 2. Page 2, after line 27 by inserting:

8 <DIVISION ____

9 AGRICULTURAL RESOURCES

10 Sec. ____ AGRICULTURAL RESOURCES — PLASTIC BOTTLES
 11 CONTAINING NONCARBONATED BEVERAGES. The general
 12 assembly finds and declares all of the following:

13 1. The consumer use of plastic bottles containing
 14 noncarbonated beverages has grown significantly since
 15 the enactment of this state's popular and highly
 16 successful bottle deposit law, codified in chapter
 17 455C.

18 2. The failure to include plastic bottles
 19 containing noncarbonated beverages in this state's
 20 popular and highly successful bottle deposit law has
 21 substantially and negatively affected agriculture in
 22 this state, by increasing litter in ditches, fields,
 23 pastures, rivers, lakes, and streams.

24 3. The inclusion of plastic bottles containing
 25 noncarbonated beverages in this state's popular and
 26 highly successful bottle deposit law would positively
 27 impact agriculture in this state and would protect
 28 precious agricultural resources.

29 Sec. ____ Section 455C.1, subsections 1 and 2, Code
 30 Supplement 2011, are amended to read as follows:

31 1. "Beverage" ~~means~~ includes but is not limited
 32 to wine as defined in section 123.3, subsection
 33 47, alcoholic liquor as defined in section 123.3,
 34 subsection 5, and beer all as defined in section 123.3,
 35 subsection 7, mineral water, soda water and similar
 36 carbonated soft drinks and any nonalcoholic carbonated
 37 and noncarbonated drinks, in liquid form and intended
 38 for human consumption. "Beverage" does not include any
 39 of the following:

40 a. Fruit and vegetable juice and drink products.

41 b. Grade 'A' milk and milk products as specified in
 42 the grade 'A' pasteurized milk ordinance, as provided
 43 in section 192.102.

44 c. A liquid that is any of the following:

- 45 (1) A syrup.
 46 (2) In a concentrated form.
 47 (3) Typically added as a minor flavoring ingredient
 48 in food or drink, such as extracts, cooking additives,
 49 sauces, or condiments.
 50 d. A liquid that is ingested in very small

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- 1 quantities and consumed for medicinal purposes only.
 2 e. A liquid that is designed and consumed only as a
 3 nutritional supplement, as defined by the department,
 4 and not as a beverage.
 5 f. Products frozen at the time of sale to the
 6 consumer, or, in the case of institutional users such
 7 as hospitals and nursing homes, at the time of sale to
 8 such users.
 9 g. Products designed to be consumed in a frozen
 10 state.
 11 h. Instant drink powders.
 12 i. Seafood, meat, or vegetable broths or soups.
 13 j. Farm-produced apple cider that has not been
 14 heated, pasteurized, or otherwise processed.
 15 k. Infant formula.
 16 2. "Beverage container" means any sealed glass,
 17 plastic, or metal bottle, can, jar, or carton
 18 containing a beverage. "Beverage container" does not
 19 include any of the following:
 20 a. A bottle, can, jar, or carton of three liters or
 21 more in size containing a noncarbonated beverage.
 22 b. A bottle, can, jar, or carton made of
 23 high-density polyethylene.
 24 Sec. ____ Section 455C.2, subsection 2, Code 2011,
 25 is amended to read as follows:
 26 2. In addition to the refund value provided in
 27 subsection 1 ~~of this section~~, a dealer, or person
 28 operating a redemption center who redeems empty
 29 beverage containers or a dealer agent shall be
 30 reimbursed by the distributor required to accept the
 31 empty beverage containers an amount which is one cent
 32 per container. However, the distributor shall provide
 33 an additional one cent reimbursement for each beverage
 34 container made of plastic. A dealer, dealer agent, or
 35 person operating a redemption center may compact empty
 36 metal beverage containers with the approval of the
 37 distributor required to accept the containers.>
 38 3. Title page, line 9, after <measures,> by
 39 inserting <regulating beverage containers,>
 40 4. By renumbering, redesignating, and correcting
 41 internal references as necessary.

H-8385

- 1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:
3 1. Page 1, line 23, by striking <twenty> and
4 inserting <thirty>

R. OLSON of Polk

H-8386

- 1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:
3 1. Page 2, after line 6 by inserting:
4 <Sec. ____ APPLICABILITY. The amendment to section
5 614.8A of this Act applies to sexual abuse occurring
6 on or after July 1, 2012.>>
7 2. By renumbering as necessary.

R. OLSON of Polk

H-8387

- 1 Amend the amendment, H-8339, to Senate File 451,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by striking lines 31 through 45 and
5 inserting:
6 <3. Limitation. For the fiscal year beginning July
7 1, 2013, and each succeeding fiscal year, the ratio of
8 the amount of modified allowable growth established by
9 the department of management compared to the school
10 district's total regular program district cost shall
11 not exceed two and one-half percent. However, if the
12 school district's highest such ratio so determined for
13 any fiscal year beginning on or after July 1, 2009, but
14 before July 1, 2013, exceeded two and one-half percent,
15 the ratio may exceed two and one-half percent but shall
16 not exceed the highest such ratio established during
17 that period.>
18 2. Page 2, by striking line 46 and inserting:
19 <Sec. ____ APPLICABILITY.
20 1. Notwithstanding section 257.38, subsection 1,
21 section 257.40, subsection 1, or any other provision of
22 law to the contrary, the section of this Act enacting
23 section 257.41, subsection 2, is applicable to budget
24 years beginning on or after July 1, 2012, for purposes
25 of the appropriate uses of funding for returning
26 dropout and dropout prevention program plans approved
27 for budget years beginning on or after July 1, 2012.
28 2. The section of this Act enacting section 257.41,
29 subsection 3, is applicable to>

30 3. By renumbering as necessary.

KOESTER of Polk

H-8388

1 Amend House File 609, as passed by the House, as
2 follows:

3 1. Page 1, line 1, after <Code> by inserting
4 <Supplement>

5 2. Page 2, after line 22 by inserting:

6 <Sec. ____ Section 633.350, Code 2011, is amended
7 to read as follows:

8 633.350 Title to decedent's estate — when property
9 passes — possession and control thereof — liability
10 for administration expenses, debts, and family
11 allowance.

12 Except as otherwise provided in this probate code,
13 when a person dies, the title to the person's property,
14 real and personal, passes to the person to whom it is
15 devised by the person's last will, or, in the absence
16 of such disposition, to the persons who succeed to the
17 estate as provided in this probate code, but all of
18 the property shall be subject to the possession of the
19 personal representative as provided in section 633.351
20 and to the control of the court for the purposes of
21 administration, sale, or other disposition under the
22 provisions of law, and such property, except homestead
23 and other exempt property, shall be chargeable with the
24 payment of debts and charges ~~against~~ of the estate.
25 There shall be no priority as between real and personal
26 property, except as provided in this probate code or by
27 the will of the decedent. If real property is titled
28 at any time in a decedent's estate, such property
29 shall be treated as titled in the name of the personal
30 representative of the estate.

31 Sec. ____ Section 633.351, Code 2011, is amended to
32 read as follows:

33 633.351 Possession of real and personal property.

34 ~~If there is no distributee of the real estate~~
35 ~~present and competent to take possession, or if there~~
36 ~~is a lease of such real estate outstanding, or if the~~
37 ~~distributees present and competent consent thereto~~
38 During the period of administration, the personal
39 representative shall take possession of such the
40 decedent's real estate, except the homestead and
41 other property exempt to the surviving spouse. Every
42 personal representative shall take possession of
43 all the personal property of the decedent, except
44 the property exempt to the surviving spouse. The
45 personal representative may maintain an action for
46 the possession of such real and personal property

47 or to determine the title to any property of the
48 decedent. Until property is distributed, the
49 personal representative shall take reasonable steps
50 to safeguard such property, pay any expenses related

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1 to such property, and collect any income generated
2 by such property. Unless otherwise provided by the
3 decedent's will, all such expenses shall be paid from
4 the residuary estate and all such income shall be
5 considered a part of the residuary estate.

6 Sec. ____ Section 633.352, Code 2011, is amended to
7 read as follows:

8 633.352 Collection of rents and payment of taxes and
9 charges.

10 Unless otherwise provided by the will, the ~~personal~~
11 ~~representative shall allocate and distribute provisions~~
12 of chapter 637 that conflict with this part 3 shall
13 not apply to the allocation and distribution of estate
14 income of an estate in accordance with chapter 637.

15 Sec. ____ Section 633.355, Code 2011, is amended to
16 read as follows:

17 633.355 Delivery of specific devise after ~~nine~~
18 twelve months.

19 Unless the court, for cause shown, determines
20 that the possession of the personal representative
21 shall continue for a longer period, the personal
22 representative shall deliver all specifically devised
23 property to the devisees entitled thereto after the
24 expiration of ~~nine~~ twelve months from the date of
25 appointment of the personal representative. This
26 section shall not preclude the court from directing
27 that such delivery be made before such period has
28 expired, nor shall the personal representative
29 be prevented from ~~sooner settling the estate and~~
30 delivering such property at an earlier time.>

31 3. Page 7, after line 1 by inserting:

32 <Sec. ____ Section 633A.3102, subsection 5, Code
33 2011, is amended to read as follows:

34 5. The settlor's powers with respect to revocation
35 or modification may be exercised by an agent under a
36 power of attorney only ~~and to the extent the power~~
37 ~~of attorney expressly so authorizes. if all of the~~
38 following apply:

39 a. The trust instrument expressly authorizes an
40 agent under a power of attorney to exercise such
41 powers.

42 b. The power of attorney expressly authorizes an
43 agent acting under the power of attorney to exercise
44 such powers.>

45 4. Page 12, line 24, after <Code> by inserting

46 <Supplement>

47 5. Page 18, after line 18 by inserting:
 48 <Sec. _____. Section 635.7, Code 2011, is amended to
 49 read as follows:
 50 635.7 Report and inventory — value and conversion.

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1 1. The personal representative is required to file
 2 the report and inventory for which provision is made in
 3 section 633.361, including all probate and nonprobate
 4 assets. This chapter does not exempt the personal
 5 representative from complying with the requirements of
 6 section 422.27, 450.22, 450.58, 633.480, or 633.481,
 7 and the administration of an estate whether converted
 8 to or from a small estate shall be considered one
 9 proceeding pursuant to section 633.330.

10 2. ~~If the~~ The report and inventory and report shows
 11 shall show the gross value of probate assets subject to
 12 the jurisdiction of this state ~~which exceed.~~

13 3. If the gross value of probate assets subject
 14 to the jurisdiction of this state exceeds the amount
 15 permitted ~~for~~ a small estate under section 635.1, the
 16 estate shall be administered as provided in chapter
 17 633.

18 ~~3.~~ 4. ~~If the inventory report and inventory in~~
 19 ~~an estate probated pursuant to chapter 633 indicates~~
 20 shows the gross value of the probate assets subject
 21 to the jurisdiction of this state does not exceed the
 22 amount permitted under section 635.1, the estate shall
 23 be administered as a small estate upon the filing of
 24 a statement by the personal representative that the
 25 estate is a small estate.

26 4. 5. Other interested parties may convert
 27 proceedings from a small estate to a regular estate or
 28 from a regular estate to a small estate only upon good
 29 cause shown with approval from the court.

30 Sec. _____. Section 635.8, Code 2011, is amended to
 31 read as follows:

32 635.8 Closing by sworn statement.

33 1. The personal representative shall file with the
 34 court a closing statement and proof of service thereof
 35 within a reasonable time from the date of issuance
 36 of the letters of appointment, ~~and the.~~ The closing
 37 statement shall be verified or affirmed under penalty
 38 of perjury, stating all of the following:

- 39 a. To the best knowledge of the personal
 40 representative, the gross value of the probate assets
 41 subject to the jurisdiction of this state does not
 42 exceed the amount permitted under section 635.1.
 43 b. The estate has been fully administered and will
 44 be ~~disbursed and~~ distributed to persons entitled ~~to the~~

45 estate ~~thereto~~ if no objection is filed to the closing
46 statement ~~after the requisite time period has expired~~
47 ~~as provided in subsection 2 and the accounting and~~
48 ~~proposed distribution within thirty days after service~~
49 ~~thereof.~~
50 c. A description of the disbursement and An

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1 accounting and proposed distribution of the estate
2 including an accurate description of all the real
3 estate of which the decedent died seized, stating the
4 nature and extent of the interest in the real estate
5 and its disposition.

6 d. A copy of the closing statement and a notice
7 of an opportunity to object to and request a hearing
8 has been sent ~~by proper notice~~, as provided in section
9 633.40, to all interested parties.

10 e. ~~The personal representative has complied~~
11 ~~with A statement as to whether or not~~ all statutory
12 requirements pertaining to taxes have been complied
13 with, including whether federal estate tax ~~was paid~~
14 ~~or a return was filed, whether Iowa inheritance tax~~
15 ~~was paid or a return was filed, whether the decedent's~~
16 ~~final personal income taxes were filed, whether~~
17 ~~fiduciary income tax returns for the estate were filed,~~
18 ~~and due has been paid~~, whether a lien continues to
19 exist for any federal ~~or state~~ estate tax, and whether
20 inheritance tax was paid or a tax return was filed in
21 this state.

22 f. The amount of fees to be paid to the personal
23 representative and the personal representative's
24 attorney with the appropriate documentation showing
25 compliance with subsection 4.

26 2. If no actions or proceedings involving the
27 estate are pending in the court thirty days after
28 notice service of the closing statement ~~is filed~~,
29 ~~the the estate shall be distributed according to the~~
30 closing statement.

31 3. The estate shall close and the personal
32 representative shall be discharged ~~after distribution~~
33 upon the earlier of either of the following:

34 a. ~~The filing of a statement of disbursement of~~
35 ~~assets with the clerk by the personal representative an~~
36 ~~affidavit of mailing or other proof of service of the~~
37 closing statement and a statement of asset distribution
38 by the personal representative.

39 b. ~~An additional thirty days have passed after~~
40 ~~notice of the Sixty days after the filing of the~~
41 closing statement is filed and an affidavit of mailing
42 or other proof of service thereof.

43 3. 4. The closing statement shall include a

44 statement as to the amount of fees to be paid for
 45 services rendered by the personal representative
 46 and the personal representative's attorney in
 47 administration of the estate. The fees for the
 48 personal representative shall not exceed three percent
 49 of the gross value of the probate assets of the
 50 estate, unless the personal representative itemizes

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1 the personal representative's services to the estate.
 2 The personal representative's attorney shall be paid
 3 reasonable fees as approved by the court or as agreed
 4 to in writing by the personal representative ~~at or~~
 5 ~~before~~ and such writing shall be executed by the
 6 time of filing the probate inventory ~~or as approved~~
 7 ~~by the court~~. All interested parties shall have the
 8 opportunity to object and request a hearing as to all
 9 fees reported in the closing statement.
 10 4. 5. If a closing statement is not filed within
 11 twelve months of the date of issuance of a letter of
 12 appointment, an interlocutory report shall be filed
 13 within such time period. Such report shall be provided
 14 to all interested parties at least once every six
 15 months until the closing statement has been filed
 16 unless excused by the court for good cause shown.
 17 The provisions of section 633.473 requiring final
 18 settlement within three years shall apply to an estate
 19 probated pursuant to this chapter. A closing statement
 20 filed under this section has the same effect as final
 21 settlement of the estate under chapter 633.>
 22 6. Page 18, line 23, by striking <2011> and
 23 inserting <2012>
 24 7. Page 18, line 25, by striking <2011> and
 25 inserting <2012>
 26 8. Page 18, line 31, by striking <2011> and
 27 inserting <2012>
 28 9. Page 18, line 34, by striking <2011> and
 29 inserting <2012>
 30 10. Page 18, after line 34 by inserting:
 31 <5. The section of this Act amending section
 32 633A.3102 applies to revocable trusts and powers of
 33 attorney in existence on or after July 1, 2012.>
 34 11. Title page, by striking lines 1 and 2 and
 35 inserting <An Act relating to trusts and estates
 36 including the administration of small estates, and
 37 certain state inheritance tax provisions, and including
 38 applicability provisions.>
 39 12. By renumbering as necessary.

H-8389

- 1 Amend House File 2427, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 1, by striking line 29 and inserting <be
4 subject to a civil penalty in the amount of two hundred
5 fifty dollars. A person who>
- 6 2. Page 2, line 5, by striking <twenty-five> and
7 inserting <fifty>
- 8 3. Page 2, by striking line 8 and inserting <shall
9 be subject to a civil penalty in the amount of two
10 hundred fifty dollars.>
- 11 4. Page 2, line 10, by striking <twenty-five> and
12 inserting <fifty>
- 13 5. Page 2, line 13, by striking <twenty-five> and
14 inserting <fifty>

SENATE AMENDMENT

H-8390

- 1 Amend House File 2323, as passed by the House, as
2 follows:
- 3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 384.84, subsection 3, paragraph
5 c, Code Supplement 2011, is amended to read as follows:
6 c. A city utility or enterprise service to a
7 property or premises shall not be discontinued unless
8 prior written notice is sent, by ordinary mail, to the
9 account holder in whose name the delinquent rates or
10 charges were incurred, informing the account holder
11 of the nature of the delinquency and affording the
12 account holder the opportunity for a hearing prior to
13 discontinuance of service. If the account holder is a
14 tenant, and if the owner or landlord of the property
15 or premises has made a written request for notice, the
16 notice shall also be given to the owner or landlord.
17 If the account holder is a tenant and requests a change
18 of name for service under the account, such request
19 shall be sent to the owner or landlord of the property
20 if the owner or landlord has made a written request
21 for notice of any change of name for service under the
22 account to the rental property.>
- 23 2. Page 1, by striking lines 14 through 19 and
24 inserting <notice shall contain the name of the tenant
25 responsible for charges, address of the residential
26 rental property that the tenant is to occupy, and the
27 date that the occupancy begins. A change in tenant
28 shall require a new written notice to be given to the
29 city utility or enterprise within thirty business days
30 of the change in tenant. When the tenant moves from
31 the>

- 32 3. Page 1, line 24, by striking <ten> and inserting
 33 <ten thirty>
 34 4. Page 2, line 9, after <contain> by inserting
 35 <the name of the tenant responsible for the charges,>
 36 5. Page 2, line 10, by striking <occupy> and
 37 inserting <occupy,>
 38 6. Page 2, line 11, after <begins.> by inserting
 39 <A change in tenant shall require a new written notice
 40 to be given to the city utility or enterprise within
 41 thirty business days of the change in tenant.>
 42 7. Page 2, line 18, by striking <ten> and inserting
 43 <thirty>
 44 8. By renumbering as necessary.

SENATE AMENDMENT

H-8391

- 1 Amend the amendment, H-8284, to Senate File 2123, as
 2 passed by the Senate, as follows:
 3 1. Page 2, by striking lines 30 and 31 and
 4 inserting:
 5 <(i) CP 47,497 and homologues
 6 5-(1,1-dimethylheptyl)-
 7 2-[(1R,3S)-3-hydroxycyclohexyl]phenol.>
 8 2. Page 2, by striking lines 43 and 44 and
 9 inserting:
 10 <(viii) JWH-250 1-pentyl-3-
 11 (2-methoxyphenylacetyl)indole.>
 12 3. Page 2, by striking lines 47 and 48 and
 13 inserting:
 14 <(x) RCS-8 and SR 18 1-cyclohexylethyl-3-
 15 (2-methoxyphenylacetyl)indole.>
 16 4. Page 3, by striking lines 20 and 21 and
 17 inserting:
 18 <(2) 3,4-methylenedioxyprovalerone
 19 (MDPV)[(1-(1,3- Benzodioxol-5-yl)-2-(1-pyrrolidinyl)-
 20 1-pentanone).>
 21 5. Page 3, by striking lines 39 and 40 and
 22 inserting:
 23 <(15) 6,7-dihydro-5H-indeno-
 24 (5,6-d)-1,3-dioxol-6-amine (MDAI).>
 25 6. Page 3, by striking line 42 and inserting:
 26 <(17) 4'-Methyl-alpha-pyrrolidinobutiophenone
 27 (MPBP).>

FRY of Clarke

H-8392

- 1 Amend House File 2450 as follows:
 2 1. By striking everything after the enacting clause

3 and inserting:

4 <Section 1. Section 321.1, Code Supplement 2011, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 95. "Automated traffic law
7 enforcement system" means a device with one or more
8 sensors working in conjunction with at least one of the
9 following:

10 a. An official traffic-control signal, to
11 produce recorded images of motor vehicles entering
12 an intersection against a flashing red light, steady
13 circular red light, or a steady red arrow.

14 b. An official traffic-control signal at a railroad
15 grade crossing, as described in section 321.342,
16 to produce recorded images of vehicles violating a
17 flashing red or steady circular red light.

18 c. A speed measuring device, to produce recorded
19 images of motor vehicles travelling at a prohibited
20 rate of speed.

21 Sec. 2. NEW SECTION. 321.5A Automated traffic law
22 enforcement systems.

23 A local authority shall not use an automated traffic
24 law enforcement system except as provided in this
25 section.

26 1. A local authority may by ordinance authorize the
27 use of automated traffic law enforcement systems to
28 detect violations of posted speed limits or official
29 traffic-control signals which constitute municipal or
30 county infractions.

31 2. A local authority shall provide signage,
32 in conformance with the uniform system on traffic
33 control devices adopted pursuant to section 321.252,
34 giving notice of the use of an automated traffic
35 law enforcement system on both sides of the approach
36 to each location where an automated traffic law
37 enforcement system is in use as follows:

38 a. A warning sign at least forty-eight inches
39 by thirty-six inches in size with a distance plaque
40 having a black legend and black border on a yellow
41 or fluorescent yellow-green color shall be posted on
42 both sides of each road on the approach to the next
43 traffic-control signal where an automated traffic law
44 enforcement system is in use.

45 b. A warning sign at least forty-eight inches
46 by thirty-six inches in size with a distance plaque
47 having a black legend and black border on a yellow or
48 fluorescent yellow-green color shall be posted on both
49 sides of the approach to the next speed limit zone on a
50 road where an automated traffic law enforcement system

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1 is being used for speed limit enforcement.

- 2 c. The notice of the use of an automated traffic
3 law enforcement system shall be positioned so as
4 to provide adequate perception-response time for
5 motorists.
- 6 d. A temporary sign shall be positioned or posted
7 on the approach to each location where a mobile
8 automated traffic law enforcement system is being used
9 for speed limit enforcement.
- 10 e. The color and size of signage and the distance
11 of the placement of signage may vary from the
12 requirements of this section, provided that the
13 variation is based upon an engineering study and a copy
14 of the engineering study is maintained on file by the
15 local authority.
- 16 f. The vendor or vendors that provide automated
17 traffic law enforcement system equipment and services
18 to the local authority shall be responsible for the
19 costs associated with the provision of signage required
20 under this subsection.
- 21 3. Recorded images produced by an automated traffic
22 law enforcement system evidencing a violation of a
23 posted speed limit or an official traffic-control
24 signal shall be reviewed by a peace officer of the
25 local law enforcement agency to affirm that a violation
26 occurred and the identity of the motor vehicle involved
27 in the violation. If following the officer's review,
28 a notice of a fine or citation is issued to the owner
29 of the motor vehicle involved in the violation, the
30 following requirements apply:
- 31 a. An affidavit bearing the written or electronic
32 signature of the peace officer shall be included on the
33 notice or citation.
- 34 b. The notice or citation shall contain a
35 statement, in bold type, regarding the process for
36 appealing the fine.
- 37 c. The notice or citation shall be sent by ordinary
38 mail to the owner of the motor vehicle involved not
39 more than thirty days following the incident giving
40 rise to the notice of a fine or citation, as evidenced
41 by the postmark.
- 42 4. a. A local authority shall not charge the owner
43 of a motor vehicle administrative fees in addition to
44 any civil penalty imposed for a violation detected by
45 an automated traffic law enforcement system. A civil
46 penalty for such a violation shall not exceed the
47 amount of the fine established in section 805.8A for an
48 equivalent violation charged as a scheduled violation,
49 subject to the limitation established in section
50 331.302 for violation of a county ordinance or the

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1 limitation established in section 364.3 for violation
2 of a city ordinance.

3 b. A local authority shall not impose a civil
4 penalty for violation of a speed limit for speed which
5 is ten miles per hour or less over the speed limit.

6 5. The notice or citation sent to the owner of a
7 motor vehicle pursuant to subsection 3 shall specify
8 the date by which payment of the civil penalty is
9 due. The penalty shall be deemed delinquent if it is
10 not paid within thirty days after the date specified
11 on the notice or citation. Thirty days after the
12 date specified on the notice or citation, the local
13 authority may contract with a private collection agency
14 for collection of the delinquent penalty.

15 6. The owner of a motor vehicle shall not be liable
16 for a violation detected by an automated traffic
17 law enforcement system if a uniform traffic citation
18 was issued to the operator of the motor vehicle in
19 connection with the same violation.

20 7. A local authority that uses an automated traffic
21 law enforcement system shall file annually with the
22 department of public safety a report comparing the type
23 and rate of accidents that occurred at each location
24 where an automated traffic law enforcement system was
25 employed during the previous year to the type and rate
26 of accidents at the same location during the previous
27 consecutive year. The report shall be kept on file and
28 used by the governing body of the local authority in
29 evaluating the effectiveness of the automated traffic
30 law enforcement program in improving public safety.

31 Sec. 3. EXISTING AUTOMATED TRAFFIC LAW
32 ENFORCEMENT SYSTEMS — VALIDITY OF PRIOR NOTICES AND
33 CITATIONS. Notices mailed or citations issued of
34 violations committed prior to the effective date of
35 this Act, pursuant to a local ordinance authorizing the
36 use of an automated traffic law enforcement system,
37 shall not be invalidated by the enactment of this Act
38 and shall be processed according to the provisions of
39 the law under which they were authorized.>

40 2. Title page, line 1, by striking <prohibiting>
41 and inserting <relating to>

42 3. Title page, by striking line 2 and inserting
43 <systems.>

44 4. By renumbering as necessary.

WENTHE of Fayette
HALL of Woodbury

H-8393

1 Amend House File 2457 as follows:
 2 1. Page 2, by striking lines 8 through 16 and
 3 inserting:
 4 <3. WORKFORCE DEVELOPMENT OPERATIONS
 5 a. For the operation of field offices, the
 6 workforce development board, and for not more than the
 7 following full-time equivalent positions:
 8 \$ 8,671,352
 9 FTEs 130.00
 10 The moneys appropriated in this paragraph are
 11 contingent upon the condition that the workforce
 12 development centers and satellite offices, other than
 13 those centers maintained by electronic means, which
 14 were open and fully operational on November 1, 2011,
 15 shall remain open and operational through June 30,
 16 2012.
 17 b. Of the moneys appropriated in paragraph "a"
 18 of this subsection, the department shall allocate
 19 \$1,130,602 for the operation of satellite field offices
 20 in Decorah, Fort Madison, Iowa City, and Webster City.>
 21 2. Title page, line 2, after <development> by
 22 inserting <for certain purposes>
 23 3. By renumbering as necessary.

HAGER of Allamakee

H-8394

1 Amend the amendment, H-8343, to House File 2450 as
 2 follows:
 3 1. Page 1, by striking lines 14 through 19 and
 4 inserting:
 5 <(2) Moneys in excess of the amount necessary for
 6 the purpose specified in subparagraph (1) shall be
 7 retained by the county. Fifty percent of the moneys
 8 retained by the county shall be deposited in the
 9 secondary road fund of the county.>
 10 2. Page 1, by striking lines 46 through 50 and
 11 inserting:
 12 <(2) Moneys in excess of the amount necessary for
 13 the purpose specified in subparagraph (1) shall be
 14 retained by the city. Fifty percent of the moneys
 15 retained by the city shall be deposited in the city's
 16 street construction fund.>
 17 3. Page 2, by striking lines 9 through 17 and
 18 inserting <a part of the city's penalty.>
 19 4. By renumbering as necessary.

GASKILL of Wapello

H-8395

- 1 Amend Senate File 2318, as passed by the Senate, as
2 follows:
3 1. Page 13, by striking lines 6 through 15.
4 2. By renumbering as necessary.

L. MILLER of Scott

H-8396

- 1 Amend the amendment, H-8392, to House File 2450 as
2 follows:
3 1. Page 2, after line 41, by inserting:
4 <3A. A local authority's ordinance authorizing the
5 use of automated traffic law enforcement systems shall
6 provide that a person charged with a violation shall
7 have the opportunity to view a video or other recorded
8 images evidencing the violation prior to the deadline
9 for filing an appeal.>
10 2. By renumbering as necessary.

ISENHART of Dubuque

H-8397

- 1 Amend House File 2229 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 321.30, subsection 2, Code
4 2011, is amended to read as follows:
5 2. a. Unless otherwise provided for in this
6 chapter, the department or the county treasurer shall
7 refuse registration and issuance of a certificate of
8 title unless the vehicle bears a manufacturer's label
9 pursuant to 49 C.F.R. pt. 567 certifying that the
10 vehicle meets federal motor vehicle safety standards.
11 b. A military vehicle, other than a vehicle that
12 runs on continuous tracks or wheels and tracks, that
13 was originally manufactured for and sold directly to
14 the armed forces of the United States in conformity
15 with contractual specifications, as provided in
16 49 C.F.R. § 571.7, may be registered and issued a
17 certificate of title if the owner provides satisfactory
18 evidence to the department that the vehicle is
19 substantially in compliance with federal motor vehicle
20 safety standards. The department may adopt rules as
21 necessary concerning the registration and titling of
22 military vehicles in accordance with this chapter.>
- 23 2. Title page, line 1, after <Act> by inserting
24 <relating to transportation, including by providing for

25 the registration and titling of military vehicles and>
26 3. By renumbering as necessary.

WINDSCHITL of Harrison
CHAMBERS of O'Brien
LYKAM of Scott
TJEPKES of Webster
RASMUSSEN of Buchanan

H-8398

1 Amend House File 2435 as follows:
2 1. Page 40, line 11, by striking <\$520,150> and
3 inserting <\$1,020,150>
4 2. Page 40, line 13, by striking <To> and inserting '
5 <a. To>
6 3. Page 40, line 16, by striking <a.> and inserting
7 <a. (1)>
8 4. Page 40, line 19, by striking <b.> and inserting
9 <b. (2)>
10 5. Page 40, line 22, by striking <c.> and inserting
11 <c. (3)>
12 6. Page 40, line 25, by striking <d.> and inserting
13 <d. (4)>
14 7. Page 40, line 28, by striking <e.> and inserting
15 <e. (5)>
16 8. Page 40, after line 30 by inserting:
17 <b. To the judicial branch to support substance
18 abuse services provided to juveniles participating in
19 the juvenile drug court programs listed in paragraph
20 "a" and the juveniles' families:
21 \$ 500,000
22 The state court administrator shall allocate the
23 funding designated in this paragraph "b" among the
24 programs.
25 9. By renumbering as necessary.

HALL of Woodbury

H-8399

1 Amend House File 2449 as follows:
2 1. Page 2, after line 11 by inserting:
3 <Sec. ____ NEW SECTION. 2.40A Deferred
4 compensation.
5 A member of the general assembly who has elected
6 to participate in a deferred compensation program
7 established under section 509A.12 shall be eligible for
8 participation, including eligibility for an employer
9 contribution match, on the basis of participation rules
10 established for full-time state employees excluded
11 from collective bargaining as provided in chapter 20.

12 The member shall authorize a payroll deduction of the
 13 member's contribution to the program according to the
 14 member's pay plan selected pursuant to section 2.10,
 15 subsection 4.>

16 2. Page 5, after line 8 by inserting:

17 <Sec. ____ EFFECTIVE DATE. The following section
 18 of this division of this Act takes effect upon the
 19 convening of the Eighty-fifth General Assembly in
 20 January 2013:

21 1. The section of this division enacting section

22 2.40A.>

23 3. By renumbering as necessary.

R. OLSON of Polk

H-8400

1 Amend House File 2449 as follows:

2 1. By striking page 20, line 10, through page 23,
 3 line 22.

4 2. By renumbering, redesignating, and correcting
 5 internal references as necessary.

STECKMAN of Cerro Gordo
 FORRISTALL of Pottawattamie

H-8401

1 Amend Senate File 2311, as passed by the Senate, as
 2 follows:

3 1. Page 54, after line 17 by inserting:

4 <DIVISION ____

5 IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK
 6 FUND BOARD

7 Sec. ____ Section 455G.4, subsection 1, paragraph
 8 a, subparagraphs (4) and (5), Code Supplement 2011, are
 9 amended to read as follows:

10 (4) ~~Two~~ Three public members appointed by the
 11 governor and confirmed by the senate to staggered
 12 four-year terms, except that, of the first members
 13 appointed, one public member shall be appointed for a
 14 term of two years and one for a term of four years. A
 15 public member shall have experience, knowledge, and
 16 expertise of the subject matter embraced within this
 17 chapter. ~~The two~~ A public members shall member may
 18 have experience in either, or both, financial markets
 19 or insurance.

20 (5) ~~Two~~ Three owners or operators appointed by the
 21 governor, two of which shall be designated as follows:

22 (a) One member shall be an owner or operator who is
 23 self-insured.

24 (b) One member shall be a member of the petroleum

25 marketers and convenience stores of Iowa or its
 26 designee.>
 27 2. By renumbering as necessary.

S. OLSON of Clinton
 PAUSTIAN of Scott

H-8402

1 Amend the amendment, H-8213, to House File 2435 as
 2 follows:
 3 1. Page 2, by striking lines 26 through 35 and
 4 inserting:
 5 <d. The general assembly finds that it is the
 6 policy of this state that public funds shall not
 7 be used for the payment of abortion procedures.
 8 This prohibition includes but is not limited to the
 9 use of public funds, directly or indirectly, for
 10 administrative costs or expenses, overhead, employee
 11 salaries, rent, and telephone or other utilities of
 12 abortion referral or abortion counseling services.>
 13 2. Page 2, by striking lines 46 through 49.
 14 3. Page 3, by striking lines 34 through 36 and
 15 inserting <abortions or maintains or operates a
 16 facility where abortions are performed.>
 17 4. By renumbering as necessary.

SHAW of Pocahontas

H-8403

1 Amend House File 2449 as follows:
 2 1. By striking page 8, line 19, through page 9,
 3 line 15.
 4 2. By renumbering as necessary.

HALL of Woodbury
 GASKILL of Wapello

H-8404

1 Amend Senate File 2171, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 2, after <chiropractic> by
 4 inserting <or a physical therapist>
 5 2. Page 1, line 8, by striking <chapter 151>
 6 and inserting <chapter 151, or a physical therapist
 7 licensed pursuant to chapter 148A,>
 8 3. Title page, by striking line 2 and inserting
 9 <certain health care providers.>

WESSEL-KROESCHELL of Story

H-8405

1 Amend the amendment, H-8270, to Senate File 430,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, after line 20 by inserting:
5 <___. Page 4, line 32, by striking <dismiss the
6 action without prejudice> and inserting <stay the
7 action pending resolution of the complaint with the
8 board>

9 ___. Page 5, line 1, by striking <dismissed> and
10 inserting <stayed>>

11 2. Page 2, after line 36 by inserting:
12 <___. Page 11, line 19, after <operations,> by
13 inserting <procedures for the handling of confidential
14 information by the executive director and members of
15 the board, conflict of interest policies for board
16 members,>>

17 3. By renumbering as necessary.

ROGERS of Black Hawk

H-8406

1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:

3 1. Page 1, line 23, by striking <twenty> and
4 inserting <twenty-five>

BALTIMORE of Boone
R. OLSON of Polk

H-8407

1 Amend the amendment, H-8271, to Senate File 2295, as
2 passed by the Senate, as follows:

3 1. Page 1, by striking lines 35 through 37 and
4 inserting:

5 <2. A conviction under this section shall not
6 constitute an offense requiring registration as a sex
7 offender under chapter 692A.>

BALTIMORE of Boone

H-8408

1 Amend House File 2450 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <Section 1. AUTOMATED TRAFFIC LAW ENFORCEMENT
5 PROGRAMS — MORATORIUM ON NEW LOCAL ORDINANCES.

6 1. During the period beginning on the effective

7 date of this Act and ending June 30, 2013, a local
 8 authority shall not adopt a new ordinance for the
 9 implementation of an automated traffic law enforcement
 10 program. A local authority that has adopted such an
 11 ordinance prior to the effective date of this Act may
 12 continue to use automated traffic law enforcement
 13 systems according to the terms of the authorizing
 14 ordinance.

15 2. For purposes of this section, "automated traffic
 16 law enforcement system" means a device with one or more
 17 sensors working in conjunction with a traffic control
 18 signal or device or a speed-measuring device to produce
 19 recorded images of vehicles being operated in violation
 20 of traffic or speed laws. "Automated traffic law
 21 enforcement system" does not include a device operated
 22 in the presence of a peace officer or a device mounted
 23 on a school bus and operated in the presence of the
 24 driver of the school bus.

25 Sec. 2. AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEMS
 26 STUDY.

27 1. The center for transportation research and
 28 education at Iowa state university, in consultation
 29 with the department of transportation and the
 30 department of public safety, shall conduct a
 31 comprehensive study regarding the use and effectiveness
 32 of automated traffic law enforcement systems. The
 33 elements of the study shall include but are not limited
 34 to the following:

35 a. An overview of the history of automated traffic
 36 law enforcement systems nationally and an overview of
 37 the impact of the systems on traffic safety and traffic
 38 law enforcement in areas of the country in which the
 39 systems have been used.

40 b. A compilation and analysis of available data
 41 regarding the use of automated traffic law enforcement
 42 systems in this state and in other states to evaluate
 43 the effect of the systems on accident rates including
 44 the number, type, and severity of accidents and the
 45 property damage, injuries, and fatalities resulting
 46 from such accidents.

47 c. Information regarding the manner in which
 48 automated traffic law enforcement systems are regulated
 49 by various states.

50 d. Identification of potential strategies to

Page 2

1 address the existence and impact of automated traffic
 2 law enforcement programs in this state. To the
 3 extent possible, the study shall evaluate the types
 4 of restrictions that might be imposed on local
 5 authorities by the state to limit the number and

6 scope of such programs or to enhance the effectiveness
 7 of such programs. Possible strategies to consider
 8 include requiring legislative approval for the use of
 9 automated traffic law enforcement systems, requiring a
 10 local authority to prove a need for the systems as a
 11 condition for adopting an ordinance authorizing their
 12 use, imposing statutory limits on civil penalties,
 13 and other similar strategies for the regulation of
 14 automated traffic law enforcement programs.

15 2. Local authorities that are using automated
 16 traffic law enforcement systems as of the effective
 17 date of this Act shall provide information at the
 18 request of the center for transportation research and
 19 education to assist the center in conducting the study
 20 required under this section.

21 3. The center for transportation research and
 22 education shall submit a report of its study to the
 23 general assembly by January 15, 2013.

24 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
 25 deemed of immediate importance, takes effect upon
 26 enactment.>

27 2. Title page, line 1, by striking <prohibiting>
 28 and inserting <providing for a study concerning>

H. MILLER of Webster
 WOLFE of Clinton

H-8409

1 Amend Senate File 2112, as passed by the Senate, as
 2 follows:

3 1. Page 1, before line 1 by inserting:

4 <Section 1. Section 321.30, subsection 2, Code
 5 2011, is amended to read as follows:

6 2. a. Unless otherwise provided for in this
 7 chapter, the department or the county treasurer shall
 8 refuse registration and issuance of a certificate of
 9 title unless the vehicle bears a manufacturer's label
 10 pursuant to 49 C.F.R. pt. 567 certifying that the
 11 vehicle meets federal motor vehicle safety standards.

12 b. A military vehicle, other than a vehicle that
 13 runs on continuous tracks or wheels and tracks, that
 14 was originally manufactured for and sold directly to
 15 the armed forces of the United States in conformity
 16 with contractual specifications, as provided in
 17 49 C.F.R. § 571.7, may be registered and issued a
 18 certificate of title if the owner provides satisfactory
 19 evidence to the department that the vehicle is
 20 substantially in compliance with federal motor vehicle
 21 safety standards. The department may adopt rules as
 22 necessary concerning the registration and titling of
 23 military vehicles in accordance with this chapter.>

- 24 2. Title page, line 1, after <Act> by inserting
 25 <relating to transportation, including by providing for
 26 the registration and titling of military vehicles and>
 27 3. By renumbering as necessary.

WINDSCHITL of Harrison
 CHAMBERS of O'Brien
 LYKAM of Scott
 TJEPKES of Webster
 RASMUSSEN of Buchanan

H-8410

- 1 Amend Senate File 2112, as passed by the Senate, as
 2 follows:
 3 1. Page 2, after line 4 by inserting:
 4 <Sec. ____ VETERAN IDENTIFICATION –
 5 ALLOCATION. Notwithstanding section 35A.11, the
 6 commission of veterans affairs may allocate up to
 7 fifty thousand dollars from the veterans license fee
 8 fund created in section 35A.11 to the department of
 9 transportation for the fiscal year beginning July 1,
 10 2012, and ending June 30, 2013, or so much thereof as
 11 is necessary, to be used for the implementation of this
 12 Act. Any moneys allocated pursuant to this section
 13 that remain unencumbered or unobligated at the close of
 14 the fiscal year shall revert to the veterans license
 15 fee fund created in section 35A.11.>
 16 2. Title page, line 3, after <status> by inserting
 17 <and allowing the commission of veterans affairs to
 18 allocate certain funds>
 19 3. By renumbering as necessary.

WINDSCHITL of Harrison

H-8411

- 1 Amend House File 2435 as follows:
 2 1. Page 26, after line 1 by inserting:
 3 <6. The department of human services shall increase
 4 by 10 percent the amounts in the schedule of basic
 5 needs used to determine the cash assistance grants
 6 provided to participants in the family investment
 7 program. The resulting amounts shall be rounded to the
 8 nearest whole dollar. The department shall implement
 9 the increase commencing with the fiscal year beginning
 10 July 1, 2013.>
 11 2. By renumbering as necessary.

BERRY of Black Hawk

H-8412

1 Amend Senate File 2293, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking page 11, line 8, through page 15,
4 line 14, and inserting:
5 <Sec. ____ Section 514J.102, subsections 1 and 10,
6 Code Supplement 2011, are amended to read as follows:

7 1. "Adverse determination" means a determination
8 by a health carrier that an admission, availability
9 of care, continued stay, or other health care service
10 that is a covered benefit has been reviewed and,
11 based upon the information provided, does not meet the
12 health carrier's requirements for medical necessity,
13 appropriateness, health care setting, level of
14 care, or effectiveness, and the requested service or
15 payment for the service is therefore denied, reduced,
16 or terminated. "Adverse determination" includes a
17 denial of coverage for a dental care service that is
18 a covered benefit that has been reviewed and, based
19 upon the information provided, does not meet the health
20 carrier's requirements for medical necessity, and
21 the requested service or payment for the dental care
22 service is therefore denied, reduced, or terminated,
23 in whole or in part. "Adverse determination" does not
24 include a denial of coverage for a service or treatment
25 specifically listed in plan or evidence of coverage
26 documents as excluded from coverage.

27 10. "Covered benefits" or "benefits" means those
28 health care services and dental care services to which
29 a covered person is entitled under the terms of a
30 health benefit plan.

31 Sec. ____ Section 514J.102, Code Supplement 2011,
32 is amended by adding the following new subsection:
33 **NEW SUBSECTION.** 11A. "Dental care services" means
34 services for diagnostic, preventive, maintenance, and
35 therapeutic dental care that is provided under chapter
36 153.>

37 2. Page 21, by striking lines 1 through 12.

38 3. Page 21, by striking lines 17 and 18.

39 4. By renumbering as necessary.

PETTENGILL of Benton

H-8413

1 Amend Senate File 2315, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking line 21 and inserting
4 <~~consult with~~ take into account any related planning
5 activities implemented by the Iowa department of public
6 health, the state>

- 7 2. Page 1, line 29, by striking <incorporate> and
 8 inserting <~~incorporate~~>
- 9 3. Page 1, line 30, after <services> by inserting
 10 <take into account>
- 11 4. Page 2, line 7, by striking <Coordinate of> and
 12 inserting <of Coordinate>
- 13 5. Page 2, line 10, by striking <to> and inserting
 14 <to in connection with>
- 15 6. Page 3, line 7, by striking <331.440B.> and
 16 inserting <331.438C. A performance-based contract
 17 shall require a regional administrator to fulfill the
 18 statutory and regulatory requirements of the regional
 19 service system under this chapter and chapter 331. A
 20 failure to fulfill the requirements may be addressed
 21 by remedies specified in the contract, including but
 22 not limited to suspension of contract payments or
 23 cancellation of the contract. The contract provisions
 24 may include but are not limited to requirements for
 25 the regional service system to attain outcomes within
 26 a specified range of acceptable performance in any of
 27 the following categories:
- 28 (1) Access standards for the required core
 29 services.
- 30 (2) Penetration rates for serving the number of
 31 persons expected to be served.
- 32 (3) Utilization rates for inpatient and residential
 33 treatment.
- 34 (4) Readmission rates for inpatient and residential
 35 treatment.
- 36 (5) Employment of the persons receiving services.
- 37 (6) Administrative costs.
- 38 (7) Data reporting.
- 39 (8) Timely and accurate claims processing.>
- 40 7. Page 3, line 7, by striking <pursuant to> and
 41 inserting <as described in>
- 42 8. Page 3, line 28, after <225C.6A.> by inserting
 43 <unnumbered paragraph 1.>
- 44 9. Page 3, by striking line 30.
- 45 10. Page 3, line 31, before <The> by inserting <1.>
- 46 11. Page 3, after line 33 by inserting:
 47 <Sec. ____ Section 225C.6A, subsections 1 through
 48 3, Code 2011, are amended to read as follows:>
- 49 12. Page 4, line 6, by striking <a. 1.> and
 50 inserting <a.>

Page 2

- 1 13. Page 4, line 15, by striking <b. 2.> and
 2 inserting <b.>
- 3 14. Page 4, line 25, by striking <3.> and inserting
 4 <2.>
- 5 15. By striking page 4, line 32, through page 5,

6 line 8.

7 16. Page 5, after line 8 by inserting:

8 <Sec. ____ Section 225C.6B, Code 2011, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 3. State and regional disability
11 service systems. The publicly financed disability
12 services for persons with mental illness, intellectual
13 disability or other developmental disability, or
14 brain injury in this state shall be provided by
15 the department and the counties operating together
16 as regions. The financial and administrative
17 responsibility for such services is as follows:

18 a. Disability services for children and adults
19 that are covered under the medical assistance program
20 pursuant to chapter 249A are the responsibility of the
21 state.

22 b. Adult mental health and intellectual disability
23 services that are not covered under the medical
24 assistance program are the responsibility of the
25 county-based regional service system.>

26 17. Page 5, line 16, by striking <department> and
27 inserting <director of human services, in consultation
28 with the commission,>

29 18. Page 5, line 18, by striking <allowed growth>
30 and inserting <the increase in the costs of providing
31 services>

32 19. Page 5, line 20, by striking <allocate> and
33 inserting <distribute>

34 20. By striking page 5, line 27, through page 6,
35 line 1.

36 21. Page 6, line 7, by striking <3, paragraph "c">
37 and inserting <3, paragraph "e" 2>

38 22. By striking page 7, line 17, through page 8,
39 line 5, and inserting <state commission pursuant to
40 a recommendation made by the department. A regional
41 management plan shall include an annual service and
42 budget plan, a policies and procedures manual, and an
43 annual report. Each region's initial plan shall be
44 submitted to the department by April 1, 2014.

45 2. Each region shall submit to the department
46 an annual service and budget plan approved by the
47 region's governing board. Provisions for the director
48 of human services' approval of the annual service and
49 budget plan, and any amendments to the plan, and other
50 requirements shall be specified in rule adopted by the

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1 state commission. The provisions addressed in the
2 annual plan shall include but are not limited to all
3 of the following:

4 a. The region's budget and financing provisions for

5 the next fiscal year. The provisions shall address how
6 county, regional, state, and other funding sources will
7 be used to meet the service needs within the region.

8 b. The scope of services included in addition to
9 the required core services. Each service included
10 shall be described and projection of need and the
11 funding necessary to meet the need shall be included.

12 c. The location of the local access points for
13 services.

14 d. The plan for assuring effective crisis
15 prevention, response, and resolution.

16 e. The provider reimbursement provisions. A
17 region's use of provider reimbursement approaches in
18 addition to fee-for-service reimbursement and for
19 compensating the providers engaged in a systems of care
20 approach and other nontraditional providers shall be
21 encouraged. A region also shall be encouraged to use
22 and the department shall approve funding approaches
23 that identify and incorporate all services and
24 sources of funding used by persons receiving services,
25 including medical assistance program funding.

26 f. Financial forecasting measures.

27 g. The targeted case managers designated for the
28 region.

29 3. Each region shall submit an annual report to the
30 department on or before December 1. The annual report
31 shall provide information on the actual numbers of
32 persons served, moneys expended, and outcomes achieved.

33 4. The region shall have in effect a policies and
34 procedures manual for the regional service system. The
35 manual shall be approved by the region's governing
36 board and is subject to approval by the director of
37 human services. An approved manual shall remain in
38 effect subject to amendment. An amendment to the
39 manual shall be submitted to the department at least
40 forty-five days prior to the date of implementation of
41 the amendment. Prior to implementation of an amendment
42 to the manual, the amendment must be approved by the
43 director of human services in consultation with the
44 state commission. The manual shall include but is not
45 limited to all of the following:

46 a. A description of the region's policies and
47 procedures for financing and delivering the services
48 included in the annual service and budget plan.

49 b. The enrollment and eligibility process.

50 c. The method of annual service and budget plan

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1 administration.

2 d. The process for managing utilization and access
3 to services and other assistance. The process shall

4 also describe how coordination between the services
5 included in the annual service and budget plan and
6 the disability services administered by the state and
7 others will be managed.

8 e. The quality management and improvement
9 processes.

10 f. The risk management provisions and fiscal
11 viability of the annual service and budget plan, if the
12 region contracts with a private entity.

13 g. The requirements for designation of targeted
14 case management providers and for implementation
15 of evidence-based models of case management. The
16 requirements shall be designed to provide the person
17 receiving the case management with a choice of
18 providers, allow a service provider to be the case
19 manager but prohibit the provider from referring a
20 person receiving the case management only to services
21 administered by the provider, and include other
22 provisions to ensure compliance with but not exceed
23 federal requirements for conflict-free case management.
24 The qualifications of targeted case managers and other
25 persons providing service coordination under the
26 management plan shall be specified in the rules. The
27 rules shall also include but are not limited to all of
28 the following relating to targeted case management and
29 service coordination services:

30 (1) Performance and outcome measures relating to
31 the health, safety, work performance, and community
32 residency of the persons receiving the services.

33 (2) Standards for delivery of the services,
34 including but not limited to social history,
35 assessment, service planning, incident reporting,
36 crisis planning, coordination, and monitoring for
37 persons receiving the services.

38 (3) Methodologies for complying with the
39 requirements of this paragraph "g" which may include
40 the use of electronic recordkeeping and remote or
41 internet-based training.

42 h. A plan for a systems of care approach in which
43 multiple public and private agencies partner with
44 families and communities to address the multiple needs
45 of the persons and their families involved with the
46 regional service system.

47 i. Measures to provide services in a decentralized
48 manner that utilize the strengths and assets of
49 the administrators and service providers within and
50 available to the region.

Page 5

1 j. A plan for provider network formation and
2 management.

- 3 k. Service provider payment provisions.
 4 l. A process for resolving grievances.
 5 m. Measures for implementing interagency and
 6 multisystem collaboration and care coordination.
- 7 5. The provisions of a regional service system
 8 management plan shall include measures to address the
 9 needs of persons who have two>
- 10 23. Page 8, line 9, by striking <individuals> and
 11 inserting <persons>
- 12 24. Page 8, after line 16 by inserting:
 13 <__. If a county has been exempted pursuant to
 14 section 331.438B from the requirement to enter into a
 15 regional service system, the county and the county's
 16 board of supervisors shall fulfill all requirements
 17 under this chapter for a regional service system,
 18 regional service system management plan, regional
 19 governing board, and regional administrator, and any
 20 other provisions applicable to a region of counties
 21 providing local mental health and disability services.>
- 22 25. By striking page 8, line 24, through page 10,
 23 line 13.
- 24 26. Page 10, by striking lines 17 and 18 and
 25 inserting <in the core services required under section
 26 331.439D, subject to the availability of funding.>
- 27 27. Page 11, line 7, by striking <disability
 28 services> and inserting <regional service system>
- 29 28. Page 11, by striking lines 10 through 12 and
 30 inserting <hundred percent of the federal poverty
 31 level.>
- 32 29. Page 11, line 25, by striking <is fully able to
 33 absorb the cost> and inserting <is not reimbursed for
 34 the cost with public funds>
- 35 30. Page 11, line 34, after <commission> by
 36 inserting <pursuant to a recommendation made by the
 37 department>
- 38 31. Page 12, line 23, by striking <diagnosable>
- 39 32. Page 12, line 24, after <disorder> by inserting
 40 <or, in the opinion of a mental health professional,
 41 may now have such a diagnosable disorder>
- 42 33. Page 13, lines 4 and 5, by striking <or other
 43 developmental disability>
- 44 34. Page 14, by striking lines 8 through 18 and
 45 inserting <otherwise requires, "domain" means a set of
 46 similar services that>
- 47 35. Page 14, line 19, by striking <an individual's>
 48 and inserting <a person's>
- 49 36. Page 14, by striking line 23 and inserting:
 50 (2) The director of>

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- 1 37. Page 14, line 28, by striking <individuals> and

2 inserting <persons>

3 38. Page 14, line 30, by striking <individual> and
4 inserting <person>

5 39. Page 14, line 32, by striking <individual> and
6 inserting <person>

7 40. Page 14, line 34, by striking <(3)> and
8 inserting <b.>

9 41. Page 15, line 3, by striking <an individual>
10 and inserting <an individual person>

11 42. Page 15, line 6, by striking <individual> and
12 inserting <individual person>

13 43. Page 15, line 9, by striking <b.> and inserting
14 <c.>

15 44. Page 15, line 20, after <program.> by inserting
16 <The rules relating to the credentialing of a person
17 directly providing services shall require all of the
18 following:

19 a. The person shall provide services and represent
20 the person as competent only within the boundaries
21 of the person's education, training, license,
22 certification, consultation received, supervised
23 experience, or other relevant professional experience.

24 b. The person shall provide services in substantive
25 areas or use intervention techniques or approaches
26 that are new only after engaging in appropriate
27 study, training, consultation, and supervision from a
28 person who is competent in those areas, techniques, or
29 approaches.

30 c. If generally recognized standards do not
31 exist with respect to an emerging area of practice,
32 the person shall exercise careful judgment and take
33 responsible steps, including obtaining appropriate
34 education, research, training, consultation, and
35 supervision, in order to ensure competence and to
36 protect from harm the persons receiving the services in
37 the emerging area of practice.>

38 45. Page 16, line 32, by striking <crisis> and
39 inserting <facility and community-based crisis>

40 46. Page 17, by striking line 15 and inserting:
41 <(3) Peer self-help drop-in centers.>

42 47. Page 17, line 34, by striking <a.>

43 48. Page 18, by striking lines 9 through 25.

44 49. Page 19, line 5, by striking <331.439E> and
45 inserting <331.439D>

46 50. Page 19, line 26, after <department> by
47 inserting <of human services>

48 51. Page 19, after line 34 by inserting:

49 <3. a. The department of human services shall
50 create a transition committee of appropriate

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1 stakeholders with whom to consult on the transition
2 from the current mental health and disability services
3 system to the regional service system as provided
4 in this Act. The transition committee shall make
5 recommendations to the governor and general assembly
6 concerning the efficacy of the property tax levy and
7 other funding provisions for the regional service
8 system, including measures for equalization payments,
9 growth, and addressing the effects of population
10 shifts among the counties. In addition, the transition
11 committee shall consider the data collected for the
12 current system and for the new regional system and
13 whether improvements are warranted.

14 b. In designating the committee members, the
15 director of human services shall consult with the
16 chairpersons and ranking members of the committees
17 on human resources of the senate and house of
18 representatives and other members of the general
19 assembly identified by the majority or minority leader
20 of the senate or the speaker or minority leader of the
21 house of representatives. In addition, the membership
22 shall include four members of the general assembly,
23 with one each appointed by the majority and minority
24 leader of the senate and the speaker and minority
25 leader of the house of representatives.>

26 52. Page 20, line 2, by striking <department of
27 human services> and inserting <department of public
28 health>

29 53. Page 20, line 9, by striking <director of human
30 services> and inserting <director of public health>

31 54. Page 20, line 12, after <representatives> by
32 inserting <and other members of the general assembly
33 identified by the majority or minority leader of the
34 senate or the speaker or minority leader of the house
35 of representatives>

36 55. Page 21, line 4, after <representatives> by
37 inserting <and other members of the general assembly
38 identified by the majority or minority leader of the
39 senate or the speaker or minority leader of the house
40 of representatives>

41 56. Page 21, after line 27 by inserting:

42 <Sec. ____ CHILDREN'S DISABILITY SERVICES
43 WORKGROUP. The December 2012 report of the workgroup
44 created by the department of human services pursuant
45 to 2011 Iowa Acts, chapter 121, section 1, to develop
46 a proposal for publicly funded children's disability
47 services shall include an analysis of service and
48 cost effects of transitioning the behavioral health
49 intervention services formerly known as remedial
50 services and the psychiatric medical institution

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1 for children services to the Iowa plan. The report
2 shall also provide a specific proposal for developing
3 services in this state to meet the needs of children
4 who are placed out-of-state due to the lack of
5 treatment services in this state. The workgroup
6 membership shall be expanded to include up to four
7 legislators, with one each appointed by the majority
8 leader and the minority leader of the senate and
9 the speaker and the minority leader of the house of
10 representatives.>

11 57. Page 24, by striking lines 12 through 15 and
12 inserting:

13 <1. a. Local access to mental health and
14 disability services for adults shall be provided either
15 by counties organized into a regional service system or
16 by individual counties that are exempted as provided
17 by this subsection. The department of human services
18 shall encourage counties to enter into a regional
19 system when the regional approach is likely to increase
20 the availability of services to residents of the state
21 who need the services. It is the intent of the general
22 assembly that the adult residents of this state should
23 have access to needed mental health and disability
24 services regardless of the location of their residence.

25 b. The director of human services shall exempt a
26 county from being required to enter into a regional
27 service system if the county furnishes convincing
28 evidence that the county complies with the requirements
29 in subsection 3, paragraphs "d", "e", "f", and "g", and
30 is able to provide the core services required by law to
31 the county's residents in a more cost effective manner
32 and with outcomes that are equal to or better than
33 could be provided to the residents if the county would
34 provide the services through a regional service system.

35 c. If a county has been exempted pursuant to
36 this subsection from the requirement to enter into a
37 regional service system, the county and the county's
38 board of supervisors shall fulfill all requirements
39 under this chapter and chapter 225C for a regional
40 service system, regional service system management
41 plan, regional governing board, and regional
42 administrator, and any other provisions applicable to
43 a region of counties providing local mental health and
44 disability services.>

45 58. Page 24, by striking lines 20 and 21 and
46 inserting <to the minimum number of counties if there
47 is convincing evidence that>

48 59. Page 24, line 24, by striking <region> and
49 inserting <region, unless exempted pursuant to
50 subsection 1>

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- 1 60. Page 24, by striking lines 29 through 31.
- 2 61. Page 25, lines 1 and 2, by striking <with
3 assistance from psychiatric consultants> and inserting
4 <through contractual arrangements with mental health
5 professionals qualified to provide psychiatric
6 services>
- 7 62. Page 26, line 7, by striking <region> and
8 inserting <region, unless exempted pursuant to
9 subsection 1>
- 10 63. Page 26, line 10, by striking <November 1,
11 2012> and inserting <April 1, 2013>
- 12 64. Page 26, line 11, by striking <June 30, 2015,>
13 and inserting <June 30, 2014, unless exempted pursuant
14 to subsection 1,>
- 15 65. Page 26, line 27, by striking <access> and
16 inserting <local access>
- 17 66. Page 27, line 8, by striking <with the
18 concurrence of> and inserting <in consultation with>
- 19 67. Page 27, after line 13 by inserting:
20 <__. If the department determines that a region
21 or an exempted county is not adequately fulfilling the
22 requirements under this chapter for a regional service
23 system, the department shall address the region or
24 county in the following order:
25 a. Require compliance with a corrective action
26 plan.
27 b. Reduce the amount of the annual state funding
28 provided for the regional service system, not to exceed
29 fifteen percent of the amount.
30 c. Withdraw approval for the region or for the
31 county exemption, as applicable.>
- 32 68. Page 27, by striking lines 25 through 34 and
33 inserting:
34 <b. The membership of the governing board shall
35 also include one individual who utilizes mental health
36 and disability services or is an actively involved
37 relative of such an individual. This member shall
38 be designated by the advisory committee or committees
39 formed by the governing board pursuant to this section.
40 The member designated in accordance with this paragraph
41 shall serve in a nonvoting, ex officio capacity.>
- 42 69. Page 28, by striking lines 2 through 9 and
43 inserting:
44 <d. The membership of the governing board shall
45 also consist of one member representing service
46 providers in the region. This member shall be
47 designated by the advisory committee or committees
48 formed by the governing board pursuant to this section.
49 The member designated in accordance with this paragraph
50 shall serve in a nonvoting, ex officio capacity.>

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1 70. Page 28, line 14, after <3.> by inserting <a.>

2 71. Page 28, line 16, after <department> by
3 inserting <in accordance with section 225C.4,
4 subsection 1, paragraph "u">

5 72. Page 28, after line 22 by inserting:

6 <b. The regional administrator staff shall
7 include one or more coordinators of disability
8 services. A coordinator shall possess a bachelor's
9 or higher level degree in a human services-related
10 or administrative-related field, including but not
11 limited to social work, psychology, nursing, or public
12 or business administration, from an accredited college
13 or university. However, in lieu of a degree in public
14 or business administration, a coordinator may provide
15 documentation of relevant management experience. An
16 action of a coordinator involving a clinical decision
17 shall be made in conjunction with a professional who
18 is trained in the delivery of the mental health or
19 disability service addressed by the clinical decision.
20 The regional administrator shall determine whether
21 referral to a coordinator of disability services is
22 required for a person seeking to access a service
23 through a local access point of the regional service
24 system.>

25 73. Page 31, line 29, by striking <in the county>

26 74. Page 31, line 35, by striking <a> and inserting
27 <the>

28 75. Page 32, after line 8 by inserting:

29 <__. "Mental health professional" means the same as
30 defined in section 228.1.>

31 76. Page 32, lines 11 and 12, by striking <service
32 authorization or other services-related determination>
33 and inserting <a dispute regarding a service
34 authorization or other services-related decision>

35 77. Page 32, after line 16 by inserting:

36 <3. If a service authorization or other
37 services-related decision made by a regional
38 administrator concerning a person varies from the
39 type and amount of service identified to be necessary
40 for the person in a clinical determination made by
41 a mental health professional and the mental health
42 professional believes that failure to provide the
43 type and amount of service identified could cause an
44 immediate danger to the person's health, safety, or
45 welfare, the person may request an expedited review of
46 the regional administrator's decision to be made by the
47 department of human services. An expedited review held
48 in accordance with this subsection is subject to the
49 following procedures:

50 a. The request for the expedited review shall

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1 be filed within five business days of receiving the
2 notice of decision by the regional administrator. The
3 request must be in writing, plainly state the request
4 for an expedited review in the caption and body of the
5 request, and be supported by written documentation from
6 the mental health professional who made the clinical
7 determination stating how the notice of decision
8 on services could cause an immediate danger to the
9 person's health, safety, or welfare.

10 b. The expedited review shall be performed by
11 a mental health professional, who is either the
12 administrator of the division of mental health
13 and disability services of the department of human
14 services or the administrator's designee. If the
15 administrator is not a mental health professional, the
16 expedited review shall be performed by a designee of
17 the administrator who is a mental health professional
18 and is free of any conflict of interest to perform
19 the expedited review. The expedited review shall be
20 performed within two business days of the time the
21 request is filed. The regional administrator and
22 the person, with the assistance of the mental health
23 professional who made the clinical determination shall
24 each provide a brief statement of facts, conclusions,
25 and reasons for the decision made. Supporting clinical
26 information shall also be attached. All information
27 related to the proceedings and any related filings
28 shall be considered to be mental health information
29 subject to chapter 228.

30 c. The administrator or designee shall issue an
31 order, including a brief statement of findings of fact,
32 conclusions of law, and policy reasons for the order,
33 to justify the decision made concerning the expedited
34 review. If the decision concurs with the contention
35 that there is an immediate danger to the person's
36 health, safety, or welfare, the order shall identify
37 the type and amount of service which shall be provided
38 for the person. The administrator or designee shall
39 give such notice as is practicable to persons who
40 are required to comply with the order. The order is
41 effective when issued.

42 d. The decision of the administrator or designee
43 shall be considered a final agency action and is
44 subject to judicial review in accordance with section
45 17A.19. The record for judicial review consists of any
46 documents regarding the matter that were considered
47 or prepared by the administrator or designee. The
48 administrator or designee shall maintain these
49 documents as the official record of the decision. If
50 the matter is appealed to the district court, the

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- 1 record shall be filed as confidential.>
2 78. Page 32, line 16, by striking <a final agency
3 decision> and inserting <final agency action>
4 79. Page 32, line 17, by striking <3.> and
5 inserting <4.>
6 80. Page 32, line 29, by striking <4.> and
7 inserting <5.>
8 81. Page 33, line 10, by striking <section> and
9 inserting <subsection>
10 82. Page 33, line 30, by striking <is a> and
11 inserting <shall be considered>
12 83. Page 34, line 4, by striking <section> and
13 inserting <subsection>
14 84. Page 34, line 25, by striking <decision> and
15 inserting <determination>
16 85. Page 35, after line 19 by inserting:
17 <__. "Mental health services" means services
18 provided by a mental health professional operating
19 within the scope of the professional's practice which
20 address mental, emotional, medical, or behavioral
21 problems.>
22 86. Page 35, by striking lines 24 through 28.
23 87. Page 35, by striking lines 33 through 35 and
24 inserting <or older and has been determined by a mental
25 health professional to need subacute mental health
26 services.>
27 88. Page 36, by striking lines 4 through 9 and
28 inserting <of egress providing subacute mental health
29 services for a period exceeding twenty-four consecutive
30 hours to persons in need of the services.>
31 89. Page 36, before line 10 by inserting:
32 <__. "Subacute mental health services" means the
33 same as defined in section 225C.6.>
34 90. Page 36, line 24, by striking <the residents>
35 and inserting <persons with serious and persistent
36 mental illness so that the persons are able to
37 experience recovery and live successfully in the
38 community>
39 91. Page 36, line 29, by striking <psychiatric> and
40 inserting <subacute mental health>
41 92. Page 37, by striking line 4 and inserting <each
42 resident as medically necessary and shall be>
43 93. Page 37, by striking lines 7 through 9 and
44 inserting <be provided by a mental health professional.
45 The>
46 94. Page 37, by striking lines 15 through 20.
47 95. Page 38, by striking lines 6 through 11 and
48 inserting:
49 <The department shall issue a license to an
50 applicant under this chapter if the following

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1 conditions exist:

2 1. The department has ascertained that the
3 applicant's facilities and staff are adequate to
4 provide the care and services required of a subacute
5 care facility.

6 2. a. The department of human services has
7 submitted written approval of the application based
8 upon the process used by the department of human
9 services to identify the best qualified providers. The
10 department of human services shall utilize a request
11 for proposals process to identify the best qualified
12 providers, limit the number of subacute care facility
13 beds, and ensure the geographic dispersion of subacute
14 mental health services.

15 b. The department of human services shall not give
16 approval to an application which would cause the number
17 of subacute care facility beds licensed under this
18 chapter to exceed fifty beds.

19 c. The subacute care facility beds identified by
20 the request for proposals process shall be existing
21 beds which have been awarded a certificate of need
22 pursuant to chapter 135. Such beds shall not be
23 required to obtain an additional certificate of need
24 upon conversion to licensed subacute care facility
25 beds.>

26 96. Page 39, line 15, by striking <The> and
27 inserting:

28 <1. The department of inspections and appeals and
29 the department of human services shall collaborate in
30 establishing standards for licensing of subacute care
31 facilities to achieve all of the following objectives:

32 a. Subacute mental health services are provided
33 based on sound, proven clinical practice.

34 b. Subacute mental health services are established
35 in a manner that allows the services to be included in
36 the federal medical assistance state plan.

37 2. It is the intent of the general assembly that
38 subacute mental health services be included in the
39 Medicaid state plan adopted for the implementation of
40 the federal Patient Protection and Affordable Care Act,
41 benchmark plan.

42 3. The>

43 97. Page 39, line 25, by striking <-
44 confidentiality>

45 98. By striking page 39, line 33, through page 40,
46 line 3, and inserting <or prior to the inspection.>

47 99. Page 42, by striking lines 18 through 24 and
48 inserting <After the respondent's admission, the
49 observation, medical treatment, and hospital care
50 of the respondent may be provided by a mental health

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1 professional, as defined in section 228.1, who is
2 licensed as a physician, advanced registered nurse
3 practitioner, or physician assistant.>

4 100. Page 42, by striking lines 25 through 35 and
5 inserting:

6 <Sec. ____ Section 225C.6, Code Supplement 2011, is
7 amended by adding the following new subsection:

8 **NEW SUBSECTION.** 4. a. The department shall
9 coordinate with the department of inspections and
10 appeals in the establishment of facility-based and
11 community-based, subacute mental health services.

12 b. A person shall not provide community-based,
13 subacute mental health services unless the person
14 has been accredited to provide the services. The
15 commission shall adopt standards for subacute mental
16 health services and for accreditation of providers of
17 community-based, subacute mental health services.

18 c. As used in this subsection, "subacute mental
19 health services" means all of the following:

20 (1) A comprehensive set of wraparound services for
21 persons who have had or are at imminent risk of having
22 acute or crisis mental health symptoms that do not
23 permit the persons to remain in or threatens removal
24 of the persons from their home and community, but who
25 have been determined by a mental health professional
26 and a licensed health care professional, subject to
27 the professional's scope of practice, not to need
28 inpatient acute hospital services. For the purposes of
29 this subparagraph, "mental health professional" means
30 the same as defined in section 228.1 and "licensed
31 health care professional" means a person licensed
32 under chapter 148 to practice medicine and surgery
33 or osteopathic medicine and surgery, an advanced
34 registered nurse practitioner licensed under chapter
35 152 or 152E and registered with the board of nursing,
36 or a physician assistant licensed to practice under the
37 supervision of a physician as authorized in chapters
38 147 and 148C.

39 (2) Intensive, recovery-oriented treatment and
40 monitoring of the person with direct or remote access
41 to a psychiatrist, psychiatric advanced registered
42 nurse practitioner, or nurse as needed.

43 (3) An outcome-focused, interdisciplinary approach
44 designed to return the person to living successfully
45 in the community.

46 (4) Services that may be provided in a wide array
47 of settings ranging from the person's home to a
48 facility providing subacute mental health services.

49 (5) Services that are time limited to not more
50 than ten days or another time period determined in

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1 accordance with rules adopted for this purpose.
2 d. Subacute mental health services and the
3 standards for the services shall be established in
4 a manner that allows for accessing federal Medicaid
5 funding.

6 Sec. ___. SUBACUTE MENTAL HEALTH SERVICES —
7 REIMBURSEMENT METHODOLOGY. The department of human
8 services shall develop a reimbursement methodology for
9 subacute mental health services, as defined in this
10 division of this Act. It is the intent of the general
11 assembly that the reimbursement methodology will take
12 effect during the fiscal year beginning July 1, 2012,
13 and result in an initial reimbursement rate in the
14 range of \$400 to \$500 per day. Such rate shall be
15 subject to annual adjustment as provided by law.>

16 101. Page 43, after line 7 by inserting:

17 <Sec. ___. STATE AGENCY ACTIVITIES CONCERNING
18 SUBACUTE, CRISIS STABILIZATION, AND RESIDENTIAL CARE
19 FACILITY SERVICES.

20 1. The department of human services shall work
21 with the departments of public health and inspections
22 and appeals and other relevant stakeholders to
23 identify appropriate definitions and other regulatory
24 provisions to address residential care facilities and
25 both facility and nonfacility subacute and crisis
26 stabilization services. The department shall consider
27 the experience of the crisis stabilization program
28 pilot project authorized by this division of this
29 Act in identifying regulatory provisions for such
30 programs. The appropriate department shall adopt rules
31 to implement the provisions identified.

32 2. It is the intent of the general assembly that
33 the Medicaid state plan adopted for the implementation
34 of the federal Patient Protection and Affordable Care
35 Act, Pub. L. No. 111-148, will include coverage of
36 both facility and nonfacility subacute and crisis
37 stabilization services.

38 3. The department of human services shall work
39 with the entity under contract with the department
40 to provide mental health managed care under the
41 medical assistance program to ensure there is adequate
42 reimbursement of both facility and nonfacility subacute
43 and crisis stabilization services.>

44 102. Page 43, before line 8 by inserting:

45 <Sec. ___. CRISIS STABILIZATION PROGRAM PILOT
46 PROJECT.

47 1. The department of human services shall authorize
48 a facility-based, crisis stabilization program pilot
49 project implemented by the regional service network
50 initiated pursuant to 2008 Iowa Acts, chapter 1187,

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1 section 59, subsection 9. The facility operated by
2 the program shall not be required to be licensed under
3 chapter 135B or 231C. The purpose of the pilot project
4 is to provide a prototype for the departments of human
5 services, inspections and appeals, and public health
6 to develop regulatory standards for such programs
7 and facilities. The pilot project shall comply with
8 appropriate standards associated with funding of the
9 services provided by the project that are identified
10 by the department of human services. The facility
11 shall be limited to not more than 10 beds and shall be
12 authorized to operate through June 30, 2013.

13 2. The network, in cooperation with the departments
14 of human services, inspections and appeals, and
15 public health, shall report to the governor, the
16 general assembly, and the legislative services agency
17 concerning the pilot project on or before December 14,
18 2012, providing findings and recommendations. The
19 report shall include recommendations for criteria
20 concerning admissions, staff qualifications, staffing
21 levels, exclusion and inclusion of service recipients,
22 lengths of stays, transition between services, and
23 facility requirements, and for goals and objectives for
24 such programs and facilities.>

25 103. Page 43, after line 9 by inserting:

26 <DIVISION ____
27 CO-OCCURRING CONDITIONS

28 Sec. ____ Section 125.10, subsection 3, Code
29 Supplement 2011, is amended to read as follows:

30 3. Coordinate the efforts and enlist the assistance
31 of all public and private agencies, organizations and
32 individuals interested in the prevention of substance
33 abuse and the treatment of substance abusers, chronic
34 substance abusers, and intoxicated persons. The
35 director's actions to implement this subsection shall
36 also address the treatment needs of persons who have
37 a mental illness, an intellectual disability, brain
38 injury, or other co-occurring condition in addition to
39 a substance-related disorder.

40 Sec. ____ Section 125.12, subsection 3, Code
41 Supplement 2011, is amended to read as follows:

42 3. The director shall provide for adequate and
43 appropriate treatment for substance abusers, chronic
44 substance abusers, intoxicated persons, and concerned
45 family members admitted under sections 125.33 and
46 125.34, or under section 125.75, 125.81, or 125.91.
47 Treatment shall not be provided at a correctional
48 institution except for inmates. A mental health
49 professional, as defined in section 228.1, who is
50 employed by a treatment provider under the program

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1 may provide treatment to a person with co-occurring
 2 substance-related and mental health disorder. Such
 3 treatment may also be provided by a person employed
 4 by such a treatment provider who is receiving the
 5 supervision required to meet the definition of
 6 mental health professional but has not completed the
 7 supervision component.

8 Sec. ____ Section 226.10, Code 2011, is amended to
 9 read as follows:

10 226.10 Equal treatment.

11 The ~~several~~ patients of the state mental health
 12 institutes, according to their different conditions
 13 of mind and body, and their respective needs, shall
 14 be provided for and treated with equal care. If in
 15 addition to mental illness a patient has a co-occurring
 16 intellectual disability, brain injury, or substance
 17 abuse disorder, the care provided shall also address
 18 the co-occurring needs.>

19 104. Page 43, before line 10 by inserting:

20 <Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 21 provision or provisions of this Act, being deemed of
 22 immediate importance, take effect upon enactment:

23 1. The section of this Act authorizing a crisis
 24 stabilization program pilot project.>

25 105. Page 74, after line 13 by inserting:

26 <DIVISION ____
 27 PROPERTY TAX RELIEF PROVISIONS

28 Sec. ____ NEW SECTION. 331.424D County mental
 29 health and disabilities services fund.

30 1. For the purposes of this chapter and chapter
 31 426B, unless the context otherwise requires:

32 a. "Base year expenditures for mental health and
 33 disabilities services" means the same as defined in
 34 section 331.438, Code Supplement 2011, minus the amount
 35 the county received from the property tax relief fund
 36 pursuant to section 426B.1, Code 2011, for the fiscal
 37 year beginning July 1, 2012.

38 b. "County population expenditure target amount"
 39 means the product of the statewide per capita
 40 expenditure target amount multiplied by a county's
 41 general population.

42 c. "County services fund" means a county mental
 43 health and disabilities services fund created pursuant
 44 to this section.

45 d. "Per capita growth amount" means the amount by
 46 which the statewide per capita expenditure target
 47 amount may grow from one year to the next.

48 e. "Statewide per capita expenditure target amount"
 49 means the dollar amount of a statewide expenditure
 50 target per person as established by statute.

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1 2. The county finance committee created in section
2 333A.2 shall consult with the department of human
3 services and the department of management in adopting
4 rules and prescribing forms for administering the
5 county services funds.

6 3. a. For the fiscal year beginning July 1, 2013,
7 and succeeding fiscal years, revenues from taxes
8 and other sources designated by a county for mental
9 health and disabilities services shall be credited
10 to a mental health and disabilities services fund
11 which shall be created by the county. The board shall
12 make appropriations from the county services fund
13 for payment of services provided under the regional
14 service system management plan approved pursuant to
15 section 331.439A. The county may pay for the services
16 in cooperation with other counties by combining
17 appropriations from the county services fund with
18 appropriations from the county services funds of other
19 counties, through the county's regional administrator,
20 or through another arrangement specified in the
21 regional governance agreement entered into by the
22 county under section 331.438E.

23 b. Appropriations specifically authorized to be
24 made from the county services fund shall not be made
25 from any other fund of the county.

26 4. For the fiscal year beginning July 1, 2013,
27 and succeeding fiscal years, receipts from the state
28 or federal government for the mental health and
29 disabilities services administered or paid for by a
30 county shall be credited to the county services fund,
31 including moneys distributed to the county through the
32 department of human services and moneys distributed
33 pursuant to chapter 426B to the county for property tax
34 relief.

35 5. a. For the fiscal year beginning July 1, 2013,
36 and for each subsequent fiscal year, the county shall
37 certify a levy for payment of services from the county
38 services fund. For each fiscal year, county revenues
39 from taxes levied by the county and credited to the
40 county services fund shall not exceed an amount equal
41 to the county's base year expenditures for mental
42 health and disabilities services.

43 b. The county auditor and the board of supervisors
44 shall certify the levy for the county services fund as
45 required by paragraph "a". A levy certified under this
46 subsection is not subject to the provisions of section
47 331.426 or to any other provision in law authorizing a
48 county to exceed, increase, or appeal a property tax
49 levy limit.

50 Sec. ____. Section 331.432, subsection 3, Code

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1 Supplement 2011, is amended to read as follows:

2 3. Except as authorized in section 331.477,
3 transfers of moneys between the county mental health,
4 ~~mental retardation~~, and ~~developmental~~ disabilities
5 services fund created pursuant to section 331.424D and
6 any other fund are prohibited.

7 Sec. ____ Section 426B.1, subsection 2, Code 2011,
8 is amended by striking the subsection and inserting in
9 lieu thereof the following:

10 2. Moneys shall be distributed from the property
11 tax relief fund to counties for the mental health and
12 disability regional service system for providing county
13 base property tax equivalent equalization payments and
14 the per capita growth amount established pursuant to
15 section 426B.3, in accordance with the appropriations
16 made to the fund and other statutory requirements.

17 Sec. ____ Section 426B.2, subsections 1 and 2, Code
18 2011, are amended by striking the subsections.

19 Sec. ____ Section 426B.2, subsection 3, Code 2011,
20 is amended to read as follows:

21 3. ~~a.~~ The director of human services shall draw
22 warrants on the property tax relief fund, payable to
23 the county treasurer in the amount due to a county in
24 accordance with ~~subsection 1~~ section 426B.3, and mail
25 the warrants to the county auditors in July and January
26 of each year.

27 ~~b.~~ ~~Any replacement generation tax in the property~~
28 ~~tax relief fund as of May 1 shall be paid to the~~
29 ~~county treasurers in July and January of the fiscal~~
30 ~~year beginning the following July 1. The department~~
31 ~~of management shall determine the amount each county~~
32 ~~will be paid pursuant to this lettered paragraph~~
33 ~~for the following fiscal year. The department shall~~
34 ~~reduce by the determined amount the amount of each~~
35 ~~county's certified budget to be raised by property~~
36 ~~tax for that fiscal year which is to be expended for~~
37 ~~mental health, mental retardation, and developmental~~
38 ~~disabilities services and shall revise the rate of~~
39 ~~taxation as necessary to raise the reduced amount. The~~
40 ~~department of management shall report the reduction in~~
41 ~~the certified budget and the revised rate of taxation~~
42 ~~to the county auditors by June 15.~~

43 Sec. ____ Section 426B.3, Code 2011, is amended by
44 striking the section and inserting in lieu thereof the
45 following:

46 426B.3A Per capita funding.

47 1. Commencing with the fiscal year beginning July
48 1, 2013, the state and county funding for the mental
49 health and disability services administered or paid for
50 by counties shall be provided based on a statewide per

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1 capita expenditure target amount computed in accordance
2 with this section.

3 2. The statewide per capita expenditure target
4 amount shall consist of the sum of the following:

5 a. A county base property tax equivalent to
6 forty-seven dollars and twenty-eight cents per capita.
7 Each per capita growth amount established by statute
8 as provided in paragraph "b", shall be added to this
9 amount.

10 b. A per capita growth amount, which may be stated
11 as a percentage of the prior fiscal year's county base
12 property tax per capita amount, as established by
13 statute.

14 3. The per capita growth amount established
15 by statute shall provide funding for increases in
16 non-Medicaid expenditures from county services funds
17 due to service costs, additional service populations,
18 additional core service domains, and numbers of persons
19 receiving services.

20 4. a. For the fiscal year beginning July 1, 2013,
21 and succeeding fiscal years, a county with a county
22 population expenditure target amount that exceeds
23 the amount of the county's base year expenditures for
24 mental health and disabilities services shall receive
25 an equalization payment for the difference.

26 b. The equalization payments determined in
27 accordance with this subsection shall be made by the
28 department of human services for each fiscal year as
29 provided in appropriations made from the property tax
30 relief fund for this purpose.

31 Sec. ____ REPEAL. Section 426B.6, Code Supplement
32 2011, is repealed.

33 Sec. ____ EFFECTIVE DATE. The following provisions
34 of this division of this Act takes effect July 1, 2013:

35 1. The section of this Act amending section
36 331.432.

37 2. The section of this Act amending section 426B.1.

38 3. The sections of this Act amending section
39 426B.2.

40 4. The section of this Act amending section 426B.3.

41 Sec. ____ APPLICABILITY. The following provisions
42 of this division of this Act are applicable commencing
43 with the budget and tax levy certification process for
44 the fiscal year beginning July 1, 2013:

45 1. The section of this Act amending section 426B.1.

46 2. The sections of this Act amending section
47 426B.2.

48 3. The section of this Act amending section
49 426B.3.>

50 106. Title page, line 4, after <regions> by

Page 21

- 1 inserting <, revising related property tax levy
- 2 provisions,>
- 3 107. By renumbering as necessary.

SCHULTE of Linn
 L. MILLER of Scott
 WINCKLER of Scott
 M. SMITH of Marshall

HEATON of Henry
 HEDDENS of Story
 FRY of Clarke

H-8414

- 1 Amend Senate File 2293, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 18, after line 12 by inserting:
- 4 <Sec. ____ Section 522B.12, Code 2011, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 5. A person who enrolls in a
- 7 qualified health benefit plan offered in this state
- 8 pursuant to federal law has the option to utilize the
- 9 services of an insurance producer licensed pursuant
- 10 to chapter 522B. Qualified health benefit plans
- 11 offered pursuant to federal law shall pay licensed
- 12 insurance producers for their services at a level that
- 13 is commensurate with the compensation paid to insurance
- 14 producers for the placement, renewal, or enrollment of
- 15 persons in health benefit plans offered pursuant to
- 16 state law.>
- 17 2. Page 19, after line 14 by inserting:
- 18 <Sec. ____ NEW SECTION. 522D.1 Definitions.
- 19 As used in this chapter, unless the context
- 20 otherwise requires:
- 21 1. "Commissioner" means the commissioner of
- 22 insurance.
- 23 2. "Navigator" means a public or private entity
- 24 or an individual that is qualified and licensed, if
- 25 appropriate, to engage in the activities and meet the
- 26 standards described in 45 C.F.R. § 155.210.
- 27 Sec. ____ NEW SECTION. 522D.2 License required.
- 28 A person shall not act as a navigator in this state
- 29 unless the person is licensed by the commissioner as
- 30 required in this chapter.
- 31 Sec. ____ NEW SECTION. 522D.3 Actions prohibited.
- 32 A navigator shall not perform the functions of a
- 33 person required to be licensed as an insurance producer
- 34 under chapter 522B unless the navigator is licensed
- 35 as a navigator pursuant to this chapter and as an
- 36 insurance producer pursuant to chapter 522B.
- 37 Sec. ____ NEW SECTION. 522D.4 Application for
- 38 examination.
- 39 1. An individual applying for a navigator license

40 shall pass a written examination. The examination
41 shall test the knowledge of the individual concerning
42 the duties and responsibilities of a navigator and the
43 insurance laws and regulations of this state. The
44 commissioner shall adopt rules pursuant to chapter
45 17A related to the development and conduct of the
46 examination.

47 2. The commissioner may make arrangements,
48 including contracting with an outside testing service
49 or other appropriate entity, for administering
50 examinations and collecting fees.

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1 3. An individual applying for an examination shall
2 remit a nonrefundable fee as established by rule of the
3 commissioner.

4 4. An individual who fails to appear for the
5 examination as scheduled or fails to pass the
6 examination shall reapply for an examination and remit
7 all required fees and forms before being rescheduled
8 for another examination.

9 Sec. __. NEW SECTION. 522D.5 Application for
10 license.

11 1. A person applying for a navigator license shall
12 make application to the commissioner on an application
13 form approved by the commissioner and declare under
14 penalty of refusal, suspension, or revocation of the
15 license that the statements made on the application
16 are true, correct, and complete to the best of the
17 individual's knowledge and belief. Before approving
18 the application, the commissioner shall find all of the
19 following:

20 a. The individual is at least eighteen years of
21 age.

22 b. The individual has not committed any act that is
23 a ground for denial, suspension, or revocation as set
24 forth in section 522D.7.

25 c. The individual has paid the license fee, as
26 established by the commissioner by rule.

27 d. The individual has successfully completed the
28 initial training and education program for a license as
29 established by the commissioner by rule.

30 e. The individual has successfully passed the
31 examination as provided in section 522D.4.

32 f. In order to protect the public interest, the
33 individual has the requisite character and competence
34 to receive a license as a navigator.

35 2. A public or private entity acting as a navigator
36 may elect to obtain a navigator license. Application
37 shall be made using the application form approved by
38 the commissioner. Prior to approving the application,

39 the commissioner shall find both of the following:
40 a. The entity has paid the appropriate fees.
41 b. The entity has designated a licensed navigator
42 responsible for the entity's compliance with this
43 chapter.
44 Sec. __. NEW SECTION. 522D.6 License.
45 1. A person who meets the requirements of sections
46 522D.4 and 522D.5, unless otherwise denied licensure
47 pursuant to section 522D.7, shall be issued a navigator
48 license. A navigator license is valid for three years.
49 2. A navigator license remains in effect unless
50 revoked or suspended as long as all required fees are

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1 paid and continuing education requirements are met by
2 any applicable due date. A navigator is required to
3 complete continuing education requirements required by
4 law in order to be eligible for license renewal.
5 3. A licensed navigator who is unable to comply
6 with license renewal procedures due to military service
7 or other extenuating circumstances may request a waiver
8 of those procedures. The licensed navigator may also
9 request a waiver of any examination requirement or any
10 other penalty or sanction imposed for failure to comply
11 with renewal procedures.
12 4. The license shall contain the licensee's
13 name, address, personal identification number, the
14 date of issuance, the expiration date, and any other
15 information the commissioner deems necessary.
16 5. A licensee shall inform the commissioner by any
17 means acceptable to the commissioner of a change of
18 legal name or address within thirty days of the change.
19 Failure to timely inform the commissioner of a change
20 of legal name or address may result in a penalty as
21 specified in section 522D.7.
22 6. The commissioner shall require by rule that
23 a licensed navigator furnish a surety bond or other
24 evidence of financial responsibility that protects all
25 persons against wrongful acts, misrepresentations,
26 errors, omissions, or negligence of the navigator.
27 7. In order to assist with the commissioner's
28 duties, the commissioner may contract with a
29 nongovernmental entity, including the national
30 association of insurance commissioners or any affiliate
31 or subsidiary the national association of insurance
32 commissioners oversees, to perform any ministerial
33 functions, including the collection of fees, related
34 to navigator licensing that the commissioner deems
35 appropriate.
36 Sec. __. NEW SECTION. 522D.7 License denial,
37 nonrenewal, or revocation.

38 1. The commissioner may place on probation,
39 suspend, revoke, or refuse to issue or renew a
40 navigator's license or may levy a civil penalty as
41 provided in section 522D.8 for any one or more of the
42 following causes:
43 a. Providing incorrect, misleading, incomplete,
44 or materially untrue information in the license
45 application.
46 b. Violating any insurance laws, or violating any
47 regulation, subpoena, or order of the commissioner or
48 of a commissioner of another state.
49 c. Obtaining or attempting to obtain a license
50 through misrepresentation or fraud.

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1 d. Improperly withholding, misappropriating, or
2 converting any moneys or properties received in the
3 course of doing insurance business.
4 e. Intentionally misrepresenting the terms of an
5 actual or proposed insurance contract or application
6 for insurance.
7 f. Having been convicted of a felony.
8 g. Having admitted or been found to have committed
9 any unfair insurance trade practice or fraud.
10 h. Using fraudulent, coercive, or dishonest
11 practices, or demonstrating incompetence,
12 untrustworthiness, or financial irresponsibility
13 in the conduct of business in this state or elsewhere.
14 i. Having a navigator license, or its equivalent,
15 denied, suspended, or revoked in any other state,
16 province, district, or territory.
17 j. Forging another's name to an application for
18 insurance or to any document related to an insurance
19 transaction.
20 k. Improperly using notes or any other reference
21 material to complete an examination for a navigator
22 license.
23 l. Failing to comply with an administrative or
24 court order imposing a child support obligation.
25 m. Failing to comply with an administrative or
26 court order related to repayment of loans to the
27 college student aid commission.
28 n. Failing to pay state income tax or comply with
29 any administrative or court order directing payment of
30 state income tax.
31 o. Failing or refusing to cooperate in an
32 investigation by the commissioner.
33 2. If the commissioner does not renew a license or
34 denies an application for a license, the commissioner
35 shall notify the applicant or licensee and advise,
36 in writing, the licensee or applicant of the reason

37 for the nonrenewal of the license or denial of the
38 application for a license. The licensee or applicant
39 may request a hearing on the nonrenewal or denial. A
40 hearing shall be conducted according to section 507B.6.

41 3. The license of a public or private entity
42 operating as a navigator may be suspended, revoked,
43 or refused if the commissioner finds, after hearing,
44 that an individual navigator licensee's violation was
45 known or should have been known by a partner, officer,
46 or manager acting on behalf of the entity and the
47 violation was not reported to the commissioner and
48 corrective action was not taken.

49 4. In addition to, or in lieu of, any applicable
50 denial, suspension, or revocation of a license, a

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1 person, after hearing, may be subject to a civil
2 penalty as provided in section 522D.8.

3 5. The commissioner may conduct an investigation
4 of any suspected violation of this chapter pursuant
5 to section 507B.6 and may enforce the provisions and
6 impose any penalty or remedy authorized by this chapter
7 and chapter 507B against any person who is under
8 investigation for, or charged with, a violation of
9 either chapter even if the person's license has been
10 surrendered or has lapsed by operation of law.

11 6. a. In order to assure a free flow of
12 information for accomplishing the purposes of this
13 section, all complaint files, investigation files,
14 other investigation reports, and other investigative
15 information in the possession of the commissioner or
16 the commissioner's employees or agents that relates to
17 licensee discipline are privileged and confidential,
18 and are not subject to discovery, subpoena, or
19 other means of legal compulsion for their release
20 to a person other than the licensee, and are not
21 admissible in evidence in a judicial or administrative
22 proceeding other than the proceeding involving
23 licensee discipline. A final written decision of the
24 commissioner in a disciplinary proceeding is a public
25 record.

26 b. Investigative information in the possession
27 of the commissioner or the commissioner's employees
28 or agents that relates to licensee discipline may
29 be disclosed, in the commissioner's discretion, to
30 appropriate licensing authorities within this state,
31 the appropriate licensing authority in another state,
32 the District of Columbia, or a territory or country in
33 which the licensee is licensed or has applied for a
34 license.

35 c. If the investigative information in the

36 possession of the commissioner or the commissioner's
37 employees or agents indicates a crime has been
38 committed, the information shall be reported to the
39 proper law enforcement agency.

40 d. Pursuant to the provisions of section 17A.19,
41 subsection 6, upon an appeal by the licensee, the
42 commissioner shall transmit the entire record of the
43 contested case to the reviewing court.

44 e. Notwithstanding the provisions of section
45 17A.19, subsection 6, if a waiver of privilege has
46 been involuntary and evidence has been received at a
47 disciplinary hearing, the court shall issue an order to
48 withhold the identity of the individual whose privilege
49 was waived.

50 Sec. ____ NEW SECTION. 522D.8 Cease and desist

Page 6

1 orders — penalties.

2 1. A navigator who, after hearing, is found to have
3 violated this chapter, may be ordered to cease and
4 desist from engaging in the conduct resulting in the
5 violation and may be assessed a civil penalty pursuant
6 to chapter 507B.

7 2. If a person does not comply with an order issued
8 pursuant to this section, the commissioner may petition
9 a court of competent jurisdiction to enforce the order.
10 The court shall not require the commissioner to post
11 a bond in an action or proceeding under this section.
12 If the court finds, after notice and opportunity for
13 hearing, that the person is not in compliance with an
14 order, the court may adjudge the person to be in civil
15 contempt of the order. The court may impose a civil
16 penalty against the person for contempt in an amount
17 not less than three thousand dollars but not greater
18 than ten thousand dollars for each violation and may
19 grant any other relief that the court determines is
20 just and proper in the circumstances.

21 Sec. ____ NEW SECTION. 522D.9 Injunctive relief.

22 1. A person may bring an action in district court
23 to enjoin another person from acting as a navigator in
24 violation of section 522D.2. However, before bringing
25 an action in district court to enjoin a person pursuant
26 to this section, the person shall file a complaint with
27 the insurance division alleging that another person is
28 acting as a navigator in violation of section 522D.2.

29 2. If the division makes a determination to proceed
30 administratively against the person for a violation
31 of section 522D.2, the complainant shall not bring an
32 action in district court against the person pursuant to
33 this section based upon the allegations contained in
34 the complaint filed with the division.

35 3. If the division does not make a determination
36 to proceed administratively against the person for
37 a violation of section 522D.2, the division shall
38 issue, by ninety days from the date of filing of the
39 complaint, a release to the complainant that permits
40 the complainant to bring an action in district court
41 pursuant to this section.

42 4. The filing of a complaint with the division
43 pursuant to this section tolls the statute of
44 limitations pursuant to section 614.1 as to the alleged
45 violation for a period of one hundred twenty days from
46 the date of filing the complaint.

47 5. Any action brought in district court by a
48 complainant against a person pursuant to this section,
49 based upon the allegations contained in the complaint
50 filed with the division, shall be brought within one

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1 year after the ninety-day period following the filing
2 of the complaint with the division, or the date of the
3 issuance of a release by the division, whichever is
4 earlier.

5 6. If the court finds that the person is in
6 violation of section 522D.2 and enjoins the person from
7 acting as a navigator in violation of that section,
8 the court's findings of fact and law, and the judgment
9 and decree, when final, shall be admissible in any
10 proceeding initiated pursuant to section 522D.8 by the
11 commissioner against the person enjoined and the person
12 enjoined shall be precluded from contesting in that
13 proceeding the court's determination that the person
14 acted as a navigator in violation of section 522D.2.

15 Sec. __. NEW SECTION. 522D.10 Rules.
16 The commissioner may adopt rules pursuant to
17 chapter 17A as are necessary or proper to carry out the
18 purposes of this chapter.

19 Sec. __. NEW SECTION. 522D.11 Severability.
20 If any provision of this chapter or its application
21 to any person or circumstance is held invalid by a
22 court of competent jurisdiction or by federal law,
23 the invalidity does not affect other provisions or
24 applications of the chapter that can be given effect
25 without the invalid provision or application, and to
26 this end the provisions of the chapter are severable
27 and the valid provisions or applications shall remain
28 in full force and effect.

29 Sec. __. NEW SECTION. 522D.12 Future repeal.
30 If the federal law requiring the establishment
31 of an exchange in each state is repealed by federal
32 legislation or is ruled invalid by a decision of the
33 United States supreme court, the commissioner shall

34 notify the Iowa Code editor of the effective date of
 35 the repeal or the date of the ruling. This chapter
 36 is repealed on the effective date of such federal
 37 legislation or the date of the United States supreme
 38 court decision.>

39 3. Page 21, after line 18 by inserting:
 40 Sec. ____ EFFECTIVE DATE. The following provision
 41 or provisions of this Act take effect July 1, 2013:
 42 1. The sections of this Act enacting chapter 522D.>
 43 4. By renumbering as necessary.

HORBACH of Tama

H-8415

1 Amend Senate File 2293, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 3, line 34, by striking <premium> and
 4 inserting <premium, less claims paid,>

PETTENGILL of Benton

H-8416

1 Amend House File 2462 as follows:
 2 1. Page 1, before line 16 by inserting:
 3 <Sec. ____ Section 260C.14, Code 2011, is amended
 4 by adding the following new subsection:
 5 NEW SUBSECTION. 23. Commence the fall schedule
 6 of its classes no sooner than the earliest start date
 7 for elementary and secondary schools as specified in
 8 section 279.10, subsection 1.
 9 Sec. ____ Section 262.9, Code Supplement 2011, is
 10 amended by adding the following new subsection:
 11 NEW SUBSECTION. 36. Direct the institutions it
 12 governs to commence the fall schedule of their classes
 13 no sooner than the earliest start date for elementary
 14 and secondary schools as specified in section 279.10,
 15 subsection 1.>
 16 2. Title page, by striking line 1 and inserting
 17 <An Act relating to the fall class start dates for
 18 school districts, community colleges, and state board
 19 of regents institutions,>
 20 3. By renumbering as necessary.

FORRISTALL of Pottawattamie
 HEIN of Jones

H-8417

1 Amend the amendment, H-8414, to Senate File 2293,
 2 as amended, passed, and reprinted by the Senate, as

3 follows:

- 4 1. Page 7, line 21, by striking <held invalid>
 5 and inserting <found to be invalid, or in conflict or
 6 inconsistent with federal law,>
 7 2. Page 7, line 23, by striking <invalidity> and
 8 inserting <invalidity, conflict, or inconsistency>
 9 3. Page 7, line 25, by striking <invalid> and
 10 inserting <invalid, conflicting, or inconsistent>
 11 4. Page 7, line 27, by striking <valid> and
 12 inserting <valid, nonconflicting, or consistent>

PETERSEN of Polk

H-8418

1 Amend the Senate amendment, H-8388, to House File
 2 609, as passed by the House, as follows:

- 3 1. Page 1, after line 4 by inserting:
 4 <__. Page 1, after line 4 by inserting:
 5 <Sec. __. Section 557.7, Code 2011, is amended to
 6 read as follows:
 7 557.7 Contingent remainders.
 8 A Except as provided in section 558.68A, a
 9 contingent remainder shall take effect, notwithstanding
 10 any determination of the particular estate, in the same
 11 manner in which it would have taken effect if it had
 12 been an executory devise or a springing or shifting
 13 use, and shall, as well as such limitations, be subject
 14 to the rule respecting remoteness known as the rule
 15 against perpetuities, ~~exclusive of any other supposed~~
 16 ~~rule respecting limitations to successive generations~~
 17 ~~or double possibilities.~~
 18 Sec. __. NEW SECTION. 558.68A Exception to rule
 19 against perpetuities.
 20 1. Notwithstanding section 558.68, a rule of
 21 law against perpetuities, a suspension of the power
 22 of alienation of the title to property, or a law
 23 restricting or limiting the duration of trusts shall
 24 not apply with respect to any interest in real or
 25 personal property held in trust if the instrument
 26 creating the trust specifically states that such rule
 27 or the provisions of section 558.68 shall not apply
 28 to the trust and if either the trustee of the trust
 29 has unlimited power to sell all trust assets or if one
 30 or more persons, one of whom may be the trustee, has
 31 unlimited power to terminate the entire trust.
 32 2. A trust of real or personal property created
 33 by an employer as part of a stock bonus plan, pension
 34 plan, disability or death benefit plan, or profit
 35 sharing plan, for the benefit of some or all the
 36 employer's employees, to which contributions are made
 37 by the employer or employees, or both, for the purposes

38 of distributing to the employees or their beneficiaries
 39 the earnings or the principal, or both, of such
 40 trust is not invalid as violating the rule against
 41 perpetuities or any other law restricting or limiting
 42 the duration of trusts; but the trust may continue for
 43 the time that is necessary to accomplish the purposes
 44 for which it was created.

45 3. Subsection 1 shall be effective for interests
 46 in real or personal property in trust created by an
 47 inter vivos or testamentary trust or will executed on
 48 or after July 1, 2012, or pursuant to the exercise of
 49 a general power of appointment created on or after
 50 July 1, 2012. For the purposes of this subsection,

Page 2

1 "general power of appointment" means a power that is
 2 exercisable in favor of the individual possessing the
 3 power, the person's estate, the person's creditors, or
 4 the creditors of the person's estate.>>

5 2. Page 5, line 36, after <including> by inserting
 6 <trusts of real or personal property,>

7 3. By renumbering as necessary.

BALTIMORE of Boone

H-8419

1 Amend House File 2399, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 2, line 4, after <agency> by inserting <or
 4 other officer or employee designated by a county or
 5 city to enforce this section>

6 2. Page 2, line 5, after <agency> by inserting <or
 7 designated officer or employee of a county or city>

8 3. Page 2, line 6, by striking <a criminal> and
 9 inserting <an>

10 4. Page 2, line 7, after <agency> by inserting <or
 11 designated officer or employee of a county or city>

12 5. Page 2, line 9, after <in> by inserting
 13 <enforcement of this section or>

14 6. Page 2, line 30, before <The> by inserting <a.>

15 7. Page 2, after line 32 by inserting:

16 <b. Notwithstanding paragraph "a" of this
 17 subsection, a city ordinance regarding scrap metal or
 18 other scrap material in effect prior to January 1,
 19 2012, in a city with a population exceeding one hundred
 20 fifty thousand as shown by the 2010 federal decennial
 21 census may continue to be enforced by the city which
 22 adopted it.>

23 8. Page 2, by striking line 33 and inserting:

24 <5. A person who violates subsection 2, paragraph

25 "a", or a person who conducts a scrap metal transaction
 26 by or on behalf of a scrap metal dealer who violates
 27 this section shall be subject to a>
 28 9. Page 3, after line 7 by inserting:
 29 <Sec. ____ Section 805.8C, Code 2011, is amended by
 30 adding the following new subsection:
 31 NEW SUBSECTION. 9. Scrap metal transaction
 32 violations. For violations of section 714.27, the
 33 scheduled fine is one hundred dollars for a first
 34 violation, five hundred dollars for a second violation
 35 within two years, and one thousand dollars for a
 36 third or subsequent violation within two years. The
 37 scheduled fine under this subsection is a civil penalty
 38 which shall be deposited into the general fund of the
 39 county or city if imposed by a designated officer or
 40 employee of a county or city, or deposited in the
 41 general fund of the state if imposed by a state agency,
 42 and the criminal penalty surcharge under section 911.1
 43 shall not be added to the penalty.>
 44 10. By renumbering as necessary.

SENATE AMENDMENT

H-8420

1 Amend House File 2462 as follows:
 2 1. Page 1, by striking lines 14 and 15 and
 3 inserting <advance of the ~~starting earliest start~~ date
 4 established in section 279.10, subsection 1.>
 5 2. Page 1, line 16, by striking <1, 2, and 4> and
 6 inserting <1 and 2>
 7 3. Page 1, by striking line 21 and inserting <~~which~~
 8 the ~~first day fourth Monday of September falls August,~~
 9 but no later than>
 10 4. Page 1, lines 27 and 28, by striking <~~or for an~~
 11 ~~early start date pursuant to subsection 4~~>
 12 5. Page 2, by striking lines 11 through 24 and
 13 inserting:
 14 <Sec. ____ Section 279.10, subsection 4, Code 2011,
 15 is amended by striking the subsection.>
 16 6. Title page, by striking lines 2 and 3 and
 17 inserting <and including effective date and>
 18 7. By renumbering as necessary.

J. SMITH of Dickinson
 PAUSTIAN of Scott

H-8421

1 Amend House File 2464 as follows:
 2 1. Page 10, line 18, by striking <all> and
 3 inserting <all>

4 2. Page 10, lines 22 and 23, by striking <radiation
5 machine or radioactive material as well as the> and
6 inserting <radiation machine or radioactive material
7 as well as the>

M. SMITH of Marshall

H-8422

1 Amend House File 2465 as follows:
2 1. Page 2, before line 32 by inserting:
3 <Sec. ____ Section 8A.311, Code Supplement 2011, is
4 amended by adding the following new subsections:
5 NEW SUBSECTION. 12A. a. If the lowest responsive
6 bid received by the state or a political subdivision
7 for products or other purchases is from an out-of-state
8 business and totals less than five hundred thousand
9 dollars, and an Iowa-based business submitted a bid
10 which is within five percent or ten thousand dollars
11 of the price of the lowest bid, whichever is less,
12 the Iowa-based business which submitted the lowest
13 responsive bid shall be notified and shall be allowed
14 to match the lowest bid before a contract is awarded.
15 b. This subsection does not apply to a request
16 for bids or proposals for products or other purchases
17 associated with the following:
18 (1) Road or bridge construction or repair.
19 (2) Architectural or engineering services.
20 NEW SUBSECTION. 12B. a. A response to a request
21 for bids or proposals for products or other purchases
22 by the state or a political subdivision which totals
23 less than five hundred thousand dollars in value shall
24 contain the following information:
25 (1) The percentage of the ownership of the
26 submitting business which is held by Iowa residents.
27 (2) The percentage of the employees who will be
28 carrying out work in connection with the contract
29 who are Iowa residents. For the purposes of this
30 paragraph, "employee" includes part-time, temporary,
31 contract, and substitute employees, and includes
32 employees of any contractors or subcontractors.
33 (3) An estimate of the percentage of purchases
34 to be made by the submitting business in connection
35 with the contract that will be made from Iowa-based
36 businesses.
37 (4) The amount of property tax paid by the
38 submitting business during the most recently completed
39 fiscal year for which such a figure is available.
40 b. This subsection does not apply to a request
41 for bids or proposals for products or other purchases
42 associated with the following:
43 (1) Road or bridge construction or repair.

- 44 (2) Architectural or engineering services.
 45 NEW SUBSECTION. 12C. Subsections 12A and 12B do
 46 not apply to procurement of or for a public improvement
 47 as defined in section 26.2.>
 48 2. By renumbering as necessary.

THOMAS of Clayton

H-8423

- 1 Amend House File 2435 as follows:
 2 1. Page 52, after line 3 by inserting:
 3 <REBASING STUDY –
 4 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS
 5 Sec. ____ 2011 Iowa Acts, chapter 129, section 141,
 6 is amended by adding the following new subsection:
 7 NEW SUBSECTION. 10A. The department of human
 8 services, Iowa Medicaid enterprise, shall review
 9 reimbursement of home health agency and home and
 10 community-based services waiver services providers
 11 and shall submit a recommendation for a rebasing
 12 methodology applicable to such providers to the
 13 individuals identified in this division of this Act for
 14 receipt of reports by December 31, 2012.>
 15 2. By renumbering as necessary.

HEDDENS of Story
 HEATON of Henry

H-8424

- 1 Amend House File 2462 as follows:
 2 1. Page 1, after line 15 by inserting:
 3 <Sec. ____ Section 261.9, subsection 1, unnumbered
 4 paragraph 1, Code Supplement 2011, is amended to read
 5 as follows:
 6 "Accredited private institution" means an institution
 7 of higher learning located in Iowa which is operated
 8 privately and not controlled or administered by any
 9 state agency or any subdivision of the state and which
 10 meets the criteria in paragraphs "a" and "b" and all
 11 of the criteria in paragraphs "d" through "g" "h",
 12 except that institutions defined in paragraph "c" of
 13 this subsection are exempt from the requirements of
 14 paragraphs "a" and "b":
 15 Sec. ____ Section 261.9, subsection 1, Code
 16 Supplement 2011, is amended by adding the following new
 17 paragraph:
 18 NEW PARAGRAPH. h. Commences the fall schedule of
 19 its classes no sooner than the earliest start date
 20 for elementary and secondary schools as specified in
 21 section 279.10, subsection 1.>

- 22 2. Title page, by striking line 1 and inserting <An
- 23 Act relating to the fall class start dates for school
- 24 districts and accredited private institutions,>
- 25 3. By renumbering as necessary.

MASCHER of Johnson

H-8425

1 Amend House File 2337, 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 2012 — 2013 APPROPRIATIONS

7 Section 1. 2011 Iowa Acts, chapter 130, section 48,
8 is amended to read as follows:

9 SEC. 48. DEPARTMENT OF CULTURAL AFFAIRS. There

10 is appropriated from the general fund of the state to
11 the department of cultural affairs for the fiscal year
12 beginning July 1, 2012, and ending June 30, 2013, the
13 following amounts, or so much thereof as is necessary,
14 to be used for the purposes designated:

15 1. ADMINISTRATION

16 For salaries, support, maintenance, miscellaneous
17 purposes, and for not more than the following full-time
18 equivalent positions for the department:

19	\$	<u>85,907</u>
20		<u>171,813</u>
21	FTEs	74.50

22 The department of cultural affairs shall coordinate
23 activities with the tourism office of the ~~department of~~
24 economic development authority to promote attendance
25 at the state historical building and at this state's
26 historic sites.

27 Full-time equivalent positions authorized under
28 this subsection shall be funded, in full or in part,
29 using moneys appropriated under this subsection and
30 subsections 3 through 7.

31 2. COMMUNITY CULTURAL GRANTS

32 For planning and programming for the community
33 cultural grants program established under section
34 303.3:

35	\$	<u>86,045</u>
36		<u>172,090</u>

37 3. HISTORICAL DIVISION

38 For the support of the historical division:

39	\$	<u>1,383,851</u>
40		<u>2,767,701</u>

41 4. HISTORIC SITES

42 For the administration and support of historic
43 sites:

44	.....	\$	<u>213,199</u>
45			<u>426,398</u>
46	5. ARTS DIVISION		
47	For the support of the arts division:		
48	.....	\$	<u>466,882</u>
49			<u>933,764</u>
50	6. IOWA GREAT PLACES		

Page 2

1	For the Iowa great places program established under		
2	section 303.3C:		
3	.....	\$	<u>75,000</u>
4			<u>150,000</u>
5	7. ARCHIVE IOWA GOVERNORS' RECORDS		
6	For archiving the records of Iowa governors:		
7	.....	\$	<u>32,967</u>
8			<u>65,933</u>
9	8. RECORDS CENTER RENT		
10	For payment of rent for the state records center:		
11	.....	\$	<u>113,622</u>
12			<u>227,243</u>
13	9. BATTLE FLAGS		
14	For continuation of the project recommended by the		
15	Iowa battle flag advisory committee to stabilize the		
16	condition of the battle flag collection:		
17	.....	\$	<u>30,000</u>
18			<u>60,000</u>

19 10. FILM OFFICE
 20 For salaries, support, maintenance, miscellaneous
 21 purposes, and for not more than the following full-time
 22 equivalent positions:
 23 \$ 200,000
 24 FTEs 2.00

25 11. CULTURAL TRUST FUND
 26 For deposit in the Iowa cultural trust fund created
 27 in section 303A.4:
 28 \$ 200,000
 29 The board of trustees of the Iowa cultural trust
 30 shall annually prepare a report for submission to the
 31 governor, the general assembly, and the legislative
 32 services agency regarding the activities, projects,
 33 and programs funded with moneys allocated under this
 34 subsection. This report shall be submitted each year
 35 by January 15.

36 Sec. 2. 2011 Iowa Acts, chapter 130, section 49, is
 37 amended to read as follows:
 38 SEC. 49. GOALS AND ACCOUNTABILITY — ECONOMIC
 39 DEVELOPMENT.

40 1. For the fiscal year beginning July 1, 2012,
 41 the goals for the ~~department of~~ economic development
 42 authority shall be to expand and stimulate the state

43 economy, increase the wealth of Iowans, and increase
44 the population of the state.
45 2. To achieve the goals in subsection 1, the
46 ~~department of economic development~~ authority shall do
47 all of the following for the fiscal year beginning July
48 1, 2012:
49 a. Concentrate its efforts on programs and
50 activities that result in commercially viable products

Page 3

1 and services.
2 b. Adopt practices and services consistent with
3 free market, private sector philosophies.
4 c. Ensure economic growth and development
5 throughout the state.
6 d. Work with businesses and communities to
7 continually improve the economic development climate
8 along with the economic well-being and quality of life
9 for Iowans.
10 e. Coordinate with other state agencies to
11 ensure that they are attentive to the needs of an
12 entrepreneurial culture.
13 f. Establish a strong and aggressive marketing
14 image to showcase Iowa's workforce, existing industry,
15 and potential. A priority shall be placed on
16 recruiting new businesses, business expansion, and
17 retaining existing Iowa businesses. Emphasis shall be
18 placed on entrepreneurial development through helping
19 entrepreneurs secure capital, and developing networks
20 and a business climate conducive to entrepreneurs and
21 small businesses.
22 g. Encourage the development of communities and
23 quality of life to foster economic growth.
24 h. Prepare communities for future growth and
25 development through development, expansion, and
26 modernization of infrastructure.
27 i. Develop public-private partnerships with
28 Iowa businesses in the tourism industry, Iowa tour
29 groups, Iowa tourism organizations, and political
30 subdivisions in this state to assist in the development
31 of advertising efforts.
32 j. Develop, to the fullest extent possible,
33 cooperative efforts for advertising with contributions
34 from other sources.
35 Sec. 3. 2011 Iowa Acts, chapter 130, section 50,
36 subsections 1, 2, 4, 5, and 6, are amended to read as
37 follows:
38 1. APPROPRIATION
39 There is appropriated from the general fund of
40 the state to the ~~department of economic development~~
41 authority for the fiscal year beginning July 1, 2012,

42 and ending June 30, 2013, the following amounts, or
 43 so much thereof as is necessary, to be used for the
 44 purposes designated in subsection 2, and for not more
 45 than the following full-time equivalent positions:
 46 \$ 4,891,712
 47 9,783,424
 48 FTEs 149.00
 49 2. DESIGNATED PURPOSES
 50 a. For salaries, support, miscellaneous purposes,

Page 4

1 programs, and the maintenance of an administration
2 division, a business development division, and a
3 community development division.

4 b. The full-time equivalent positions authorized
5 under this section shall be funded, in whole or in
6 part, by the moneys appropriated under subsection 1 or
7 by other moneys received by the ~~department~~ authority,
8 including certain federal moneys.

9 c. For business development operations and
10 programs, ~~the film office~~, international trade, export
11 assistance, workforce recruitment, and the partner
12 state program.

13 d. For transfer to the strategic investment fund
14 created in section 15.313.

15 e. For community economic development programs,
16 tourism operations, community assistance, plans
17 for Iowa green corps and summer youth programs,
18 the mainstreet and rural mainstreet programs, the
19 school-to-career program, the community development
20 block grant, and housing and shelter-related programs.

21 f. For achieving the goals and accountability, and
22 fulfilling the requirements and duties required under
23 this Act.

24 4. FINANCIAL ASSISTANCE RESTRICTIONS

25 a. A business creating jobs through moneys
26 appropriated in this section shall be subject to
27 contract provisions requiring new and retained jobs to
28 be filled by individuals who are citizens of the United
29 States who reside within the United States or any
30 person authorized to work in the United States pursuant
31 to federal law, including legal resident aliens in the
32 United States.

33 b. Any vendor who receives moneys appropriated in
34 this section shall adhere to such contract provisions
35 and provide periodic assurances as the state shall
36 require that the jobs are filled solely by citizens of
37 the United States who reside within the United States
38 or any person authorized to work in the United States
39 pursuant to federal law, including legal resident
40 aliens in the United States.

41 c. A business that receives financial assistance
 42 from the ~~department~~ authority from moneys appropriated
 43 in this section shall only employ individuals legally
 44 authorized to work in this state. In addition to all
 45 other applicable penalties provided by current law, all
 46 or a portion of the assistance received by a business
 47 which is found to knowingly employ individuals not
 48 legally authorized to work in this state is subject to
 49 recapture by the ~~department~~ authority.

50 5. USES OF APPROPRIATIONS

Page 5

1 a. From the moneys appropriated in this section,
 2 the ~~department~~ authority may provide financial
 3 assistance in the form of a grant to a community
 4 economic development entity for conducting a local
 5 workforce recruitment effort designed to recruit former
 6 citizens of the state and former students at colleges
 7 and universities in the state to meet the needs of
 8 local employers.

9 b. From the moneys appropriated in this section,
 10 the ~~department~~ authority may provide financial
 11 assistance to early stage industry companies being
 12 established by women entrepreneurs.

13 c. From the moneys appropriated in this section,
 14 the ~~department~~ authority may provide financial
 15 assistance in the form of grants, loans, or forgivable
 16 loans for advanced research and commercialization
 17 projects involving value-added agriculture, advanced
 18 technology, or biotechnology.

19 d. The ~~department~~ authority shall not use any
 20 moneys appropriated in this section for purposes of
 21 providing financial assistance for the Iowa green
 22 streets pilot project or for any other program or
 23 project that involves the installation of geothermal
 24 systems for melting snow and ice from streets or
 25 sidewalks.

26 6. WORLD FOOD PRIZE

27 For allocating moneys for the world food prize and
 28 ~~notwithstanding in lieu of~~ the standing appropriation
 29 in section 15.368, subsection 1:

30 \$ 250,000
 31 750,000

32 Sec. 4. 2011 Iowa Acts, chapter 130, section 50,
 33 subsection 7, unnumbered paragraphs 1 and 2, are
 34 amended to read as follows:

35 For allocation to the Iowa commission on volunteer
 36 service for the Iowa's promise and mentoring
 37 partnership programs, for transfer to the Iowa state
 38 commission grant program, and for not more than the
 39 following full-time equivalent positions:

40 \$ 89,067
 41 178,133
 42 FTEs 7.00

43 Of the moneys appropriated in this subsection, the
 44 ~~department authority~~ shall allocate ~~\$37,500~~ \$75,000 for
 45 purposes of the Iowa state commission grant program and
 46 ~~\$51,567~~ \$103,133 for purposes of the Iowa's promise and
 47 mentoring partnership programs.

48 Sec. 5. 2011 Iowa Acts, chapter 130, section 51, is
 49 amended to read as follows:

50 SEC. 51. VISION IOWA PROGRAM — FTE

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1 AUTHORIZATION. For purposes of administrative duties
 2 associated with the vision Iowa program for the fiscal
 3 year beginning July 1, 2012, the ~~department of economic~~
 4 development ~~authority~~ is authorized an additional 2.25
 5 FTEs above those otherwise authorized in this division
 6 of this Act.

7 Sec. 6. 2011 Iowa Acts, chapter 130, section 52, is
 8 amended to read as follows:

9 SEC. 52. INSURANCE ECONOMIC DEVELOPMENT. From
 10 the moneys collected by the division of insurance
 11 in excess of the anticipated gross revenues under
 12 section 505.7, subsection 3, during the fiscal year
 13 beginning July 1, 2012, \$100,000 shall be transferred
 14 to the ~~department of economic development authority~~
 15 for insurance economic development and international
 16 insurance economic development.

17 Sec. 7. 2011 Iowa Acts, chapter 130, section 53, is
 18 amended to read as follows:

19 SEC. 53. COMMUNITY DEVELOPMENT LOAN
 20 FUND. Notwithstanding section 15E.120, subsection
 21 5, there is appropriated from the Iowa community
 22 development loan fund all moneys available during the
 23 fiscal year beginning July 1, 2012, and ending June
 24 30, 2013, to the ~~department of economic development~~
 25 ~~authority~~ for purposes of the community development
 26 program.

27 Sec. 8. 2011 Iowa Acts, chapter 130, is amended by
 28 adding the following new section:

29 SEC. 53A. INCENTIVE FUND. There is appropriated
 30 from the general fund of the state to the economic
 31 development authority for the fiscal year beginning
 32 July 1, 2012, and ending June 30, 2013, the following
 33 amount to be used for the purposes of incentives and
 34 assistance to create high quality jobs and pursuant to
 35 chapter 15:

36 \$ 20,000,000

37 Notwithstanding section 8.33, moneys appropriated in
 38 this section that remain unencumbered or unobligated

39 at the close of the fiscal year shall not revert but
40 shall remain available for expenditure for the purposes
41 designated until the close of the succeeding fiscal
42 year.

43 Sec. 9. 2011 Iowa Acts, chapter 130, is amended by
44 adding the following new section:

45 SEC. 53B. MAIN STREET. There is appropriated
46 from the general fund of the state to the economic
47 development authority for the fiscal year beginning
48 July 1, 2012, and ending June 30, 2013, the following
49 amount to be used for the purposes of the United
50 States department of housing and urban development's

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1 main street challenge grants for historic building
2 preservation:

3 \$ 100,000

4 Notwithstanding section 8.33, moneys appropriated in
5 this section that remain unencumbered or unobligated
6 at the close of the fiscal year shall not revert but
7 shall remain available for expenditure for the purposes
8 designated until the close of the succeeding fiscal
9 year.

10 Sec. 10. 2011 Iowa Acts, chapter 130, section 54,
11 is amended to read as follows:

12 SEC. 54. WORKFORCE DEVELOPMENT FUND. There is
13 appropriated from the workforce development fund
14 account created in section 15.342A to the workforce
15 development fund created in section 15.343 for the
16 fiscal year beginning July 1, 2012, and ending June
17 30, 2013, the following amount, for purposes of the
18 workforce development fund:

19 \$ 2,000,000

20 4,000,000

21 Sec. 11. 2011 Iowa Acts, chapter 130, section 55,
22 is amended to read as follows:

23 SEC. 55. WORKFORCE DEVELOPMENT ADMINISTRATION.

24 From moneys appropriated or transferred to or receipts
25 credited to the workforce development fund created in
26 section 15.343, up to \$400,000 for the fiscal year
27 beginning July 1, 2012, and ending June 30, 2013, are
28 appropriated to the ~~department of~~ economic development
29 authority for the administration of workforce
30 development activities including salaries, support,
31 maintenance, and miscellaneous purposes, and for not
32 more than the following full-time equivalent positions:

33 FTEs 4.00

34 Sec. 12. 2011 Iowa Acts, chapter 130, section 57,
35 is amended to read as follows:

36 SEC. 57. IOWA STATE UNIVERSITY.

37 1. There is appropriated from the general fund

38 of the state to Iowa state university of science
 39 and technology for the fiscal year beginning July
 40 1, 2012, and ending June 30, 2013, the following
 41 amount, or so much thereof as is necessary, to be used
 42 for small business development centers, the science
 43 and technology research park, and the institute for
 44 physical research and technology, and for not more than
 45 the following full-time equivalent positions:
 46 \$ ~~1,212,151~~
 47 2,424,302
 48 FTEs 56.63
 49 2. Of the moneys appropriated in subsection 1,
 50 Iowa state university of science and technology shall

Page 8

1 allocate at least ~~\$468,178~~ \$936,345 for purposes of
 2 funding small business development centers. Iowa state
 3 university of science and technology may allocate
 4 moneys appropriated in subsection 1 to the various
 5 small business development centers in any manner
 6 necessary to achieve the purposes of this subsection.
 7 3. Iowa state university of science and technology
 8 shall do all of the following:
 9 a. Direct expenditures for research toward projects
 10 that will provide economic stimulus for Iowa.
 11 b. Provide emphasis to providing services to
 12 Iowa-based companies.
 13 4. It is the intent of the general assembly
 14 that the industrial incentive program focus on Iowa
 15 industrial sectors and seek contributions and in-kind
 16 donations from businesses, industrial foundations, and
 17 trade associations, and that moneys for the institute
 18 for physical research and technology industrial
 19 incentive program shall be allocated only for projects
 20 which are matched by private sector moneys for directed
 21 contract research or for nondirected research. The
 22 match required of small businesses as defined in
 23 section 15.102, subsection 6 10, for directed contract
 24 research or for nondirected research shall be \$1 for
 25 each \$3 of state funds. The match required for other
 26 businesses for directed contract research or for
 27 nondirected research shall be \$1 for each \$1 of state
 28 funds. The match required of industrial foundations
 29 or trade associations shall be \$1 for each \$1 of state
 30 funds.
 31 Iowa state university of science and technology
 32 shall report annually to the joint appropriations
 33 subcommittee on economic development and the
 34 legislative services agency the total amount of
 35 private contributions, the proportion of contributions
 36 from small businesses and other businesses, and

37 the proportion for directed contract research and
38 nondirected research of benefit to Iowa businesses and
39 industrial sectors.

40 5. Notwithstanding section 8.33, moneys
41 appropriated in this section that remain unencumbered
42 or unobligated at the close of the fiscal year shall
43 not revert but shall remain available for expenditure
44 for the purposes designated until the close of the
45 succeeding fiscal year.

46 Sec. 13. 2011 Iowa Acts, chapter 130, section 58,
47 is amended to read as follows:

48 SEC. 58. UNIVERSITY OF IOWA.

49 1. There is appropriated from the general fund
50 of the state to the state university of Iowa for the

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1 fiscal year beginning July 1, 2012, and ending June
2 30, 2013, the following amount, or so much thereof
3 as is necessary, to be used for the state university
4 of Iowa research park and for the advanced drug
5 development program at the Oakdale research park,
6 including salaries, support, maintenance, equipment,
7 miscellaneous purposes, and for not more than the
8 following full-time equivalent positions:

9	\$	104,640
10		<u>209,279</u>
11	FTEs	6.00

12 2. The state university of Iowa shall do all of the
13 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 3. Notwithstanding section 8.33, moneys
19 appropriated in this section that remain unencumbered
20 or unobligated at the close of the fiscal year shall
21 not revert but shall remain available for expenditure
22 for the purposes designated until the close of the
23 succeeding fiscal year.

24 Sec. 14. 2011 Iowa Acts, chapter 130, section 59,
25 is amended to read as follows:

26 SEC. 59. 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, 2012, and ending June 30,
30 2013, 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 \$ 287,358
 37 718,716
 38 FTEs 6.75
 39 2. Of the moneys appropriated pursuant to
 40 subsection 1, the university of northern Iowa shall
 41 allocate at least ~~\$58,820~~ \$261,639 for purposes of
 42 support of entrepreneurs and small and micro businesses
 43 through the university's regional business center.
 44 3. The university of northern Iowa shall do all of
 45 the following:
 46 a. Direct expenditures for research toward projects
 47 that will provide economic stimulus for Iowa.
 48 b. Provide emphasis to providing services to
 49 Iowa-based companies.
 50 4. Notwithstanding section 8.33, moneys

Page 10

1 appropriated in this section that remain unencumbered
 2 or unobligated at the close of the fiscal year shall
 3 not revert but shall remain available for expenditure
 4 for the purposes designated until the close of the
 5 succeeding fiscal year.
 6 Sec. 15. 2011 Iowa Acts, chapter 130, is amended by
 7 adding the following new section:
 8 SEC. 60A. REGENTS INNOVATION FUND.
 9 1. There is appropriated from the general fund
 10 of the state to the institutions of higher learning
 11 under the control of the state board of regents for the
 12 fiscal year beginning July 1, 2012, and ending June 30,
 13 2013, the following amount to be used for the purposes
 14 provided in this section:
 15 \$ 3,800,000
 16 Of the moneys appropriated pursuant to this section,
 17 thirty-five percent shall be allocated for Iowa state
 18 university, thirty-five percent shall be allocated
 19 for university of Iowa, and thirty percent shall be
 20 allocated for university of northern Iowa.
 21 2. The institutions shall use moneys appropriated
 22 in this section for capacity building infrastructure
 23 in areas related to technology commercialization,
 24 marketing and business development efforts in
 25 areas related to technology commercialization,
 26 entrepreneurship, and business growth, and
 27 infrastructure projects and programs needed to assist
 28 in the implementation of activities under chapter 262B.
 29 3. The institutions shall provide a one-to-one
 30 match of additional moneys for the activities funded
 31 with moneys appropriated under this section.
 32 4. The state board of regents shall annually
 33 prepare a report for submission to the governor, the
 34 general assembly, and the legislative services agency

35 regarding the activities, projects, and programs
 36 funded with moneys allocated under this section. The
 37 report shall be provided in an electronic format and
 38 shall include a list of metrics and criteria mutually
 39 agreed to in advance by the board of regents and
 40 the economic development authority. The metrics and
 41 criteria shall allow the governor's office and the
 42 general assembly to quantify and evaluate the progress
 43 of the board of regents institutions with regard to
 44 their activities, projects, and programs in the areas
 45 of technology commercialization, entrepreneurship,
 46 regional development, and market research.

47 Sec. 16. 2011 Iowa Acts, chapter 130, section 67,
 48 subsection 1, is amended to read as follows:

49 1. There is appropriated from the general fund
 50 of the state to the Iowa finance authority for the

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1 fiscal year beginning July 1, 2012, and ending June 30,
 2 2013, the following amount, or so much thereof as is
 3 necessary, to be used to provide reimbursement for rent
 4 expenses to eligible persons under the rent subsidy
 5 program:

6 \$ 329,000
 7 658,000

8 Sec. 17. 2011 Iowa Acts, chapter 130, section 69,
 9 is amended to read as follows:

10 SEC. 69. PUBLIC EMPLOYMENT RELATIONS BOARD.

11 1. There is appropriated from the general fund of
 12 the state to the public employment relations board for
 13 the fiscal year beginning July 1, 2012, and ending June
 14 30, 2013, the following amount, or so much thereof as
 15 is necessary, for the purposes designated:

16 For salaries, support, maintenance, miscellaneous
 17 purposes, and for not more than the following full-time
 18 equivalent positions:

19 \$ 528,936
 20 1,148,426
 21 FTEs 10.00

22 2. Of the moneys appropriated in this section,
 23 the board shall allocate \$15,000 for maintaining a
 24 website that allows searchable access to a database of
 25 collective bargaining information.

26 DIVISION II

27 FY 2012 — 2013 WORKFORCE DEVELOPMENT APPROPRIATIONS

28 Sec. 18. LEGISLATIVE FINDINGS. It is the finding
 29 of the general assembly that the recent Iowa supreme
 30 court decision of Homan v. Branstad, No. 11-2022,
 31 March 16, 2012, has invalidated the proper enactment
 32 of certain provisions contained in the 2011 Iowa Acts,
 33 chapter 130 (Senate File 517). It is the intent of

34 the general assembly to reenact, as amended, certain
35 invalidated provisions of Senate File 517 that were
36 published in the 2011 Iowa Acts and to validate actions
37 entered into in reliance on the enactment of the
38 invalidated provisions published in the 2011 Iowa Acts.

39 Sec. 19. DEPARTMENT OF WORKFORCE
40 DEVELOPMENT. There is appropriated from the general
41 fund of the state to the department of workforce
42 development for the fiscal year beginning July 1, 2012,
43 and ending June 30, 2013, the following amounts, or
44 so much thereof as is necessary, for the purposes
45 designated:

46 1. DIVISION OF LABOR SERVICES
47 a. For the division of labor services, including
48 salaries, support, maintenance, miscellaneous
49 purposes, and for not more than the following full-time
50 equivalent positions:

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1 \$ 3,548,440
2 FTEs 65.00

3 b. From the contractor registration fees, the
4 division of labor services shall reimburse the
5 department of inspections and appeals for all costs
6 associated with hearings under chapter 91C, relating
7 to contractor registration.

8 c. Of the moneys appropriated under this
9 subsection, the department shall allocate \$53,000 for
10 the purpose of employing an additional investigator to
11 investigate wage enforcement.

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 \$ 3,102,044
18 FTEs 31.00

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 c. Of the moneys appropriated under this
31 subsection, the department shall allocate \$153,000 for
32 the purpose of employing a chief deputy commissioner.

33 3. WORKFORCE DEVELOPMENT OPERATIONS

34 a. For the operation of field offices, the
35 workforce development board, and for not more than the
36 following full-time equivalent positions:

37 \$ 9,671,352
38 FTEs 130.00

39 b. Of the moneys appropriated in paragraph "a" of
40 this subsection, the department shall allocate at least
41 \$1,130,602 for the operation of satellite field offices
42 in Decorah, Fort Madison, Iowa City, and Webster City,
43 and of the moneys appropriated in paragraph "a" of this
44 subsection, the department shall allocate \$150,000
45 to the state library for the purpose of licensing an
46 online resource which prepares persons to succeed in
47 the workplace through programs which improve job skills
48 and vocational test-taking abilities.

49 c. Of the moneys appropriated in paragraph "a" of
50 this subsection the department shall not allocate more

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1 than \$208,294 for the purpose of the administration
2 cost pool.

3 4. OFFENDER REENTRY PROGRAM

4 a. For the development and administration of an
5 offender reentry program to provide offenders with
6 employment skills, and for not more than the following
7 full-time equivalent positions:

8 \$ 284,464
9 FTEs 4.00

10 b. The department shall partner with the department
11 of corrections to provide staff within the correctional
12 facilities to improve offenders' abilities to find and
13 retain productive employment.

14 5. NONREVERSION

15 Notwithstanding section 8.33, moneys appropriated in
16 this section that remain unencumbered or unobligated
17 at the close of the fiscal year shall not revert but
18 shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal
20 year.

21 Sec. 20. EMPLOYMENT SECURITY CONTINGENCY FUND.

22 1. There is appropriated from the special
23 employment security contingency fund to the department
24 of workforce development for the fiscal year beginning
25 July 1, 2012, and ending June 30, 2013, the following
26 amount, or so much thereof as is necessary, to be used
27 for field offices:

28 \$ 1,217,084

29 2. There is appropriated from the special
30 employment security contingency fund to the division of
31 workers' compensation of the department of workforce

32 development for the fiscal year beginning July 1, 2012,
33 and ending June 30, 2013, the following amount or so
34 much thereof as is necessary, to be used for hiring
35 and compensating a deputy commissioner of workers'
36 compensation.

37 \$ 160,000

38 3. There is appropriated from the special
39 employment security contingency to the department of
40 workforce development for the fiscal year beginning
41 July 1, 2012, and ending June 30, 2013, the following
42 amount, or so much thereof as is necessary, to be used
43 for the reopening of satellite field offices in Ames,
44 Atlantic, Denison, and Newton:

45 \$ 1,200,000

46 4. Any remaining additional penalty and interest
47 revenue collected by the department of workforce
48 development is appropriated to the department for the
49 fiscal year beginning July 1, 2012, and ending June 30,
50 2013, to accomplish the mission of the department.

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1 Sec. 21. UNEMPLOYMENT COMPENSATION RESERVE FUND

2 — FIELD OFFICES. Notwithstanding section 96.9,
3 subsection 8, paragraph "e", there is appropriated
4 from interest earned on the unemployment compensation
5 reserve fund to the department of workforce development
6 for the fiscal year beginning July 1, 2012, and ending
7 June 30, 2013, the following amount or so much thereof
8 as is necessary, for the purposes designated:

9 For the operation of field offices:

10 \$ 633,000

11 Sec. 22. 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, 2012, and
15 ending June 30, 2013, 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. 23. VIRTUAL ACCESS WORKFORCE DEVELOPMENT

24 OFFICES. The department of workforce development shall
25 require a unique identification login for all users
26 of workforce development centers operated through
27 electronic means.

28 DIVISION III

29 MISCELLANEOUS PROVISIONS

30 Sec. 24. 2010 Iowa Acts, chapter 1184, section 26,

31 as amended by 2011 Iowa Acts, chapter 131, section 105,
32 is amended to read as follows:

33 SEC. 26. There is appropriated from the rebuild
34 Iowa infrastructure fund to the department of economic
35 development for deposit in the grow Iowa values fund,
36 for the fiscal year beginning July 1, 2010, and ending
37 June 30, 2011, the following amount, notwithstanding
38 section 8.57, subsection 6, paragraph "c":

39 \$ 38,000,000

40 Of the moneys appropriated in this section, from
41 the amount allocated to the department of economic
42 development in accordance with 2010 Iowa Acts, chapter
43 1184, section 28, subsection 1, ~~\$1,200,000~~ \$1,417,219
44 shall be used for the department's Iowans helping
45 Iowans business assistance program. Notwithstanding
46 section 8.33, moneys designated pursuant to this
47 unnumbered paragraph that remain unencumbered or
48 unobligated at the close of the fiscal year shall not
49 revert but shall remain available for expenditure
50 for the purposes designated until the close of the

Page 15

1 succeeding fiscal year.

2 Sec. 25. Section 15G.111, subsection 2, paragraph
3 b, subparagraph (1), Code Supplement 2011, is amended
4 by striking the subparagraph and inserting in lieu
5 thereof the following:

6 (1) For the fiscal year beginning July 1, 2011,
7 and ending June 30, 2012, the authority shall allocate
8 three hundred fifty thousand dollars for purposes of
9 providing financial assistance to Iowa's councils of
10 governments. Notwithstanding section 8.33, moneys
11 allocated pursuant to this subparagraph that remain
12 unencumbered or unobligated at the close of the fiscal
13 year shall not revert to the fund from which allocated
14 at the close of the fiscal year but shall remain
15 available for expenditure for the purposes designated
16 until the close of the succeeding fiscal year.

17 Sec. 26. Section 123.183, subsection 2, paragraph
18 b, subparagraph (2), subparagraph division (a), Code
19 Supplement 2011, is amended to read as follows:

20 (a) To the midwest grape and wine industry
21 institute at Iowa state university of science and
22 technology, ~~one hundred twenty~~ two hundred fifty
23 thousand dollars.

24 Sec. 27. Section 303.1, subsection 4, Code 2011, is
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. e. Film office.

27 Sec. 28. NEW SECTION. 303.95 Film office.

28 The department shall establish and administer a film
29 office. The purpose of the film office is to assist

30 legitimate film, television, and video producers in the
 31 production of film, television, and video projects in
 32 the state and to create a positive fiscal impact on the
 33 state's economy through such projects.

34 Sec. 29. TRANSITIONAL PROVISIONS — EMERGENCY
 35 ADMINISTRATIVE RULEMAKING. The department of cultural
 36 affairs may adopt emergency rules under section
 37 17A.4, subsection 3, and section 17A.5, subsection 2,
 38 paragraph "b", to implement the provisions of this Act
 39 relating to a film office in the department of cultural
 40 affairs, and the rules shall be effective January 1,
 41 2013, unless a later date is specified in the rules.
 42 Any rules adopted in accordance with this section shall
 43 also be published as a notice of intended action as
 44 provided in section 17A.4.

45 Sec. 30. EFFECTIVE UPON ENACTMENT. The following
 46 provision or provisions of this division of this Act,
 47 being deemed of immediate importance, take effect upon
 48 enactment:

49 1. The section of this division of this Act
 50 amending 2010 Iowa Acts, chapter 1184, section 26.

Page 16

1 2. The section of this division of this Act
 2 amending section 15G.111.

3 3. The section of this division of this Act
 4 providing for emergency rulemaking.>

5 2. Title page, line 6, by striking <and
 6 retroactive>

7 3. By renumbering as necessary.

SENATE AMENDMENT

H-8426

1 Amend House File 2465 as follows:

2 1. Page 3, by striking lines 6 through 14 and
 3 inserting:

4 <Sec. ____ Section 256C.4, subsection 1, Code 2011,
 5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. g. For the fiscal year beginning
 7 July 1, 2011, and succeeding fiscal years, of the
 8 amount of preschool foundation aid received by a school
 9 district for a fiscal year, not more than five percent
 10 shall be used by the school district for administering
 11 the district's approved local program. Additionally,
 12 any private partner collaborating with the school
 13 district on the delivery of preschool programming
 14 under this chapter to be used, if requested, up to five
 15 percent of the total programming cost reimbursement
 16 for administration and operational costs of the

17 private partner, which amount is in addition to the
18 reimbursement for programming costs.>

19 2. Page 5, after line 12 by inserting:
20 <2. The section of this Act enacting section
21 256C.4, subsection 1, paragraph "g".>

22 3. Page 5, before line 13 by inserting:
23 <Sec. ____ RETROACTIVE APPLICABILITY. The
24 following provision or provisions of this division of
25 this Act apply retroactively to July 1, 2011:

26 1. The section of this Act enacting section 256C.4,
27 subsection 1, paragraph "g".>

28 4. By renumbering as necessary.

WINCKLER of Scott
DOLECHECK of Ringgold

H-8427

1 Amend House File 2449 as follows:

2 1. Page 40, after line 20 by inserting:

3 <DIVISION ____

4 COMPETITIVE BIDDING PREFERENCE

5 Sec. ____ Section 8A.311, Code Supplement 2011, is
6 amended by adding the following new subsections:

7 NEW SUBSECTION. 12A. a. If the lowest responsive
8 bid received by the state or a political subdivision

9 for products or other purchases is from an out-of-state
10 business and totals less than five hundred thousand

11 dollars, and an Iowa-based business submitted a bid
12 which is within five percent or ten thousand dollars

13 of the price of the lowest bid, whichever is less,
14 the Iowa-based business which submitted the lowest

15 responsive bid shall be notified and shall be allowed
16 to match the lowest bid before a contract is awarded.

17 b. This subsection does not apply to a request
18 for bids or proposals for products or other purchases

19 associated with the following:

20 (1) Road or bridge construction or repair.

21 (2) Architectural or engineering services.

22 NEW SUBSECTION. 12B. a. A response to a request

23 for bids or proposals for products or other purchases
24 by the state or a political subdivision which totals

25 less than five hundred thousand dollars in value shall
26 contain the following information:

27 (1) The percentage of the ownership of the
28 submitting business which is held by Iowa residents.

29 (2) The percentage of the employees who will be
30 carrying out work in connection with the contract

31 who are Iowa residents. For the purposes of this
32 paragraph, "employee" includes part-time, temporary,

33 contract, and substitute employees, and includes
34 employees of any contractors or subcontractors.

35 (3) An estimate of the percentage of purchases
 36 to be made by the submitting business in connection
 37 with the contract that will be made from Iowa-based
 38 businesses.

39 (4) The amount of property tax paid by the
 40 submitting business during the most recently completed
 41 fiscal year for which such a figure is available.

42 b. This subsection does not apply to a request
 43 for bids or proposals for products or other purchases
 44 associated with the following:

45 (1) Road or bridge construction or repair.

46 (2) Architectural or engineering services.

47 NEW SUBSECTION. 12C. Subsections 12A and 12B do
 48 not apply to procurement of or for a public improvement
 49 as defined in section 26.2.>

50 2. By renumbering, redesignating, and correcting

Page 2

1 internal references as necessary.

THOMAS of Clayton

H-8428

1 Amend House File 2465 as follows:

2 1. Page 3, after line 25 by inserting:

3 <Sec. ____. Section 267A.2, subsection 4, Code
 4 Supplement 2011, is amended to read as follows:

5 4. "Fund" means the local food and farm ~~program~~
 6 innovation fund created in section 267A.5.

7 Sec. ____. Section 267A.5, Code Supplement 2011, is
 8 amended to read as follows:

9 267A.5 Local food and farm ~~program~~ innovation fund
 10 creation.

11 A local food and farm ~~program~~ innovation fund
 12 is created in the state treasury under the control
 13 of the department. The fund is separate from the
 14 general fund of the state. The fund is composed of
 15 moneys appropriated by the general assembly and moneys
 16 available to and obtained or accepted by the local food
 17 and farm program from the United States government or
 18 private sources for placement in the fund. Moneys
 19 in the fund shall be used to carry out the purpose
 20 and goals of this chapter as provided in section
 21 267A.1, including but not limited to administering the
 22 local food and farm program as provided in section
 23 267A.6. The fund shall be managed by the department in
 24 consultation with the local food and farm coordinator,
 25 under the supervision of the local food and farm
 26 program council.

27 Sec. ____. NEW SECTION. 267A.5A Local food and farm

28 innovation fund — appropriation.
 29 Each fiscal year, there is appropriated from the
 30 general fund of the state for deposit in the local
 31 food and farm innovation fund created pursuant to
 32 section 267A.5, up to fifty thousand dollars. The
 33 appropriation of each dollar in this section is
 34 contingent upon a dollar match contributed to the fund
 35 by a private person.>
 36 2. By renumbering as necessary.

ISENHART of Dubuque
 HANSON of Jefferson

H-8429

1 Amend House File 2465 as follows:
 2 1. By striking page 5, line 15, through page 7,
 3 line 16, and inserting:
 4 <Sec. ____ REPEAL. Section 256D.9, Code 2011, is
 5 repealed.
 6 Sec. ____ EFFECTIVE DATE. The section of this
 7 division of this Act that repeals section 256D.9 takes
 8 effect June 30, 2012.>
 9 2. By renumbering as necessary.

WINCKLER of Scott
 BERRY of Black Hawk
 GAINES of Polk
 HALL of Woodbury
 HEDDENS of Story
 ISENHART of Dubuque
 KEARNS of Lee
 KRESSIG of Black Hawk
 LYKAM of Scott
 H. MILLER of Webster
 R. OLSON of Polk
 M. SMITH of Marshall
 T. TAYLOR of Linn
 THOMAS of Clayton
 WITTNEBEN of Emmet

ABDUL-SAMAD of Polk
 COHOON of Des Moines
 GASKILL of Wapello
 HANSON of Jefferson
 HUNTER of Polk
 KAJTAZOVIC of Black Hawk
 KELLEY of Jasper
 LENSING of Johnson
 MASCHER of Johnson
 MURPHY of Dubuque
 PETERSEN of Polk
 STECKMAN of Cerro Gordo
 THEDE of Scott
 WESSEL-KROESCHELL of Story

H-8430

1 Amend House File 2465 as follows:
 2 1. Page 1, line 35, by striking <195,777> and
 3 inserting <232,500>
 4 2. Page 2, line 3, by striking <9,645,273> and
 5 inserting <12,606,196>

HEDDENS of Story
 BERRY of Black Hawk
 GAINES of Polk

ABDUL-SAMAD of Polk
 COHOON of Des Moines
 GASKILL of Wapello

HALL of Woodbury
 HUNTER of Polk
 KEARNS of Lee
 KRESSIG of Black Hawk
 LYKAM of Scott
 H. MILLER of Webster
 R. OLSON of Polk
 M. SMITH of Marshall
 T. TAYLOR of Linn
 WENTHE of Fayette
 WILLEMS of Linn
 WITTNEBEN of Emmet

HANSON of Jefferson
 KAJTAZOVIC of Black Hawk
 KELLEY of Jasper
 LENSING of Johnson
 MASCHER of Johnson
 MURPHY of Dubuque
 PETERSEN of Polk
 STECKMAN of Cerro Gordo
 THEDE of Scott
 WESSEL-KROESCHELL of Story
 WINCKLER of Scott
 WOLFE of Clinton

H-8431

1 Amend House File 2465 as follows:
 2 1. Page 1, after line 8 by inserting:
 3 <Membership dues to a legislative organization
 4 shall not be paid on behalf of the general assembly
 5 or its members, including on behalf of the senate or
 6 house of representatives, unless prior approval is
 7 received from the service committee of the legislative
 8 council. The service committee shall approve payment
 9 of membership dues to a legislative organization
 10 only after examination of donor lists supplied by the
 11 legislative organization at the request of the service
 12 committee. Such lists must identify all financial
 13 donors to the organization and to any foundation
 14 associated with the organization in a format designated
 15 by the secretary of the senate and the chief clerk
 16 of the house. The secretary of the senate and the
 17 chief clerk of the house shall make the lists publicly
 18 available in the same manner as personal financial
 19 disclosure forms filed pursuant to section 68B.35
 20 are made publicly available. If membership dues to a
 21 legislative organization are paid on a biennial basis,
 22 the organization shall submit a donor list to the
 23 service committee each year during the two-year period.
 24 Individual memberships to a legislative organization
 25 shall be provided to members of the general assembly
 26 on an opt-in basis.>

WESSEL-KROESCHELL of Story
 BERRY of Black Hawk
 GAINES of Polk
 HANSON of Jefferson
 HUNTER of Polk
 KAJTAZOVIC of Black Hawk
 KELLEY of Jasper
 LENSING of Johnson
 MASCHER of Johnson
 R. OLSON of Polk

ABDUL-SAMAD of Polk
 COHOON of Des Moines
 GASKILL of Wapello
 HEDDENS of Story
 ISENHART of Dubuque
 KEARNS of Lee
 KRESSIG of Black Hawk
 LYKAM of Scott
 H. MILLER of Webster
 PETERSEN of Polk

M. SMITH of Marshall
 T. TAYLOR of Linn
 WENTHE of Fayette
 WINCKLER of Scott
 WOLFE of Clinton

STECKMAN of Cerro Gordo
 THEDE of Scott
 WILLEMS of Linn
 WITTNEBEN of Emmet

H-8432

- 1 Amend House File 2465 as follows:
 2 1. Page 7, by striking lines 20 through 31.
 3 2. Page 8, by striking lines 25 through 29 and
 4 inserting:
 5 <1. a. This subsection does not apply to statewide
 6 elected officials who are subject to the provisions of
 7 this division requiring such officials to pay a portion
 8 of health insurance premiums.>
 9 3. By striking page 9, line 32, through page 10,
 10 line 2.
 11 4. By renumbering as necessary.

MURPHY of Dubuque

H-8433

- 1 Amend House File 2375 as follows:
 2 1. By striking everything after the enacting clause
 3 and inserting:
 4 <Section 1. NEW SECTION. 476D.1 Definitions.
 5 As used in this chapter, unless the context
 6 otherwise requires:
 7 1. "Board" means the utilities board within the
 8 utilities division of the department of commerce.
 9 2. "Dairy producer" means any person or entity that
 10 owns or operates a dairy farm or that owns cows that do
 11 or are intended to produce milk.
 12 3. "Utility" means a public utility as defined in
 13 section 476.1 or, for purposes of this chapter, any
 14 other person owning or operating more than one thousand
 15 five hundred miles of transmission lines and associated
 16 facilities in this state.
 17 Sec. 2. NEW SECTION. 476D.2 Utility inspections —
 18 stray current or voltage.
 19 1. A dairy producer in this state that claims that
 20 its dairy cows are being affected by stray current
 21 or voltage shall provide written notice to a utility
 22 providing electric service to the dairy producer and
 23 may provide written notice to the board. The notice
 24 shall include a nonbinding statement as to why the
 25 dairy producer claims its dairy cows are being affected
 26 by electrical energy attributable to the utility.
 27 2. a. Within fourteen business days after receipt
 28 of a notice alleging stray current or voltage by a

29 utility pursuant to subsection 1, the utility shall
30 take or arrange for the taking of measurements to
31 identify the existence and magnitude of the stray
32 current or voltage, if any. A dairy producer providing
33 notice of the claim shall permit entry onto the dairy
34 farm at dates and times mutually agreed upon by the
35 dairy producer and the utility. The utility shall
36 perform no other service or inspection on the dairy
37 farm beyond taking measurements of stray current
38 or voltage, except the utility may advise the dairy
39 producer as to recommended on-farm remedial action
40 and may perform such on-farm remedial action with the
41 permission of the dairy producer. The utility or
42 its representative shall abide by the dairy farm's
43 biosecurity protocols or, if none, generally accepted
44 biosecurity protocols in the industry, prior to entry
45 onto the dairy farm. The utility shall be provided
46 advance notice of any biosecurity protocols adopted by
47 the dairy producer.
48 b. A dairy producer may include with the notice
49 provided pursuant to subsection 1, or in a subsequent
50 notice, a written request for the board to take or

Page 2

1 arrange for the taking of separate and independent
2 measurements to identify the existence and magnitude
3 of stray current or voltage, if any. Such a request
4 may also be made by the utility. Measurements by the
5 board shall be taken by a representative of the board
6 directly, or by a neutral third-party expert selected
7 by the board for such purposes. A dairy producer
8 providing notice of the claim shall permit entry onto
9 the dairy farm at dates and times mutually agreed upon
10 by the dairy producer and the board, a representative
11 of the board directly, or by a neutral third-party
12 expert selected by the board for such purposes. The
13 board or a selected third-party expert shall perform
14 no other service or inspection on the dairy farm
15 beyond taking measurements of stray current or voltage,
16 except the board or third-party expert may advise the
17 dairy producer as to recommended on-farm remedial
18 action. The board or the third-party expert shall
19 abide by the dairy farm's biosecurity protocols or,
20 if none, by generally accepted biosecurity protocols
21 in the industry, prior to entry onto the dairy farm.
22 The board shall be provided advance notice of any
23 biosecurity protocols adopted by the dairy producer.
24 The board shall subsequently prepare or cause to be
25 prepared a determination of source document which shall
26 be made available to both the dairy producer and the
27 utility.

28 Sec. 3. NEW SECTION. 476D.3 Rules.
 29 The board shall by rule establish procedures and
 30 protocols to be used for the measurement of stray
 31 current or voltage. The board shall review the rules
 32 from time to time, or upon petition to the board, to
 33 ensure that the procedures and protocols continue to
 34 be scientifically and technologically accurate and a
 35 reliable means of detecting stray current or voltage.>

IVERSON of Wright

H-8434

1 Amend House File 2465 as follows:
 2 1. Page 2, line 31, after <8.57E.> by inserting
 3 <Except for temporary cash flow purposes, moneys in the
 4 taxpayers trust fund shall only be used in accordance
 5 with appropriations made for purposes of providing tax
 6 relief for personal income tax reduction, homeowner
 7 property tax reduction, or sales tax reduction.>

QUIRK of Chickasaw
 JACOBY of Johnson

H-8435

1 Amend House File 2465 as follows:
 2 1. Page 1, by striking lines 27 through 31 and
 3 inserting:
 4 <3. For the center for congenital and inherited
 5 disorders central registry under section 144.13A,
 6 subsection 4, paragraph "a":
 7 \$ ~~85,560~~
 8 2. By renumbering as necessary.

PETERSEN of Polk

H-8436

1 Amend House File 2464 as follows:
 2 1. Page 12, after line 19 by inserting:
 3 <DIVISION ____
 4 PHARMACY RESEARCH PROJECTS
 5 Sec. ____ 2011 Iowa Acts, chapter 63, section 36,
 6 subsection 1, is amended to read as follows:
 7 1. Notwithstanding any provision of section
 8 147.107, subsection 2, or section 155A.33 to the
 9 contrary, the board of pharmacy may approve a pilot
 10 or demonstration research project of innovative
 11 applications in the practice of pharmacy relating to
 12 the authority of prescription verification and the
 13 ability of a pharmacist to provide enhanced patient

14 care.>
 15 2. By renumbering as necessary.

JORGENSEN of Woodbury

H-8437

1 Amend the Senate amendment, H-8425, to House File
 2 2337, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 2, line 23, by striking <200,000> and
 5 inserting <400,000>
 6 2. By renumbering as necessary.

KELLEY of Jasper
 GAINES of Polk

H-8438

1 Amend the amendment, H-8431, to House File 2465 as
 2 follows:
 3 1. Page 1, by striking lines 5 through 26 and
 4 inserting <or its members.>

WAGNER of Linn

H-8439

1 Amend House File 2465 as follows:
 2 1. Page 2, by striking lines 23 through 31 and
 3 inserting:
 4 <Sec. ____ Section 8.55, subsection 2, paragraph
 5 a, subparagraph (2), Code Supplement 2011, is amended
 6 to read as follows:
 7 (2) The remainder of the excess, if any, shall be
 8 transferred to the ~~general~~ invest in education trust
 9 ~~fund of the state.~~
 10 Sec. ____ NEW SECTION. 8.57F Invest in education
 11 trust fund.
 12 1. An invest in education trust fund is created.
 13 The fund shall be separate from the general fund of
 14 the state and the balance in the fund shall not be
 15 considered part of the balance of the general fund of
 16 the state. The moneys credited to the fund are not
 17 subject to section 8.33 and shall not be transferred,
 18 used, obligated, appropriated, or otherwise encumbered
 19 except as provided in this section.
 20 2. Moneys in the invest in education trust fund
 21 shall only be used pursuant to appropriations made by
 22 the general assembly to support the education of Iowans
 23 from early childhood through postsecondary education
 24 levels. Moneys appropriated from the fund for a

25 purpose that receives an existing state appropriation
 26 shall only be used to supplement and not to supplant
 27 the existing state appropriation.
 28 3. a. Moneys in the invest in education trust fund
 29 may be used for cash flow purposes during a fiscal year
 30 provided that any moneys so allocated are returned to
 31 the fund by the end of that fiscal year.
 32 b. Except as provided in section 8.58, the invest
 33 in education Iowa trust fund shall be considered a
 34 special account for the purposes of section 8.53 in
 35 determining the cash position of the general fund of
 36 the state for the payment of state obligations.
 37 4. Notwithstanding section 12C.7, subsection 2,
 38 interest or earnings on moneys deposited in the invest
 39 in education trust fund shall be credited to the fund.>
 40 2. Page 5, by striking lines 11 and 12 and
 41 inserting:
 42 <1. The section of this Act amending section 8.55.
 43 2. The section of this Act enacting section 8.57F.>
 44 3. By renumbering as necessary.

WINCKLER of Scott
 BERRY of Black Hawk
 GAINES of Polk
 HANSON of Jefferson
 HUNTER of Polk
 JACOBY of Johnson
 KEARNS of Lee
 KRESSIG of Black Hawk
 LYKAM of Scott
 H. MILLER of Webster
 OLDSON of Polk
 T. OLSON of Linn
 STECKMAN of Cerro Gordo
 THEDE of Scott
 WESSEL-KROESCHELL of Story
 WITTNEBEN of Emmet

ABDUL-SAMAD of Polk
 GOHOON of Des Moines
 GASKILL of Wapello
 HEDDENS of Story
 ISENHART of Dubuque
 KAJTAZOVIC of Black Hawk
 KELLEY of Jasper
 LENSING of Johnson
 MASCHER of Johnson
 MUHLBAUER of Crawford
 R. OLSON of Polk
 PETERSEN of Polk
 T. TAYLOR of Linn
 WENTHE of Fayette
 WILLEMS of Linn

H-8440

1 Amend House File 2465 as follows:
 2 1. Page 11, after line 22 by inserting:
 3 <Sec. ____ Section 135.156E, subsection 1,
 4 paragraph b, if enacted by 2012 Iowa Acts, Senate File
 5 2318, section 14, is amended to read as follows:
 6 b. Require authentication controls to verify the
 7 ~~identify identity~~ and role of the participant using the
 8 Iowa health information network.>
 9 2. Page 13, after line 31 by inserting:
 10 <Sec. ____ Section 161A.63, Code 2011, as amended
 11 by 2012 Iowa Acts, Senate File 2311, section 16, if
 12 enacted, is amended to read as follows:

13 161A.63 Right of purchaser of agricultural land to
14 obtain information.
15 A prospective purchaser of an interest in
16 agricultural land located in this state is entitled
17 to obtain from the seller, or from the office of the
18 soil and water conservation district in which the land
19 is located, a copy of the most recently updated farm
20 unit soil conservation plan, developed pursuant to
21 section 161A.62, subsection 2, which ~~are~~ is applicable
22 to the agricultural land proposed to be purchased. A
23 prospective purchaser of an interest in agricultural
24 land located in this state is entitled to obtain
25 additional copies of ~~either or both of the documents~~
26 document referred to in this section from the office of
27 the soil and water conservation district in which the
28 land is located, promptly upon request, at a fee not to
29 exceed the cost of reproducing them. All persons who
30 identify themselves to the commissioners or staff of
31 a soil and water conservation district as prospective
32 purchasers of agricultural land in the district shall
33 be given information, prepared in accordance with
34 rules of the department, which clearly explains the
35 provisions of section 161A.76.

36 Sec. ____ Section 203C.14, Code 2011, as amended
37 by 2012 Iowa Acts, Senate File 2311, section 107, if
38 enacted, is amended to read as follows:

39 203C.14 Suit — claims — notice of revocation.

40 1. A person injured by the breach of an obligation
41 of a warehouse operator, for the performance of which a
42 bond on agricultural products other than bulk grain, a
43 deficiency bond, or an irrevocable letter of credit has
44 been given under any of the provisions of this chapter,
45 may sue on the bond on agricultural products other than
46 bulk grain, deficiency bond, or irrevocable letter of
47 credit in the person's own name in a court of competent
48 jurisdiction to recover any damages the person has
49 sustained by reason of the breach.

50 2. a. Upon the cessation of a warehouse operator's

Page 2

1 license due to revocation, cancellation, or expiration,
2 a claim against the warehouse operator arising
3 under this chapter shall be made in writing with
4 the warehouse operator, with the issuer of a bond
5 on agricultural products other than bulk grain, a
6 deficiency bond, or an irrevocable letter of credit,
7 and, if the claim relates to bulk grain, with the
8 department. The claim must be made within one hundred
9 twenty days after the cessation of the license. The
10 failure to make a timely claim relieves the issuer
11 and, if the claim relates to bulk grain, the grain

12 depositors and sellers indemnity fund provided in
13 chapter 203D of all obligations to the claimant.
14 ~~3.~~ b. Upon revocation of a warehouse license, the
15 department shall cause notice of the revocation to be
16 published once each week for two consecutive weeks
17 in a newspaper of general circulation in each of the
18 counties in which the licensee maintains a business
19 location and in a newspaper of general circulation
20 within the state. The notice shall state the name and
21 address of the warehouse operator and the effective
22 date of revocation. The notice shall also state that
23 any claims against the warehouse operator shall be made
24 in writing and sent by ordinary mail to the warehouse
25 operator, to the issuer of a bond on agricultural
26 products other than bulk grain, deficiency bond, or an
27 irrevocable letter of credit, and to the department
28 within one hundred twenty days after revocation, and
29 the notice shall state that the failure to make a
30 timely claim does not relieve the warehouse operator
31 from liability to the claimant.

32 c. This ~~paragraph~~ subsection does not apply if
33 a receiver is appointed as provided in this chapter
34 pursuant to a petition which is filed by the department
35 prior to the expiration of one hundred twenty days
36 after ~~revocation, termination, or cancellation~~
37 cessation of the license.>

38 3. Page 15, after line 18 by inserting:
39 <Sec. ____ Section 326.3, subsection 19, if enacted
40 by 2012 Iowa Acts, Senate File 2216, section 19, is
41 amended to read as follows:

42 19. "Operational records" means source documents
43 that evidence distance traveled by a fleet in each
44 member jurisdiction, such as ~~fuel~~ fuel reports, trip
45 sheets, and driver logs, including those which may
46 be generated through on-board devices and maintained
47 electronically, as required by the audit procedures
48 manual.

49 Sec. ____ Section 418.4, subsection 1, paragraph b,
50 if enacted by 2012 Iowa Acts, Senate File 2217, section

Page 3

1 5, is amended to read as follows:

2 b. A governmental entity as defined in section
3 418.1, subsection 4, paragraph "c", shall have the
4 power to construct, acquire, own, repair, improve,
5 operate, and maintain a project, may sue and be sued,
6 contract, and acquire and hold real and personal
7 property, subject to the limitation in paragraph "c",
8 and shall have such other powers as may be included in
9 the chapter 28E agreement. Such a governmental entity
10 may contract with a city or the county participating in

11 the chapter 28E agreement to perform any governmental
 12 service, activity, or undertaking that the city or
 13 county is authorized by law to perform, including but
 14 not limited to contracts for administrative services.

15 Sec. ____ Section 418.5, subsection 7, if enacted
 16 by 2012 Iowa Acts, Senate File 2217, section 6, is
 17 amended to read as follows:

18 7. A majority of the ~~board~~ voting members
 19 constitutes a quorum.

20 Sec. ____ Section 418.9, subsection 2, paragraph g,
 21 if enacted by 2012 Iowa Acts, Senate File 2217, section
 22 10, is amended to read as follows:

23 g. Whether the project plan is consistent with
 24 the applicable comprehensive, ~~countywide~~ emergency
 25 operations plan in effect and other applicable local
 26 hazard mitigation plans.

27 Sec. ____ Section 504.719, subsection 3, as enacted
 28 by 2012 Iowa Acts, Senate File 2260, section 8, is
 29 amended to read as follows:

30 3. An inspector may, but is not required to, be a
 31 director, ~~member of a designated body~~, member, officer,
 32 or employee of the corporation. A person who is a
 33 candidate for an office to be filled at the meeting
 34 shall not be an inspector at that meeting.>

35 4. Page 17, after line 29 by inserting:

36 <Sec. ____ EFFECTIVE UPON ENACTMENT. The section
 37 of this division of this Act amending section 135.156E,
 38 subsection 1, paragraph b, being deemed of immediate
 39 importance, takes effect upon enactment.

40 Sec. ____ RETROACTIVE APPLICABILITY. The section
 41 of this division of this Act amending section 135.156E,
 42 subsection 1, paragraph b, applies retroactively to the
 43 effective date of 2012 Iowa Acts, Senate File 2318.>

44 5. Page 18, after line 2 by inserting:

45 <Sec. ____ EFFECTIVE UPON ENACTMENT. The sections
 46 of this division of this Act amending section 418.4,
 47 subsection 1, paragraph b, section 418.5, subsection
 48 7, and section 418.9, subsection 2, paragraph g,
 49 being deemed of immediate importance, take effect upon
 50 enactment.

Page 4

1 Sec. ____ RETROACTIVE APPLICABILITY. The sections
 2 of this division of this Act amending section 418.4,
 3 subsection 1, paragraph b, section 418.5, subsection
 4 7, and section 418.9, subsection 2, paragraph g, apply
 5 retroactively to the effective date of 2012 Iowa Acts,
 6 Senate File 2217.>

7 6. By renumbering as necessary.

H-8441

1 Amend House File 2465 as follows:

- 2 1. By striking page 5, line 13, through page 7,
3 line 16.
4 2. By renumbering as necessary.

WAGNER of Linn

H-8442

1 Amend House File 2465 as follows:

- 2 1. Page 2, after line 22 by inserting:
3 <Sec. ____ NATIONAL DEFENSE. Notwithstanding
4 any provision of law to the contrary, an agency or
5 political subdivision of the state, a state employee
6 acting in an official capacity, and any member of the
7 Iowa national guard when serving on official state
8 duty, shall not engage in any activity that aids an
9 agency of or the armed forces of the United States
10 in the execution of 50 U.S.C. § 1541, as provided by
11 the National Defense Authorization Act for Fiscal
12 Year 2012, Pub. L. No. 112-81, in the investigation,
13 prosecution, or detainment of any citizen of the United
14 States in violation of Article I, sections 8, 9, and 10
15 of the Constitution of the State of Iowa.>
16 2. By renumbering as necessary.

ALONS of Sioux
WATTS of Dallas
SHAW of Pocahontas
MASSIE of Warren
PEARSON of Polk

H-8443

1 Amend House File 2460 as follows:

- 2 1. Page 1, by striking lines 23 through 28 and
3 inserting:
4 <3. a. Each county that had an urban renewal plan
5 and area in effect at any time during the most recently
6 ended fiscal year shall complete for each such urban
7 renewal plan and area and file with the department
8 of management an urban renewal report by December 1
9 following the end of such fiscal>
10 2. Page 2, line 17, by striking <5> and inserting
11 <6>
12 3. Page 2, line 19, by striking <5> and inserting
13 <6>
14 4. Page 4, line 17, by striking <management,> and
15 inserting <management>
16 5. Page 4, lines 25 and 26, by striking <tax
17 increment financing> and inserting <urban renewal>

- 18 6. Page 6, line 20, by striking ~~<tax increment~~
 19 ~~financing>~~ and inserting ~~<urban renewal>~~
 20 7. Page 7, by striking lines 1 through 6 and
 21 inserting:
 22 ~~<2. a. Each city that had an urban renewal plan~~
 23 ~~and area in effect at any time during the most recently~~
 24 ~~ended fiscal year shall complete for each such urban~~
 25 ~~renewal plan and area and file with the department~~
 26 ~~of management an urban renewal report by December 1~~
 27 ~~following the end of such fiscal>~~
 28 8. Page 7, line 29, by striking ~~<5>~~ and inserting
 29 ~~<6>~~
 30 9. Page 7, line 31, by striking ~~<5>~~ and inserting
 31 ~~<6>~~
 32 10. Page 9, line 29, by striking ~~<management.>~~ and
 33 inserting ~~<management>~~
 34 11. Page 9, line 35, through page 10, line 1, by
 35 striking ~~<tax increment financing>~~ and inserting ~~<urban~~
 36 ~~renewal>~~
 37 12. Page 11, line 2, after ~~<county>~~ by inserting
 38 ~~<, unless a majority of the affected taxing entities~~
 39 ~~in the proposed urban renewal area or existing urban~~
 40 ~~renewal area, as applicable, by resolution approves~~
 41 ~~such establishment or modification>~~
 42 13. Page 11, line 25, before ~~<public>~~ by inserting
 43 ~~<first>~~
 44 14. Page 12, line 4, before ~~<public>~~ by inserting
 45 ~~<first>~~
 46 15. Page 13, line 9, by striking ~~<that if>~~ and
 47 inserting ~~<that if. However.>~~
 48 16. Page 14, after line 7 by inserting:
 49 ~~<Sec. ____ Section 403.5, subsection 4, unnumbered~~
 50 ~~paragraph 1, Code 2011, is amended to read as follows:~~

Page 2

- 1 Following the third such hearing, the local
 2 governing body may approve an urban renewal plan if it
 3 finds that:>
 4 17. Page 19, line 1, after ~~<(2)>~~ by inserting ~~<(a)>~~
 5 18. Page 19, by striking line 2 and inserting
 6 ~~<the contrary, and except as otherwise provided in~~
 7 ~~subparagraph division (b), for taxes due and payable~~
 8 ~~for fiscal years beginning on or after July 1,>~~
 9 19. Page 19, by striking lines 6 through 26 and
 10 inserting ~~<January 1 used to calculate the amount of~~
 11 ~~taxes under section 403.19, subsection 1, and the~~
 12 ~~year of the assessment roll used to calculate the~~
 13 ~~amount of excess property taxes under section 403.19,~~
 14 ~~subsection 2, first exceeds fifteen years, the year of~~
 15 ~~the assessment roll as of January 1 that is otherwise~~
 16 ~~required to be used to calculate the amount of taxes~~

17 under section 403.19, subsection 1, shall be adjusted
18 by increasing the year of the assessment roll by two
19 assessment years. Such assessment roll so adjusted
20 shall be increased in each subsequent fiscal year by
21 two assessment years until the assessment roll as of
22 January 1 used to calculate the amount of taxes under
23 section 403.19, subsection 1, is later in time than
24 the year of the assessment roll used to calculate the
25 amount of excess property taxes under section 403.19,
26 subsection 2, at which time the urban renewal area
27 including all applicable urban renewal plans, projects,
28 and ordinances providing for a division of revenue
29 shall terminate and be of no further force and effect.>

30 20. Page 19, before line 27 by inserting:

31 <(b) A municipality may, following the filing
32 of an application for a waiver with, and approval
33 by, the department of management, extend the date
34 of termination for the urban renewal area and all
35 applicable urban renewal plans, projects, and
36 ordinances to a date after the date determined in
37 subparagraph division (a). Such an application
38 shall be filed with the department of management not
39 later than June 30, 2013, and the application shall
40 be accompanied by all information and documentation
41 required by the department. The extended termination
42 date shall be determined by the department of
43 management. However, an extended termination date
44 shall not be later than a date determined by the
45 department of management to be necessary for the
46 municipality to pay and retire those loans, advances,
47 bonds, or indebtedness, or portions thereof, incurred
48 or issued before the effective date of this Act that
49 qualify for payment from the special fund created
50 in section 403.19, and by the terms of such loans,

Page 3

1 advances, bonds, or indebtedness are required to
2 be paid or retired after the date determined in
3 subparagraph division (a). If the department of
4 management approves a waiver under this subparagraph
5 division (b), all moneys deposited into the special
6 fund of the municipality after the date determined in
7 subparagraph division (a), shall be used solely for
8 the purpose of retiring such loans, advances, bonds,
9 or indebtedness. During the period of the extension,
10 property taxes collected under section 403.19,
11 subsection 2, in excess of the amount necessary under
12 the conditions of the extension shall be allocated and
13 when collected paid into the funds for the respective
14 taxing districts in the same manner as taxes on all
15 other property.>

16 21. Page 19, after line 28 by inserting:
 17 <Sec. _____. Section 403.19, subsection 1, paragraph
 18 a, Code Supplement 2011, is amended to read as follows:
 19 a. Unless otherwise provided in this section, that
 20 portion of the taxes which would be produced by the
 21 rate at which the tax is levied each year by or for
 22 each of the taxing districts upon the total sum of the
 23 assessed value of the taxable property in the urban
 24 renewal area, as shown on the assessment roll as of
 25 January 1 of the calendar year preceding the first
 26 calendar year in which the municipality certifies
 27 to the county auditor the amount of loans, advances,
 28 indebtedness, or bonds payable from the division of
 29 property tax revenue, or on the assessment roll last
 30 equalized prior to the date of initial adoption of
 31 the urban renewal plan if the plan was adopted prior
 32 to July 1, 1972, and the ordinance providing for the
 33 division of revenue was adopted before the effective
 34 date of this Act, shall be allocated to and when
 35 collected be paid into the fund for the respective
 36 taxing district as taxes by or for the taxing district
 37 into which all other property taxes are paid. However,
 38 the municipality may choose to divide that portion
 39 of the taxes which would be produced by levying the
 40 municipality's portion of the total tax rate levied
 41 by or for the municipality upon the total sum of
 42 the assessed value of the taxable property in the
 43 urban renewal area, as shown on the assessment roll
 44 as of January 1 of the calendar year preceding the
 45 effective date of the ordinance and if the municipality
 46 so chooses, an affected taxing entity may allow a
 47 municipality to divide that portion of the taxes
 48 which would be produced by levying the affected taxing
 49 district's portion of the total tax rate levied by or
 50 for the affected taxing entity upon the total sum of

Page 4

1 the assessed value of the taxable property in the urban
 2 renewal area, as shown on the assessment roll as of
 3 January 1 of the calendar year preceding the effective
 4 date of the ordinance. This choice to divide a portion
 5 of the taxes shall not be construed to change the
 6 effective date of the division of property tax revenue
 7 with respect to an urban renewal plan in existence on
 8 July 1, 1994.>

9 22. By striking page 19, line 31, through page 20,
 10 line 3, and inserting:
 11 <NEW PARAGRAPH. d. Notwithstanding any provision
 12 of this chapter to the contrary, on or after the
 13 effective date of this Act a municipality shall not
 14 adopt an ordinance providing for a division of revenue

15 under this section for an urban renewal area containing
16 wind energy conversion property as defined in section
17 427B.26 unless a majority of affected taxing entities
18 by resolution approves the proposed division of
19 revenue. The division of revenue shall be limited to
20 ten years following adoption of the ordinance. Revenue
21 divided in an urban renewal area described in this
22 paragraph shall only be used by the municipality for
23 the construction, reconstruction, improvement, repair,
24 or equipping of bridges, roads, and culverts under the
25 jurisdiction of the municipality and located in the
26 urban renewal area.>

27 23. Page 20, by striking lines 6 through 27 and
28 inserting:

29 <NEW SUBSECTION. 3A. Except as provided in
30 section 403.22, an ordinance providing for a division
31 of revenue under this section that is adopted on or
32 after the effective date of this Act shall be limited
33 to twenty years from the calendar year following
34 the calendar year in which the municipality first
35 certifies to the county auditor the amount of any
36 loans, advances, indebtedness, or bonds which qualify
37 for payment from the division of revenue provided in
38 section 403.19. The urban renewal area, including
39 all applicable urban renewal plans, projects, and
40 ordinances shall terminate and be of no further force
41 and effect following the twenty-year period provided
42 in this subsection.>

43 24. Page 21, by striking lines 6 through 9 and
44 inserting <have either entered into a written agreement
45 concerning the relocation of the commercial or
46 industrial enterprise or have entered into a written
47 agreement concerning the general use of economic
48 incentives to attract commercial or industrial
49 development within those municipalities.>

50 25. Page 22, by striking line 19 and inserting <the

Page 5

1 following unless approved by resolution adopted by the
2 governing bodies of a majority of the>

3 26. By striking page 23, line 1, through page 25,
4 line 12, and inserting:

5 <Sec. ____ Section 403.22, Code Supplement 2011, is
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 1A. With respect to any urban
8 renewal area established on or after the effective
9 date of this Act, a division of revenue as provided in
10 section 403.19 shall not be allowed for the purpose
11 of providing or aiding in the provision of public
12 improvements related to housing and residential
13 development unless a majority of the affected taxing

14 entities, by resolution, approves a division of
 15 revenue for such purpose. If the use of a division of
 16 revenue for the purpose of providing or aiding in the
 17 provision of public improvements related to housing
 18 and residential development is approved by a majority
 19 of the affected taxing entities, the municipality is
 20 subject to the provisions of this section insofar as
 21 applicable.>
 22 27. Title page, line 2, by striking <property>
 23 28. By renumbering as necessary.

SODERBERG of Plymouth

H-8444

1 Amend House File 2465 as follows:
 2 1. Page 3, after line 25 by inserting:
 3 <Sec. ____ Section 260C.14, Code 2011, is amended
 4 by adding the following new subsection:
 5 NEW SUBSECTION. 23. a. Adopt rules to waive
 6 tuition and mandatory fee charges for any student in
 7 good standing who is a resident of Iowa; is under the
 8 age of twenty-six, or under the age of thirty if the
 9 student is a qualified veteran as defined in subsection
 10 14; is not a convicted felon as defined in section
 11 910.15; and meets any of the following criteria:
 12 (1) Is the child of a peace officer, as defined
 13 in section 97A.1, who was killed in the line of duty
 14 as determined by the board of trustees of the Iowa
 15 department of public safety peace officers' retirement,
 16 accident, and disability system in accordance with
 17 section 97A.6, subsection 16.
 18 (2) Is the child of a police officer, as defined in
 19 section 411.1, who was killed in the line of duty as
 20 determined by the statewide fire and police retirement
 21 system in accordance with section 411.6, subsection 15.
 22 (3) Is the child of a sheriff or deputy sheriff as
 23 defined in section 97B.49C, who was killed in the line
 24 of duty as determined by the Iowa public employees'
 25 retirement system in accordance with section 97B.52,
 26 subsection 2.
 27 b. If a student who meets the criteria pursuant to
 28 paragraph "a" receives financial aid under any other
 29 federal, state, or institutional scholarship or grant
 30 program, the full amount of the other financial aid
 31 shall be applied to the student's expenses first and
 32 shall be considered part of the student's available
 33 financial resources in determining the amount of
 34 tuition and mandatory fee charges to be waived under
 35 this subsection. The total financial aid for the
 36 student's education, including financial aid under any
 37 other program, shall not exceed the student's cost

38 of attendance at the community college in which the
39 student is enrolled.
40 c. Notwithstanding section 261.20, a community
41 college waiving tuition and mandatory fees in
42 accordance with this subsection may request from the
43 college student aid commission and the governor a
44 transfer of moneys from the scholarship and tuition
45 grant reserve fund in the manner provided in section
46 261.20, subsection 3, in an amount equivalent to the
47 amount of tuition and mandatory fees waived by the
48 community college for the fiscal year.
49 Sec. ____. Section 262.9, Code Supplement 2011, is
50 amended by adding the following new subsection:

Page 2

1 NEW SUBSECTION. 36. a. Adopt rules that require
2 the institutions of higher education under its control
3 to waive tuition and mandatory fee charges for any
4 undergraduate student in good standing who is a
5 resident of Iowa; is under the age of twenty-six, or
6 under the age of thirty if the student is a qualified
7 veteran as defined in subsection 17; is not a convicted
8 felon as defined in section 910.15; and meets any of
9 the following criteria:

10 (1) Is the child of a peace officer, as defined
11 in section 97A.1, who was killed in the line of duty
12 as determined by the board of trustees of the Iowa
13 department of public safety peace officers' retirement,
14 accident, and disability system in accordance with
15 section 97A.6, subsection 16.

16 (2) Is the child of a police officer, as defined in
17 section 411.1, who was killed in the line of duty as
18 determined by the statewide fire and police retirement
19 system in accordance with section 411.6, subsection 15.

20 (3) Is the child of a sheriff or deputy sheriff as
21 defined in section 97B.49C, who was killed in the line
22 of duty as determined by the Iowa public employees'
23 retirement system in accordance with section 97B.52,
24 subsection 2.

25 b. If a student who meets the criteria pursuant to
26 paragraph "a" receives financial aid under any other
27 federal, state, or institutional scholarship or grant
28 program, the full amount of the other financial aid
29 shall be applied to the student's expenses first and
30 shall be considered part of the student's available
31 financial resources in determining the amount of
32 tuition and mandatory fee charges to be waived under
33 this subsection. The total financial aid for the
34 student's education, including financial aid under any
35 other program, shall not exceed the student's cost of
36 attendance at the institution of higher education in

37 which the student is enrolled.
 38 c. Notwithstanding section 261.20, an institution
 39 of higher education waiving tuition and mandatory fees
 40 in accordance with this subsection may request from
 41 the college student aid commission and the governor a
 42 transfer of moneys from the scholarship and tuition
 43 grant reserve fund in the manner provided in section
 44 261.20, subsection 3, in an amount equivalent to the
 45 amount of tuition and mandatory fees waived by the
 46 institution for the fiscal year.>
 47 2. By renumbering as necessary.

WAGNER of Linn

H-8445

1 Amend House File 2465 as follows:
 2 1. Page 3, by striking lines 7 through 14 and
 3 inserting:
 4 <by adding the following new paragraphs:
 5 NEW PARAGRAPH. g. For the fiscal year beginning
 6 July 1, 2011, and each succeeding fiscal year, of the
 7 amount of preschool foundation aid received by a school
 8 district for a fiscal year in accordance with section
 9 257.16, not less than five percent shall be used by
 10 the school district for administering the district's
 11 approved local program.
 12 NEW PARAGRAPH. h. For the fiscal year beginning
 13 July 1, 2012, and each succeeding fiscal year, of
 14 the amount of preschool foundation aid received by a
 15 school district for a fiscal year in accordance with
 16 section 257.16, not less than ninety-five percent
 17 of the per pupil amount shall be passed through to
 18 a community-based provider for each pupil enrolled
 19 in the district's approved local program. For the
 20 fiscal year beginning July 1, 2011, and each succeeding
 21 fiscal year, not more than five percent of the
 22 amount of preschool foundation aid passed through
 23 to a community-based provider may be used by the
 24 community-based provider for administrative costs.>
 25 2. Page 5, after line 12 by inserting:
 26 <2. The section of this Act enacting section
 27 256C.4, subsection 1, paragraphs "g" and "h".>
 28 3. By renumbering as necessary.

WINCKLER of Scott
 DOLECHECK of Ringgold

H-8446

1 Amend House File 2465 as follows:
 2 1. Page 1, by striking lines 23 through 26 and

3 inserting:
 4 <2. For regional tourism marketing under section
 5 99F.11, subsection 3, paragraph "d", subparagraph (2):
 6 § ~~405,153~~
 7 2. By renumbering as necessary.

THOMAS of Clayton

H-8447

1 Amend the amendment, H-8445, to House File 2465 as
 2 follows:
 3 1. Page 1, line 9, by striking <not less than
 4 five percent shall> and inserting <not more than five
 5 percent may>

WINCKLER of Scott
 DOLECHECK of Ringgold

H-8448

1 Amend House File 2435 as follows:
 2 1. Page 61, after line 23 by inserting:
 3 <Sec. ____ Section 225B.8, Code Supplement 2011, is
 4 amended to read as follows:
 5 225B.8 Repeal.
 6 This chapter is repealed July 1, ~~2012~~ 2013.>
 7 2. By renumbering as necessary.

HEDDENS of Story
 HEATON of Henry

H-8449

1 Amend House File 2449 as follows:
 2 1. Page 10, before line 30 by inserting:
 3 <DIVISION ____
 4 PREVENTION OF DISABILITIES POLICY COUNCIL
 5 Sec. ____ Section 225B.8, Code Supplement 2011, is
 6 amended to read as follows:
 7 225B.8 Repeal.
 8 This chapter is repealed July 1, ~~2012~~ 2013.
 9 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 10 of this Act, being deemed of immediate importance,
 11 takes effect upon enactment.>
 12 2. By renumbering as necessary.

HEDDENS of Story
 HEATON of Henry

H-8450

1 Amend the amendment, H-8443, to House File 2460 as
2 follows:

3 1. Page 2, line 2, after <plan> by inserting <
4 subject to the requirements under subsection 4A if
5 applicable, and>

6 2. Page 2, after line 3 by inserting:

7 <____. Page 14, after line 27 by inserting:

8 <Sec. ____ Section 403.5, Code 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 4A. The resolutions of affected
11 taxing entities required to be received under
12 subsection 1, paragraph "b", section 403.19, subsection
13 1, paragraph "d", section 403.19, subsection 10, and
14 section 403.22, subsection 1A, must be received by the
15 municipality no later than fourteen days following
16 the date of the third public hearing on the proposed
17 urban renewal plan, or, if amending a plan pursuant to
18 subsection 5, within fourteen days of the conclusion
19 of the notification and consultation process. If a
20 resolution is not received in that time period, the
21 affected taxing entity is deemed to have approved the
22 proposed plan or project or amendment.>>

23 3. By renumbering as necessary.

SODERBERG of Plymouth
SANDS of Louisa

H-8451

1 Amend the amendment, S-5193, to Senate File 364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 3 through 17.

5 2. Page 1, line 44, after <life.> by inserting
6 <"Occupational therapy" includes but is not limited to
7 providing assessment, design, fabrication, application,
8 and fitting of selected orthotic devices and training
9 in the use of prosthetic devices.>

10 3. By renumbering as necessary.

SENATE AMENDMENT

H-8452

1 Amend the amendment, H-8443, to House File 2460 as
2 follows:

3 1. Page 2, line 2, after <plan> by inserting <
4 subject to the requirements under subsection 4A if
5 applicable, and>

6 2. Page 2, after line 3 by inserting:

7 <__. Page 14, after line 27 by inserting:
 8 <Sec. ____. Section 403.5, Code 2011, is amended by
 9 adding the following new subsection:
 10 NEW SUBSECTION. 4A. The resolutions of affected
 11 taxing entities required to be received under
 12 subsection 1, paragraph "b", section 403.19, subsection
 13 1, paragraph "d", section 403.19, subsection 10, and
 14 section 403.22, subsection 1A, must be received by the
 15 municipality no later than fourteen days following
 16 the date of the third public hearing on the proposed
 17 urban renewal plan, or, if amending a plan pursuant to
 18 subsection 5, within fourteen days of the conclusion
 19 of the notification and consultation process. If a
 20 resolution is not received in that time period, the
 21 affected taxing entity is deemed to have disapproved
 22 the proposed plan or project or amendment.>>
 23 3. By renumbering as necessary.

SODERBERG of Plymouth
 SANDS of Louisa

H-8453

1 Amend the amendment, S-3329, to Senate File 466,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, by striking lines 36 through 41 and
 5 inserting:
 6 <6. a. A residential contractor violating this
 7 section is subject to the penalties and remedies
 8 prescribed by this chapter.
 9 b. A violation of this section by a residential
 10 contractor is an unlawful practice pursuant to section
 11 714.16.>
 12 2. By renumbering as necessary.

SENATE AMENDMENT

H-8454

1 Amend the amendment, H-8270, to Senate File 430,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. By striking page 1, line 3, through page 2, line
 5 38, and inserting:
 6 <__. By striking page 1, line 1, through page 2,
 7 line 30, and inserting:
 8 <Sec. ____. NEW SECTION. 23.1 Citation.
 9 This chapter may be cited as the "Iowa Public
 10 Information Board Act".>
 11 ____. Page 3, by striking lines 14 through 16.
 12 ____. Page 3, by striking lines 19 through 35 and

13 inserting:

14 <1. An Iowa public information board is created
15 consisting of the following seven members appointed by
16 the governor, subject to confirmation by the senate:

17 a. One member representing the Iowa broadcasters
18 association.

19 b. One member representing the Iowa newspaper
20 association.

21 c. One member representing the Iowa freedom of
22 information council.

23 d. One member representing the Iowa league of
24 cities.

25 e. One member representing the Iowa state
26 association of counties.

27 f. One member representing the Iowa association of
28 school boards.

29 g. One public member with demonstrated interest
30 and knowledge about the requirements of chapters 21
31 and 22. The public member shall not have been an
32 employee of a governmental body, a government body,
33 or a member of any entity or employed by a member of
34 any entity identified in paragraphs "a" through "f"
35 during the twelve months preceding the public member's
36 appointment.

37 2. Appointments to the board shall be subject to
38 sections 69.16 and 69.16A.>

39 __. Page 4, after line 12 by inserting:

40 8. The board shall be an independent agency.>

41 __. By striking page 4, line 19, through page 6,
42 line 29, and inserting:

43 <Sec. __. NEW SECTION. 23.5 Complaints.

44 An aggrieved person or any taxpayer or citizen of
45 this state may file a timely complaint with the board.

46 Sec. __. NEW SECTION. 23.6 Board powers and
47 duties.

48 The board shall have all of the following powers and
49 duties:

50 1. Employ an executive director, who shall be an

Page 2

1 attorney, to execute its authority.

2 2. Adopt rules pursuant to chapter 17A calculated
3 to implement and interpret the requirements of chapters
4 21 and 22 and to implement any authority delegated to
5 the board.

6 3. Issue board advisory opinions determining the
7 applicability of chapter 21 or 22 to specified fact
8 situations and issue informal advice to any person
9 concerning the applicability of chapters 21 and 22.

10 4. Receive complaints alleging violations of
11 chapter 21 or 22.>

12 ____ Page 7, by striking lines 10 and 11 and
 13 inserting <received, advisory opinions issued, and
 14 other work performed by the>
 15 ____ Page 7, by striking lines 13 through 18.
 16 ____ Page 7, by striking lines 25 through 29 and
 17 inserting <with the board alleging a violation of
 18 chapter 21 or 22.>
 19 ____ By striking page 7, line 32, through page 11,
 20 line 6, and inserting:
 21 <Sec. ____ NEW SECTION. 23.8 Informal assistance.
 22 After accepting a complaint, the board shall
 23 promptly work with the parties through the executive
 24 director to reach an informal, expeditious resolution
 25 of the complaint.
 26 Sec. ____ NEW SECTION. 23.9 Jurisdiction.
 27 The board shall not have jurisdiction over the
 28 judicial or legislative branches of state government or
 29 any entity, officer, or employee of those branches, or
 30 over the governor or the office of the governor.>
 31 ____ Page 11, line 11, by striking <2011> and
 32 inserting <2012>
 33 ____ Page 11, by striking lines 13 and 14 and
 34 inserting <contrary, the executive director of the
 35 board shall not be hired prior to July 1, 2013.>
 36 ____ Page 11, line 15, by striking <2012> and
 37 inserting <2013>
 38 ____ Page 11, line 23, by striking <2012> and
 39 inserting <2013>
 40 ____ Title page, by striking lines 1 through 4 and
 41 inserting <An Act relating to the creation of the Iowa
 42 public information board and including transition and
 43 effective date provisions.>>

ROGERS of Black Hawk

H-8455

1 Amend Senate File 2286, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting clause
 4 and inserting:
 5 <Section 1. NEW SECTION. 476D.1 Short title.
 6 This chapter shall be known and may be cited as the
 7 "Stray Current and Voltage Remediation Act".
 8 Sec. 2. NEW SECTION. 476D.2 Definitions.
 9 As used in this chapter, unless the context
 10 otherwise requires:
 11 1. "Board" means the utilities board within the
 12 utilities division of the department of commerce.
 13 2. "Cow contact points" means any two electrically
 14 conductive points which a dairy cow may, in its normal
 15 environment, unavoidably and simultaneously contact.

- 16 3. "Dairy producer" means any person or entity that
17 owns or operates a dairy farm or that owns cows that do
18 or are intended to produce milk.
- 19 4. "Preventive action level" is stray current or
20 voltage constituting either of the following:
- 21 a. A steady-state, root mean square alternating
22 current of two milliamp or more through a five hundred
23 ohm resistor connected between cow contact points, as
24 measured by a true root mean square meter.
- 25 b. A steady-state, root mean square alternating
26 current voltage of one volt or more, across or in
27 parallel with a five hundred ohm resistor connected
28 between cow contact points, as measured by a true root
29 mean square meter.
- 30 5. "Steady-state" means the value of a current or
31 voltage after an amount of time where all transients
32 have decayed to a negligible value.
- 33 6. "Stray current or voltage" means either of the
34 following:
- 35 a. Any steady-state, sixty hertz, including
36 harmonics thereof, root mean square alternating current
37 of less than twenty milliamp through a five hundred
38 ohm resistor connected between cow contact points, as
39 measured by a true root mean square meter.
- 40 b. Any steady-state, sixty hertz, including
41 harmonics thereof, root mean square alternating current
42 voltage of less than ten volts, across or in parallel
43 with a five hundred ohm resistor connected between cow
44 contact points, as measured by a true root mean square
45 meter.
- 46 7. "Utility" means a public utility as defined in
47 Code section 476.1, or for purposes of this chapter,
48 any other person owning or operating more than one
49 thousand five hundred miles of transmission lines and
50 associated facilities in this state.

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1 Sec. 3. NEW SECTION. 476D.3 Rules — scope of
2 authority.

3 The board shall by rule establish standard
4 procedures and protocols which may be used for the
5 measurement of stray current or voltage. The board
6 shall review the rules from time to time, or upon
7 petition to the board, to ensure that the standard
8 procedures and protocols continue to be scientifically
9 and technologically accurate and a reliable means of
10 detecting stray current or voltage. Other measurements
11 of stray current or voltage made using other procedures
12 and protocols may be considered by the board in
13 appropriate cases.

14 Sec. 4. NEW SECTION. 476D.4 Stray current or

15 voltage program — claims — notice — utility response.

16 1. A dairy producer in this state that claims that
17 its dairy cows are being affected by stray current or
18 voltage may participate in the stray voltage program.
19 The dairy producer shall provide written notice to
20 the utility and may provide notice to the board to
21 participate in the program. The notice shall include
22 a nonbinding statement as to why the dairy producer
23 claims its dairy cows are being affected by electrical
24 energy attributable to the utility.

25 2. a. Within fourteen business days after receipt
26 of a notice alleging stray current or voltage by a
27 utility pursuant to subsection 1, the utility shall
28 take or arrange for the taking of measurements to
29 identify the existence and magnitude of the stray
30 current or voltage, if any. A dairy producer providing
31 notice of the claim shall permit entry onto the dairy
32 farm at dates and times mutually agreed upon by the
33 dairy producer and the utility. The utility shall
34 perform no other service or inspection on the dairy
35 farm beyond taking measurements of stray current
36 or voltage, except the utility may advise the dairy
37 producer as to recommended on-farm remedial action and
38 may perform such remedial action with the permission of
39 the dairy producer. The utility or its representative
40 shall abide by the dairy farm's biosecurity protocols
41 or, if none, generally accepted biosecurity protocols
42 in the industry, prior to entry onto the dairy farm.
43 The utility shall be provided advance notice of any
44 biosecurity protocols adopted by the dairy producer.

45 b. A dairy producer may include with the notice
46 provided pursuant to subsection 1, or in a subsequent
47 notice, a written request for the board to take or
48 arrange for the taking of separate and independent
49 measurements to identify the existence and magnitude
50 of stray current or voltage, if any. Such a request

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1 may also be made by the utility. Measurements by the
2 board shall be taken by a representative of the board
3 directly, or by a neutral third-party expert selected
4 by the board for such purposes. A dairy producer
5 providing notice to the board shall permit entry onto
6 the dairy farm at dates and times mutually agreed
7 upon by the dairy producer and the board. The board
8 or a selected third-party expert shall perform no
9 other service or inspection on the dairy farm beyond
10 taking measurements of stray current or voltage,
11 except the board or third-party expert may advise the
12 dairy producer as to recommended on-farm remedial
13 action. The board or the third-party expert shall

14 abide by the dairy farm's biosecurity protocols or,
15 if none, by generally accepted biosecurity protocols
16 in the industry, prior to entry onto the dairy farm.
17 The board shall be provided advance notice of any
18 biosecurity protocols adopted by the dairy producer.
19 The board shall subsequently prepare or cause to be
20 prepared a determination of source document which shall
21 be made available to both the dairy producer and the
22 utility.

23 3. If the utility's or the board's measurements
24 identify a level of stray current or voltage at cow
25 contact points in excess of the preventive action
26 level, the utility or the board, as applicable,
27 shall promptly identify if the utility's distribution
28 system's contribution is greater than one milliamp or
29 one-half volt, measured according to procedures and
30 protocols specified by the board by rule. For purposes
31 of this determination, stray current or voltage on
32 the utility's distribution system shall be attributed
33 to the utility even if caused by other customers
34 connected to the utility's distribution system. If
35 that portion of the stray current or voltage at
36 cow contact points attributable to the utility's
37 distribution system exceeds one milliamp or one-half
38 volt, the utility shall, within fifteen business days,
39 commence and diligently pursue to completion, remedial
40 procedures which result in, and are reasonably likely
41 to sustain, a reduction of the stray current or voltage
42 at cow contact points attributable to the utility's
43 distribution system to one milliamp or less or one-half
44 volt or less, measured in accordance with the rules
45 established by the board.

46 Sec. 5. NEW SECTION. 476D.5 Civil actions.

47 A civil action shall not be commenced by a dairy
48 producer against a utility seeking damages or other
49 relief allegedly due to injury caused by stray current
50 or voltage unless the dairy producer has provided

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1 notice of its participation in the stray current or
2 voltage program in accordance with section 476D.4
3 at least ninety days prior to filing such an action.
4 In any civil action against a utility for damages or
5 other relief, the written documentation prepared by
6 or on behalf of the board pursuant to section 476D.4
7 may be admissible in evidence. The definitions,
8 standards, and other board determinations created
9 pursuant to this chapter shall only be used for the
10 purpose of deciding whether a utility would be required
11 to complete remedial action under section 476D.4. Such
12 definitions, standards, and other board determinations

13 shall not be construed to create a presumption or
 14 conclusive proof of the existence or lack of existence
 15 of proximate cause or damage as a result of stray
 16 current or voltage in any civil action for damages
 17 or injunctive relief. The board's measurements and
 18 determinations in accordance with this chapter shall
 19 be considered to be an advisory opinion of the board
 20 and shall not be binding on a court of law. Any and
 21 all civil damages shall be determined by a court of
 22 law, and shall be based on evidence provided by both
 23 parties.>

HORBACH of Tama

H-8456

1 Amend the amendment, S-5062, to Senate File 2283, as
 2 passed by the Senate, as follows:
 3 1. Page 1, after line 2 by inserting:
 4 <__. Page 2, line 15, before <which> by inserting
 5 <and its subspecies>
 6 __. Page 2, line 22, after <pheasant.> by
 7 inserting <This subsection is not applicable to game
 8 birds released for officially sanctioned field meets or
 9 trials and retriever meets or trials on private land
 10 pursuant to section 481A.22, pen-raised game birds used
 11 on private land pursuant to section 481A.56, or game
 12 birds released on hunting preserves pursuant to chapter
 13 484B.>>
 14 2. By renumbering as necessary.

SENATE AMENDMENT

H-8457

1 Amend House File 675, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, line 8, after <situated.> by inserting
 4 <The county identified on the state construction
 5 registry internet website at the time of posting the
 6 required notices pursuant to sections 572.13A and
 7 572.13B shall be the only county in which the building,
 8 land, or improvement may be charged with a mechanic's
 9 lien.>
 10 2. Page 6, line 12, after <Code> by inserting
 11 <Supplement>
 12 3. By striking page 6, line 28, through page 7,
 13 line 5, and inserting <the improved property.">
 14 4. Page 8, line 11, after <3.> by inserting <a.>
 15 5. Page 8, by striking lines 14 through 17 and
 16 inserting <and send a copy of the owner notice
 17 described in section 572.13. The owner notice shall

18 contain the following language:
 19 Persons or companies furnishing labor or materials
 20 for the improvement of real property may enforce a
 21 lien upon the improved property if they are not paid
 22 for their contributions, even if the parties have no
 23 direct contractual relationship with the owner. The
 24 state construction registry provides a listing of all
 25 persons or companies furnishing labor or materials who
 26 have posted a lien or who may post a lien upon the
 27 improved property. If the person or company has posted
 28 its notice or lien to the state construction registry,
 29 you may be required to pay the person or company even
 30 if you have paid the general contractor the full amount
 31 due. Therefore, check the state construction registry
 32 internet website for information about the property
 33 including persons or companies furnishing labor or
 34 materials before paying your general contractor.
 35 In addition, when making payment to your general
 36 contractor, it is important to obtain lien waivers from
 37 your general contractor and from persons or companies
 38 registered as furnishing labor or materials to your
 39 property. The information in the state construction
 40 registry is posted on the internet website of the state
 41 construction registry.
 42 b. Other relevant information may be included with
 43 the notice described in subsection 1 as prescribed by
 44 the administrator pursuant to rule.
 45 c. The notice described in subsection 1 shall be
 46 sent to the owner's address. If the owner's address
 47 is different than the property address, a copy of the
 48 notice shall also be sent to the property address,
 49 addressed to the owner.>
 50 6. Page 20, after line 9 by inserting:

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1 <12. The administrator shall make, or cause to be
 2 made, preservation duplicates of state construction
 3 registry records, including records stored in a
 4 computer database. Any preservation duplicate record
 5 shall be accurate, complete, and clear, and shall be
 6 made, preserved, and made accessible to the public by
 7 means designated by the administrator by rule.>
 8 7. Page 20, by striking lines 14 through 22 and
 9 inserting:
 10 <Sec. ____. EFFECTIVE DATE. This Act takes effect
 11 January 1, 2013.
 12 Sec. ____. APPLICABILITY.
 13 1. Mechanics' liens filed prior to the effective
 14 date of this Act shall remain with the clerk of the
 15 district court of the county in which the building,
 16 land, or improvement charged with the lien is situated.

- 17 2. The notice provisions contained in this Act
18 apply only to material furnished or labor performed
19 after the effective date of this Act.>
20 8. By renumbering as necessary.

SENATE AMENDMENT

H-8458

1 Amend Senate File 2284, 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

COMPETENCY-BASED INSTRUCTION

7 Section 1. Section 256.7, subsection 26, paragraph
8 a, Code Supplement 2011, is amended by adding the
9 following new subparagraph:

10 NEW SUBPARAGRAPH. (02) The rules shall allow a
11 school district or accredited nonpublic school to award
12 high school credit to a student upon the demonstration
13 of required competencies for a course or content area,
14 as approved by an appropriately licensed teacher. The
15 school district or accredited nonpublic school shall
16 determine the assessment methods by which a student
17 demonstrates sufficient evidence of the required
18 competencies.

19 Sec. 2. COMPETENCY-BASED INSTRUCTION TASK FORCE.

20 1. The superintendents of the school districts
21 that have been approved by the department of education
22 to implement competency-based instruction shall
23 appoint a task force to conduct a study regarding
24 competency-based instruction standards and options
25 and the integration of competency-based instruction
26 with the Iowa core curriculum, and to develop related
27 assessment models and professional development focused
28 on competency-based instruction.

29 2. At a minimum, the task force shall do all of the
30 following:

- 31 a. Redefine the Carnegie unit into competencies.
32 b. Construct personal learning plans and templates.
33 c. Develop student-centered accountability and
34 assessment models.
35 d. Empower learning through technology.
36 e. Develop supports and professional development
37 for educators to transition to a competency-based
38 system.

39 3. a. The task force shall be comprised of at
40 least sixteen members, nine of whom shall represent
41 education stakeholders and practitioners knowledgeable
42 about the Iowa core curriculum; one of whom shall be
43 the deputy director and administrator of the division

44 of learning and results of the department of education
45 or the deputy director's designee; one of whom shall
46 represent the area education agencies; one of whom
47 shall represent the Iowa state education association;
48 and four of whom shall represent the general assembly.
49 b. The four members of the general assembly
50 shall serve as ex officio, nonvoting members. One

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1 representative shall be appointed by the speaker of
2 the house of representatives, one representative shall
3 be appointed by the minority leader of the house of
4 representatives, one senator shall be appointed by the
5 majority leader of the senate after consultation with
6 the president of the senate, and one senator shall be
7 appointed by the minority leader of the senate.

8 4. The person representing the area education
9 agency shall convene the initial meeting. The task
10 force shall elect one of its members as chairperson.
11 After the initial meeting, the task force shall
12 meet at the time and place specified by call of the
13 chairperson. The department of education shall provide
14 staffing services for the task force.

15 5. a. The task force shall submit a preliminary
16 report that includes but is not limited to its
17 findings and recommendations relating to subsection 2,
18 paragraphs "b", "d", and "e", by January 15, 2013.

19 b. The task force shall submit its plan, findings,
20 models, and recommendations in a final report to the
21 state board of education, the governor, and the general
22 assembly by November 15, 2013.

23 Sec. 3. EFFECTIVE UPON ENACTMENT. This division of
24 this Act, being deemed of immediate importance, takes
25 effect upon enactment.

26 DIVISION II

27 CORE CURRICULUM MATTERS

28 Sec. 4. Section 256.7, subsection 26, paragraph
29 a, Code Supplement 2011, is amended by adding the
30 following new subparagraph:

31 NEW SUBPARAGRAPH (3) Notwithstanding any
32 provision to the contrary, an accredited nonpublic
33 school is not required to meet the core curriculum and
34 core content standards requirements of this chapter
35 that are in conflict with tenets and practices of
36 the bona fide religious institution in charge of the
37 school.

38 Sec. 5. Section 256.7, subsection 26, paragraph
39 a, Code Supplement 2011, is amended by adding the
40 following new subparagraph:

41 NEW SUBPARAGRAPH (4) The provisions of section
42 256.18 shall be considered by the state board in

43 developing the core curriculum requirements.
44 Sec. 6. Section 256.9, Code Supplement 2011, is
45 amended by adding the following new subsections:
46 NEW SUBSECTION. 62. Appoint members to the core
47 curriculum framework and core content standards
48 advisory council established in section 256.41. The
49 director may establish objectives for the council in
50 accordance with section 256.41.

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1 NEW SUBSECTION. 63. a. Create and disseminate
2 to school districts, charter schools, and accredited
3 nonpublic schools a model curriculum that is directly
4 tied to the goals, outcomes, and assessment strategies
5 identified in the core content standards. The model
6 curriculum shall identify a developmentally appropriate
7 scope and sequence of instruction applicable to
8 the core content standards, instructional material
9 resources, and teaching and assessment strategies.
10 The model curriculum shall provide guidance to school
11 districts and schools and expand on the core content
12 standards. The model curriculum shall be modified as
13 necessary to incorporate the core curriculum framework
14 developed pursuant to paragraph "b".

15 b. Develop by July 1, 2015, a core curriculum
16 framework aligned to the core curriculum standards
17 established pursuant to section 256.7, subsection 26.

18 Sec. 7. NEW SECTION. 256.27 Remediation council.

19 1. A remediation council is established consisting
20 of eight members appointed as follows:

21 a. One member representing the community colleges
22 appointed by the president of the Iowa association of
23 community college presidents.

24 b. One member representing the accredited private
25 institutions appointed by the president of the Iowa
26 association of independent colleges and universities.

27 c. One member representing the institutions of
28 higher education governed by the state board of regents
29 appointed by the president of the state board of
30 regents.

31 d. One member representing the practitioner
32 preparation programs at institutions of higher
33 education governed by the state board of regents
34 appointed by the president of the state board of
35 regents.

36 e. One member representing school districts
37 appointed by the president of the Iowa association of
38 school boards.

39 f. One member representing accredited nonpublic
40 schools appointed by the director of the department of
41 education.

42 g. One member representing the department of
43 education appointed by the director of the department
44 of education.

45 h. One member representing the area education
46 agencies appointed by the area education agency
47 administrators.

48 2. Council members shall serve three-year terms
49 beginning and ending as provided in section 69.19,
50 and appointments shall comply with sections 69.16 and

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1 69.16A. Vacancies on the council shall be filled in
2 the same manner as the original appointment. A person
3 appointed to fill a vacancy shall serve only for the
4 unexpired portion of the term.

5 3. The member representing the department of
6 education shall convene the initial meeting. The
7 council shall elect one of its members as chairperson.
8 The council shall meet at least quarterly, and at any
9 time on the call of the chairperson.

10 4. a. The department shall provide staffing
11 services for the council.

12 b. Notwithstanding section 257.16, subsection 5,
13 the administrative costs of the council shall be paid
14 from the appropriation made pursuant to section 257.16,
15 subsection 5.

16 5. a. Prior to the initial meeting of the council,
17 the member representing the community colleges shall
18 convene a meeting of members appointed pursuant to
19 subsection 1, paragraphs "a" through "d" to define
20 "remediation" for purposes of the council and outline
21 the skills and expectations for postsecondary level
22 attendance. The definitions and outline shall be
23 distributed and discussed at the initial council
24 meeting.

25 b. The council shall identify measures to help
26 students transition from the secondary to the
27 postsecondary level, limit the cost of remediation,
28 define and standardize the skill sets that determine
29 the need for remediation, and create effective
30 partnerships between secondary schools and higher
31 education institutions. The council shall review
32 activities and services designed to align school
33 district curricula with core postsecondary level
34 requirements and decrease the need for remedial
35 coursework at the secondary school grade level through
36 grade sixteen. The council shall develop strategies to
37 strengthen grade nine through grade sixteen standards,
38 competencies, assessment systems, and the professional
39 development of teachers. For the fiscal year beginning
40 July 1, 2012, the council shall focus on mathematics

41 and English remediation measures.

42 6. The council shall submit its findings and
43 recommendations in a report to the state board
44 of education and the general assembly by November
45 15 annually. The state board and department of
46 education shall use the findings and recommendations to
47 strengthen the common core curriculum and core content
48 standards.

49 Sec. 8. Section 256.18, subsection 1, Code 2011, is
50 amended by adding the following new paragraph:

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1 NEW PARAGRAPH. 0b. Implementation of the core
2 curriculum requirements established pursuant to
3 section 256.7, subsection 26, on-going professional
4 development, and assessment in the areas of student
5 performance and educator performance shall include high
6 expectations, fair and reliable measures of student
7 achievement and teacher performance, and building
8 capacities that address research-based and data-driven
9 intentional cultures of safety and engagement,
10 competencies for positive behaviors, competencies for
11 deeper learning, and college, career, and citizenship
12 readiness.

13 Sec. 9. NEW SECTION. 256.41 Core curriculum
14 framework and core content standards advisory council.

15 1. A core curriculum framework and core content
16 standards advisory council is established under the
17 department.

18 2. The advisory council shall consist of no less
19 than seven members appointed by the director in
20 accordance with sections 69.16, 69.16A, and 69.16C.

21 Members shall serve at the pleasure of the director.
22 3. The department is the primary agency responsible
23 for providing administrative personnel and services for
24 the advisory council.

25 4. Members shall elect a chair annually and other
26 officers as the members determine. Members shall
27 establish rules of procedure for the advisory council.

28 5. The advisory council shall meet at least
29 quarterly and at the call of the chair.

30 6. Members of the advisory council shall serve
31 without compensation but may be reimbursed for actual
32 expenses incurred in the performance of their duties.

33 7. The advisory council shall review the core
34 curriculum, the core content standards, and the
35 model curriculum adopted pursuant to section 256.7,
36 subsections 26, 28, and 63 upon request of the director
37 and make recommendations to the director regarding a
38 core curriculum framework and any necessary changes
39 to the core curriculum content standards and model

40 curriculum. In making recommendations, the advisory
 41 council shall seek to further the goals of the core
 42 content standards and any objectives established by the
 43 director.

44 Sec. 10. DEPARTMENT OF EDUCATION — CORE CURRICULUM
 45 STUDY. The department of education shall conduct a
 46 study of the core curriculum and the core content
 47 standards and the skills necessary to prepare students
 48 for the future. The department shall develop a plan
 49 for meeting the global education needs of students in
 50 kindergarten through grade twelve that, at a minimum,

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1 determines how to incorporate content areas that
 2 include but are not limited to fine arts, applied arts,
 3 humanities, physical education, and world languages
 4 into the core curriculum. The department shall submit
 5 its findings and recommendations in a report to the
 6 general assembly by November 15, 2012.

7 DIVISION III

8 TEACHER AND ADMINISTRATOR PERFORMANCE

9 Sec. 11. Section 256.7, Code Supplement 2011, is
 10 amended by adding the following new subsection:
 11 NEW SUBSECTION. 31. a. By January 1, 2013, adopt
 12 rules establishing Iowa teaching standards that are
 13 aligned with best practices and nationally accepted
 14 standards.

15 b. By July 1, 2013, adopt by rule statewide
 16 teacher evaluation system and statewide administrator
 17 evaluation system pilot programs which shall be
 18 implemented during the 2013-2014 school year. This
 19 paragraph is repealed July 1, 2015.

20 Sec. 12. Section 256.9, Code Supplement 2011, is
 21 amended by adding the following new subsection:
 22 NEW SUBSECTION. 64. a. Develop a statewide
 23 teacher evaluation system and a statewide administrator
 24 evaluation system that school districts, charter
 25 schools, and accredited nonpublic schools shall use
 26 to standardize the instruments and processes used
 27 to evaluate teachers and administrators throughout
 28 the state. However, a charter school or accredited
 29 nonpublic school may develop and submit to the
 30 department for approval an alternative teacher
 31 evaluation system that meets local and state
 32 educational goals. Upon receiving approval from the
 33 department, the charter school or accredited nonpublic
 34 school may adopt and implement the approved alternative
 35 teacher evaluation system in lieu of the statewide
 36 teacher evaluation system.

37 b. The components of the statewide teacher
 38 evaluation system shall include but not be limited to

39 the following:

40 (1) Direct observation of classroom teaching
41 behaviors.

42 (2) Strong consideration of student outcome
43 measures, when available for tested subjects and
44 grades, to validate direct observation of classroom
45 teaching behaviors.

46 (3) Integration of the Iowa teaching standards.

47 (4) System applicability to teachers in all content
48 areas taught in a school.

49 Sec. 13. Section 284.3, Code 2011, is amended by
50 adding the following new subsection:

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1 NEW SUBSECTION. 4. This section is repealed July
2 1, 2013.

3 Sec. 14. Section 284.4, subsection 1, paragraph e,
4 Code 2011, is amended to read as follows:

5 e. (1) Adopt a teacher evaluation plan that, at
6 minimum, requires a an annual performance review of
7 teachers in the district ~~at least once every three~~
8 years based upon the Iowa teaching standards and
9 individual professional development plans in accordance
10 with section 284.8, and requires administrators to
11 complete evaluator training in accordance with section
12 284.10.

13 (2) Adopt, by July 1, 2013, the statewide teacher
14 evaluation system developed pursuant to section 256.9,
15 subsection 64. However, the school district may
16 develop and submit to the department for approval an
17 alternative teacher evaluation system that meets local
18 and state educational goals. In lieu of the statewide
19 teacher evaluation system, the school district may
20 adopt and implement the alternative teacher evaluation
21 system upon receiving approval from the department.

22 Sec. 15. Section 284.8, subsections 1 and 2, Code
23 2011, are amended to read as follows:

24 1. A school district shall provide for an annual
25 review a of each teacher's performance at least
26 once every three years for purposes of assisting
27 teachers in making continuous improvement, documenting
28 continued competence in the Iowa teaching standards,
29 identifying teachers in need of improvement, or
30 to determine whether the teacher's practice meets
31 school district expectations for career advancement
32 in accordance with section 284.7. The review shall
33 be conducted by at least one evaluator certified in
34 accordance with section 284.10, and shall include, at
35 minimum, classroom observation of the teacher, the
36 teacher's progress, and implementation of the teacher's
37 individual professional development plan, subject

38 to the level of resources provided to implement the
 39 plan; and shall include supporting documentation from
 40 parents, students, and other teachers.

41 2. If, as a result of a review conducted pursuant
 42 to subsection 1, a supervisor or an evaluator
 43 ~~determines, at any time, as a result of a teacher's~~
 44 ~~performance that the a teacher is not meeting district~~
 45 ~~expectations under the Iowa teaching standards~~
 46 ~~specified in section 284.3, subsection 1, paragraphs~~
 47 ~~"a" through "h" established by the state board by rule,~~
 48 the criteria for the Iowa teaching standards developed
 49 by the department in accordance with section 256.9,
 50 subsection 46, and any other standards or criteria

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1 established in the collective bargaining agreement,
 2 the evaluator shall, at the direction of the teacher's
 3 supervisor, recommend to the district that the teacher
 4 participate in an intensive assistance program. The
 5 intensive assistance program and its implementation
 6 are subject to negotiation and grievance procedures
 7 established pursuant to chapter 20. All school
 8 districts shall be prepared to offer an intensive
 9 assistance program.

10 Sec. 16. Section 284A.7, Code 2011, is amended to
 11 read as follows:

12 284A.7 Evaluation requirements for administrators.
 13 1. A school district shall conduct an annual
 14 evaluation of an administrator who holds a professional
 15 administrator license issued under chapter 272 at
 16 ~~least once every three years~~ for purposes of assisting
 17 the administrator in making continuous improvement,
 18 documenting continued competence in the Iowa standards
 19 for school administrators adopted pursuant to section
 20 256.7, subsection 27, or to determine whether the
 21 administrator's practice meets school district
 22 expectations. The review shall include, at a minimum,
 23 an assessment of the administrator's competence in
 24 meeting the Iowa standards for school administrators
 25 and the goals of the administrator's individual
 26 professional development plan, including supporting
 27 documentation or artifacts aligned to the Iowa
 28 standards for school administrators and the individual
 29 administrator's professional development plan.

30 2. Adopt the statewide administrator evaluation
 31 system developed pursuant to section 256.9, subsection
 32 64. However, the school district may develop and
 33 submit to the department for approval an alternative
 34 administrator evaluation system that meets local and
 35 state educational goals. In lieu of the statewide
 36 administrator evaluation system, the school district

37 may adopt and implement the alternative administrator
38 evaluation system upon receiving approval from the
39 department.

40 Sec. 17. STATEWIDE EDUCATOR EVALUATION SYSTEM
41 TASK FORCE. The director of the department of
42 education shall appoint, and provide staffing services
43 for, a task force to conduct a study regarding a
44 statewide teacher evaluation system and a statewide
45 administrator evaluation system. The study of a
46 statewide teacher evaluation system shall include a
47 review of student outcome measures described in section
48 256.9, subsection 64, paragraph "b", subparagraph
49 (2). To the extent possible, appointments shall be
50 made to provide geographical area representation and

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1 to comply with sections 69.16, 69.16A, and 69.16C.
2 The task force, at a minimum, shall include in its
3 recommendations and proposal a tiered evaluation
4 system that differentiates ineffective, minimally
5 effective, effective, and highly effective performance
6 by teachers and administrators. The task force shall
7 submit its findings, recommendations, and a proposal
8 for each system to the state board of education and
9 the general assembly by October 15, 2012. By November
10 26, 2012, the department of education shall submit a
11 departmental bill drafting request to the legislative
12 services agency in bill draft format making specific
13 and detailed proposed amendments to the Code of
14 Iowa necessary to advance the proposed task force
15 recommendations as approved by the state board of
16 education.

17 Sec. 18. TEACHER PERFORMANCE, COMPENSATION, AND
18 CAREER DEVELOPMENT TASK FORCE.

19 1. The director of the department of education
20 shall appoint, and provide staffing services for,
21 a teacher performance, compensation, and career
22 development task force to develop recommendations
23 for a new teacher compensation system to replace the
24 current teacher compensation system which addresses, at
25 a minimum, the following:

- 26 a. The duties and responsibilities of apprentice,
27 career, mentor, and master teachers.
- 28 b. Utilizing retired teachers as mentors.
- 29 c. Strategic and meaningful uses of finite
30 resources and the realignment of resources currently
31 available.
- 32 d. Mechanisms to substantially increase the average
33 salary of teachers who assume leadership roles within
34 the profession.
- 35 e. Standardizing implementation of task force

36 recommendations in all of Iowa's school districts and
37 public charter schools.

38 2. The director of the department of education
39 shall appoint and provide staffing services for a task
40 force whose members shall represent teachers, parents,
41 school administrators, and business and community
42 leaders. Insofar as practicable, appointments shall be
43 made to provide geographical area representation and to
44 comply with sections 69.16, 69.16A, and 69.16C.

45 3. The state board of education shall consider the
46 findings and recommendations of the task force when
47 adopting rules establishing Iowa teaching standards
48 pursuant to this Act.

49 4. The task force shall submit its findings and
50 recommendations in a report to the state board of

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1 education, the governor, and the general assembly by
2 October 15, 2012.

3 Sec. 19. REPEAL. Section 284.14A, Code 2011, is
4 repealed.

5 Sec. 20. EFFECTIVE UPON ENACTMENT. The sections of
6 this division of this Act providing for the appointment
7 of the statewide educator evaluation system task
8 force and the appointment of the teacher performance,
9 compensation, and career development task force,
10 being deemed of immediate importance, take effect upon
11 enactment.

12 Sec. 21. FUTURE CONTINGENT REPEAL AND USE OF
13 EVALUATION SYSTEMS.

14 1. Section 256.7, subsection 31, and section 256.9,
15 subsection 64, as enacted in this division of this Act,
16 are repealed effective July 1, 2013, if the general
17 assembly fails to enact legislation during the 2013
18 Regular Session of the Eighty-fifth General Assembly
19 advancing the proposed statewide evaluator evaluation
20 system task force recommendations, as approved by the
21 state board of education, relating to the establishment
22 of a statewide teacher evaluation system and a
23 statewide administrator evaluation system.

24 2. Notwithstanding the sections of this division of
25 this Act amending sections 284.3, 284.8, and 284A.7,
26 if the general assembly fails to enact legislation
27 during the 2013 Regular Session of the Eighty-fifth
28 General Assembly advancing the proposed statewide
29 evaluator evaluation system task force recommendations,
30 as approved by the state board of education, relating
31 to the establishment of a statewide teacher evaluation
32 system and a statewide administrator evaluation
33 system, effective July 1, 2013, all school districts
34 shall continue to use the teacher and administrator

35 evaluation systems in place on June 30, 2013.

36 DIVISION IV
37 ONLINE LEARNING

38 Sec. 22. Section 256.7, subsection 8, Code
39 Supplement 2011, is amended by striking the subsection
40 and inserting in lieu thereof the following:

41 8. Adopt rules providing for the establishment of
42 an online learning program model.

43 a. The rules shall limit the statewide enrollment
44 of pupils in educational instruction and course content
45 that is delivered primarily over the internet to not
46 more than eighteen one-hundredths of one percent of the
47 statewide enrollment of all pupils, and shall limit
48 the number of pupils participating in open enrollment
49 for purposes of receiving educational instruction
50 and course content that is delivered primarily over

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1 the internet to no more than one percent of a sending
2 district's enrollment.

3 b. For purposes of this section and sections
4 256.9 and 256.27, "online learning" means educational
5 instruction and content which is delivered primarily
6 over the internet. "Online learning" does not include
7 printed-based correspondence education, broadcast
8 television or radio, videocassettes, or stand-alone
9 educational software programs that do not have a
10 significant internet-based instructional component.

11 Sec. 23. Section 256.9, Code Supplement 2011, is
12 amended by adding the following new subsection:
13 NEW SUBSECTION. 65. a. Develop and establish an
14 online learning program model in accordance with rules
15 adopted pursuant to section 256.7, subsection 8.

16 b. Grant a waiver to school districts, charter
17 schools, and accredited nonpublic schools that
18 implement an online learning program aligned with the
19 program model developed and established pursuant to
20 this subsection. A school district or school seeking a
21 waiver pursuant to this paragraph shall submit a plan
22 for an online learning program to the director for
23 approval. A school district or school whose online
24 learning program plan is approved by the director may
25 be granted a waiver only for purposes of implementing
26 the approved online learning program. The standards
27 that may be waived pursuant to this paragraph are as
28 follows:

29 (1) The minimum number of instructional days
30 required pursuant to section 279.10, subsection
31 1, and the minimum number of instructional hours
32 required pursuant to section 256.7, subsection 19.
33 Notwithstanding any provision to the contrary, the

34 waiver may exempt school districts and schools from
35 any statutory requirement that students be physically
36 present in a school building and under the guidance and
37 instruction of the instructional professional staff
38 employed by the school district or the school except as
39 necessary under the rules adopted pursuant to section
40 256.7, subsection 8.

41 (2) Any statutory requirement that a subject being
42 studied by a student enrolled in an approved online
43 learning program be a subject that is offered and
44 taught by the professional staff of the school district
45 or school.

46 c. Require that the school district or school
47 grant a waiver pursuant to paragraph "b" implement
48 and incorporate into its comprehensive school
49 improvement plan required under section 256.7,
50 subsection 21, accountability measures designed to

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1 demonstrate that academic credit is awarded based
2 upon successful completion of content or achievement
3 of competencies by students enrolled in the approved
4 online learning program.

5 d. Establish criteria for school districts or
6 schools to use when choosing providers of online
7 learning to meet the online learning program
8 requirements specified in rules adopted pursuant to
9 section 256.7, subsection 8.

10 Sec. 24. NEW SECTION. 256.27 Online learning
11 program model.

12 1. Online learning program model established. The
13 director, pursuant to section 256.9, subsection 65,
14 shall establish an online learning program model that
15 provides for the following:

16 a. Online access to high-quality content,
17 instructional materials, and blended learning.

18 b. Coursework customized to the needs of the
19 student using online content.

20 c. A means for a student to demonstrate competency
21 in completed online coursework.

22 d. High-quality online instruction taught by
23 appropriately licensed teachers.

24 e. Online content and instruction evaluated on the
25 basis of student learning outcomes.

26 f. Use of funds available for online learning for
27 program development, implementation, and innovation.

28 g. Infrastructure that supports online learning.

29 h. Online administration of online course
30 assessments.

31 2. Online learning program waiver application. A
32 school district, charter school, or accredited

33 nonpublic school may apply to the department for a
34 waiver to implement an online learning program pursuant
35 to section 256.9, subsection 65.

36 3. Private providers. At the discretion of
37 the school board or authorities in charge of an
38 accredited nonpublic school, after consideration
39 of circumstances created by necessity, convenience,
40 and cost-effectiveness, courses developed by private
41 providers may be utilized by the school district or
42 school in implementing a high-quality online learning
43 program. Courses obtained from private providers shall
44 be taught by teachers licensed under this chapter.

45 4. Grading. Grades in online courses shall be
46 based, at a minimum, on whether a student mastered the
47 subject, demonstrated competency, and met the standards
48 established by the school district. Grades shall be
49 conferred by appropriately licensed teachers only.

50 5. Accreditation criteria. All online courses and

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1 programs shall meet existing accreditation standards.
2 Sec. 25. NEW SECTION. 256.28 Iowa learning online
3 initiative.

4 1. An Iowa learning online initiative is
5 established within the department of education to
6 partner with school districts and accredited nonpublic
7 schools to provide distance education to high school
8 students statewide. The department shall utilize
9 a variety of content repositories, including those
10 maintained by the area education agencies and the
11 public broadcasting division, in administering the
12 initiative.

13 2. Coursework offered under the initiative shall
14 meet the requirements of section 256.7, subsections
15 7, 8, and 9, and shall be taught by an appropriately
16 licensed teacher who has completed an online-learning
17 -for-Iowa-educators-professional-development project
18 offered by area education agencies, a teacher
19 preservice program, or comparable coursework.

20 3. Under the initiative, students must be enrolled
21 in a participating school district or school, which
22 is responsible for recording grades received for
23 initiative coursework in a student's permanent record,
24 awarding high school credit for initiative coursework,
25 and issuing high school diplomas to students enrolled
26 in the district or school who participate and complete
27 coursework under the initiative. Each participating
28 school district or school shall identify a site
29 coordinator to serve as a student advocate and as a
30 liaison between the initiative staff and teachers and
31 the school district or school.

32 4. Coursework offered under the initiative shall
 33 be rigorous and high quality, and the department
 34 shall annually evaluate the quality of the courses,
 35 ensure that coursework is aligned with the state's
 36 core curriculum and core content requirements and
 37 standards, as well as national standards of quality for
 38 online courses issued by an internationally recognized
 39 association for kindergarten through grade twelve
 40 online learning.

41 5. The department may waive any requirement that a
 42 subject being studied under the initiative by a student
 43 enrolled in a school district or school participating
 44 in the initiative be a subject that is offered and
 45 taught by the professional staff of the participating
 46 school district or school.

47 Sec. 26. Section 256.33, subsection 1, Code 2011,
 48 is amended to read as follows:

49 1. The department shall consort with school
 50 districts, area education agencies, community colleges,

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1 and colleges and universities ~~to provide assistance~~
 2 ~~to them~~ in the use of educational technology for
 3 instruction purposes. The department shall consult
 4 with the advisory committee on telecommunications,
 5 established in section 256.7, subsection 7, and other
 6 users of educational technology on the development
 7 and operation of programs under this section, section
 8 256.9, subsection 65, and section 256.27.

9 DIVISION V

10 CLASS SHARING AGREEMENTS

11 Sec. 27. Section 257.11, subsection 3, Code 2011,
 12 is amended by adding the following new paragraph:
 13 NEW PARAGRAPH. c. A school district that
 14 collaborates with a community college to provide a
 15 college-level class that uses an activities-based,
 16 project-based, and problem-based learning approach and
 17 that is offered through a partnership with a nationally
 18 recognized provider of rigorous and innovative science,
 19 technology, engineering, and mathematics curriculum
 20 for schools, which provider is exempt from taxation
 21 under section 501(c)(3) of the Internal Revenue Code,
 22 is eligible to receive additional weighting under a
 23 supplementary weighting plan adopted pursuant to this
 24 subsection.

25 Sec. 28. Section 257.11, subsection 7, Code 2011,
 26 is amended to read as follows:

27 7. Shared classes ~~delivered over the Iowa~~
 28 ~~communications network.~~

29 a. A school district that provides a virtual class
 30 to a pupil in another school district and the school

31 district receiving that virtual class for a pupil shall
32 each receive a supplemental weighting of one-twentieth
33 of the percentage of the pupil's school day during
34 which the pupil attends the virtual class.

35 b. Fifty percent of the funding the school district
36 providing the virtual class receives as a result of
37 this subsection shall be reserved as additional pay for
38 the virtual classroom instructor. If an instructor's
39 contract provides additional pay for teaching a virtual
40 class, the instructor shall receive the greater amount
41 of either the amount provided for in this paragraph or
42 the amount provided for in the instructor's contract.

43 c. A school district receiving a virtual class for
44 a pupil from a community college, which class meets
45 the sharing agreement requirements in subsection 3,
46 shall receive a supplemental funding weighting of
47 one-twentieth of the percentage of the pupil's school
48 day during which the pupil attends the virtual class.

49 d. For the purposes of this subsection, "virtual
50 class" means ~~either~~ any of the following:

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1 (1) A class provided by a school district to
2 a pupil in another school district via the Iowa
3 communications network's video services.

4 (2) A class provided by a community college to a
5 pupil in a school district via the Iowa communications
6 network's video services.

7 (3) An advanced placement course provided to a
8 pupil in a school district under an agreement with
9 the Iowa online advanced placement academy science,
10 technology, engineering, and mathematics initiative
11 under section 263.8A, subsection 2.

12 (4) A course provided by the Iowa learning online
13 initiative of the department of education to a pupil
14 in a school district under an agreement with the
15 department.

16 Sec. 29. Section 261E.8, Code Supplement 2011, is
17 amended by adding the following new subsection:

18 **NEW SUBSECTION. 6A.** A student enrolled in a
19 career and technical course made available pursuant
20 to subsection 1 is exempt from the proficiency
21 requirements of section 261E.3, subsection 1,
22 paragraph "e". However, a community college may
23 require a student who applies for enrollment under a
24 district-to-community college sharing or concurrent
25 enrollment program to complete an initial assessment
26 administered by the community college receiving the
27 application to determine the applicant's readiness to
28 enroll in career and technical coursework, and the
29 community college may deny the enrollment.

30 DIVISION VI
 31 SCHOOL INSTRUCTIONAL TIME
 32 Sec. 30. SCHOOL INSTRUCTIONAL TIME TASK FORCE.
 33 1. The director of the department of education
 34 shall appoint a school instructional time task force
 35 comprised of at least seven members to conduct a study
 36 regarding the minimum requirements of the school day
 37 and the school year. The study shall include but not
 38 be limited to an examination of the following:
 39 a. Whether the minimum length of an instructional
 40 day should be extended and, if so, whether the
 41 instructional day should be extended for all students
 42 or for specific groups of students.
 43 b. Whether the minimum number of instructional days
 44 or hours in a school year should be increased and, if
 45 so, whether the minimum number of days or hours in a
 46 school year should be increased for all students or for
 47 specific groups of students.
 48 c. Whether the minimum number of instructional days
 49 or hours should be rearranged to result in a shorter
 50 summer break, with other days or weeks off throughout

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1 the school year.
 2 d. Whether the minimum school year should be
 3 defined by a number of days or by a number of
 4 instructional hours.
 5 e. Whether there should be a uniform, statewide
 6 start date for the school year that can only be
 7 waived for the purpose of implementing an innovative
 8 educational program.
 9 f. Whether resources necessary to extend the
 10 minimum length of an instructional day or the minimum
 11 length of a school year are justified when compared to
 12 competing education priorities.
 13 2. The appointment of members to the task force
 14 shall be made in a manner which provides geographical
 15 area representation and complies with sections 69.16,
 16 69.16A, and 69.16C.
 17 3. The task force shall submit its findings and
 18 recommendations in a report to the state board of
 19 education, the governor, and the general assembly by
 20 October 15, 2012.

21 DIVISION VII
 22 ASSESSMENTS
 23 Sec. 31. Section 256.7, subsection 21, paragraph c,
 24 Code Supplement 2011, is amended to read as follows:
 25 c. ~~A requirement that all school districts and~~
 26 ~~accredited nonpublic schools annually report to the~~
 27 ~~department and the local community the district-wide~~
 28 ~~progress made in attaining student achievement goals~~

29 ~~on the academic and other core indicators and the~~
30 ~~district-wide progress made in attaining locally~~
31 ~~established student learning goals. The Use by school~~
32 ~~districts and accredited nonpublic schools shall~~
33 ~~demonstrate the use of multiple statewide assessment~~
34 ~~measures identified and approved by the state board in~~
35 ~~determining student achievement levels. The school~~
36 ~~districts and accredited nonpublic schools shall also~~
37 ~~report the number of students who graduate; the number~~
38 ~~of students who drop out of school; the number of~~
39 ~~students who are tested and the percentage of students~~
40 ~~who are so tested annually; and the percentage of~~
41 ~~students who graduated during the prior school year~~
42 ~~and who completed a core curriculum. The board shall~~
43 ~~develop and adopt uniform definitions consistent with~~
44 ~~the federal No Child Left Behind Act of 2001, Pub.~~
45 ~~L. No. 107-110 and any federal regulations adopted~~
46 ~~pursuant to the federal Act. The school districts~~
47 ~~and accredited nonpublic schools may report on other~~
48 ~~locally determined factors influencing student~~
49 ~~achievement. The school districts and accredited~~
50 ~~nonpublic schools shall also report to the local~~

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1 community their results by individual attendance
2 center.
3 Sec. 32. Section 256.7, subsection 21, Code
4 Supplement 2011, is amended by adding the following new
5 paragraph:
6 NEW PARAGRAPH. d. By July 1, 2014, establishment
7 by the department of an accountability system designed
8 to hold school districts and accredited nonpublic
9 schools accountable for student achievement. The
10 accountability system shall, at a minimum, define
11 and measure student achievement, student growth,
12 student achievement gaps, college and career readiness,
13 student well-being, parent satisfaction, school staff
14 working conditions, school fiscal responsibility, and
15 graduation and attendance rates. The director may at
16 the director's discretion, or shall as directed by
17 the state board, convene a working group to develop
18 recommendations for any of the following:
19 (1) The accountability system established pursuant
20 to this paragraph.
21 (2) Redesigning the accreditation procedures
22 implemented under section 256.11.
23 (3) A compliance monitoring process aligned with
24 the accountability system.
25 (4) Targeting support for school districts
26 identified as needing assistance under the
27 accountability system.

28 (5) Identifying, studying, and commending
29 high-performing districts.

30 (6) Developing strategies to take over the
31 operation of school districts determined pursuant to
32 section 256.11, or under the accountability system,
33 as persistently failing to meet educational system or
34 student achievement standards.

35 Sec. 33. Section 256.7, subsection 26, paragraph
36 a, subparagraph (1), Code Supplement 2011, is amended
37 to read as follows:

38 (1) The rules establishing high school graduation
39 requirements shall authorize a school district
40 or accredited nonpublic school to consider that
41 any student who satisfactorily completes a high
42 school-level unit of English or language arts,
43 mathematics, science, or social studies has
44 satisfactorily completed a unit of the high school
45 graduation requirements for that area as specified
46 in this lettered paragraph, and shall authorize the
47 school district or accredited nonpublic school to
48 issue high school credit for the unit to the student.
49 The rules shall also require administration of the
50 college entrance and career readiness examinations in

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1 accordance with section 280.18.

2 Sec. 34. Section 256.7, subsection 26, Code
3 Supplement 2011, is amended by adding the following new
4 paragraph:

5 NEW PARAGRAPH. d. Adopt by rule by July 1, 2014,
6 a policy for the incorporation by school districts of
7 end-of-course assessments into the district's high
8 school graduation requirements.

9 Sec. 35. Section 256.7, subsection 28, Code
10 Supplement 2011, is amended to read as follows:

11 28. Adopt a set of core content standards
12 applicable to all students in kindergarten through
13 grade twelve in every school district and accredited
14 nonpublic school. ~~For purposes of this subsection,~~
15 ~~"core content standards" includes reading, mathematics,~~
16 ~~and science.~~ The core content standards shall be
17 ~~identical to the core content standards included~~
18 include those established in Iowa's approved 2006
19 standards and assessment system under Tit. I of the
20 federal Elementary and Secondary Education Act of
21 1965, 20 U.S.C. § 6301 et seq., as amended by the
22 federal No Child Left Behind Act of 2001, Pub. L. No.
23 107-110. ~~School districts and accredited nonpublic~~
24 ~~schools shall include, at a minimum, the core content~~
25 ~~standards adopted pursuant to this subsection in any~~
26 ~~set of locally developed content standards. School~~

27 ~~districts and accredited nonpublic schools are~~
28 ~~strongly encouraged to set higher expectations in local~~
29 ~~standards. As changes in federal law or regulation~~
30 ~~occur, the state board is authorized to amend the core~~
31 ~~content standards as appropriate.~~

32 Sec. 36. Section 256.9, Code Supplement 2011, is
33 amended by adding the following new subsection:
34 NEW SUBSECTION. 68. Develop, by July 1, 2014, high
35 school end-of-course assessments for subject areas
36 included under the core content standards.

37 Sec. 37. NEW SECTION. 256.24 Value-added
38 assessment system.

39 1. For purposes of this section, unless the context
40 otherwise requires, "value-added assessment" means
41 a method to measure gains in student achievement by
42 conducting a statistical analysis of achievement data
43 that reveals academic growth over time for students and
44 groups of students, such as those in a grade level or
45 in a school.

46 2. A value-added assessment system shall be
47 established and implemented by the department not later
48 than January 31, 2013, to provide for multivariate
49 longitudinal analysis of annual student test scores
50 to determine the influence of a school district's

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1 educational program on student academic growth and
2 to guide school district improvement efforts. The
3 department shall select a value-added assessment system
4 provider through a request for proposals process. The
5 system provider selected by the department shall offer
6 a value-added assessment system to calculate annually
7 the academic growth of students, as determined by the
8 director, and tested in accordance with this section.
9 The system provider shall, at a minimum, meet all of
10 the following criteria:

11 a. Use a mixed-model statistical analysis that has
12 the ability to use all achievement test data for each
13 student, including the data for students with missing
14 test scores, that does not adjust downward expectations
15 for student progress based on race, poverty, or
16 gender, and that will provide the best linear unbiased
17 predictions of school or other educational entity
18 effects to minimize the impact of random errors.

19 b. Have the ability to work with test data from
20 a variety of sources, including data that are not
21 vertically scaled, and to provide support for school
22 districts utilizing the system.

23 c. Have the capacity to receive and report results
24 electronically and provide support for districts
25 utilizing the system.

26 3. The system provider shall create a mechanism
27 to collect and evaluate data in a manner that
28 reliably aligns the performance of the teacher
29 with the achievement levels of and progress of the
30 teacher's students. School districts shall report
31 teacher-to-student alignment data to the system
32 provider as directed by the department.

33 4. The system provider shall provide analysis to
34 school districts and to the department of education.
35 The analysis shall include but not be limited to
36 attendance-center-level test results for an assessment
37 aligned with the core content standards in the areas of
38 reading and mathematics and other core academic areas
39 when possible. The analysis shall also include but
40 not be limited to the number of students tested, the
41 number of test results used to compute the averages,
42 the average standard score, and the corresponding
43 grade equivalent-score, as well as measures of student
44 progress. The system provider shall create a chart for
45 each school district.

46 5. A school district shall have complete access to
47 and full utilization of its own value-added assessment
48 reports and charts generated by the system provider at
49 the student level for the purpose of measuring student
50 achievement at different educational entity levels.

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1 6. Where student outcomes measures are available,
2 for tested subjects and grades, student outcomes
3 measures shall be considered by the district to
4 validate a teacher's observational evaluation. Student
5 outcomes measures which are a component of a teacher's
6 evaluation are not public records for the purposes of
7 chapter 22.

8 7. Information about student academic growth shall
9 be used by the school district, including school board
10 members, administration, and staff, for defining
11 student and district learning goals and professional
12 development related to student learning goals across
13 the school district. A school district shall submit
14 its academic growth measures in the annual report
15 submitted pursuant to section 256.7, subsection 21,
16 and may reference in the report state level norms for
17 purposes of demonstrating school district performance.

18 8. The department shall use student academic
19 growth data to determine school improvement and
20 technical assistance needs of school districts, and to
21 identify school districts achieving exceptional gains.
22 Beginning January 15, 2013, and by January 15 of each
23 succeeding year, the department shall submit an annual
24 progress report regarding the use of student academic

25 growth information in the school improvement processes
26 to the general assembly and shall publish the progress
27 report on its internet site.

28 9. A school district shall use the value-added
29 assessment system established by the department
30 pursuant to subsection 1 not later than the school year
31 beginning July 1, 2013.

32 Sec. 38. Section 279.60, Code 2011, is amended to
33 read as follows:

34 279.60 ~~Kindergarten assessment~~ Assessments — access
35 to data — reports.

36 1. a. Each school district shall administer
37 a kindergarten readiness assessment prescribed
38 by the department of education to every resident
39 prekindergarten or four-year-old child whose parent or
40 guardian enrolls the child in the district.

41 b. Each school district shall administer the
42 dynamic indicators of basic early literacy skills
43 kindergarten benchmark assessment or other kindergarten
44 benchmark assessment adopted by the department of
45 education in consultation with the early childhood Iowa
46 state board to every kindergarten student enrolled
47 in the district not later than the date specified in
48 section 257.6, subsection 1. The school district
49 shall also collect information from each parent,
50 guardian, or legal custodian of a kindergarten student

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1 enrolled in the district, including but not limited
2 to whether the student attended preschool, factors
3 identified by the early childhood Iowa office pursuant
4 to section 256I.5, and other demographic factors.
5 Each school district shall report the results of the
6 assessment and the preschool information collected to
7 the department of education in the manner prescribed
8 by the department not later than January 1 of that
9 school year. The early childhood Iowa office in the
10 department of management shall have access to the raw
11 data. The department shall review the information
12 submitted pursuant to this section and shall submit its
13 findings and recommendations annually in a report to
14 the governor, the general assembly, the early childhood
15 Iowa state board, and the early childhood Iowa area
16 boards.

17 2. a. Each school district shall administer the
18 Iowa assessments, created by the state university of
19 Iowa, to all students enrolled in grade ten in the
20 school years beginning July 1, 2012, and July 1, 2013.

21 b. This subsection is repealed July 1, 2014.

22 3. By July 1, 2014, each school district shall
23 administer end-of-course assessments developed pursuant

24 to section 256.9, subsection 68, as an integral
25 component of each course of study under the core
26 content standards.

27 Sec. 39. NEW SECTION. 280.18 Assessment
28 requirements.

29 1. The board of directors of a school district and
30 the authorities in charge of a nonpublic school shall
31 offer to each student enrolled in grade eleven a choice
32 of taking either a college entrance examination or an
33 assessment to assess reading for information, locating
34 information, and applied mathematics.

35 2. a. The cost of the examinations and assessments
36 administered pursuant to subsection 1 shall be paid by
37 the department.

38 b. The costs of a college entrance examination
39 taken by a student in addition to those specified
40 in subsection 1 shall be the responsibility of the
41 student.

42 3. If funds are available to the department for
43 such purpose, the department shall make a preparation
44 program for the college entrance examination available
45 to all students in grade eleven. The department may
46 contract for the necessary assessment services.

47 4. a. The school district or school shall counsel
48 a student whose scores on the college entrance
49 examination administered in grade eleven indicate
50 a high degree of readiness for college to enroll in

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1 accelerated courses, with an emphasis on advanced
2 placement and other college-level classes.

3 b. The school district or school shall provide
4 intervention strategies for accelerated learning in the
5 following circumstances:

6 (1) To a student whose scores on the career
7 readiness assessments indicate that additional
8 assistance is required in reading for information,
9 locating information, or applied mathematics.

10 (2) To a student whose scores on the college
11 entrance examination administered in grade eleven
12 indicate that additional assistance is required in
13 English, reading, mathematics, and science.

14 5. Accommodations provided by the college entrance
15 examination provider to a student with a disability
16 taking the college entrance examination under
17 subsection 1 shall be provided in the following manner:

18 a. In the manner allowed by the college entrance
19 examination provider, when results in test scores
20 are reportable to a postsecondary institution for
21 admissions and placement purposes, except as provided
22 in paragraph "b".

23 b. In a manner allowed by an individualized
 24 education program developed for the student if the
 25 student is a student requiring special education under
 26 chapter 256B and the student's disability precludes
 27 valid assessment of academic ability using the
 28 accommodations provided under paragraph "a" when the
 29 student's scores are not reportable to a postsecondary
 30 institution for admissions and placement purposes.

31 6. A student's scores on the examinations
 32 administered under subsection 1 shall be recorded by
 33 the school district or school in the student's official
 34 education record.

35 DIVISION VIII

36 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS 37 AWARDS

38 Sec. 40. Section 256.44, subsection 1, paragraph a,
 39 Code 2011, is amended to read as follows:

40 a. If a teacher registers for national board
 41 for professional teaching standards certification
 42 by after December 31, 2007, a one-time initial
 43 reimbursement award in the amount of up to one-half
 44 of the registration fee paid by the teacher for
 45 registration for certification by the national board
 46 for professional teaching standards. The teacher shall
 47 apply to the department ~~within one year of registration~~
 48 in a manner and according to procedures required
 49 by the department, submitting to the department any
 50 documentation the department requires. A teacher who

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1 receives an initial reimbursement award shall receive
 2 a one-time final registration award in the amount of
 3 the remaining national board registration fee paid by
 4 the teacher if the teacher notifies the department of
 5 the teacher's certification achievement and submits any
 6 documentation requested by the department.

7 Sec. 41. Section 256.44, subsection 1, paragraph b,
 8 subparagraph (1), subparagraph division (b), Code 2011,
 9 is amended to read as follows:

10 (b) If the teacher registers for national board for
 11 professional teaching standards certification ~~between~~
 12 ~~January 1, 1999, and December 31, 2007,~~ and achieves
 13 certification within the timelines and policies
 14 established by the national board for professional
 15 teaching standards, an annual award in the amount
 16 of two thousand five hundred dollars upon achieving
 17 certification by the national board of professional
 18 teaching standards.

19 DIVISION IX

20 EDUCATOR EMPLOYMENT AND PROFESSIONAL DEVELOPMENT 21 MATTERS

22 Sec. 42. Section 256.7, Code Supplement 2011, is
23 amended by adding the following new subsection:
24 NEW SUBSECTION. 32. Adopt rules providing for the
25 establishment of a statewide plan for professional
26 development for practitioners employed in Iowa's school
27 districts. The statewide plan shall be designed to
28 make every reasonable effort to utilize best practices,
29 current technologies, and social media, and shall be
30 implemented by the area education agencies pursuant to
31 section 273.2.

32 Sec. 43. Section 256.9, Code Supplement 2011, is
33 amended by adding the following new subsection:
34 NEW SUBSECTION. 69. Approve, amend and approve,
35 or reject each professional development plan submitted
36 pursuant to section 273.2, in accordance with the
37 rules adopted pursuant to section 256.7, subsection
38 32, providing for the establishment of a statewide
39 professional development plan for practitioners,
40 the services of which a school district may request
41 pursuant to section 273.2.

42 Sec. 44. Section 257.10, subsection 10, paragraph
43 d, Code 2011, is amended to read as follows:

44 d. The use of the funds calculated under this
45 subsection shall comply with the requirements of
46 section 256.7, subsection 32, and chapter 284.

47 Sec. 45. Section 257.37A, subsection 2, paragraph
48 d, Code 2011, is amended to read as follows:

49 d. The use of the funds calculated under this
50 subsection shall comply with requirements of section

Page 24

1 256.7, subsection 32, and chapter 284.

2 Sec. 46. Section 273.2, Code Supplement 2011, is
3 amended by adding the following new subsection:

4 NEW SUBSECTION. 10. The area education agency
5 boards shall each annually submit to the department
6 of education a plan for a professional development
7 program, to be implemented in the following fiscal
8 year, which combines the professional development
9 priorities of the state board of education, in
10 accordance with section 256.7, subsection 32, with
11 the professional development needs of the schools
12 and school districts in the area. The area education
13 agency board shall provide professional development
14 services under the approved program to local school
15 districts in the area upon request.

16 Sec. 47. Section 284.6, subsection 1, unnumbered
17 paragraph 1, Code Supplement 2011, is amended to read
18 as follows:

19 The department shall ~~coordinate a~~ implement the
20 statewide ~~network of~~ plan for professional development

21 for Iowa teachers practitioners established pursuant to
 22 section 256.7, subsection 32. A In addition, a school
 23 district or professional development provider that
 24 offers a career and professional development ~~program~~
 25 programs in accordance with section 256.9, ~~subsection~~
 26 subsections 46, and 69 shall demonstrate that the
 27 ~~program contains~~ programs contain the following:

28 Sec. 48. Section 284.6, Code Supplement 2011, is
 29 amended by adding the following new subsection:
 30 NEW SUBSECTION. 5A. The director may waive
 31 the requirements relating to the development and
 32 review of an individual teacher professional
 33 development plan for a school district that utilizes
 34 a peer review teacher evaluation system in which
 35 consulting teachers, in conjunction with school
 36 administrators, make formal evaluations of the school
 37 district's teachers, including but not limited to each
 38 teacher's professional growth and employment status.
 39 Notwithstanding section 284.8, subsection 1, if the
 40 school district is granted a waiver pursuant to this
 41 subsection, the review conducted pursuant to section
 42 284.8, subsection 1, shall include a teacher's review
 43 conducted utilizing the peer review teacher evaluation
 44 system.

45 DIVISION X

46 THIRD GRADE LITERACY

47 Sec. 49. Section 256.7, Code Supplement 2011, is
 48 amended by adding the following new subsection:
 49 NEW SUBSECTION. 31. By July 1, 2013, adopt by
 50 rule guidelines for school district implementation of

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1 section 279.68, including but not limited to basic
 2 levels of reading proficiency on approved assessments
 3 and identification of tools that school districts may
 4 use in evaluating and reevaluating any student who may
 5 be or who is determined to be deficient in reading,
 6 including but not limited to initial assessments and
 7 subsequent assessments, alternative assessments,
 8 and portfolio reviews. The state board shall adopt
 9 standards that provide a reasonable expectation that
 10 a student's progress toward reading proficiency under
 11 section 279.68 is sufficient to master appropriate
 12 grade four level reading skills prior to the student's
 13 promotion to grade four.

14 Sec. 50. Section 256.9, subsection 53, paragraph a,
 15 Code Supplement 2011, is amended to read as follows:
 16 a. Develop and distribute, or approve, in
 17 collaboration with the area education agencies, core
 18 curriculum technical assistance and implementation
 19 strategies that school districts and accredited

20 nonpublic schools shall utilize, including but not
 21 limited to the development and delivery of formative
 22 and end-of-course model assessments classroom
 23 teachers may use to measure student progress on the
 24 core curriculum adopted pursuant to section 256.7,
 25 subsection 26. The department shall, in collaboration
 26 with the advisory group convened in accordance with
 27 paragraph "b" and educational assessment providers,
 28 identify and make available to school districts
 29 end-of-course and additional model end-of-course and
 30 additional assessments to align with the expectations
 31 included in the Iowa core curriculum. The model
 32 assessments shall be suitable to meet the multiple
 33 assessment measures requirement specified in section
 34 256.7, subsection 21, paragraph "c".

35 Sec. 51. Section 256.9, subsection 53, Code
 36 Supplement 2011, is amended by adding the following new
 37 paragraphs:

38 NEW PARAGRAPH. c. Identify the scoring levels
 39 on approved grade three reading assessments that
 40 require the retention of a student pursuant to
 41 section 279.68, and develop or identify and approve
 42 alternative performance measures for students who are
 43 not proficient in reading in accordance with section
 44 279.68, subsection 2. Alternative performance measures
 45 approved pursuant to this paragraph shall include but
 46 not be limited to a demonstration of reading mastery
 47 evidenced by portfolios of student work.

48 NEW PARAGRAPH. d. Establish, subject to an
 49 appropriation of sufficient funds by the general
 50 assembly, an Iowa reading research center to apply

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1 current research on literacy to provide for the
 2 development and dissemination of all of the following:
 3 (1) Promising instructional strategies in reading.
 4 (2) Reading assessments.
 5 (3) Professional development strategies and
 6 materials aligned with current and emerging best
 7 practices for the teaching of reading.

8 Sec. 52. Section 256D.2A, Code 2011, is amended to
 9 read as follows:

10 256D.2A Program funding.

11 For the budget year beginning July 1, 2009, and
 12 each succeeding budget year, a school district shall
 13 expend funds received pursuant to section 257.10,
 14 subsection 11, at the kindergarten through grade
 15 three levels to reduce class sizes to the state goal
 16 of seventeen students for every one teacher and to
 17 achieve a higher level of student success in the
 18 basic skills, especially reading; and to establish

19 a reading enhancement and acceleration development
20 initiative pursuant to section 279.68, subsection 3,
21 paragraph "f". In order to support these efforts,
22 school districts shall expend funds received pursuant
23 to section 257.10, subsection 11, as provided in
24 section 279.68, subsection 3, paragraph "f", and may
25 expend funds received pursuant to section 257.10,
26 subsection 11, at the kindergarten through grade
27 three level on programs, instructional support, and
28 materials that include but are not limited to the
29 following: additional licensed instructional staff;
30 additional support for students, such as before and
31 after school programs, tutoring, and intensive summer
32 programs; the acquisition and administration of
33 diagnostic reading assessments; the implementation of
34 research-based instructional intervention programs for
35 students needing additional support; the implementation
36 of all-day, everyday kindergarten programs; and
37 the provision of classroom teachers with intensive
38 training programs to improve reading instruction and
39 professional development in best practices including
40 but not limited to training programs related to
41 instruction to increase students' phonemic awareness,
42 reading abilities, and comprehension skills.
43 Sec. 53. **NEW SECTION.** 279.68 Student progression
44 and retention — remedial instruction — reporting
45 requirements.
46 1. Reading deficiency and parental notification.
47 a. A school district shall immediately provide
48 intensive reading instruction to any student who
49 exhibits a substantial deficiency in reading based
50 upon teacher observations or upon assessments

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1 approved pursuant to section 256.7, subsection 31, and
2 administered in kindergarten or grade one, grade two,
3 or grade three. The student's reading proficiency
4 shall be reassessed by assessments approved pursuant
5 to section 256.7, subsection 31. The student shall
6 continue to be provided with intensive reading
7 instruction until the reading deficiency is remedied.
8 b. The parent or guardian of any student in
9 kindergarten through grade three who exhibits a
10 substantial deficiency in reading, as described in
11 paragraph "a", shall be notified at least annually in
12 writing of the following:
13 (1) That the child has been identified as having a
14 substantial deficiency in reading.
15 (2) A description of the services currently
16 provided to the child.
17 (3) A description of the proposed supplemental

18 instructional services and supports that the school
19 district will provide to the child that are designed to
20 remediate the identified area of reading deficiency.

21 (4) That if the child's reading deficiency is not
22 remediated by the end of grade three, the child shall
23 be retained unless the child is exempt from mandatory
24 retention for good cause pursuant to subsection 2,
25 paragraph "b". If the child is ineligible for a good
26 cause exemption, the notification shall state why the
27 child is ineligible.

28 (5) Strategies for parents and guardians to use
29 in helping the child succeed in reading proficiency,
30 including but not limited to the promotion of
31 parent-guided home reading.

32 (6) That the assessment used pursuant to section
33 256.9, subsection 53, is not the sole determiner of
34 promotion and that additional evaluations, portfolio
35 reviews, performance measures, and assessments are
36 available to the child to assist parents and the school
37 district in knowing when a child is reading at or above
38 grade level and ready for grade promotion.

39 (7) The district's specific criteria and policies
40 for midyear promotion. For purposes of this section,
41 "midyear promotion" means promotion to the next grade
42 level of a retained student at any time during the year
43 of retention once the student has demonstrated the
44 ability to read at grade level.

45 c. If the student's reading deficiency, as
46 identified in paragraph "a", is not remedied by the
47 end of grade three, as demonstrated by scoring on an
48 assessment approved by the department pursuant to
49 section 256.9, subsection 53, the student shall be
50 retained in grade three.

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1 2. Good cause exemption.

2 a. The school district shall only exempt students
3 from mandatory retention, as provided in subsection 1,
4 paragraph "c", for good cause. Good cause exemptions
5 shall be limited to the following:

6 (1) Limited English proficient students who have
7 had less than two years of instruction in an English as
8 a second language program.

9 (2) Students requiring special education whose
10 individualized education program indicates that
11 participation in the assessment approved pursuant to
12 section 256.9, subsection 53, is not appropriate,
13 consistent with the requirements of rules adopted by
14 the state board of education for the administration of
15 chapter 256B.

16 (3) Students who demonstrate an acceptable level

17 of performance on an alternative performance measure
18 approved by the director of the department of education
19 pursuant to section 256.9, subsection 53.

20 (4) Students who demonstrate mastery through
21 a student portfolio under alternative performance
22 measures approved pursuant to section 256.9, subsection
23 53.

24 (5) Students who have received intensive
25 remediation in reading for two or more years but
26 still demonstrate a deficiency in reading and who were
27 previously retained in kindergarten, grade one, grade
28 two, or grade three. Intensive reading instruction
29 for students so promoted must include an altered
30 instructional day that includes specialized diagnostic
31 information and specific reading strategies for each
32 student. The school district shall assist attendance
33 centers and teachers to implement reading strategies
34 that research has shown to be successful in improving
35 reading among low-performing readers.

36 b. Requests for good cause exemptions from the
37 mandatory retention requirement for students as
38 described in paragraph "a", subparagraphs (3) and (4),
39 shall be made consistent with the following:

40 (1) Documentation shall be submitted from the
41 student's teacher to the school principal that
42 indicates that the promotion of the student is
43 appropriate and is based upon the student's academic
44 record. Such documentation shall include but not be
45 limited to the individualized education program, if
46 applicable, report card, or student portfolio.

47 (2) The school principal shall review and discuss
48 the recommendation submitted pursuant to subparagraph
49 (1) with the teacher and the school principal shall
50 determine whether the student should be promoted

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1 or retained. If the principal determines that the
2 student should be retained, the principal shall notify
3 the student's teacher and parent or guardian of the
4 decision in writing and the student shall be ineligible
5 for the good cause exemption from mandatory retention.

6 (3) If the school principal determines that the
7 student should be promoted, the school principal
8 shall make such recommendation in writing to the
9 district school superintendent. The district school
10 superintendent shall accept or reject the school
11 principal's recommendation and shall notify the school
12 principal and the student's teacher and parent or
13 guardian of the school superintendent's decision in
14 writing. If the school superintendent determines
15 that the student should be retained, the student

16 shall be ineligible for the good cause exemption from
17 mandatory retention. The parent or guardian of the
18 student may appeal the superintendent's decision to
19 the board of directors of the school district. If the
20 superintendent's decision is affirmed by the school
21 board, the decision is final and is not subject to
22 appeal under section 290.1.

23 c. This section does not preclude the parent or
24 guardian of a student with a reading deficiency from
25 requesting that the student be retained at grade level.

26 3. Successful progression for retained readers. A
27 school district shall do all of the following:

28 a. Conduct a review, within one week following
29 the last instructional day of the school calendar,
30 of student progress for any student retained under
31 subsection 1, paragraph "c", who did not meet the
32 criteria for one of the good cause exemptions in
33 subsection 2, paragraph "a". The review shall address
34 additional supports and services, as described in
35 subparagraph (2), needed to remediate the identified
36 areas of reading deficiency. The school district shall
37 require a student portfolio to be completed for each
38 such student.

39 b. Provide students who are retained under
40 subsection 1, paragraph "c", with intensive
41 instructional services and supports, free of charge, to
42 remediate the identified areas of reading deficiency,
43 including a minimum of a daily ninety-minute block of
44 scientific-research-based reading instruction and other
45 strategies prescribed by the school district which may
46 include but are not limited to the following:

- 47 (1) Small group instruction.
- 48 (2) Reduced teacher-student ratios.
- 49 (3) More frequent progress monitoring.
- 50 (4) Tutoring or mentoring.

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1 (5) Transition classes containing students in
2 grades three and four.

3 (6) Extended school day, week, or year.

4 (7) Summer reading programs.

5 c. At regular intervals, apprise the parent or
6 guardian of academic and other progress being made
7 by the student and give the parent or guardian other
8 useful information.

9 d. Implement a policy for the midyear promotion of
10 any student retained under subsection 1, paragraph "c",
11 who can demonstrate that the student is a successful
12 and independent reader, reading at or above grade
13 level, and ready to be promoted to grade four. Tools
14 that school districts may use in reevaluating any

15 student retained may include subsequent assessments,
16 alternative assessments, and portfolio reviews,
17 identified by rule pursuant to section 256.7,
18 subsection 31. Students promoted during the school
19 year after November 1 shall demonstrate proficiency
20 pursuant to guidelines adopted by rule pursuant to
21 section 256.7, subsection 31.

22 e. In addition to required reading enhancement and
23 acceleration strategies, provide parents of students
24 who are retained under subsection 1, paragraph "c",
25 with a plan outlined in a parental contract, including
26 participation in regular parent-guided home reading.

27 f. Establish, using funds received pursuant to
28 section 257.10, subsection 11, a reading enhancement
29 and acceleration development initiative designed to
30 prevent the retention of grade three students and
31 to offer intensive accelerated reading instruction
32 to grade three students who fail to meet standards
33 for promotion to grade four and to each kindergarten
34 through grade three student who is assessed as
35 exhibiting a reading deficiency. The initiative shall
36 comply with all of the following criteria:

37 (1) Be provided to all kindergarten through
38 grade three students at risk of retention under this
39 section. The assessment initiative shall measure
40 phonemic awareness, phonics, fluency, vocabulary, and
41 comprehension.

42 (2) Be provided during regular school hours in
43 addition to the regular reading instruction.

44 (3) Provide a reading curriculum that meets
45 guidelines adopted pursuant to section 256.7,
46 subsection 31, and at a minimum has the following
47 specifications:

48 (a) Assists students assessed as exhibiting a
49 reading deficiency in developing the ability to read
50 at grade level.

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1 (b) Provides skill development in phonemic
2 awareness, phonics, fluency, vocabulary, and
3 comprehension.

4 (c) Includes a scientifically based and reliable
5 assessment.

6 (d) Provides initial and ongoing analysis of each
7 student's reading progress.

8 (e) Is implemented during regular school hours.

9 (f) Provides a curriculum in core academic subjects
10 to assist the student in maintaining or meeting
11 proficiency levels for the appropriate grade in all
12 academic subjects.

13 g. Report to the department of education the

14 specific intensive reading interventions and supports
 15 implemented by the school district pursuant to this
 16 section. The department shall annually prescribe the
 17 components of required or requested reports, including
 18 but not limited to a report on the number of students
 19 retained under this section.

20 h. Provide a student who has been retained in grade
 21 three and who has received intensive instructional
 22 services but is still not ready for grade promotion,
 23 as determined by the school district, the option of
 24 being placed in a transitional instructional setting.
 25 Such setting shall specifically be designed to
 26 produce learning gains sufficient to meet grade four
 27 performance standards while continuing to remediate the
 28 areas of reading deficiency.

29 4. Notwithstanding subsection 1, paragraph "b",
 30 subparagraph (4), or any other provision of law to
 31 the contrary, a school district shall not be required
 32 to retain a student in grade three who exhibits a
 33 substantial deficiency in reading in accordance with
 34 this section until the school year beginning July 1,
 35 2016. This subsection is repealed July 1, 2016.

36 DIVISION XI

37 HOME RULE AUTHORITY

38 Sec. 54. NEW SECTION. 274.3 Exercise of powers —
 39 construction.

40 1. The board of directors of a school district
 41 shall operate, control, and supervise all public
 42 schools located within its district boundaries and may
 43 exercise any broad and implied power related to the
 44 operation, control, and supervision of those public
 45 schools except as expressly prohibited or prescribed by
 46 the Constitution of the State of Iowa or by statute.

47 2. Notwithstanding subsection 1, the board of
 48 directors of a school district shall not have power to
 49 levy any tax unless expressly authorized by the general
 50 assembly.

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1 3. This section shall not apply to a research and
 2 development school as defined in section 256G.2 or to
 3 a laboratory school as defined in section 265.1. The
 4 board of directors of a school district in which such a
 5 research and development school or laboratory school
 6 is located shall not exercise over such a school any
 7 powers granted to the board by subsection 1.

8 4. This chapter, chapter 257 and chapters 275
 9 through 301, and other statutes relating to the
 10 boards of directors of school districts and to school
 11 districts shall be liberally construed to effectuate
 12 the purposes of subsection 1.

DIVISION XII

ONLINE LEARNING INTERIM STUDY

Sec. 55. ONLINE LEARNING — INTERIM STUDY. The legislative council is requested to establish an interim study committee relating to online learning and programming for school districts and related educational issues. The objective of the study shall be to review the appropriate use of online learning by school districts, the appropriate levels and sources of funding for online learning, partnerships between school districts and private providers of online programs, and the potential use of online learning as the exclusive means to provide coursework required under the state's educational standards. The study shall identify opportunities between interested agencies and entities involved in or potentially involved in online learning activities, including but not limited to K-12 schools, area education agencies, institutions of higher learning, the public broadcasting division of the department of education, the department of education, and the Iowa communications network. The committee is directed to submit its findings and recommendations in a report to the general assembly by December 14, 2012.

DIVISION XIII

ADVANCED PLACEMENT PERFORMANCE FUNDING

Sec. 56. NEW SECTION. 257.16B Advanced placement performance funding.

1. For budget years beginning on or after July 1, 2014, the department of management shall allocate from amounts appropriated by the general assembly to the department and from other moneys available to and obtained or accepted by the department for providing advanced placement performance funding for school districts as provided in this section.

2. a. Each school district shall receive an amount equal to the school district's total number of advanced placement students divided by the total number of

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advanced placement students in the state, and then multiplied by the amount of moneys available to provide advanced placement performance funding for the budget year under subsection 1. The department of education shall certify to the department of management the total number of advanced placement students enrolled in each school district.

b. The department of management shall on or before July 1 of the budget year notify each school district of the amount of advanced placement performance funding under this section.

12 c. Payments made to school districts under this
 13 section are miscellaneous income and may be used for
 14 any school district general fund purpose.

15 3. For purposes of this section, "advanced placement
 16 student" means a student who was enrolled in the
 17 school district during the school year preceding the
 18 base year, who was enrolled in one or more advanced
 19 placement courses during such school year as provided
 20 under section 261E.4, and who also achieved a score
 21 on the advanced placement examination for at least
 22 one such course of three or higher on the advanced
 23 placement five-point scale.

24 4. The state board of education shall adopt rules
 25 under chapter 17A necessary to implement this section,
 26 including rules that prescribe all necessary reporting
 27 requirements for school districts.

28 DIVISION XIV

29 PROFESSIONAL SERVICE AND GUIDANCE COUNSELORS

30 Sec. 57. Section 256.9, Code Supplement 2011, is
 31 amended by adding the following new subsection:

32 NEW SUBSECTION. 65. a. Collaborate with, at
 33 a minimum, the board of educational examiners; the
 34 Iowa association of community college trustees; the
 35 association of Iowa area education agencies; the Iowa
 36 school counselor association; the economic development
 37 authority; the department of workforce development;
 38 the governor's science, technology, engineering, and
 39 mathematics advisory council; and students recommended
 40 by the Iowa jobs for America's graduates program; or
 41 successor entities, to develop standards and procedures
 42 for the approval of professional service and secondary
 43 guidance counselor preparation and professional
 44 development programs that, upon approval by the
 45 department, accredited postsecondary institutions which
 46 grant postgraduate degrees may offer to persons seeking
 47 authorization by the board of educational examiners
 48 to serve as secondary school guidance counselors or
 49 to provide professional services in Iowa schools.
 50 A collaboration as specified in this subsection

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1 shall include representation from any stakeholder
 2 organization willing to assist the department in
 3 meeting the requirements of this subsection.

4 b. Community colleges, the economic development
 5 authority, and the department of workforce development
 6 shall consult and coordinate with employment and
 7 workplace stakeholders in assisting the director in
 8 developing standards and procedures for the approval of
 9 programs pursuant to this subsection.

10 c. Accredited postsecondary institutions that offer

11 programs approved pursuant to this subsection shall
12 coordinate with community colleges to ensure that
13 the professional development programs approved under
14 this subsection are offered throughout the state at
15 convenient times.

16 d. The requirements for coursework and programs
17 approved pursuant to this subsection shall include but
18 not be limited to the following:

19 (1) Provision of information regarding career
20 exploration, planning, and development assistance;
21 and opportunities available to Iowa's students from
22 targeted industries as defined in section 15.411,
23 subsection 1, as well as industries requiring skilled
24 workers with educational backgrounds in science,
25 technology, engineering, or mathematics.

26 (2) Elements to encourage the involvement of
27 parents in career exploration and planning with their
28 children.

29 (3) Elements to encourage the involvement of
30 elementary counselors in career exploration and
31 planning with their students.

32 (4) One semester credit or the equivalent
33 issued by a community college or other accredited
34 postsecondary institution in Iowa for coursework
35 or professional development in career exploration,
36 career education, and career planning. If offered by
37 a community college, the coursework shall be offered
38 at the resident tuition rate set pursuant to section
39 260C.14, subsection 2, to students enrolled in approved
40 professional service and guidance counselor preparation
41 programs and to persons renewing their professional
42 service or secondary guidance counselor licenses or
43 endorsements pursuant to section 272.9B. If a community
44 college fails to offer coursework or professional
45 development in career exploration, career education,
46 and career planning by July 1, 2013, the provisions
47 of section 272.9B shall not apply to an applicant
48 described in that section who resides within the
49 boundaries of the community college and who is employed
50 by an Iowa school as a secondary guidance counselor,

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1 until July 1, 2014, or until twelve months following
2 the date upon which the coursework is made available by
3 the community college, whichever is later.

4 e. The director shall establish an application and
5 review process for approval of programs developed and
6 implemented pursuant to this subsection.

7 f. For purposes of this subsection, "professional
8 service" refers to preparation and professional
9 development programs for, and licensure and endorsement

10 of, persons who are authorized under chapter 272 to
 11 provide services in Iowa schools as a school counselor.

12 g. This subsection shall not be construed to
 13 require that an accredited postsecondary institution
 14 offering a major course of study related to the
 15 relevant coursework offered in programs approved
 16 pursuant to this subsection establish additional credit
 17 requirements to graduate or achieve certification from
 18 the institution in the related major course of study
 19 from the institution. However, only coursework and
 20 programs that meet the requirements established by the
 21 director in accordance with this subsection shall be
 22 approved by the director.

23 Sec. 58. NEW SECTION. 272.9B Professional service
 24 and guidance counselor licenses.

25 Beginning July 1, 2014, except as provided in
 26 section 256.9, subsection 65, paragraph "d", the board
 27 shall require applicants for professional service and
 28 secondary guidance counselor licenses and endorsements,
 29 and for the renewal of such licenses and endorsements,
 30 to have successfully completed a professional service
 31 or secondary guidance counselor preparation program
 32 or professional development program, as appropriate,
 33 approved in accordance with section 256.9, subsection
 34 65.

35 Sec. 59. Section 279.61, Code 2011, is amended by
 36 adding the following new subsection:

37 NEW SUBSECTION. 3. Beginning July 1, 2015, except
 38 as otherwise provided in section 256.9, subsection 65,
 39 paragraph "d", career and academic guidance counseling
 40 services shall be provided by the board of directors
 41 of a school district to students enrolled in grades
 42 nine through twelve only by persons issued professional
 43 service or secondary guidance counselor licenses or
 44 endorsements pursuant to section 272.9B, or who hold
 45 a license issued by the board and meet the renewal
 46 requirements for a license pursuant to section 272.9B.

47 DIVISION XV

48 TRAINING, PREPARATION AND LICENSURE PROVISIONS

49 Sec. 60. Section 256.7, subsection 30, Code
 50 Supplement 2011, is amended to read as follows:

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1 30. Set standards and procedures for the approval
 2 of training programs for individuals who seek an
 3 authorization issued by the board of educational
 4 examiners for ~~employment~~ the following:

- 5 a. Employment as a school business official
- 6 responsible for the financial operations of a school
- 7 district.
- 8 b. Employment as a school administration manager

9 responsible for assisting a school principal in
10 performing noninstructional duties.
11 Sec. 61. Section 256.16, subsection 1, Code 2011,
12 is amended by striking the subsection and inserting in
13 lieu thereof the following:

14 1. Pursuant to section 256.7, subsection 5, the
15 state board shall adopt rules requiring all higher
16 education institutions providing approved practitioner
17 preparation programs to do the following:

18 a. (1) Administer a basic skills test, which
19 has been approved by the director, to practitioner
20 preparation program admission candidates. Candidates
21 who do not successfully pass the test with a score
22 above the twenty-fifth percentile nationally shall be
23 denied admission to the program.

24 (2) A student shall not successfully complete the
25 program unless the student achieves scores above the
26 twenty-fifth percentile nationally on an assessment
27 approved by the director in pedagogy and at least one
28 content area, or on a valid and reliable subject-area
29 specific, performance-based assessment for preservice
30 teacher candidates, centered on student learning.

31 b. Include preparation in reading programs and
32 integrate reading strategies into content area methods
33 coursework.

34 c. Include in the professional education program,
35 preparation that contributes to the education of
36 students with disabilities and students who are
37 gifted and talented, and preparation in classroom
38 management addressing high-risk behaviors including
39 but not limited to behaviors related to substance
40 abuse. Preparation required under this paragraph must
41 be successfully completed before graduation from the
42 practitioner preparation program.

43 Sec. 62. Section 272.1, Code 2011, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 11A. "School administration
46 manager" means a person who is authorized to assist
47 a school principal in performing noninstructional
48 administrative duties.

49 Sec. 63. Section 272.2, subsection 13, Code
50 Supplement 2011, is amended to read as follows:

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1 13. Adopt rules to provide for nontraditional
2 preparation options for licensing persons who hold
3 a bachelor's degree from an accredited college or
4 university, who do not meet other requirements for
5 licensure establish alternative licensure pathways for
6 an initial teacher license and an initial administrator
7 license and endorsement pursuant to section 272.16.

8 The rules shall prescribe standards and procedures
 9 for the approval of alternative principal licensing
 10 programs which may be offered in this state by
 11 designated agencies located within or outside this
 12 state. Procedures provided for approval of alternative
 13 principal licensing programs shall include procedures
 14 for enforcement of the prescribed standards.

15 Sec. 64. NEW SECTION. 272.16 Alternative licensure
 16 and endorsement.

17 1. The board shall establish alternative licensure
 18 pathways for an initial teacher license and an initial
 19 administrator license and endorsement.

20 2. The alternative pathway for an initial teacher
 21 license shall include all of the following components:

22 a. A requirement that the applicant for the
 23 alternative pathway to an initial teacher license meet
 24 all of the following criteria:

25 (1) Hold, at a minimum, a bachelor's degree from
 26 a regionally accredited postsecondary institution and
 27 twenty-four postsecondary credit hours in the content
 28 area to be taught at the licensure level sought by the
 29 applicant; or, in order to teach a foreign language,
 30 the applicant shall hold at least a bachelor's degree
 31 and be a native speaker of the language to be taught.

32 (2) Have successfully passed a background check
 33 conducted in accordance with section 272.2, subsection
 34 17.

35 (3) Have at least three recent consecutive years of
 36 successful, relevant work experience.

37 (4) Have successfully passed a basic skills test,
 38 approved by the director, for acceptance. An applicant
 39 utilizing the alternative pathway to an initial teacher
 40 license shall not be issued such a license unless
 41 the student achieves scores above the twenty-fifth
 42 percentile nationally on an examination approved by the
 43 board for knowledge of pedagogies and in at least one
 44 content area.

45 b. A requirement that the person issued an initial
 46 teacher license pursuant to this subsection shall,
 47 during the person's first three years of teaching,
 48 successfully complete a beginning teacher mentoring and
 49 induction program pursuant to section 284.5, and shall
 50 successfully complete eighteen postsecondary credit

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1 hours of pedagogy coursework before the person may be
 2 issued a license beyond the initial license.

3 3. The alternative pathway for an initial
 4 administrator license shall include all of the
 5 following components:

6 a. A requirement that the applicant for the

7 alternative pathway to an initial administrator license
8 meet all of the following criteria:

9 (1) Hold, at a minimum, a bachelor's degree from a
10 regionally accredited postsecondary institution.

11 (2) Have successfully passed a background check
12 conducted in accordance with section 272.2, subsection
13 17.

14 b. A requirement that a person who is issued an
15 initial administrator license through the alternative
16 pathway specified by this subsection may be employed by
17 a school district or accredited nonpublic school and,
18 for the first consecutive three years of employment
19 as a building principal, shall be supervised and
20 mentored by a person who holds a valid professional
21 administrator license.

22 4. A person with at least five recent years of
23 successful experience as a professional educator, and
24 who is enrolled in an alternative principal licensing
25 program approved by the board, may qualify for an
26 initial administrator license.

27 5. A person with at least five recent years of
28 successful management experience in business; industry;
29 local, state, or federal government; or the military
30 service of the United States, and who has successfully
31 completed an alternative principal licensing program
32 approved by the board, may qualify for an initial
33 administrator license.

34 6. a. The alternative pathway for an initial
35 administrator endorsement for school superintendents
36 and area education agency administrators shall require
37 an applicant to meet all of the following criteria:

38 (1) Hold, at a minimum, a bachelor's degree from a
39 regionally accredited postsecondary institution.

40 (2) Have successfully passed a background check
41 conducted in accordance with section 272.2, subsection
42 17.

43 (3) Have at least five recent years of successful,
44 relevant experience as a professional educator or
45 management experience in business; industry; local,
46 state, or federal government; or the military service
47 of the United States.

48 b. A person issued an initial administrator
49 endorsement for superintendents or area education
50 agency administrators under this subsection shall

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1 successfully complete a beginning mentoring and
2 induction program with a mentor who is a superintendent
3 or area education agency administrator, as appropriate.

4 c. A person issued an initial administrator
5 endorsement for superintendents or area education

6 agency administrators pursuant to this subsection,
 7 who successfully completes three years of experience
 8 as a superintendent or area education agency
 9 administrator, may be issued a license beyond the
 10 initial administrator endorsement.

11 7. Upon application, a person who holds an initial
 12 administrator license issued pursuant to subsection 3,
 13 and who has three years of successful experience as a
 14 principal, shall be issued a professional administrator
 15 license.

16 Sec. 65. Section 272.25, subsection 1, Code 2011,
 17 is amended to read as follows:

18 1. A requirement that each student admitted to
 19 an approved practitioner preparation program must
 20 participate in field experiences that include both
 21 observation and participation in teaching activities in
 22 a variety of school settings. These field experiences
 23 shall comprise a total of at least fifty hours in
 24 duration, at least ten hours of which shall occur prior
 25 to a student's acceptance in an approved practitioner
 26 preparation program. The student teaching experience
 27 shall be a minimum of ~~twelve~~ fifteen weeks in duration
 28 during the student's final year of the practitioner
 29 preparation program.

30 Sec. 66. Section 272.31, Code 2011, is amended by
 31 adding the following new subsection:

32 NEW SUBSECTION. 2A. The board shall issue a school
 33 administration manager authorization to an individual
 34 who successfully completes a training program that
 35 meets the standards set by the state board pursuant to
 36 section 256.7, subsection 30, and who complies with
 37 rules adopted by the state board pursuant to subsection
 38 3.

39 DIVISION XVI

40 KINDERGARTEN REQUIREMENT

41 Sec. 67. Section 299.1A, Code 2011, is amended to
 42 read as follows:

43 299.1A Compulsory attendance age.

44 1. A Except as provided in subsection 2, a
 45 child who has reached the age of six and is under
 46 sixteen years of age by September 15 is of compulsory
 47 attendance age. However, if a child enrolled in a
 48 school district or accredited nonpublic school reaches
 49 the age of sixteen on or after September 15, the child
 50 remains of compulsory age until the end of the regular

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1 school calendar.

2 2. A child who has reached the age of five by
 3 September 15 and who is enrolled in a school district
 4 shall be considered to be of compulsory attendance age

5 unless the parent or guardian of the child notifies
6 the school district in writing of the parent's or
7 guardian's intent to remove the child from enrollment
8 in the school district.

9 DIVISION XVII
10 STATE MANDATE

11 Sec. 68. STATE MANDATE FUNDING SPECIFIED. In
12 accordance with section 25B.2, subsection 3, the state
13 cost of requiring compliance with any state mandate
14 included in this Act shall be paid by a school district
15 from state school foundation aid received by the school
16 district under section 257.16. This specification
17 of the payment of the state cost shall be deemed to
18 meet all of the state funding-related requirements of
19 section 25B.2, subsection 3, and no additional state
20 funding shall be necessary for the full implementation
21 of this Act by and enforcement of this Act against all
22 affected school districts.>

23 2. Title page, line 4, before <school> by inserting
24 <the department of management.>

25 3. By renumbering as necessary.

COMMITTEE ON EDUCATION

H-8459

1 Amend House File 2435 as follows:

2 1. By striking everything after the enacting clause
3 and inserting:

4 <DIVISION I
5 DEPARTMENT ON AGING

6 Section 1. 2011 Iowa Acts, chapter 129, section
7 113, is amended to read as follows:

8 SEC. 113. DEPARTMENT ON AGING. There is
9 appropriated from the general fund of the state to
10 the department on aging for the fiscal year beginning
11 July 1, 2012, and ending June 30, 2013, the following
12 amount, or so much thereof as is necessary, to be used
13 for the purposes designated:

14 For aging programs for the department on aging and
15 area agencies on aging to provide citizens of Iowa who
16 are 60 years of age and older with case management for
17 frail elders, Iowa's aging and disabilities resource
18 center, and other services which may include but are
19 not limited to adult day services, respite care, chore
20 services, information and assistance, and material aid,
21 for information and options counseling for persons with
22 disabilities who are 18 years of age or older, and
23 for salaries, support, administration, maintenance,
24 and miscellaneous purposes, and for not more than the
25 following full-time equivalent positions:

26 \$ 5,151,288

27 10,402,577
 28 FTEs ~~35.00~~ 36.00
 29 1. Funds appropriated in this section may be used
 30 to supplement federal funds under federal regulations.
 31 To receive funds appropriated in this section, a local
 32 area agency on aging shall match the funds with moneys
 33 from other sources according to rules adopted by the
 34 department. Funds appropriated in this section may be
 35 used for elderly services not specifically enumerated
 36 in this section only if approved by an area agency on
 37 aging for provision of the service within the area.
 38 ~~2. The amount appropriated in this section includes~~
 39 ~~additional funding of \$225,000 for delivery of~~
 40 ~~long term care services to seniors with low or moderate~~
 41 ~~incomes.~~
 42 3. Of the funds appropriated in this section,
 43 ~~\$89,973~~ \$179,946 shall be transferred to the department
 44 of economic development for the Iowa commission on
 45 volunteer services to be used for the retired and
 46 senior volunteer program.
 47 4. a. The department on aging shall establish and
 48 enforce procedures relating to expenditure of state and
 49 federal funds by area agencies on aging that require
 50 compliance with both state and federal laws, rules, and

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1 regulations, including but not limited to all of the
 2 following:
 3 (1) Requiring that expenditures are incurred only
 4 for goods or services received or performed prior to
 5 the end of the fiscal period designated for use of the
 6 funds.
 7 (2) Prohibiting prepayment for goods or services
 8 not received or performed prior to the end of the
 9 fiscal period designated for use of the funds.
 10 (3) Prohibiting the prepayment for goods or
 11 services not defined specifically by good or service,
 12 time period, or recipient.
 13 (4) Prohibiting the establishment of accounts from
 14 which future goods or services which are not defined
 15 specifically by good or service, time period, or
 16 recipient, may be purchased.
 17 b. The procedures shall provide that if any funds
 18 are expended in a manner that is not in compliance with
 19 the procedures and applicable federal and state laws,
 20 rules, and regulations, and are subsequently subject
 21 to repayment, the area agency on aging expending such
 22 funds in contravention of such procedures, laws, rules
 23 and regulations, not the state, shall be liable for
 24 such repayment.
 25 5. Of the funds appropriated in this section,

26 \$100,000 shall be used to provide an additional local
27 long-term care resident's advocate to administer the
28 certified volunteer long-term care resident's advocate
29 program pursuant to section 231.45 as enacted in this
30 2012 Act. It is the intent of the general assembly
31 that the number of local long-term care resident's
32 advocates as provided in section 231.42 be increased
33 each year until 15 local long-term care resident's
34 advocates are available in the state.

35 DIVISION II

36 DEPARTMENT OF PUBLIC HEALTH

37 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
38 is amended to read as follows:

39 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
40 appropriated from the general fund of the state to
41 the department of public health for the fiscal year
42 beginning July 1, 2012, and ending June 30, 2013, the
43 following amounts, or so much thereof as is necessary,
44 to be used for the purposes designated:

45 1. ADDICTIVE DISORDERS

46 For reducing the prevalence of use of tobacco,
47 alcohol, and other drugs, and treating individuals
48 affected by addictive behaviors, including gambling,
49 and for not more than the following full-time
50 equivalent positions:

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1 \$ 11,751,595
2 25,653,190
3 FTEs 13.00

4 a. (1) Of the funds appropriated in this
5 subsection, ~~\$1,626,915~~ \$5,403,830 shall be used for
6 the tobacco use prevention and control initiative,
7 including efforts at the state and local levels, as
8 provided in chapter 142A. The commission on tobacco
9 use prevention and control established pursuant to
10 section 142A.3 shall advise the director of public
11 health in prioritizing funding needs and the allocation
12 of moneys appropriated for the programs and activities
13 of the initiative under this subparagraph (1) and shall
14 make recommendations to the director in the development
15 of budget requests relating to the initiative.

16 (2) (a) Of the funds allocated in this paragraph
17 "a", ~~\$226,915~~ \$453,830 shall be transferred to the
18 alcoholic beverages division of the department of
19 commerce for enforcement of tobacco laws, regulations,
20 and ordinances in accordance with 2011 Iowa Acts, House
21 File 467, as enacted chapter 63.

22 (b) For the fiscal year beginning July 1, 2012,
23 and ending June 30, 2013, the terms of a chapter
24 28D agreement, entered into between the division of

25 tobacco use prevention and control of the department
 26 of public health and the alcoholic beverages division
 27 of the department of commerce, governing compliance
 28 checks conducted to ensure licensed retail tobacco
 29 outlet conformity with tobacco laws, regulations, and
 30 ordinances relating to persons under eighteen years of
 31 age, shall restrict the number of such checks to one
 32 check per retail outlet, and one additional check for
 33 any retail outlet found to be in violation during the
 34 first check.

35 b. Of the funds appropriated in this subsection,
 36 ~~\$10,124,680~~ \$20,249,360 shall be used for problem
 37 gambling and substance abuse prevention, treatment,
 38 and recovery services, including a 24-hour helpline,
 39 public information resources, professional training,
 40 and program evaluation.

41 (1) Of the funds allocated in this paragraph "b",
 42 ~~\$8,566,254~~ \$17,132,508 shall be used for substance
 43 abuse prevention and treatment.

44 (a) Of the funds allocated in this subparagraph
 45 (1), ~~\$449,650~~ \$899,300 shall be used for the public
 46 purpose of a grant program to provide substance abuse
 47 prevention programming for children.

48 (i) Of the funds allocated in this subparagraph
 49 division (a), ~~\$213,769~~ \$427,539 shall be used for grant
 50 funding for organizations that provide programming for

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1 children by utilizing mentors. Programs approved for
 2 such grants shall be certified or will be certified
 3 within six months of receiving the grant award by the
 4 Iowa commission on volunteer services as utilizing
 5 the standards for effective practice for mentoring
 6 programs.

7 (ii) Of the funds allocated in this subparagraph
 8 division (a), ~~\$213,419~~ \$426,839 shall be used for grant
 9 funding for organizations that provide programming
 10 that includes youth development and leadership. The
 11 programs shall also be recognized as being programs
 12 that are scientifically based with evidence of their
 13 effectiveness in reducing substance abuse in children.

14 (iii) The department of public health shall utilize
 15 a request for proposals process to implement the grant
 16 program.

17 (iv) All grant recipients shall participate in a
 18 program evaluation as a requirement for receiving grant
 19 funds.

20 (v) Of the funds allocated in this subparagraph
 21 division (a), up to ~~\$22,461~~ \$44,922 may be used to
 22 administer substance abuse prevention grants and for
 23 program evaluations.

24 (b) Of the funds allocated in this subparagraph
25 (1), ~~\$136,531~~ \$273,062 shall be used for culturally
26 competent substance abuse treatment pilot projects.
27 (i) The department shall utilize the amount
28 allocated in this subparagraph division (b) for at
29 least three pilot projects to provide culturally
30 competent substance abuse treatment in various areas
31 of the state. Each pilot project shall target a
32 particular ethnic minority population. The populations
33 targeted shall include but are not limited to African
34 American, Asian, and Latino.
35 (ii) The pilot project requirements shall provide
36 for documentation or other means to ensure access
37 to the cultural competence approach used by a pilot
38 project so that such approach can be replicated and
39 improved upon in successor programs.
40 (2) Of the funds allocated in this paragraph "b",
41 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem
42 gambling prevention, treatment, and recovery services.
43 (a) Of the funds allocated in this subparagraph
44 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem
45 gambling prevention and treatment.
46 (b) Of the funds allocated in this subparagraph
47 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour
48 helpline, public information resources, professional
49 training, and program evaluation.
50 (c) Of the funds allocated in this subparagraph

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1 (2), up to ~~\$50,000~~ \$100,000 may be used for the
2 licensing of problem gambling treatment programs.
3 (3) It is the intent of the general assembly that
4 from the moneys allocated in this paragraph "b",
5 persons with a dual diagnosis of substance abuse
6 and gambling addictions shall be given priority in
7 treatment services.
8 c. Notwithstanding any provision of law to the
9 contrary, to standardize the availability, delivery,
10 cost of delivery, and accountability of problem
11 gambling and substance abuse treatment services
12 statewide, the department shall continue implementation
13 of a process to create a system for delivery of
14 treatment services in accordance with the requirements
15 specified in 2008 Iowa Acts, chapter 1187, section
16 3, subsection 4. To ensure the system provides a
17 continuum of treatment services that best meets the
18 needs of Iowans, the problem gambling and substance
19 abuse treatment services in any area may be provided
20 either by a single agency or by separate agencies
21 submitting a joint proposal.
22 (1) The system for delivery of substance abuse

23 and problem gambling treatment shall include problem
24 gambling prevention.

25 (2) The system for delivery of substance abuse and
26 problem gambling treatment shall include substance
27 abuse prevention by July 1, 2014.

28 (3) Of the funds allocated in paragraph "b",
29 the department may use up to ~~\$50,000~~ \$100,000 for
30 administrative costs to continue developing and
31 implementing the process in accordance with this
32 paragraph "c".

33 d. The requirement of section 123.53, subsection
34 5, is met by the appropriations and allocations made
35 in this Act for purposes of substance abuse treatment
36 and addictive disorders for the fiscal year beginning
37 July 1, 2012.

38 e. The department of public health shall work
39 with all other departments that fund substance
40 abuse prevention and treatment services and all
41 such departments shall, to the extent necessary,
42 collectively meet the state maintenance of effort
43 requirements for expenditures for substance abuse
44 services as required under the federal substance abuse
45 prevention and treatment block grant.

46 f. The department shall amend or otherwise
47 revise departmental policies and contract provisions
48 in order to eliminate free t-shirt distribution,
49 banner production, and other unnecessary promotional
50 expenditures.

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1 2. HEALTHY CHILDREN AND FAMILIES

2 For promoting the optimum health status for
3 children, adolescents from birth through 21 years of
4 age, and families, and for not more than the following
5 full-time equivalent positions:

6	\$	1,297,135
7		<u>2,694,270</u>
8	FTEs	10.00

9 a. Of the funds appropriated in this subsection,
10 not more than ~~\$369,659~~ \$739,318 shall be used for
11 the healthy opportunities to experience success
12 (HOPES)-healthy families Iowa (HFI) program established
13 pursuant to section 135.106. The funding shall be
14 distributed to renew the grants that were provided
15 to the grantees that operated the program during the
16 fiscal year ending June 30, 2012.

17 Ob. (1) In order to implement the legislative
18 intent stated in sections 135.106 and 256I.9, that
19 priority for home visitation program funding be given
20 to programs using evidence-based or promising models
21 for home visitation, it is the intent of the general

22 assembly to phase-in the funding priority as follows:

23 (a) By July 1, 2013, 25 percent of state
24 funds expended for home visiting programs are for
25 evidence-based or promising program models.

26 (b) By July 1, 2014, 50 percent of state
27 funds expended for home visiting programs are for
28 evidence-based or promising program models.

29 (c) By July 1, 2015, 75 percent of state
30 funds expended for home visiting programs are for
31 evidence-based or promising program models.

32 (d) By July 1, 2016, 90 percent of state
33 funds expended for home visiting programs are for
34 evidence-based or promising program models. The
35 remaining 10 percent of funds may be used for
36 innovative program models that do not yet meet the
37 definition of evidence-based or promising programs.

38 (2) For the purposes of this lettered paragraph,
39 unless the context otherwise requires:

40 (a) "Evidence-based program" means a program that
41 is based on scientific evidence demonstrating that
42 the program model is effective. An evidence-based
43 program shall be reviewed onsite and compared to
44 program model standards by the model developer or the
45 developer's designee at least every five years to
46 ensure that the program continues to maintain fidelity
47 with the program model. The program model shall have
48 had demonstrated significant and sustained positive
49 outcomes in an evaluation utilizing a well-designed and
50 rigorous randomized controlled research design or a

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1 quasi-experimental research design, and the evaluation
2 results shall have been published in a peer-reviewed
3 journal.

4 (b) "Family support programs" includes group-based
5 parent education or home visiting programs that are
6 designed to strengthen protective factors, including
7 parenting skills, increasing parental knowledge of
8 child development, and increasing family functioning
9 and problem solving skills. A family support program
10 may be used as an early intervention strategy to
11 improve birth outcomes, parental knowledge, family
12 economic success, the home learning environment, family
13 and child involvement with others, and coordination
14 with other community resources. A family support
15 program may have a specific focus on preventing child
16 maltreatment or ensuring children are safe, healthy,
17 and ready to succeed in school.

18 (c) "Promising program" means a program that meets
19 all of the following requirements:

20 (i) The program conforms to a clear, consistent

21 family support model that has been in existence for at
22 least three years.

23 (ii) The program is grounded in relevant
24 empirically-based knowledge.

25 (iii) The program is linked to program-determined
26 outcomes.

27 (iv) The program is associated with a national
28 or state organization that either has comprehensive
29 program standards that ensure high-quality service
30 delivery and continuous program quality improvement
31 or the program model has demonstrated through the
32 program's benchmark outcomes that the program has
33 achieved significant positive outcomes equivalent
34 to those achieved by program models with published
35 significant and sustained results in a peer-reviewed
36 journal.

37 (v) The program has been awarded the Iowa family
38 support credential and has been reviewed onsite
39 at least every five years to ensure the program's
40 adherence to the Iowa family support standards approved
41 by the early childhood Iowa state board created in
42 section 256I.3 or a comparable set of standards. The
43 onsite review is completed by an independent review
44 team that is not associated with the program or the
45 organization administering the program.

46 (3) (a) The data reporting requirements applicable
47 to the HOPES-HFI program services shall include the
48 requirements adopted by the early childhood Iowa state
49 board pursuant to section 256I.4 for the family support
50 programs targeted to families expecting a child or

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1 with newborn and infant children through age five and
2 funded through the state board. The department of
3 public health may specify additional data reporting
4 requirements for the HOPES-HFI program services.
5 The HOPES-HFI program services shall be required to
6 participate in a state administered internet-based
7 data collection system by July 1, 2013. The annual
8 reporting concerning the HOPES-HFI program services
9 shall include program outcomes beginning with the 2015
10 report.

11 (b) The data on families served that is collected
12 by the HOPES-HFI program shall include but is not
13 limited to basic demographic information, services
14 received, funding utilized, and program outcomes for
15 the children and families served.

16 (c) The HOPES-HFI program shall work with the early
17 childhood Iowa state board in the state board's efforts
18 to identify minimum competency standards for the
19 employees and supervisors of family support programs

20 funded. The HOPES-HFI program, along with the state
21 board, shall submit recommendations concerning the
22 standards to the governor and general assembly on or
23 before January 1, 2014.

24 (d) On or before January 1, 2013, the HOPES-HFI
25 program shall adopt criminal and child abuse record
26 check requirements for the employees and supervisors of
27 family support programs funded through the program.

28 (e) The HOPES-HFI program shall work with the early
29 childhood Iowa state board in the state board's efforts
30 to develop a plan to implement a coordinated intake and
31 referral process for publicly funded family support
32 programs in order to engage the families expecting a
33 child or with newborn and infant children through age
34 five in all communities in the state by July 1, 2015.

35 b. Of the funds appropriated in this subsection,
36 \$164,942 \$329,885 shall be used to continue to address
37 the healthy mental development of children from birth
38 through five years of age through local evidence-based
39 strategies that engage both the public and private
40 sectors in promoting healthy development, prevention,
41 and treatment for children. The department shall work
42 with the department of human services, Iowa Medicaid
43 enterprise, to develop a plan to secure matching
44 medical assistance program funding to provide services
45 under this paragraph, which may include a per member
46 per month payment to reimburse the care coordination
47 and community outreach services component that links
48 young children and their families with identified
49 service needs.

50 c. Of the funds appropriated in this subsection,

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1 \$15,798 \$31,597 shall be distributed to a statewide
2 dental carrier to provide funds to continue the donated
3 dental services program patterned after the projects
4 developed by the lifeline network to provide dental
5 services to indigent elderly and disabled individuals.

6 d. Of the funds appropriated in this subsection,
7 \$56,338 \$112,677 shall be used for childhood obesity
8 prevention.

9 e. Of the funds appropriated in this subsection,
10 \$81,880 \$163,760 shall be used to provide audiological
11 services and hearing aids for children. The department
12 may enter into a contract to administer this paragraph.

13 f. Of the funds appropriated in this subsection,
14 \$100,000 shall be transferred to the university of Iowa
15 college of dentistry for provision of primary dental
16 services to children. State funds shall be matched
17 on a dollar-for-dollar basis. The university of Iowa
18 college of dentistry shall coordinate efforts with the

19 department of public health, bureau of oral health,
20 to provide dental care to underserved populations
21 throughout the state.

22 3. CHRONIC CONDITIONS

23 For serving individuals identified as having chronic
24 conditions or special health care needs, and for not
25 more than the following full-time equivalent positions:

26	\$	<u>1,680,828</u>
27		<u>3,919,028</u>
28	FTEs	<u>4.00</u>
29		<u>5.00</u>

30 a. Of the funds appropriated in this subsection,
31 ~~\$80,291~~ \$160,582 shall be used for grants to individual
32 patients who have phenylketonuria (PKU) to assist with
33 the costs of necessary special foods.

34 b. Of the funds appropriated in this subsection,
35 ~~\$241,800~~ \$483,600 is allocated for continuation of
36 the contracts for resource facilitator services in
37 accordance with section 135.22B, subsection 9, and
38 for brain injury training services and recruiting of
39 service providers to increase the capacity within this
40 state to address the needs of individuals with brain
41 injuries and such individuals' families.

42 c. Of the funds appropriated in this subsection,
43 ~~\$249,437~~ \$550,000 shall be used as additional funding
44 to leverage federal funding through the federal Ryan
45 White Care Act, Tit. II, AIDS drug assistance program
46 supplemental drug treatment grants.

47 d. Of the funds appropriated in this subsection,
48 ~~\$15,627~~ \$50,000 shall be used for the public purpose of
49 providing a grant to an existing national-affiliated
50 organization to provide education, client-centered

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1 programs, and client and family support for people
2 living with epilepsy and their families.

3 e. Of the funds appropriated in this subsection,
4 ~~\$394,151~~ \$788,303 shall be used for child health
5 specialty clinics.

6 f. Of the funds appropriated in this subsection,
7 ~~\$248,533~~ \$497,065 shall be used for the comprehensive
8 cancer control program to reduce the burden of cancer
9 in Iowa through prevention, early detection, effective
10 treatment, and ensuring quality of life. Of the funds
11 allocated in this lettered paragraph, ~~\$75,000~~ \$150,000
12 shall be used to support a melanoma research symposium,
13 a melanoma biorepository and registry, basic and
14 translational melanoma research, and clinical trials.

15 g. Of the funds appropriated in this subsection,
16 ~~\$63,225~~ \$126,450 shall be used for cervical and colon
17 cancer screening.

18 h. Of the funds appropriated in this subsection,
19 ~~\$264,417~~ ~~\$528,834~~ shall be used for the center for
20 congenital and inherited disorders. A portion of
21 the funds allocated in this lettered paragraph may
22 be used for one full-time equivalent position for
23 administration of the center.

24 i. Of the funds appropriated in this subsection,
25 ~~\$64,968~~ ~~\$129,937~~ shall be used for the prescription
26 drug donation repository program created in chapter
27 135M.

28 j. For provision of early prevention screening
29 by pap smear and advanced screening by colposcope for
30 women with incomes below 250 percent of the federal
31 poverty level, as defined by the most recently revised
32 poverty income guidelines issued by the United States
33 department of health and human services, who are
34 not covered by a third-party payer health policy or
35 contract that pays for such procedures and related
36 laboratory services:

37 \$ 500,000

38 The department shall distribute the amount
39 appropriated in this lettered paragraph to providers
40 on behalf of eligible persons within the target
41 population.

42 4. COMMUNITY CAPACITY

43 For strengthening the health care delivery system at
44 the local level, and for not more than the following
45 full-time equivalent positions:

46 \$ 2,117,583

47 5,485.547

48 FTEs 14.00

49 a. Of the funds appropriated in this subsection,
50 ~~\$50,000~~ ~~\$100,000~~ is allocated for a child vision

1 screening program implemented through the university of
2 Iowa hospitals and clinics in collaboration with early
3 childhood Iowa areas.

4 b. Of the funds appropriated in this subsection,
5 ~~\$55,654~~ ~~\$111,308~~ is allocated for continuation of an
6 initiative implemented at the university of Iowa and
7 ~~\$50,246~~ ~~\$100,493~~ is allocated for continuation of an
8 initiative at the state mental health institute at
9 Cherokee to expand and improve the workforce engaged in
10 mental health treatment and services. The initiatives
11 shall receive input from the university of Iowa, the
12 department of human services, the department of public
13 health, and the mental health and disability services
14 commission to address the focus of the initiatives.

15 c. Of the funds appropriated in this subsection,
16 ~~\$585,745~~ ~~\$1,171,491~~ shall be used for essential public

17 health services that promote healthy aging throughout
18 the lifespan, contracted through a formula for local
19 boards of health, to enhance health promotion and
20 disease prevention services.

21 d. Of the funds appropriated in this section,
22 ~~\$60,908~~ \$121,817 shall be deposited in the governmental
23 public health system fund created in section 135A.8 to
24 be used for the purposes of the fund.

25 e. Of the funds appropriated in this subsection,
26 ~~\$72,271~~ \$144,542 shall be used for the mental health
27 professional shortage area program implemented pursuant
28 to section 135.80.

29 f. Of the funds appropriated in this subsection,
30 ~~\$19,131~~ \$38,263 shall be used for a grant to a
31 statewide association of psychologists that is
32 affiliated with the American psychological association
33 to be used for continuation of a program to rotate
34 intern psychologists in placements in urban and rural
35 mental health professional shortage areas, as defined
36 in section ~~135.80~~ 135.180.

37 g. Of the funds appropriated in this subsection,
38 the following amounts shall be allocated to the Iowa
39 collaborative safety net provider network established
40 pursuant to section 135.153 to be used for the purposes
41 designated. The following amounts allocated under
42 this lettered paragraph shall be distributed to
43 the specified provider and shall not be reduced for
44 administrative or other costs prior to distribution:

45 (1) For distribution to the Iowa primary care
46 association for statewide coordination of the Iowa
47 collaborative safety net provider network:

48 \$ ~~66,290~~
49 150,000

50 (1A) For distribution to the Iowa primary care

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1 association to be used for the following women's health
2 initiatives:

3 (a) To establish a grant program for training
4 sexual assault response team (SART) members, including
5 representatives of law enforcement, victim advocates,
6 prosecutors, and certified medical personnel:

7 \$ 50,000

8 (b) To promote access to primary and preventive
9 health care and for provision of assistance to patients
10 in determining an appropriate medical home:

11 \$ 75,000

12 (1B) For distribution to federally qualified
13 health centers for necessary infrastructure, statewide
14 coordination, provider recruitment, service delivery,
15 and provision of assistance to patients in determining

- 16 an appropriate medical home:
- 17 \$ 125,000
- 18 (2) For distribution to the local boards of health
- 19 that provide direct services for pilot programs in
- 20 three counties to assist patients in determining an
- 21 appropriate medical home:
- 22 \$ 38,804
- 23 77,609
- 24 (3) For distribution to maternal and child health
- 25 centers for pilot programs in three counties to assist
- 26 patients in determining an appropriate medical home:
- 27 \$ 38,804
- 28 100,000
- 29 (4) For distribution to free clinics for necessary
- 30 infrastructure, statewide coordination, provider
- 31 recruitment, service delivery, and provision of
- 32 assistance to patients in determining an appropriate
- 33 medical home:
- 34 \$ 62,025
- 35 424,050
- 36 (5) For distribution to rural health clinics for
- 37 necessary infrastructure, statewide coordination,
- 38 provider recruitment, service delivery, and provision
- 39 of assistance to patients in determining an appropriate
- 40 medical home:
- 41 \$ 55,215
- 42 150,000
- 43 (6) For continuation of the safety net provider
- 44 patient access to specialty health care initiative as
- 45 described in 2007 Iowa Acts, chapter 218, section 109:
- 46 \$ 130,000
- 47 400,000
- 48 (7) For continuation of the pharmaceutical
- 49 infrastructure for safety net providers as described in
- 50 2007 Iowa Acts, chapter 218, section 108:

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- 1 \$ 135,000
- 2 435,000
- 3 The Iowa collaborative safety net provider network
- 4 may continue to distribute funds allocated pursuant to
- 5 this lettered paragraph through existing contracts or
- 6 renewal of existing contracts.
- 7 ~~h. (1) Of the funds appropriated in this~~
- 8 ~~subsection, \$74,500 shall be used for continued~~
- 9 ~~implementation of the recommendations of the direct~~
- 10 ~~care worker task force established pursuant to 2005~~
- 11 ~~Iowa Acts, chapter 88, based upon the report submitted~~
- 12 ~~to the governor and the general assembly in December~~
- 13 ~~2006. The department may use a portion of the funds~~
- 14 ~~allocated in this lettered paragraph for an additional~~

15 ~~position to assist in the continued implementation.~~

16 i. (1) Of the funds appropriated in this
 17 subsection, ~~\$65,050~~ \$145,100 shall be used for
 18 allocation to an independent statewide direct care
 19 worker association that serves the entirety of the
 20 direct care workforce under a contract with terms
 21 determined by the director of public health relating
 22 to education, outreach, leadership development,
 23 mentoring, and other initiatives intended to enhance
 24 the recruitment and retention of direct care workers in
 25 health care and long-term care settings.

26 (2) Of the funds appropriated in this subsection,
 27 ~~\$29,000~~ \$58,000 shall be used to provide scholarships
 28 or other forms of subsidization for direct care
 29 worker educational conferences, training, or outreach
 30 activities.

31 j. Of the funds appropriated in this subsection,
 32 the department may use up to ~~\$29,259~~ \$58,518 for up to
 33 one full-time equivalent position to administer the
 34 volunteer health care provider program pursuant to
 35 section 135.24.

36 k. Of the funds appropriated in this subsection,
 37 ~~\$25,000~~ \$50,000 shall be used for a matching dental
 38 education loan repayment program to be allocated to a
 39 dental nonprofit health service corporation to develop
 40 the criteria and implement the loan repayment program.

41 l. Of the funds appropriated in this subsection,
 42 \$250,000 shall be used as state matching funds for
 43 the primary care provider recruitment and retention
 44 endeavor established pursuant to section 135.107.
 45 Notwithstanding any provision to the contrary
 46 including whether a community is located in a federally
 47 designated health professional shortage area, the funds
 48 shall be used for loans to medical students who upon
 49 receiving a permanent license in this state will engage
 50 in the full-time practice of medicine and surgery or

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1 osteopathic medicine and surgery specializing in family
 2 medicine, pediatrics, psychiatry, internal medicine,
 3 or general surgery in a city within the state with a
 4 population of less than 26,000 that is located more
 5 than 20 miles from a city with a population of 50,000
 6 or more. The department may adopt rules pursuant to
 7 chapter 17A to implement this paragraph "l".

8 m. Of the funds appropriated in this subsection,
 9 \$100,000 shall be used for the purposes of the Iowa
 10 donor registry as specified in section 142C.18.

11 n. Of the funds appropriated in this subsection,
 12 \$100,000 shall be used for continuation of a grant to a
 13 nationally affiliated volunteer eye organization that

14 has an established program for children and adults
15 and that is solely dedicated to preserving sight and
16 preventing blindness through education, nationally
17 certified vision screening and training, and community
18 and patient service programs.

19 5. HEALTHY AGING

20 To provide public health services that reduce risks
21 and invest in promoting and protecting good health over
22 the course of a lifetime with a priority given to older
23 Iowans and vulnerable populations:

24 \$ ~~3,648,571~~
25 7,297,142

26 a. Of the funds appropriated in this subsection,
27 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
28 health nursing services.

29 b. Of the funds appropriated in this subsection,
30 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
31 services.

32 6. ENVIRONMENTAL HAZARDS

33 For reducing the public's exposure to hazards in the
34 environment, primarily chemical hazards, and for not
35 more than the following full-time equivalent positions:

36 \$ ~~406,888~~
37 813,777
38 FTEs 4.00

39 Of the funds appropriated in this subsection,
40 ~~\$272,188~~ \$544,377 shall be used for childhood lead
41 poisoning provisions.

42 7. INFECTIOUS DISEASES

43 a. For reducing the incidence and prevalence
44 of communicable diseases, and for not more than the
45 following full-time equivalent positions:

46 \$ ~~672,923~~
47 2,395,847
48 FTEs 4.00

49 b. For the human papillomavirus vaccination public
50 awareness program in accordance with section 135.11,

1 subsection 31, as enacted by this Act:
2 \$ 50,000

3 The department of public health may seek private
4 sector moneys for the purpose of supporting the public
5 awareness program.

6 c. For provision of vaccinations for human
7 papillomavirus to persons age 19 through 26 with
8 incomes below 300 percent of the federal poverty level,
9 as defined by the most recently revised poverty income
10 guidelines issued by the United States department of
11 health and human services, who are not covered by a
12 third-party payer health policy or contract that pays

13 for such vaccinations:

14 \$ 1,000,000

15 The department shall distribute the amount
16 appropriated in this lettered paragraph to providers
17 on behalf of eligible persons within the target
18 population.

19 8. PUBLIC PROTECTION

20 For protecting the health and safety of the
21 public through establishing standards and enforcing
22 regulations, and for not more than the following
23 full-time equivalent positions:

24 \$ 1,388,116

25 3,216,567

26 FTEs 125.00

27 a. Of the funds appropriated in this subsection,
28 not more than ~~\$235,845~~ \$471,690 shall be credited to
29 the emergency medical services fund created in section
30 135.25. Moneys in the emergency medical services fund
31 are appropriated to the department to be used for the
32 purposes of the fund.

33 b. Of the funds appropriated in this subsection,
34 ~~\$105,309~~ \$210,619 shall be used for sexual violence
35 prevention programming through a statewide organization
36 representing programs serving victims of sexual
37 violence through the department's sexual violence
38 prevention program. The amount allocated in this
39 lettered paragraph shall not be used to supplant
40 funding administered for other sexual violence
41 prevention or victims assistance programs.

42 c. Of the funds appropriated in this subsection,
43 not more than ~~\$218,291~~ \$539,477 shall be used for the
44 state poison control center.

45 d. Of the funds appropriated in this subsection,
46 \$337,440 shall be used for the purposes of the board
47 of direct care professionals as established pursuant
48 to the division of this 2012 Act enacting new Code
49 chapter 152F. The direct care worker advisory council
50 established pursuant to 2008 Iowa Acts, chapter 1188,

1 section 69, may continue to provide expertise and
2 leadership relating to the recommendations in the
3 advisory council's final report submitted to the
4 governor and the general assembly in March 2012.

5 9. RESOURCE MANAGEMENT

6 For establishing and sustaining the overall
7 ability of the department to deliver services to the
8 public, and for not more than the following full-time
9 equivalent positions:

10 \$ 409,777

11 819,554

12 FTEs 7.00

13 The university of Iowa hospitals and clinics under
14 the control of the state board of regents shall not
15 receive indirect costs from the funds appropriated in
16 this section. The university of Iowa hospitals and
17 clinics billings to the department shall be on at least
18 a quarterly basis.

19 DIVISION III

20 DEPARTMENT OF VETERANS AFFAIRS

21 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
22 is amended to read as follows:

23 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
24 is appropriated from the general fund of the state to
25 the department of veterans affairs for the fiscal year
26 beginning July 1, 2012, and ending June 30, 2013, the
27 following amounts, or so much thereof as is necessary,
28 to be used for the purposes designated:

29 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

30 For salaries, support, maintenance, and
31 miscellaneous purposes, including the war orphans
32 educational assistance fund created in section
33 35.8, and for not more than the following full-time
34 equivalent positions:

35 \$ 499,416
36 1,010,832
37 FTEs 16.34

38 2. IOWA VETERANS HOME

39 For salaries, support, maintenance, and
40 miscellaneous purposes:

41 \$ 4,476,075
42 8,952,151

43 a. The Iowa veterans home billings involving the
44 department of human services shall be submitted to the
45 department on at least a monthly basis.

46 b. If there is a change in the employer of
47 employees providing services at the Iowa veterans home
48 under a collective bargaining agreement, such employees
49 and the agreement shall be continued by the successor
50 employer as though there had not been a change in

1 employer.

2 c. Within available resources and in conformance
3 with associated state and federal program eligibility
4 requirements, the Iowa veterans home may implement
5 measures to provide financial assistance to or
6 on behalf of veterans or their spouses who are
7 participating in the community reentry program.

8 d. The Iowa veterans home expenditure report
9 shall be submitted monthly to the legislative services
10 agency.

11 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF
12 DECEASED VETERANS

13 For provision of educational assistance pursuant to
14 section 35.9:

15 \$ 6,208
16 12,416

17 4. HOME OWNERSHIP ASSISTANCE PROGRAM

18 For transfer to the Iowa finance authority for the
19 continuation of the home ownership assistance program
20 for persons who are or were eligible members of the
21 armed forces of the United States, pursuant to section
22 16.54:

23 \$ 1,600,000

24 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
25 is amended to read as follows:

26 SEC. 116. LIMITATION OF COUNTY
27 COMMISSION OF VETERANS AFFAIRS FUND STANDING

28 APPROPRIATIONS. Notwithstanding the standing
29 appropriation in the following designated section for
30 the fiscal year beginning July 1, 2012, and ending June
31 30, 2013, the amounts appropriated from the general
32 fund of the state pursuant to that section for the
33 following designated purposes shall not exceed the
34 following amount:

35 For the county commissions of veterans affairs fund
36 under section 35A.16:

37 \$ 495,000
38 990,000

39 DIVISION IV

40 DEPARTMENT OF HUMAN SERVICES

41 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
42 is amended to read as follows:

43 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

44 BLOCK GRANT. There is appropriated from the fund
45 created in section 8.41 to the department of human
46 services for the fiscal year beginning July 1, 2012,
47 and ending June 30, 2013, from moneys received under
48 the federal temporary assistance for needy families
49 (TANF) block grant pursuant to the federal Personal
50 Responsibility and Work Opportunity Reconciliation

1 Act of 1996, Pub. L. No. 104-193, and successor
2 legislation, and from moneys received under the
3 emergency contingency fund for temporary assistance
4 for needy families state program established pursuant
5 to the federal American Recovery and Reinvestment
6 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
7 legislation, the following amounts, or so much
8 thereof as is necessary, to be used for the purposes
9 designated:

10 1. To be credited to the family investment program
 11 account and used for assistance under the family
 12 investment program under chapter 239B:
 13 \$ 10,750,369
 14 19,790,365
 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 \$ 6,205,764
 20 12,411,528
 21 3. To be used for the family development and
 22 self-sufficiency grant program in accordance with
 23 section 216A.107:
 24 \$ 1,449,490
 25 2,898,980
 26 Notwithstanding section 8.33, moneys appropriated in
 27 this subsection that remain unencumbered or unobligated
 28 at the close of the fiscal year shall not revert but
 29 shall remain available for expenditure for the purposes
 30 designated until the close of the succeeding fiscal
 31 year. However, unless such moneys are encumbered or
 32 obligated on or before September 30, 2013, the moneys
 33 shall revert.
 34 4. For field operations:
 35 \$ 15,648,116
 36 31,296,232
 37 5. For general administration:
 38 \$ 1,872,000
 39 3,744,000
 40 6. For state child care assistance:
 41 \$ 8,191,343
 42 16,382,687
 43 The funds appropriated in this subsection shall
 44 be transferred to the child care and development
 45 block grant appropriation made pursuant to 2011 Iowa
 46 Acts, chapter 126, section 32, by the Eighty-fourth
 47 General Assembly, 2012 Session, for the federal fiscal
 48 year beginning October 1, 2012, and ending September
 49 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall
 50 be used for provision of educational opportunities

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1 to registered child care home providers in order to
 2 improve services and programs offered by this category
 3 of providers and to increase the number of providers.
 4 The department may contract with institutions of higher
 5 education or child care resource and referral centers
 6 to provide the educational opportunities. Allowable
 7 administrative costs under the contracts shall not
 8 exceed 5 percent. The application for a grant shall

9 not exceed two pages in length.
 10 7. For distribution to counties for state case
 11 services for persons with mental health and illness,
 12 an intellectual disability, or a developmental
 13 disabilities community services disability in
 14 accordance with section 331.440:

15 \$ 2,447,026
 16 4,894,052

17 8. For child and family services:
 18 \$ 16,042,215
 19 32,084,430

20 9. For child abuse prevention grants:
 21 \$ 62,500
 22 125,000

23 10. For pregnancy prevention grants on the
 24 condition that family planning services are funded:
 25 \$ 965,033
 26 1,930,067

27 Pregnancy prevention grants shall be awarded to
 28 programs in existence on or before July 1, 2012, if the
 29 programs have demonstrated positive outcomes. Grants
 30 shall be awarded to pregnancy prevention programs
 31 which are developed after July 1, 2012, if the programs
 32 are based on existing models that have demonstrated
 33 positive outcomes. Grants shall comply with the
 34 requirements provided in 1997 Iowa Acts, chapter
 35 208, section 14, subsections 1 and 2, including the
 36 requirement that grant programs must emphasize sexual
 37 abstinence. Priority in the awarding of grants shall
 38 be given to programs that serve areas of the state
 39 which demonstrate the highest percentage of unplanned
 40 pregnancies of females of childbearing age within the
 41 geographic area to be served by the grant.

42 11. For technology needs and other resources
 43 necessary to meet federal welfare reform reporting,
 44 tracking, and case management requirements:
 45 \$ 518,593
 46 1,037,186

47 12. To be credited to the state child care
 48 assistance appropriation made in this section to be
 49 used for funding of community-based early childhood
 50 programs targeted to children from birth through five

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1 years of age developed by early childhood Iowa areas as
 2 provided in section 256I.11:
 3 \$ 3,175,000
 4 6,350,000

5 The department shall transfer TANF block grant
 6 funding appropriated and allocated in this subsection
 7 to the child care and development block grant

8 appropriation in accordance with federal law as
9 necessary to comply with the provisions of this
10 subsection.

11 13. a. Notwithstanding any provision to the
12 contrary, including but not limited to requirements
13 in section 8.41 or provisions in 2011 or 2012 Iowa
14 Acts regarding the receipt and appropriation of
15 federal block grants, federal funds from the ~~emergency~~
16 ~~contingency fund~~ for temporary assistance for needy
17 families state program established pursuant to the
18 federal American Recovery and Reinvestment Act of 2009,
19 Pub. L. No. 111-5 § 2101, block grant received by the
20 state during the fiscal year beginning July 1, 2011,
21 and ending June 30, 2012, not otherwise appropriated
22 in this section and remaining available as of for
23 the fiscal year beginning July 1, 2012, and received
24 by the state during the fiscal year beginning July
25 1, 2012, and ending June 30, 2013, are appropriated
26 to the department of human services to the extent as
27 may be necessary to be used in the following priority
28 order: the family investment program for the fiscal
29 year and for state child care assistance program
30 payments for individuals enrolled in the family
31 investment program who are employed. The federal funds
32 appropriated in this paragraph "a" shall be expended
33 only after all other funds appropriated in subsection 1
34 for the assistance under the family investment program
35 under chapter 239B have been expended.

36 b. The department shall, on a quarterly basis,
37 advise the legislative services agency and department
38 of management of the amount of funds appropriated in
39 this subsection that was expended in the prior quarter.

40 14. Of the amounts appropriated in this section,
41 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning
42 July 1, 2012, shall be transferred to the appropriation
43 of the federal social services block grant made for
44 that fiscal year.

45 15. For continuation of the program allowing the
46 department to maintain categorical eligibility for the
47 food assistance program as required under the section
48 of this division relating to the family investment
49 account:

50 \$ 73,036

1 25,000
2 16. The department may transfer funds allocated
3 in this section to the appropriations made in this
4 division of this Act for general administration and
5 field operations for resources necessary to implement
6 and operate the services referred to in this section

7 and those funded in the appropriation made in this
8 division of this Act for the family investment program
9 from the general fund of the state.

10 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
11 is amended to read as follows:

12 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

13 1. Moneys credited to the family investment program
14 (FIP) account for the fiscal year beginning July
15 1, 2012, and ending June 30, 2013, shall be used to
16 provide assistance in accordance with chapter 239B.

17 2. The department may use a portion of the moneys
18 credited to the FIP account under this section as
19 necessary for salaries, support, maintenance, and
20 miscellaneous purposes.

21 3. The department may transfer funds allocated in
22 this section to the appropriations in this division
23 of this Act for general administration and field
24 operations for resources necessary to implement and
25 operate the services referred to in this section and
26 those funded in the appropriation made in this division
27 of this Act for the family investment program from the
28 general fund of the state.

29 4. Moneys appropriated in this division of this Act
30 and credited to the FIP account for the fiscal year
31 beginning July 1, 2012, and ending June 30, 2013, are
32 allocated as follows:

33 a. To be retained by the department of human
34 services to be used for coordinating with the
35 department of human rights to more effectively serve
36 participants in the FIP program and other shared
37 clients and to meet federal reporting requirements
38 under the federal temporary assistance for needy
39 families block grant:

40 \$ 10,000
41 20,000

42 b. To the department of human rights for staffing,
43 administration, and implementation of the family
44 development and self-sufficiency grant program in
45 accordance with section 216A.107:

46 \$ ~~2,671,417~~
47 5,942,834

48 (1) Of the funds allocated for the family
49 development and self-sufficiency grant program in this
50 lettered paragraph, not more than 5 percent of the

1 funds shall be used for the administration of the grant
2 program.

3 (2) The department of human rights may continue to
4 implement the family development and self-sufficiency
5 grant program statewide during fiscal year 2012-2013.

6 c. For the diversion subaccount of the FIP account:

7 \$ ~~849,200~~

8 1,698,400

9 A portion of the moneys allocated for the subaccount
10 may be used for field operations salaries, data
11 management system development, and implementation
12 costs and support deemed necessary by the director of
13 human services in order to administer the FIP diversion
14 program.

15 d. For the food stamp employment and training
16 program:

17 \$ ~~33,294~~

18 66,588

19 (1) The department shall amend the food stamp
20 employment and training state plan in order to maximize
21 to the fullest extent permitted by federal law the
22 use of the 50-50 match provisions for the claiming
23 of allowable federal matching funds from the United
24 States department of agriculture pursuant to the
25 federal food stamp employment and training program for
26 providing education, employment, and training services
27 for eligible food assistance program participants,
28 including but not limited to related dependent care and
29 transportation expenses.

30 (2) The department shall continue the categorical
31 federal food assistance program eligibility at 160
32 percent of the federal poverty level and continue to
33 eliminate the asset test from eligibility requirements,
34 consistent with federal food assistance program
35 requirements. The department shall include as many
36 food assistance households as is allowed by federal
37 law. The eligibility provisions shall conform to all
38 federal requirements including requirements addressing
39 individuals who are incarcerated or otherwise
40 ineligible.

41 e. For the JOBS program:

42 \$ ~~10,117,952~~

43 20,235,905

44 5. Of the child support collections assigned under
45 FIP, an amount equal to the federal share of support
46 collections shall be credited to the child support
47 recovery appropriation made in this division of this
48 Act. Of the remainder of the assigned child support
49 collections received by the child support recovery
50 unit, a portion shall be credited to the FIP account,

1 a portion may be used to increase recoveries, and a
2 portion may be used to sustain cash flow in the child
3 support payments account. If as a consequence of the
4 appropriations and allocations made in this section

5 the resulting amounts are insufficient to sustain
 6 cash assistance payments and meet federal maintenance
 7 of effort requirements, the department shall seek
 8 supplemental funding. If child support collections
 9 assigned under FIP are greater than estimated or are
 10 otherwise determined not to be required for maintenance
 11 of effort, the state share of either amount may be
 12 transferred to or retained in the child support payment
 13 account.

14 6. The department may adopt emergency rules for
 15 the family investment, JOBS, food stamp, and medical
 16 assistance programs if necessary to comply with federal
 17 requirements.

18 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,
 19 is amended to read as follows:

20 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL

21 FUND. 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, 2012, and ending June 30,
 24 2013, the following amount, or so much thereof as is
 25 necessary, to be used for the purpose designated:

26 To be credited to the family investment program
 27 (FIP) account and used for family investment program
 28 assistance under chapter 239B:

29 \$ ~~25,085,513~~
 30 50,742,028

31 1. Of the funds appropriated in this section,
 32 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
 33 program.

34 2. Of the funds appropriated in this section,
 35 ~~\$1,231,927~~ \$3,063,854 is allocated for the family
 36 development and self-sufficiency grant program.

37 3. Notwithstanding section 8.39, for the fiscal
 38 year beginning July 1, 2012, if necessary to meet
 39 federal maintenance of effort requirements or to
 40 transfer federal temporary assistance for needy
 41 families block grant funding to be used for purposes
 42 of the federal social services block grant or to meet
 43 cash flow needs resulting from delays in receiving
 44 federal funding or to implement, in accordance with
 45 this division of this Act, activities currently funded
 46 with juvenile court services, county, or community
 47 moneys and state moneys used in combination with such
 48 moneys, the department of human services may transfer
 49 funds within or between any of the appropriations made
 50 in this division of this Act and appropriations in law

1 for the federal social services block grant to the
 2 department for the following purposes, provided that
 3 the combined amount of state and federal temporary

4 assistance for needy families block grant funding for
5 each appropriation remains the same before and after
6 the transfer:

- 7 a. For the family investment program.
- 8 b. For child care assistance.
- 9 c. For child and family services.
- 10 d. For field operations.
- 11 e. For general administration.
- 12 f. ~~MH/MR/DD/BI community services (local purchase).~~

13 For distribution to counties for state case services
14 for persons with mental illness, an intellectual
15 disability, or a developmental disability in accordance
16 with section 331.440.

17 This subsection shall not be construed to prohibit
18 the use of existing state transfer authority for other
19 purposes. The department shall report any transfers
20 made pursuant to this subsection to the legislative
21 services agency.

22 4. Of the funds appropriated in this section,
23 ~~\$97,839~~ \$195,678 shall be used for continuation of a
24 grant to an Iowa-based nonprofit organization with a
25 history of providing tax preparation assistance to
26 low-income Iowans in order to expand the usage of the
27 earned income tax credit. The purpose of the grant is
28 to supply this assistance to underserved areas of the
29 state.

30 4A. Of the funds appropriated in this section,
31 \$500,000 shall be used for distribution to a nonprofit,
32 tax-exempt association that receives donations under
33 section 170 of the Internal Revenue Code and whose
34 members include Iowa food banks and their affiliates
35 that together serve all counties in the state, to be
36 used to purchase food for distribution to food-insecure
37 Iowans:

38 \$ 500,000

39 In purchasing food under this subsection, a
40 preference shall be given to the purchase of food
41 produced, processed, or packaged within this state
42 whenever reasonably practicable.

43 5. The department may transfer funds appropriated
44 in this section to the appropriations made in this
45 division of this Act for general administration and
46 field operations as necessary to administer this
47 section and the overall family investment program.

48 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
49 is amended to read as follows:

50 SEC. 120. CHILD SUPPORT RECOVERY. There is

1 appropriated from the general fund of the state to
2 the department of human services for the fiscal year

3 beginning July 1, 2012, and ending June 30, 2013, the
4 following amount, or so much thereof as is necessary,
5 to be used for the purposes designated:

6 For child support recovery, including salaries,
7 support, maintenance, and miscellaneous purposes, and
8 for not more than the following full-time equivalent
9 positions:

10	\$	<u>6,559,627</u>
11		<u>13,377,993</u>
12	FTEs	475.00

13 1. The department shall expend up to ~~\$12,164~~
14 \$24,329, including federal financial participation, for
15 the fiscal year beginning July 1, 2012, for a child
16 support public awareness campaign. The department and
17 the office of the attorney general shall cooperate in
18 continuation of the campaign. The public awareness
19 campaign shall emphasize, through a variety of media
20 activities, the importance of maximum involvement of
21 both parents in the lives of their children as well as
22 the importance of payment of child support obligations.

23 2. Federal access and visitation grant moneys shall
24 be issued directly to private not-for-profit agencies
25 that provide services designed to increase compliance
26 with the child access provisions of court orders,
27 including but not limited to neutral visitation sites
28 and mediation services.

29 3. The appropriation made to the department for
30 child support recovery may be used throughout the
31 fiscal year in the manner necessary for purposes of
32 cash flow management, and for cash flow management
33 purposes the department may temporarily draw more
34 than the amount appropriated, provided the amount
35 appropriated is not exceeded at the close of the fiscal
36 year.

37 4. With the exception of the funding amount
38 specified, the requirements established under 2001
39 Iowa Acts, chapter 191, section 3, subsection 5,
40 paragraph "c", subparagraph (3), shall be applicable
41 to parental obligation pilot projects for the fiscal
42 year beginning July 1, 2012, and ending June 30,
43 2013. Notwithstanding 441 IAC 100.8, providing for
44 termination of rules relating to the pilot projects,
45 the rules shall remain in effect until June 30, 2013.

46 MEDICAL ASSISTANCE PROGRAM

47 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
48 unnumbered paragraph 2, is amended to read as follows:

49 For medical assistance program reimbursement and
50 associated costs as specifically provided in the

2 2012, except as otherwise expressly authorized by
3 law, and consistent with options under federal law and
4 regulations:

5 ~~\$914,993,421~~
6 845,601,256

7 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

8 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
9 subsection 11, paragraph a, unnumbered paragraph 1, is
10 amended to read as follows:

11 Of the funds appropriated in this section,
12 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
13 match for a disproportionate share hospital payment
14 of \$19,133,430 to hospitals that meet both of the
15 conditions specified in subparagraphs (1) and (2).
16 In addition, the hospitals that meet the conditions
17 specified shall either certify public expenditures
18 or transfer to the medical assistance program an
19 amount equal to provide the nonfederal share for a
20 disproportionate share hospital payment of \$7,500,000.
21 The hospitals that meet the conditions specified
22 shall receive and retain 100 percent of the total
23 disproportionate share hospital payment of \$26,633,430.

24 MEDICAL ASSISTANCE — IOWACARE TRANSFER

25 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
26 subsection 13, is amended to read as follows:

27 13. Of the funds appropriated in this section,
28 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the
29 IowaCare account created in section 249J.24.

30 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

31 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
32 subsection 20, paragraphs a and d, are amended to read
33 as follows:

34 a. The department may continue to implement cost
35 containment strategies recommended by the governor, ~~and~~
36 for the fiscal year beginning July 1, 2011, and shall
37 implement new strategies for the fiscal year beginning
38 July 1, 2012, as specified in this division of this
39 2012 Act. The department may adopt emergency rules for
40 such implementation.

41 d. If the savings to the medical assistance program
42 for the fiscal year beginning July 1, 2012, exceed
43 the cost, the department may transfer any savings
44 generated for the fiscal year due to medical assistance
45 program cost containment efforts initiated pursuant
46 to 2010 Iowa Acts, chapter 1031, Executive Order No.
47 20, issued December 16, 2009, or cost containment
48 strategies initiated pursuant to this subsection, to
49 the appropriation made in this division of this Act
50 for medical contracts or general administration to

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1 defray the increased contract costs associated with
2 implementing such efforts.

3 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
4 is amended by adding the following new subsections:

5 NEW SUBSECTION. 23. The department shall implement
6 a hospital inpatient reimbursement policy to provide
7 for the combining of an original claim for an inpatient
8 stay with a claim for a subsequent inpatient stay when
9 the patient is admitted within seven days of discharge
10 from the original hospital stay for the same condition.

11 NEW SUBSECTION. 24. The department shall
12 transition payment for and administration of services
13 provided by psychiatric medical institutions for
14 children to the Iowa plan.

15 **MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH**
16 **DISABILITIES**

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 25. The department of human
20 services shall adopt rules for the Medicaid for
21 employed people with disabilities program to provide
22 that until such time as the department adopts
23 rules, annually, to implement the most recently
24 revised poverty guidelines published by the United
25 States department of health and human services, the
26 calculation of gross income eligibility and premium
27 amounts shall not include any increase in unearned
28 income attributable to a social security cost-of-living
29 adjustment for an individual or member of the
30 individual's family whose unearned income is included
31 in such calculation.

32 **STATE BALANCING INCENTIVE PAYMENTS PROGRAM**

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 27. The funds received through
36 participation in the medical assistance state balancing
37 incentive payments program created pursuant to section
38 10202 of the federal Patient Protection and Affordable
39 Care Act of 2010, Pub. L. No. 111-148 (2010), as
40 amended by the federal Health Care and Education
41 Reconciliation Act of 2010, Pub. L. No. 111-152,
42 shall be used by the department of human services to
43 comply with the requirements of the program including
44 developing a no wrong door single entry point system;
45 providing a conflict-free case management system;
46 providing core standardized assessment instruments;
47 complying with data collection requirements relating to
48 services, quality, and outcomes; meeting the applicable
49 target spending percentage required under the program
50 to rebalance long-term care spending under the medical

1 assistance program between home and community-based
2 services and institution-based services; and for new or
3 expanded medical assistance program non-institutionally
4 based long-term care services and supports.

5 Sec. 16. 2011 Iowa Acts, chapter 129, section 123,
6 is amended to read as follows:

7 SEC. 123. MEDICAL CONTRACTS. There is appropriated
8 from the general fund of the state to the department of
9 human services for the fiscal year beginning July 1,
10 2012, and ending June 30, 2013, the following amount,
11 or so much thereof as is necessary, to be used for the
12 purpose designated:

13 For medical contracts:

14 \$ ~~5,453,728~~
15 8,460,680

16 1. The department of inspections and appeals
17 shall provide all state matching funds for survey and
18 certification activities performed by the department
19 of inspections and appeals. The department of human
20 services is solely responsible for distributing the
21 federal matching funds for such activities.

22 2. Of the funds appropriated in this section,
23 ~~\$25,000~~ \$50,000 shall be used for continuation of home
24 and community-based services waiver quality assurance
25 programs, including the review and streamlining of
26 processes and policies related to oversight and quality
27 management to meet state and federal requirements.

28 3. Of the amount appropriated in this section, up
29 to \$200,000 may be transferred to the appropriation for
30 general administration in this division of this Act to
31 be used for additional full-time equivalent positions
32 in the development of key health initiatives such as
33 cost containment, development and oversight of managed
34 care programs, and development of health strategies
35 targeted toward improved quality and reduced costs in
36 the Medicaid program.

37 Sec. 17. 2011 Iowa Acts, chapter 129, section 124,
38 is amended to read as follows:

39 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

40 1. There is appropriated from the general fund of
41 the state to the department of human services for the
42 fiscal year beginning July 1, 2012, and ending June 30,
43 2013, the following amount, or so much thereof as is
44 necessary, to be used for the purpose designated:

45 For the state supplementary assistance program:
46 \$ ~~8,425,373~~
47 15,450,747

48 2. The department shall increase the personal needs
49 allowance for residents of residential care facilities
50 by the same percentage and at the same time as federal

1 supplemental security income and federal social
2 security benefits are increased due to a recognized
3 increase in the cost of living. The department may
4 adopt emergency rules to implement this subsection.

5 3. If during the fiscal year beginning July 1,
6 2012, the department projects that state supplementary
7 assistance expenditures for a calendar year will not
8 meet the federal pass-through requirement specified
9 in Tit. XVI of the federal Social Security Act,
10 section 1618, as codified in 42 U.S.C. § 1382g,
11 the department may take actions including but not
12 limited to increasing the personal needs allowance
13 for residential care facility residents and making
14 programmatic adjustments or upward adjustments of the
15 residential care facility or in-home health-related
16 care reimbursement rates prescribed in this division of
17 this Act to ensure that federal requirements are met.
18 In addition, the department may make other programmatic
19 and rate adjustments necessary to remain within the
20 amount appropriated in this section while ensuring
21 compliance with federal requirements. The department
22 may adopt emergency rules to implement the provisions
23 of this subsection.

24 Sec. 18. 2011 Iowa Acts, chapter 129, section 125,
25 is amended to read as follows:

26 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

27 1. There is appropriated from the general fund of
28 the state to the department of human services for the
29 fiscal year beginning July 1, 2012, and ending June 30,
30 2013, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:

32 For maintenance of the healthy and well kids in Iowa
33 (hawk-i) program pursuant to chapter 514I, including
34 supplemental dental services, for receipt of federal
35 financial participation under Tit. XXI of the federal
36 Social Security Act, which creates the children's
37 health insurance program:

38 \$ ~~16,403,051~~
39 40,400,160

40 2. Of the funds appropriated in this section,
41 ~~\$64,475~~ \$141,450 is allocated for continuation of the
42 contract for outreach with the department of public
43 health.

44 Sec. 19. 2011 Iowa Acts, chapter 129, section 126,
45 is amended to read as follows:

46 SEC. 126. CHILD CARE ASSISTANCE. There is
47 appropriated from the general fund of the state to
48 the department of human services for the fiscal year
49 beginning July 1, 2012, and ending June 30, 2013, the
50 following amount, or so much thereof as is necessary,

Page 30

1 to be used for the purpose designated:

2 For child care programs:

3 \$ ~~26,618,831~~
 4 61,087,940

5 1. Of the funds appropriated in this section,
 6 ~~\$25,948,041~~ \$59,718,513 shall be used for state child
 7 care assistance in accordance with section 237A.13.

8 2. Nothing in this section shall be construed or
 9 is intended as or shall imply a grant of entitlement
 10 for services to persons who are eligible for assistance
 11 due to an income level consistent with the waiting
 12 list requirements of section 237A.13. Any state
 13 obligation to provide services pursuant to this section
 14 is limited to the extent of the funds appropriated in
 15 this section.

16 3. Of the funds appropriated in this section,
 17 ~~\$216,226~~ \$432,453 is allocated for the statewide
 18 program for child care resource and referral services
 19 under section 237A.26. A list of the registered and
 20 licensed child care facilities operating in the area
 21 served by a child care resource and referral service
 22 shall be made available to the families receiving state
 23 child care assistance in that area.

24 4. Of the funds appropriated in this section,
 25 ~~\$468,487~~ \$936,974 is allocated for child care quality
 26 improvement initiatives including but not limited to
 27 the voluntary quality rating system in accordance with
 28 section 237A.30.

29 5. The department may use any of the funds
 30 appropriated in this section as a match to obtain
 31 federal funds for use in expanding child care
 32 assistance and related programs. For the purpose of
 33 expenditures of state and federal child care funding,
 34 funds shall be considered obligated at the time
 35 expenditures are projected or are allocated to the
 36 department's service areas. Projections shall be based
 37 on current and projected caseload growth, current and
 38 projected provider rates, staffing requirements for
 39 eligibility determination and management of program
 40 requirements including data systems management,
 41 staffing requirements for administration of the
 42 program, contractual and grant obligations and any
 43 transfers to other state agencies, and obligations for
 44 decategorization or innovation projects.

45 6. A portion of the state match for the federal
 46 child care and development block grant shall be
 47 provided as necessary to meet federal matching
 48 funds requirements through the state general fund
 49 appropriation made for child development grants and
 50 other programs for at-risk children in section 279.51.

1 7. If a uniform reduction ordered by the governor
 2 under section 8.31 or other operation of law,
 3 transfer, or federal funding reduction reduces the
 4 appropriation made in this section for the fiscal year,
 5 the percentage reduction in the amount paid out to or
 6 on behalf of the families participating in the state
 7 child care assistance program shall be equal to or
 8 less than the percentage reduction made for any other
 9 purpose payable from the appropriation made in this
 10 section and the federal funding relating to it. The
 11 percentage reduction to the other allocations made in
 12 this section shall be the same as the uniform reduction
 13 ordered by the governor or the percentage change of the
 14 federal funding reduction, as applicable. If there is
 15 an unanticipated increase in federal funding provided
 16 for state child care assistance, the entire amount
 17 of the increase shall be used for state child care
 18 assistance payments. If the appropriations made for
 19 purposes of the state child care assistance program for
 20 the fiscal year are determined to be insufficient, it
 21 is the intent of the general assembly to appropriate
 22 sufficient funding for the fiscal year in order to
 23 avoid establishment of waiting list requirements.

24 8. Notwithstanding section 8.33, moneys
 25 ~~appropriated in this section or advanced for purposes~~
 26 ~~of the programs developed by early childhood Iowa~~
 27 ~~areas, advanced for purposes of wraparound child care,~~
 28 or received from the federal appropriations made for
 29 the purposes of this section that remain unencumbered
 30 or unobligated at the close of the fiscal year shall
 31 not revert to any fund but shall remain available for
 32 expenditure for the purposes designated until the close
 33 of the succeeding fiscal year.

34 Sec. 20. 2011 Iowa Acts, chapter 129, section 127,
 35 is amended to read as follows:

36 SEC. 127. JUVENILE INSTITUTIONS. There is
 37 appropriated from the general fund of the state to
 38 the department of human services for the fiscal year
 39 beginning July 1, 2012, and ending June 30, 2013, the
 40 following amounts, or so much thereof as is necessary,
 41 to be used for the purposes designated:

42 1. For operation of the Iowa juvenile home at
 43 Toledo and for salaries, support, maintenance, and
 44 miscellaneous purposes, and for not more than the
 45 following full-time equivalent positions:

46	\$	4,120,125
47		<u>8,328,264</u>
48	FTEs	114.00

49 2. For operation of the state training school at
 50 Eldora and for salaries, support, maintenance, and

1 miscellaneous purposes, and for not more than the
2 following full-time equivalent positions:

3 \$ ~~5,319,338~~
4 10,740,988
5 FTEs 164.30

6 Of the funds appropriated in this subsection,
7 ~~\$45,575~~ \$91,150 shall be used for distribution
8 to licensed classroom teachers at this and other
9 institutions under the control of the department of
10 human services based upon the average student yearly
11 enrollment at each institution as determined by the
12 department.

13 3. A portion of the moneys appropriated in this
14 section shall be used by the state training school and
15 by the Iowa juvenile home for grants for adolescent
16 pregnancy prevention activities at the institutions in
17 the fiscal year beginning July 1, 2012.

18 Sec. 21. 2011 Iowa Acts, chapter 129, section 128,
19 is amended to read as follows:

20 SEC. 128. CHILD AND FAMILY SERVICES.

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, 2012, and ending June 30,
24 2013, the following amount, or so much thereof as is
25 necessary, to be used for the purpose designated:

26 For child and family services:
27 \$ ~~41,415,081~~
28 83,669,130

29 2. In order to address a reduction of \$5,200,000
30 from the amount allocated under the appropriation made
31 for the purposes of this section in prior years for
32 purposes of juvenile delinquent graduated sanction
33 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
34 federal temporary assistance for needy families block
35 grant funding appropriated in this division of this Act
36 for child and family services shall be made available
37 for purposes of juvenile delinquent graduated sanction
38 services.

39 3. The department may transfer funds appropriated
40 in this section as necessary to pay the nonfederal
41 costs of services reimbursed under the medical
42 assistance program, state child care assistance
43 program, or the family investment program which are
44 provided to children who would otherwise receive
45 services paid under the appropriation in this section.
46 The department may transfer funds appropriated in this
47 section to the appropriations made in this division
48 of this Act for general administration and for field
49 operations for resources necessary to implement and
50 operate the services funded in this section. The

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1 department may transfer funds appropriated in this
2 section to the appropriation made in this division of
3 this Act for adoption subsidy to support the adjustment
4 in reimbursement rates for specified child welfare
5 providers as provided in this 2012 Act.

6 4. a. Of the funds appropriated in this section,
7 up to ~~\$15,084,564~~ \$31,438,622 is allocated as the
8 statewide expenditure target under section 232.143
9 for group foster care maintenance and services. If
10 the department projects that such expenditures for
11 the 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, 2012,
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 2012-2013. Of the funds appropriated
39 in this section, ~~\$858,876~~ \$1,717,753 is allocated
40 specifically for expenditure for fiscal year 2012-2013
41 through the decategorization service funding pools
42 and governance boards established pursuant to section
43 232.188.

44 6. A portion of the funds appropriated in this
45 section may be used for emergency family assistance
46 to provide other resources required for a family
47 participating in a family preservation or reunification
48 project or successor project to stay together or to be
49 reunified.

50 7. Notwithstanding section 234.35 or any other

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1 provision of law to the contrary, state funding for
2 shelter care and the child welfare emergency services
3 contracting implemented to provide for or prevent the
4 need for shelter care shall be limited to ~~\$3,585,058~~
5 \$7,385,639. The department may continue or execute
6 contracts that result from the department's request for
7 proposal, bid number ACFS-11-114, to provide the range
8 of child welfare emergency services described in the
9 request for proposals, and any subsequent amendments to
10 the request for proposals.

11 8. Federal funds received by the state during
12 the fiscal year beginning July 1, 2012, as the
13 result of the expenditure of state funds appropriated
14 during a previous state fiscal year for a service or
15 activity funded under this section are appropriated
16 to the department to be used as additional funding
17 for services and purposes provided for under this
18 section. Notwithstanding section 8.33, moneys
19 received in accordance with this subsection that remain
20 unencumbered or unobligated at the close of the fiscal
21 year shall not revert to any fund but shall remain
22 available for the purposes designated until the close
23 of the succeeding fiscal year.

24 ~~9. Of the funds appropriated in this section, at~~
25 ~~least \$1,848,142 shall be used for protective child~~
26 ~~care assistance.~~

27 10. a. Of the funds appropriated in this section,
28 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the
29 payment of the expenses of court-ordered services
30 provided to juveniles who are under the supervision of
31 juvenile court services, which expenses are a charge
32 upon the state pursuant to section 232.141, subsection
33 4. Of the amount allocated in this lettered paragraph,
34 up to ~~\$778,143~~ \$1,556,287 shall be made available
35 to provide school-based supervision of children
36 adjudicated under chapter 232, of which not more than
37 ~~\$7,500~~ \$15,000 may be used for the purpose of training.
38 A portion of the cost of each school-based liaison
39 officer shall be paid by the school district or other
40 funding source as approved by the chief juvenile court
41 officer.

42 b. Of the funds appropriated in this section, up to
43 ~~\$374,492~~ \$748,985 is allocated for the payment of the
44 expenses of court-ordered services provided to children
45 who are under the supervision of the department,
46 which expenses are a charge upon the state pursuant to
47 section 232.141, subsection 4.

48 c. Notwithstanding section 232.141 or any other
49 provision of law to the contrary, the amounts allocated
50 in this subsection shall be distributed to the

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1 judicial districts as determined by the state court
2 administrator and to the department's service areas as
3 determined by the administrator of the department's
4 division of child and family services. The state court
5 administrator and the division administrator shall make
6 the determination of the distribution amounts on or
7 before June 15, 2012.

8 d. Notwithstanding chapter 232 or any other
9 provision of law to the contrary, a district or
10 juvenile court shall not order any service which is
11 a charge upon the state pursuant to section 232.141
12 if there are insufficient court-ordered services
13 funds available in the district court or departmental
14 service area distribution amounts to pay for the
15 service. The chief juvenile court officer and the
16 departmental service area manager shall encourage use
17 of the funds allocated in this subsection such that
18 there are sufficient funds to pay for all court-related
19 services during the entire year. The chief juvenile
20 court officers and departmental service area managers
21 shall attempt to anticipate potential surpluses and
22 shortfalls in the distribution amounts and shall
23 cooperatively request the state court administrator
24 or division administrator to transfer funds between
25 the judicial districts' or departmental service areas'
26 distribution amounts as prudent.

27 e. Notwithstanding any provision of law to the
28 contrary, a district or juvenile court shall not order
29 a county to pay for any service provided to a juvenile
30 pursuant to an order entered under chapter 232 which
31 is a charge upon the state under section 232.141,
32 subsection 4.

33 f. Of the funds allocated in this subsection, not
34 more than ~~\$41,500~~ \$83,000 may be used by the judicial
35 branch for administration of the requirements under
36 this subsection.

37 g. Of the funds allocated in this subsection,
38 ~~\$8,500~~ \$17,000 shall be used by the department of human
39 services to support the interstate commission for
40 juveniles in accordance with the interstate compact for
41 juveniles as provided in section 232.173.

42 11. Of the funds appropriated in this section,
43 ~~\$2,961,301~~ \$6,222,602 is allocated for juvenile
44 delinquent graduated sanctions services. Any state
45 funds saved as a result of efforts by juvenile court
46 services to earn federal Tit. IV-E match for juvenile
47 court services administration may be used for the
48 juvenile delinquent graduated sanctions services.

49 12. Of the funds appropriated in this section,
50 ~~\$494,142~~ \$2,238,285 shall be transferred to the

1 department of public health to be used for the child
2 protection center grant program in accordance with
3 section 135.118. Of the amount allocated in this
4 subsection, \$250,000 shall be used for a center for the
5 Black Hawk county area.

6 13. If the department receives federal approval
7 to implement a waiver under Tit. IV-E of the federal
8 Social Security Act to enable providers to serve
9 children who remain in the children's families and
10 communities, for purposes of eligibility under the
11 medical assistance program, children who participate in
12 the waiver shall be considered to be placed in foster
13 care.

14 14. Of the funds appropriated in this section,
15 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
16 for adult living program pursuant to section 234.46.

17 15. Of the funds appropriated in this section,
18 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
19 courts. The amount allocated in this subsection shall
20 be distributed as follows:

21 To the judicial branch for salaries to assist with
22 the operation of juvenile drug court programs operated
23 in the following jurisdictions:

- 24 a. Marshall county:
- 25 \$ 31,354
- 26 62,708
- 27 b. Woodbury county:
- 28 \$ 62,841
- 29 125,682
- 30 c. Polk county:
- 31 \$ 97,946
- 32 195,892
- 33 d. The third judicial district:
- 34 \$ 33,967
- 35 67,934
- 36 e. The eighth judicial district:
- 37 \$ 33,967
- 38 67,934

39 16. Of the funds appropriated in this section,
40 ~~\$113,668~~ \$227,337 shall be used for the public purpose
41 of ~~providing~~ continuing a grant to a nonprofit human
42 services organization providing services to individuals
43 and families in multiple locations in southwest
44 Iowa and Nebraska for support of a project providing
45 immediate, sensitive support and forensic interviews,
46 medical exams, needs assessments, and referrals for
47 victims of child abuse and their nonoffending family
48 members.

49 17. Of the funds appropriated in this section,
50 ~~\$62,795~~ \$200,590 is allocated for the elevate foster

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1 care youth council approach of providing a support
2 network to children placed in foster care.

3 18. Of the funds appropriated in this section,
4 ~~\$101,000~~ \$202,000 is allocated for use pursuant to
5 section 235A.1 for continuation of the initiative to
6 address child sexual abuse implemented pursuant to 2007
7 Iowa Acts, chapter 218, section 18, subsection 21.

8 19. Of the funds appropriated in this section,
9 ~~\$315,120~~ \$630,240 is allocated for the community
10 partnership for child protection sites.

11 20. Of the funds appropriated in this section,
12 ~~\$185,625~~ \$371,250 is allocated for the department's
13 minority youth and family projects under the redesign
14 of the child welfare system.

15 21. Of the funds appropriated in this section,
16 ~~\$600,247~~ \$1,436,595 is allocated for funding of the
17 state match for community circle of care collaboration
18 for children and youth in northeast Iowa, formerly
19 referred to as the federal substance abuse and mental
20 health services administration (SAMHSA) system of care
21 grant.

22 22. Of the funds appropriated in this section, at
23 least ~~\$73,579~~ \$147,158 shall be used for the child
24 welfare training academy.

25 23. Of the funds appropriated in this section,
26 ~~\$12,500~~ \$25,000 shall be used for the public purpose
27 of continuation of a grant to a child welfare services
28 provider headquartered in a county with a population
29 between 205,000 and 215,000 in the latest certified
30 federal census that provides multiple services
31 including but not limited to a psychiatric medical
32 institution for children, shelter, residential
33 treatment, after school programs, school-based
34 programming, and an Asperger's syndrome program, to
35 be used for support services for children with autism
36 spectrum disorder and their families.

37 23A. Of the funds appropriated in this section,
38 \$25,000 shall be used for the public purpose of
39 providing a grant to a hospital-based provider
40 headquartered in a county with a population between
41 90,000 and 95,000 in the latest certified federal
42 census that provides multiple services including but
43 not limited to diagnostic, therapeutic, and behavioral
44 services to individuals with autism spectrum disorder
45 across the lifespan. The grant recipient shall utilize
46 the funds to implement a pilot project to determine the
47 necessary support services for children with autism
48 spectrum disorder and their families to be included in
49 the children's disabilities services system. The grant
50 recipient shall submit findings and recommendations

1 based upon the results of the pilot project to the
 2 individuals specified in this division of this Act for
 3 submission of reports by December 31, 2012.
 4 24. Of the funds appropriated in this section
 5 ~~\$125,000~~ \$327,947 shall be used for continuation of the
 6 central Iowa system of care program grant through June
 7 30, 2013.

8 25. Of the funds appropriated in this section,
 9 ~~\$80,000~~ \$160,000 shall be used for the public
 10 purpose of the continuation of a system of care
 11 grant implemented in Cerro Gordo and Linn counties in
 12 accordance with this Act in FY 2011-2012.

13 Sec. 22. 2011 Iowa Acts, chapter 129, section 129,
 14 is amended to read as follows:

15 SEC. 129. ADOPTION SUBSIDY.

16 1. There is appropriated from the general fund of
 17 the state to the department of human services for the
 18 fiscal year beginning July 1, 2012, and ending June 30,
 19 2013, the following amount, or so much thereof as is
 20 necessary, to be used for the purpose designated:

21 For adoption subsidy payments and services:

22	\$ 16,633,295
23	33,238,897

24 2. The department may transfer funds appropriated
 25 in this section to the appropriation made in this
 26 division of this Act for general administration
 27 for costs paid from the appropriation relating to
 28 adoption subsidy. The department may transfer funds
 29 appropriated in this section to the appropriation
 30 made in this division of this Act for child and family
 31 services to support the adjustment in reimbursement
 32 rates for specified child welfare providers as provided
 33 in this 2012 Act.

34 3. Federal funds received by the state during the
 35 fiscal year beginning July 1, 2012, as the result of
 36 the expenditure of state funds during a previous state
 37 fiscal year for a service or activity funded under
 38 this section are appropriated to the department to
 39 be used as additional funding for the services and
 40 activities funded under this section. Notwithstanding
 41 section 8.33, moneys received in accordance with this
 42 subsection that remain unencumbered or unobligated at
 43 the close of the fiscal year shall not revert to any
 44 fund but shall remain available for expenditure for the
 45 purposes designated until the close of the succeeding
 46 fiscal year.

47 Sec. 23. 2011 Iowa Acts, chapter 129, section 131,
 48 is amended to read as follows:

49 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

50 1. There is appropriated from the general fund of

1 the state to the department of human services for the
2 fiscal year beginning July 1, 2012, and ending June 30,
3 2013, the following amount, or so much thereof as is
4 necessary, to be used for the purpose designated:

5 For the family support subsidy program subject
6 to the enrollment restrictions in section 225C.37,
7 subsection 3:

8 \$ ~~583,999~~
9 1,096,784

10 2. The department shall use at least ~~\$192,750~~
11 \$385,500 of the moneys appropriated in this section
12 for the family support center component of the
13 comprehensive family support program under section
14 225C.47. Not more than ~~\$12,500~~ \$25,000 of the
15 amount allocated in this subsection shall be used for
16 administrative costs.

17 3. If at any time during the fiscal year, the
18 amount of funding available for the family support
19 subsidy program is reduced from the amount initially
20 used to establish the figure for the number of family
21 members for whom a subsidy is to be provided at any one
22 time during the fiscal year, notwithstanding section
23 225C.38, subsection 2, the department shall revise the
24 figure as necessary to conform to the amount of funding
25 available.

26 Sec. 24. 2011 Iowa Acts, chapter 129, section 132,
27 is amended to read as follows:

28 SEC. 132. CONNER DECREE. There is appropriated
29 from the general fund of the state to the department of
30 human services for the fiscal year beginning July 1,
31 2012, and ending June 30, 2013, the following amount,
32 or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For building community capacity through the
35 coordination and provision of training opportunities
36 in accordance with the consent decree of Conner v.
37 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
38 \$ ~~16,811~~
39 33,622

40 Sec. 25. 2011 Iowa Acts, chapter 129, section 133,
41 is amended to read as follows:

42 SEC. 133. MENTAL HEALTH INSTITUTES. There is
43 appropriated from the general fund of the state to
44 the department of human services for the fiscal year
45 beginning July 1, 2012, and ending June 30, 2013, the
46 following amounts, or so much thereof as is necessary,
47 to be used for the purposes designated:

48 1. For the state mental health institute at
49 Cherokee for salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:
 2 \$ 2,938,654
 3 5,641,037
 4 FTEs 168.50

5 2. For the state mental health institute at
 6 Clarinda for salaries, support, maintenance, and
 7 miscellaneous purposes, and for not more than the
 8 following full-time equivalent positions:

9 \$ 3,205,867
 10 6,463,337
 11 FTEs 86.10

12 3. For the state mental health institute at
 13 Independence for salaries, support, maintenance, and
 14 miscellaneous purposes, and for not more than the
 15 following full-time equivalent positions:

16 \$ 5,137,842
 17 9,804,212
 18 FTEs 233.00

19 4. For the state mental health institute at Mount
 20 Pleasant for salaries, support, maintenance, and
 21 miscellaneous purposes, and for not more than the
 22 following full-time equivalent positions:

23 \$ 472,161
 24 944,323
 25 FTEs 97.72

26 Sec. 26. 2011 Iowa Acts, chapter 129, section 134,
 27 is amended to read as follows:

28 SEC. 134. STATE RESOURCE CENTERS.

29 1. There is appropriated from the general fund of
 30 the state to the department of human services for the
 31 fiscal year beginning July 1, 2012, and ending June 30,
 32 2013, the following amounts, or so much thereof as is
 33 necessary, to be used for the purposes designated:

34 a. For the state resource center at Glenwood for
 35 salaries, support, maintenance, and miscellaneous
 36 purposes:

37 \$ 9,253,900
 38 19,092,576

39 b. For the state resource center at Woodward for
 40 salaries, support, maintenance, and miscellaneous
 41 purposes:

42 \$ 6,392,829
 43 13,176,093

44 2. The department may continue to bill for state
 45 resource center services utilizing a scope of services
 46 approach used for private providers of ICFMR services,
 47 in a manner which does not shift costs between the
 48 medical assistance program, counties, or other sources
 49 of funding for the state resource centers.

50 3. The state resource centers may expand the

1 time-limited assessment and respite services during the
2 fiscal year.

3 4. If the department's administration and the
4 department of management concur with a finding by a
5 state resource center's superintendent that projected
6 revenues can reasonably be expected to pay the salary
7 and support costs for a new employee position, or
8 that such costs for adding a particular number of new
9 positions for the fiscal year would be less than the
10 overtime costs if new positions would not be added, the
11 superintendent may add the new position or positions.
12 If the vacant positions available to a resource center
13 do not include the position classification desired to
14 be filled, the state resource center's superintendent
15 may reclassify any vacant position as necessary to
16 fill the desired position. The superintendents of the
17 state resource centers may, by mutual agreement, pool
18 vacant positions and position classifications during
19 the course of the fiscal year in order to assist one
20 another in filling necessary positions.

21 5. If existing capacity limitations are reached
22 in operating units, a waiting list is in effect
23 for a service or a special need for which a payment
24 source or other funding is available for the service
25 or to address the special need, and facilities for
26 the service or to address the special need can be
27 provided within the available payment source or other
28 funding, the superintendent of a state resource center
29 may authorize opening not more than two units or
30 other facilities and begin implementing the service
31 or addressing the special need during fiscal year
32 2012-2013.

33 Sec. 27. 2011 Iowa Acts, chapter 129, section 135,
34 is amended to read as follows:

35 SEC. 135. MI/MR/DD STATE CASES.

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, 2012, and ending June 30,
39 2013, the following amount, or so much thereof as is
40 necessary, to be used for the purpose designated:

41 For distribution to counties for state case services
42 for persons with mental illness, mental retardation,
43 and developmental disabilities in accordance with
44 section 331.440:

45 \$ ~~6,084,741~~
46 12,169,482

47 2. For the fiscal year beginning July 1, 2012, and
48 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
49 for state case services from the amounts appropriated
50 from the fund created in section 8.41 to the department

1 of human services from the funds received from the
 2 federal government under 42 U.S.C. ch. 6A, subch. XVII,
 3 relating to the community mental health center block
 4 grant, for the federal fiscal years beginning October
 5 1, 2010, and ending September 30, 2011, beginning
 6 October 1, 2011, and ending September 30, 2012, and
 7 beginning October 1, 2012, and ending September 30,
 8 2013. The allocation made in this subsection shall be
 9 made prior to any other distribution allocation of the
 10 appropriated federal funds.

11 3. Notwithstanding section 8.33, moneys
 12 appropriated in this section that remain unencumbered
 13 or unobligated at the close of the fiscal year shall
 14 not revert but shall remain available for expenditure
 15 for the purposes designated until the close of the
 16 succeeding fiscal year.

17 Sec. 28. 2011 Iowa Acts, chapter 129, section 137,
 18 is amended to read as follows:

19 SEC. 137. SEXUALLY VIOLENT PREDATORS.

20 1. There is appropriated from the general fund of
 21 the state to the department of human services for the
 22 fiscal year beginning July 1, 2012, and ending June 30,
 23 2013, the following amount, or so much thereof as is
 24 necessary, to be used for the purpose designated:

25 For costs associated with the commitment and
 26 treatment of sexually violent predators in the unit
 27 located at the state mental health institute at
 28 Cherokee, including costs of legal services and
 29 other associated costs, including salaries, support,
 30 maintenance, and miscellaneous purposes, and for not
 31 more than the following full-time equivalent positions:

32	\$	3,775,363
33		<u>9,113,668</u>
34	FTEs	89.50
35		<u>115.50</u>

36 2. Unless specifically prohibited by law, if the
 37 amount charged provides for recoupment of at least
 38 the entire amount of direct and indirect costs, the
 39 department of human services may contract with other
 40 states to provide care and treatment of persons placed
 41 by the other states at the unit for sexually violent
 42 predators at Cherokee. The moneys received under such
 43 a contract shall be considered to be repayment receipts
 44 and used for the purposes of the appropriation made in
 45 this section.

46 Sec. 29. 2011 Iowa Acts, chapter 129, section 138,
 47 is amended to read as follows:

48 SEC. 138. FIELD OPERATIONS. There is appropriated
 49 from the general fund of the state to the department of
 50 human services for the fiscal year beginning July 1,

1 2012, and ending June 30, 2013, the following amount,
2 or so much thereof as is necessary, to be used for the
3 purposes designated:

4 For field operations, including salaries, support,
5 maintenance, and miscellaneous purposes, and for not
6 more than the following full-time equivalent positions:

7 \$ 27,394,960

8 61,915,440

9 FTEs 1,781.00

10 Priority in filling full-time equivalent positions
11 shall be given to those positions related to child
12 protection services and eligibility determination for
13 low-income families.

14 Notwithstanding section 8.33, moneys appropriated in
15 this section that remain unencumbered or unobligated
16 at the close of the fiscal year shall not revert but
17 shall remain available for expenditure for the purposes
18 designated until the close of the succeeding fiscal
19 year.

20 Sec. 30. 2011 Iowa Acts, chapter 129, section 139,
21 is amended to read as follows:

22 SEC. 139. GENERAL ADMINISTRATION. There is
23 appropriated from the general fund of the state to
24 the department of human services for the fiscal year
25 beginning July 1, 2012, and ending June 30, 2013, the
26 following amount, or so much thereof as is necessary,
27 to be used for the purpose designated:

28 For general administration, including salaries,
29 support, maintenance, and miscellaneous purposes, and
30 for not more than the following full-time equivalent
31 positions:

32 \$ 7,298,372

33 15,841,874

34 FTEs ~~285.00~~ 295.00

35 1. Of the funds appropriated in this section,
36 ~~\$19,271~~ \$38,543 allocated for the prevention of
37 disabilities policy council established in section
38 225B.3.

39 2. The department shall report at least monthly
40 to the legislative services agency concerning the
41 department's operational and program expenditures.

42 3. Of the funds appropriated in this section,
43 ~~\$66,150~~ \$132,300 shall be used to continue the contract
44 for the provision of a program to provide technical
45 assistance, support, and consultation to providers of
46 habilitation services and home and community-based
47 services waiver services for adults with disabilities
48 under the medical assistance program.

49 4. Of the funds appropriated in this section,
50 ~~\$88,200~~ \$500,000 shall be used to continue the contract

1 to expand the provision of nationally accredited and
2 recognized internet-based training to include mental
3 health and disability services providers.

4 5. Of the funds appropriated in this section,
5 ~~\$250,000~~ \$500,000 shall be used for continuation of
6 child protection system improvements addressed in 2011
7 Iowa Acts, House File 562, as enacted chapter 28.

8 6. 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. 31. 2011 Iowa Acts, chapter 129, section 140,
15 is amended to read as follows:

16 SEC. 140. VOLUNTEERS. There is appropriated from
17 the general fund of the state to the department of
18 human services for the fiscal year beginning July 1,
19 2012, and ending June 30, 2013, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For development and coordination of volunteer
23 services:

24 \$ ~~42,330~~
25 84,660

26 PROVIDER REIMBURSEMENT — NURSING FACILITIES

27 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,
28 subsection 1, paragraph a, subparagraph (1), is amended
29 to read as follows:

30 (1) For the fiscal year beginning July 1, 2012, the
31 total state funding amount for the nursing facility
32 budget shall not exceed ~~\$225,457,724~~ \$239,726,901.

33 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
34 subsection 1, paragraph a, is amended by adding the
35 following new subparagraph:

36 NEW SUBPARAGRAPH. (1A) For the fiscal year
37 beginning July 1, 2012, and ending June 30, 2013,
38 and within the total state funding amount identified
39 in subparagraph (1), the department shall distribute
40 not more than \$2,500,000 in reimbursement to nursing
41 facilities by adjusting the statewide median of the
42 direct care component of nursing facility costs based
43 upon the most recent cost report submitted by the
44 nursing facility for the period ending on or before
45 December 31, 2011, and inflating these costs forward to
46 July 1, 2012, by using the midpoint of each cost report
47 and applying the skilled nursing facility market basket
48 index. The department shall adjust the reimbursement
49 calculated under this subparagraph as necessary to
50 maintain expenditures of the nursing facility budget

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1 within the state funding amount specified in this
2 subparagraph and within the total state funding amount
3 identified in subparagraph (1) for the fiscal year.
4 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH
5 AGENCIES, HCBS WAIVER

6 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
7 subsection 1, paragraphs b, f, i, and q, are amended
8 to read as follows:

9 b. (1) For the fiscal year beginning July 1, 2012,
10 the department shall reimburse pharmacy dispensing
11 fees using a ~~single rate of range between~~ \$4.34 per
12 prescription or the pharmacy's usual and customary fee,
13 whichever is lower, ~~and \$11.10 per prescription. The~~
14 actual dispensing fee set within the range shall be
15 determined by a cost of dispensing survey performed
16 by the department and required to be completed by all
17 medical assistance program participating pharmacies.
18 ~~However, the department shall adjust the dispensing fee~~
19 ~~specified in this paragraph to distribute an additional~~
20 ~~\$2,981,980 in reimbursements for pharmacy dispensing~~
21 ~~fees under this paragraph for the fiscal year.~~

22 (2) The department shall implement an average
23 acquisition cost reimbursement methodology for all
24 drugs covered under the medical assistance program.
25 The methodology shall utilize a survey of pharmacy
26 invoices from a rotation of pharmacies in determining
27 the average acquisition cost component of pharmacy
28 reimbursement. Pharmacies and providers that are
29 enrolled in the medical assistance program shall make
30 available drug acquisition cost invoice information,
31 product availability information if known, and other
32 information deemed necessary by the department to
33 assist the department in monitoring and revising the
34 reimbursement rates and for efficient operation of
35 the pharmacy benefit. The department shall provide a
36 process for pharmacies to address average acquisition
37 cost prices that are not reflective of the actual cost
38 of a drug.

39 (a) A pharmacy or provider shall produce and submit
40 the requested information in the manner and format
41 requested by the department or its designee at no cost
42 to the department or its designee.

43 (b) A pharmacy or provider shall submit information
44 to the department or its designee within the time
45 frame indicated following receipt of a request for
46 information unless the department or its designee
47 grants an extension upon written request of the
48 pharmacy or provider.

49 f. For the fiscal year beginning July 1, 2012,
50 reimbursement rates for home health agencies shall

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1 ~~remain at be increased by 2 percent over~~ the rates in
 2 effect on June 30, 2012, not to exceed a home health
 3 agency's actual allowable cost.

4 i. (1) For the fiscal year beginning July 1,
 5 2012, state-owned psychiatric medical institutions
 6 for children shall receive cost-based reimbursement
 7 for 100 percent of the actual and allowable costs for
 8 the provision of services to recipients of medical
 9 assistance.

10 (2) For the nonstate-owned psychiatric medical
 11 institutions for children, reimbursement rates shall be
 12 based on the reimbursement methodology developed by the
 13 department as required for federal compliance.

14 (3) As a condition of participation in the medical
 15 assistance program, enrolled providers shall accept the
 16 medical assistance reimbursement rate for any covered
 17 goods or services provided to recipients of medical
 18 assistance who are children under the custody of a
 19 psychiatric medical institution for children.

20 q. For the fiscal year beginning July 1, 2012, the
 21 ~~department shall adjust the rates in effect on June 30,~~
 22 ~~2012; reimbursement rates~~ for providers of home and
 23 community-based services waiver services ~~to distribute~~
 24 ~~an additional \$1,500,000 in reimbursements to such~~
 25 ~~providers for the fiscal year shall be increased by 2~~
 26 ~~percent over the rates in effect on June 30, 2012.~~

27 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE
 28 PROVIDERS

29 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
 30 is amended by adding the following new subsection:
 31 NEW SUBSECTION. 6A. For the fiscal year beginning
 32 July 1, 2012, the department shall adjust the
 33 foster family basic daily maintenance rate, the
 34 maximum adoption subsidy rates for children, the
 35 family-centered service providers rate, the family
 36 foster care service providers rate, the group foster
 37 care service providers rate, and the resource family
 38 recruitment and retention contractor rate, as such
 39 rates are identified in this section and were in effect
 40 on June 30, 2012, in order to distribute an additional
 41 \$3,070,512 in state reimbursements equitably to such
 42 providers for the fiscal year.

43 PROVIDER REIMBURSEMENT — CHILD CARE

44 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
 45 subsection 10, is amended to read as follows:

46 10. For the fiscal year beginning July 1, 2012,
 47 for child care providers reimbursed under the state
 48 child care assistance program, the department shall
 49 set provider reimbursement rates based on the rate
 50 reimbursement survey completed in December 2004.

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1 Effective July 1, 2012, the child care provider
2 reimbursement rates shall ~~remain at~~ be increased by 4
3 percent over the rates in effect on June 30, 2012. The
4 department shall set rates in a manner so as to provide
5 incentives for a nonregistered provider to become
6 registered by applying the increase only to registered
7 and licensed providers.

8 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER
9 SERVICE PROVIDERS

10 Sec. 37. 2011 Iowa Acts, chapter 129, section 141,
11 is amended by adding the following new subsection:
12 NEW SUBSECTION. 10A. The department shall review
13 reimbursement of home health agency and home and
14 community-based services waiver services providers
15 and shall submit a recommendation for a rebasing
16 methodology applicable to such providers for the fiscal
17 year beginning July 1, 2013, and thereafter, to the
18 individuals identified in this division of this Act for
19 receipt of reports.

20 ELDERLY WAIVER

21 Sec. 38. 2011 Iowa Acts, chapter 129, section 141,
22 is amended by adding the following new subsection:
23 NEW SUBSECTION. 10B. The department shall
24 increase the monthly reimbursement cap for the medical
25 assistance home and community-based services waiver for
26 the elderly to \$1,400 per month.

27 REPORTS

28 Sec. 39. 2011 Iowa Acts, chapter 129, section 143,
29 is amended to read as follows:

30 SEC. 143. REPORTS. Any reports or other
31 information required to be compiled and submitted
32 under this Act shall be submitted to the chairpersons
33 and ranking members of the joint appropriations
34 subcommittee on health and human services, the
35 legislative services agency, and the legislative caucus
36 staffs on or before the dates specified for submission
37 of the reports or information.

38 DIVISION V

39 HEALTH CARE ACCOUNTS AND FUNDS

40 PHARMACEUTICAL SETTLEMENT ACCOUNT

41 Sec. 40. 2011 Iowa Acts, chapter 129, section 145,
42 is amended to read as follows:

43 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
44 is appropriated from the pharmaceutical settlement
45 account created in section 249A.33 to the department of
46 human services for the fiscal year beginning July 1,
47 2012, and ending June 30, 2013, the following amount,
48 or so much thereof as is necessary, to be used for the
49 purpose designated:

50 Notwithstanding any provision of law to the

1 contrary, to supplement the appropriations made in this
2 Act for medical contracts under the medical assistance
3 program for the fiscal year beginning July 1, 2012, and
4 ending June 30, 2013:

5 \$ 2,716,807
6 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA
7 HOSPITALS AND CLINICS

8 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
9 subsection 2, unnumbered paragraph 2, is amended to
10 read as follows:

11 For salaries, support, maintenance, equipment, and
12 miscellaneous purposes, for the provision of medical
13 and surgical treatment of indigent patients, for
14 provision of services to members of the expansion
15 population pursuant to chapter 249J, and for medical
16 education:

17 \$ ~~44,226,279~~
18 45,654,133

19 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING
20 HOSPITAL

21 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
22 subsection 4, unnumbered paragraph 2, is amended to
23 read as follows:

24 For distribution to a publicly owned acute care
25 teaching hospital located in a county with a population
26 over 350,000 for the provision of medical and surgical
27 treatment of indigent patients, for provision of
28 services to members of the expansion population
29 pursuant to chapter 249J, and for medical education:

30 \$ ~~65,000,000~~
31 70,000,000

32 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
33 ALLOCATIONS

34 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
35 subsection 4, paragraphs a and b, are amended to read
36 as follows:

37 a. 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 plus a monthly disproportionate share hospital payment.
42 Any amount appropriated in this subsection in excess
43 of ~~\$60,000,000~~ \$65,000,000 shall be distributed
44 only if the sum of the expansion population claims
45 adjudicated and paid by the Iowa Medicaid enterprise
46 plus the estimated disproportionate share hospital
47 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount
48 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall
49 not adjust the original monthly payment amount but
50 shall be distributed monthly based on actual claims

1 adjudicated and paid by the Iowa Medicaid enterprise
 2 plus the estimated disproportionate share hospital
 3 amount. Any amount appropriated in this subsection in
 4 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated
 5 only if federal funds are available to match the
 6 amount allocated. Pursuant to paragraph "b", of the
 7 amount appropriated in this subsection, not more than
 8 \$4,000,000 shall be distributed for prescription drugs,
 9 ~~and podiatry services, and optometric services.~~

10 b. Notwithstanding any provision of law to the
 11 contrary, the hospital identified in this subsection,
 12 shall be reimbursed for outpatient prescription drugs,
 13 ~~and podiatry services, and optometric services~~ provided
 14 to members of the expansion population pursuant to all
 15 applicable medical assistance program rules, in an
 16 amount not to exceed \$4,000,000.

17 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

18 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,
 19 subsection 5, unnumbered paragraph 2, is amended to
 20 read as follows:

21 For payment to the regional provider network
 22 specified by the department pursuant to section 249J.7
 23 for provision of covered services to members of the
 24 expansion population pursuant to chapter 249J:

25 \$ ~~3,472,176~~
 26 4,986,366

27 ACCOUNT FOR HEALTH CARE TRANSFORMATION

28 Sec. 45. 2011 Iowa Acts, chapter 129, section 148,
 29 is amended to read as follows:

30 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR
 31 HEALTH CARE TRANSFORMATION — DEPARTMENT OF HUMAN

32 SERVICES. Notwithstanding any provision to the
 33 contrary, there is appropriated from the account for
 34 health care transformation created in section 249J.23
 35 to the department of human services for the fiscal year
 36 beginning July 1, 2012, and ending June 30, 2013, the
 37 following amounts, or so much thereof as is necessary,
 38 to be used for the purposes designated:

39 1. For the provision of an IowaCare nurse helpline
 40 for the expansion population as provided in section
 41 249J.6:

42 \$ 50,000
 43 100,000

44 2. For other health promotion partnership
 45 activities pursuant to section 249J.14:

46 \$ ~~300,000~~
 47 600,000

48 3. For the costs related to audits, performance
 49 evaluations, and studies required pursuant to chapter
 50 249J:

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1 \$ ~~62,500~~
 2 125,000
 3 4. For administrative costs associated with chapter
 4 249J:
 5 \$ ~~566,206~~
 6 1,132,412
 7 5. For planning and development, in cooperation
 8 with the department of public health, of a phased-in
 9 program to provide a dental home for children in
 10 accordance with section 249J.14:
 11 \$ ~~500,000~~
 12 1,000,000
 13 6. For continuation of the establishment of the
 14 tuition assistance for individuals serving individuals
 15 with disabilities pilot program, as enacted in 2008
 16 Iowa Acts, chapter 1187, section 130:
 17 \$ ~~25,000~~
 18 50,000
 19 7. For medical contracts:
 20 \$ ~~1,000,000~~
 21 2,400,000
 22 8. For payment to the publicly owned acute care
 23 teaching hospital located in a county with a population
 24 of over 350,000 that is a participating provider
 25 pursuant to chapter 249J:
 26 \$ ~~145,000~~
 27 540,000
 28 Disbursements under this subsection shall be made
 29 monthly. The hospital shall submit a report following
 30 the close of the fiscal year regarding use of the
 31 funds appropriated in this subsection to the persons
 32 specified in this Act to receive reports.
 33 9. For transfer to the department of public health
 34 to be used for the costs of medical home system
 35 advisory council established pursuant to section
 36 135.159:
 37 \$ ~~116,679~~
 38 233,357
 39 10. For continued implementation of a uniform cost
 40 report:
 41 \$ ~~75,000~~
 42 150,000
 43 11. For continued implementation of an electronic
 44 medical records system:
 45 \$ ~~50,000~~
 46 100,000
 47 Notwithstanding section 8.33, funds allocated in
 48 this subsection that remain unencumbered or unobligated
 49 at the close of the fiscal year shall not revert but
 50 shall remain available in succeeding fiscal years to be

1 used for the purposes designated.
 2 12. For transfer to the department of public health
 3 to support the department's activities relating to
 4 health and long-term care access as specified pursuant
 5 to chapter 135, division XXIV:

6 \$ ~~67,107~~
 7 134,214

8 13. For continuation of an accountable care
 9 organization pilot project:

10 \$ ~~50,000~~
 11 100,000

12 14. For the continued development of a provider
 13 payment system plan to provide recommendations to
 14 reform the health care provider payment system as an
 15 effective way to promote coordination of care, lower
 16 costs, and improve quality:

17 \$ ~~100,000~~

18 15. For transfer to the department of public health
 19 to be used as state matching funds for the health
 20 information technology ~~system~~ network developed by the
 21 department of public health:

22 \$ ~~181,993~~
 23 363,987

24 16. To supplement the appropriation for medical
 25 assistance:

26 ~~\$1,956,245~~ 4,106,245

27 Notwithstanding section 8.39, subsection 1, without
 28 the prior written consent and approval of the governor
 29 and the director of the department of management, the
 30 director of human services may transfer funds among
 31 the appropriations made in this section as necessary
 32 to carry out the purposes of the account for health
 33 care transformation. The department shall report
 34 any transfers made pursuant to this section to the
 35 legislative services agency.

36 **MEDICAID FRAUD FUND**

37 Sec. 46. 2011 Iowa Acts, chapter 129, section 150,
 38 is amended to read as follows:

39 **SEC. 150. MEDICAID FRAUD ACCOUNT FUND** — DEPARTMENT
 40 OF HUMAN SERVICES. There is appropriated from the
 41 Medicaid fraud ~~account~~ fund created in section 249A.7
 42 to the department of human services for the fiscal year
 43 beginning July 1, 2012, and ending June 30, 2013, the
 44 following amount, or so much thereof as is necessary,
 45 to be used for the purposes designated:

46 To supplement the appropriation made in this Act
 47 from the general fund of the state to the department of
 48 human services for medical assistance for the fiscal
 49 year beginning July 1, 2012, and ending June 30, 2013:
 50 \$ ~~2,000,000~~

1 QUALITY ASSURANCE TRUST FUND

2 Sec. 47. 2011 Iowa Acts, chapter 129, section 151,
3 is amended to read as follows:

4 SEC. 151. QUALITY ASSURANCE TRUST FUND —
5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
6 any provision to the contrary and subject to the
7 availability of funds, there is appropriated from the
8 quality assurance trust fund created in section 249L.4
9 to the department of human services for the fiscal year
10 beginning July 1, 2012, and ending June 30, 2013, the
11 following amounts, or so much thereof as is necessary
12 for the purposes designated:

13 To supplement the appropriation made in this Act
14 from the general fund of the state to the department of
15 human services for medical assistance:

16 \$ ~~29,000,000~~
17 26,500,000

18 HOSPITAL HEALTH CARE ACCESS TRUST FUND

19 Sec. 48. 2011 Iowa Acts, chapter 129, section 152,
20 is amended to read as follows:

21 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND
22 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
23 any provision to the contrary and subject to the
24 availability of funds, there is appropriated from
25 the hospital health care access trust fund created in
26 section 249M.4 to the department of human services for
27 the fiscal year beginning July 1, 2012, and ending June
28 30, 2013, the following amounts, or so much thereof as
29 is necessary, for the purposes designated:

30 1. To supplement the appropriation made in this Act
31 from the general fund of the state to the department of
32 human services for medical assistance:

33 \$ ~~39,223,800~~
34 33,898,400

35 2. For deposit in the nonparticipating provider
36 reimbursement fund created in section 249J.24A to be
37 used for the purposes of the fund:

38 \$ ~~776,200~~
39 801,600

40 MISCELLANEOUS PROVISIONS

41 Sec. 49. REPEAL. 2011 Iowa Acts, chapter 129,
42 section 149, is repealed.

43 DIVISION VI

44 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
45 CONTINGENCY FUND

46 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM —
47 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
48 OF FUNDS — FY 2011-2012.

49 1. Moneys received from the federal government
50 through the child enrollment contingency fund

1 established pursuant to section 103 of the federal
 2 Children's Health Insurance Program Reauthorization
 3 Act of 2009, Pub. L. No. 111-3, are appropriated to
 4 the department of human services for the fiscal year
 5 beginning July 1, 2011, and ending June 30, 2012, to be
 6 used in addition to any other amounts appropriated for
 7 the same purposes for the fiscal year as follows:

8 a. For adoption subsidy payments and services:
 9 \$ 2,177,355

10 b. For child care programs:
 11 \$ 1,212,432

12 c. For transfer to the department of public health
 13 to be used for tobacco use prevention, cessation, and
 14 treatment through support of Quitline Iowa:
 15 \$ 350,000

16 2. Notwithstanding section 8.39, and to the extent
 17 that funds appropriated in this section are unexpended
 18 or unobligated for the purposes specified in subsection
 19 1, the department of human services may transfer funds
 20 within or between any of the appropriations made in
 21 this section for the following purposes:

22 a. For adoption subsidy payments and services.
 23 b. For child care assistance.

24 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —
 25 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
 26 OF FUNDS — FY 2012-2013.

27 1. a. Moneys received from the federal government
 28 through the child enrollment contingency fund
 29 established pursuant to section 103 of the federal
 30 Children's Health Insurance Program Reauthorization
 31 Act of 2009, Pub. L. No. 111-3, are appropriated to
 32 the department of human services for the fiscal year
 33 beginning July 1, 2012, and ending June 30, 2013, to be
 34 used in addition to any other amounts appropriated for
 35 the same purposes for the fiscal year as follows:

36 (1) For adoption subsidy payments and services:
 37 \$ 5,290,441

38 (2) For child care programs:
 39 \$ 7,969,021

40 (3) For mental health and disability services
 41 redesign technical assistance services:
 42 \$ 500,000

43 (4) For the field operations integrity claims unit:
 44 \$ 961,100

45 (5) For medical assistance program reimbursement
 46 and associated costs:
 47 \$ 4,950,428

48 (6) For lodging expenses associated with patient
 49 care provided at the university of Iowa hospital and
 50 clinics under chapter 249J:

1 \$ 200,000
 2 The department of human services shall establish the
 3 maximum number of overnight stays and the maximum rate
 4 reimbursed for overnight lodging, which may be based on
 5 the state employee rate established by the department
 6 of administrative services. The funds allocated under
 7 this subparagraph shall not be used as nonfederal share
 8 matching funds.

9 (7) For ambulance services associated with patient
 10 care provided under chapter 249J:

11 \$ 200,000
 12 The department of human services shall establish
 13 requirements for use of funds in this subparagraph for
 14 ambulance services when no other third-party payment is
 15 available. The funds allocated in this subparagraph
 16 shall not be used as nonfederal share matching funds.

17 (8) For the public purpose of distribution to
 18 a statewide nonprofit organization consisting of
 19 low-income housing and homelessness service providers,
 20 advocates, local governments, lending institutions,
 21 and low-income and homeless individuals to be used to
 22 empower low-income individuals and to increase their
 23 access to affordable housing:

24 \$ 100,000
 25 b. Notwithstanding section 8.39, and to the
 26 extent that funds appropriated in this subsection are
 27 unexpended or unobligated for the purposes specified
 28 in paragraph "a", subparagraphs (1) and (2), for the
 29 fiscal year beginning July 1, 2012, the department of
 30 human services may transfer funds within or between any
 31 of the appropriations made in this subsection for the
 32 following purposes:

- 33 (1) For adoption subsidy payments and services.
 - 34 (2) For child care assistance.
- 35 2. Moneys received from the federal government
 36 through the child enrollment contingency fund
 37 established pursuant to section 103 of the federal
 38 Children's Health Insurance Program Reauthorization
 39 Act of 2009, Pub. L. No. 111-3, are appropriated to
 40 the department of human services for the fiscal year
 41 beginning July 1, 2012, and ending June 30, 2013, to be
 42 used for audit settlements:

43 \$ 2,405,936
 44 Notwithstanding section 8.33, moneys appropriated in
 45 this subsection that remain unencumbered or unobligated
 46 at the close of the fiscal year shall not revert to any
 47 other fund but shall remain available for expenditure
 48 for the purposes designated until the close of the
 49 succeeding fiscal year.

50 Sec. 52. EFFECTIVE DATE PROVISIONS. The section of

1 this division of this Act appropriating moneys received
 2 through the federal Child Enrollment Contingency Fund
 3 for the fiscal year beginning July 1, 2011, and ending
 4 June 30, 2012, being deemed of immediate importance,
 5 take effect upon enactment.

6 Sec. 53. RETROACTIVE APPLICABILITY. The section of
 7 this division of this Act appropriating moneys received
 8 through the federal Child Enrollment Contingency Fund
 9 for the fiscal year beginning July 1, 2011, and ending
 10 June 30, 2012, applies retroactively to July 1, 2011.

11 DIVISION VII

12 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
 13 ASSISTANCE PROGRAM ADDITIONAL FUNDING

14 Sec. 54. RISK POOL APPROPRIATION FOR MEDICAL
 15 ASSISTANCE PROGRAM. All moneys remaining in the risk
 16 pool of the property tax relief fund on June 30,
 17 2012, following the distributions made pursuant to
 18 2012 Iowa Acts, Senate File 2071, are appropriated to
 19 the department of human services for the fiscal year
 20 beginning July 1, 2012, and ending June 30, 2013, to be
 21 used for the purpose designated:

22 To be credited to the appropriation made for the
 23 medical assistance program in 2011 Iowa Acts, chapter
 24 129, section 122.

25 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES
 26 REDESIGN. There is appropriated from the general fund
 27 of the state to the department of human services for
 28 the fiscal year beginning July 1, 2012, and ending June
 29 30, 2013, the following amount, or so much thereof as
 30 is necessary, to be used for the purposes designated:

31 For the medical assistance program appropriation
 32 for the fiscal year for the expense of replacing
 33 the enhanced match rate provided through the federal
 34 American Recovery and Reinvestment Act of 2009 and
 35 for the reduction in the federal medical assistance
 36 percentage associated with the mental health and
 37 disabilities services for which the match has been paid
 38 by counties:

39 \$ 24,893,762

40 DIVISION VIII

41 PRIOR APPROPRIATIONS AND RELATED CHANGES
 42 INJURED VETERANS GRANT PROGRAM

43 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69,
 44 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
 45 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
 46 section 56, and 2011 Iowa Acts, chapter 129, section
 47 53, is amended to read as follows:

48 Notwithstanding section 8.33, moneys appropriated in
 49 this subsection that remain unencumbered or unobligated
 50 at the close of the fiscal year shall not revert but

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1 shall remain available for expenditure for the purposes
2 designated until the close of the fiscal year beginning
3 July 1, ~~2011~~ 2012.

4 CHILD WELFARE DECATEGORIZATION
5 FY 2009-2010 NONREVERSION

6 Sec. 57. 2009 Iowa Acts, chapter 182, section 14,
7 subsection 5, unnumbered paragraph 2, as enacted by
8 2011 Iowa Acts, chapter 129, section 55, is amended to
9 read as follows:

10 Notwithstanding section 232.188, subsection 5,
11 moneys from the allocations made in this subsection or
12 made from any other source for the decategorization of
13 child welfare and juvenile justice funding initiative
14 under section 232.188 for the fiscal year beginning
15 July 1, 2009, that are designated as carryover funding
16 that remain unencumbered or unobligated at the close
17 of the fiscal year beginning July 1, 2010, shall not
18 revert but shall be transferred ~~to~~ in equal amounts to
19 the community housing and services for persons with
20 disabilities revolving loan program fund created in
21 section 16.185, as enacted by this division of this
22 2011 Act and to the supportive and residential services
23 for individuals who meet the psychiatric medical
24 institution for children level of care competitive
25 grant program fund created in section 16.185A, as
26 enacted by this 2012 Act.

27 IOWA VETERANS HOME

28 Sec. 58. 2011 Iowa Acts, chapter 129, section 3,
29 subsection 2, is amended by adding the following new
30 paragraph:

31 NEW PARAGRAPH. d. The funds appropriated in this
32 subsection to the Iowa veterans home that remain
33 available for expenditure for the succeeding fiscal
34 year pursuant to section 35D.18, subsection 5, shall
35 be distributed to be used in the succeeding fiscal
36 year in accordance with this lettered paragraph. The
37 first \$500,000 shall remain available to be used for
38 the purposes of the Iowa veterans home. Any remaining
39 balance shall be credited to the appropriation in this
40 Act for the fiscal year beginning July 1, 2012, for
41 medical assistance.

42 FAMILY INVESTMENT PROGRAM — GENERAL FUND

43 Sec. 59. 2011 Iowa Acts, chapter 129, section 7, is
44 amended by adding the following new subsection:

45 NEW SUBSECTION. 5. Notwithstanding section
46 8.33, moneys appropriated in this section that remain
47 unencumbered or unobligated at the close of the fiscal
48 year shall not revert but shall remain available for
49 expenditure for the purposes designated until the close
50 of the succeeding fiscal year.

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1 MEDICAL ASSISTANCE

2 Sec. 60. 2011 Iowa Acts, chapter 129, section 10,
3 subsection 20, paragraph d, is amended to read as
4 follows:

5 d. If the savings to the medical assistance
6 program exceed the cost, the department may transfer
7 any savings generated for the fiscal year due to
8 medical assistance program cost containment efforts
9 initiated pursuant to 2010 Iowa Acts, chapter 1031,
10 Executive Order No. 20, issued December 16, 2009, or
11 cost containment strategies initiated pursuant to this
12 subsection, to the ~~appropriation~~ appropriations made
13 in this division of this Act for medical contracts or
14 general administration to defray the increased contract
15 costs associated with implementing such efforts.

16 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL
17 ASSISTANCE

18 Sec. 61. 2011 Iowa Acts, chapter 129, section 10,
19 is amended by adding the following new subsection:
20 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
21 Acts, chapter 182, section 9, subsection 16, paragraph
22 "b", as amended by 2010 Iowa Acts, chapter 1192,
23 section 63, as amended by 2011 Iowa Acts, chapter
24 129, section 54, funds in the account that remain
25 unencumbered or unobligated at the end of the fiscal
26 year beginning July 1, 2011, are appropriated to the
27 department of human services to be used for the medical
28 assistance program for the succeeding fiscal year.

29 STATE SUPPLEMENTARY ASSISTANCE

30 Sec. 62. 2011 Iowa Acts, chapter 129, section 11,
31 is amended by adding the following new subsection:
32 NEW SUBSECTION. 4. Notwithstanding section
33 8.33, moneys appropriated in this section that remain
34 unencumbered or unobligated at the close of the fiscal
35 year shall not revert but shall remain available for
36 expenditure for the purposes designated until the close
37 of the succeeding fiscal year.

38 FIELD OPERATIONS

39 Sec. 63. 2011 Iowa Acts, chapter 129, section
40 25, is amended by adding the following new unnumbered
41 paragraph:
42 NEW UNNUMBERED PARAGRAPH Notwithstanding section
43 8.33, moneys appropriated in this section that remain
44 unencumbered or unobligated at the close of the fiscal
45 year shall not revert but shall remain available for
46 expenditure for the purposes designated until the close
47 of the succeeding fiscal year.

48 GENERAL ADMINISTRATION

49 Sec. 64. 2011 Iowa Acts, chapter 129, section 26,
50 is amended by adding the following new subsection:

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1 NEW SUBSECTION. 6. Notwithstanding section
2 8.33, moneys appropriated in this section that remain
3 unencumbered or unobligated at the close of the fiscal
4 year shall not revert but shall remain available for
5 expenditure for the purposes designated until the close
6 of the succeeding fiscal year.

7 IOWACARE DISTRIBUTIONS

8 Sec. 65. 2011 Iowa Acts, chapter 129, section
9 35, subsection 4, paragraph a, is amended to read as
10 follows:

11 a. Notwithstanding any provision of law to the
12 contrary, the amount appropriated in this subsection
13 shall be distributed based on claims submitted,
14 adjudicated, and paid by the Iowa Medicaid enterprise
15 plus a monthly disproportionate share hospital payment.
16 Any amount appropriated in this subsection in excess
17 of ~~\$60,000,000~~ \$56,500,000 shall be distributed
18 only if the sum of the expansion population claims
19 adjudicated and paid by the Iowa Medicaid enterprise
20 plus the estimated disproportionate share hospital
21 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount
22 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall
23 not adjust the original monthly payment amount but
24 shall be distributed monthly based on actual claims
25 adjudicated and paid by the Iowa Medicaid enterprise
26 plus the estimated disproportionate share hospital
27 amount. Any amount appropriated in this subsection in
28 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated
29 only if federal funds are available to match the
30 amount allocated. Pursuant to paragraph "b", of the
31 amount appropriated in this subsection, not more than
32 \$4,000,000 shall be distributed for prescription drugs
33 and podiatry services.

34 Sec. 66. 2011 Iowa Acts, chapter 129, section 35,
35 subsection 4, paragraph d, subparagraph (2), is amended
36 to read as follows:

37 (2) Notwithstanding the amount collected and
38 distributed for deposit in the IowaCare account
39 pursuant to section 249J.24, subsection 4, paragraph
40 "a", subparagraph (2), the first \$19,000,000 in
41 collections pursuant to section 347.7 between January
42 1, 2012, and June 30, 2012, shall be distributed to
43 the treasurer of state for deposit in the IowaCare
44 account and collections during this time period in
45 excess of \$19,000,000 shall be distributed to the acute
46 care teaching hospital identified in this subsection.
47 ~~Of the collections in excess of the \$19,000,000~~
48 ~~received by the acute care teaching hospital under this~~
49 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
50 ~~the acute care teaching hospital to the treasurer of~~

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1 ~~state for deposit in the IowaCare account in the month~~
2 ~~of July 2012, following the January 1 through June 30,~~
3 ~~2012, period.~~

4 Sec. 67. IMMEDIATE EFFECTIVE DATE. This division
5 of this Act, being deemed of immediate importance,
6 takes effect upon enactment.

7 Sec. 68. RETROACTIVE APPLICABILITY. The
8 following sections of this division of this Act apply
9 retroactively to July 1, 2011:

10 1. The section relating to the transfer of funds
11 from costs savings under the medical assistance program
12 to appropriations for medical contracts or general
13 administration for the fiscal year beginning July 1,
14 2011, and ending June 30, 2012.

15 2. The section relating to the nonreversion of
16 decategorization of child welfare and juvenile justice
17 funds.

18 3. The section relating to the distribution of
19 IowaCare program funds.

20 DIVISION IX
21 MISCELLANEOUS

22 Sec. 69. NEW SECTION. 8A.441 Medication therapy
23 management.

24 1. As used in this section, unless the context
25 otherwise requires:

26 a. "Eligible employee" means an employee of the
27 state, with the exception of an employee of the state
28 board of regents or institutions under the state board
29 of regents, for whom group health plans are established
30 pursuant to chapter 509A providing for third-party
31 payment or prepayment for health or medical expenses.

32 b. "Medication therapy management" means a
33 systematic process performed by a licensed pharmacist,
34 designed to improve quality outcomes for patients
35 and lower health care costs, including emergency
36 room, hospital, provider, and other costs, by
37 optimizing appropriate medication use linked directly
38 to achievement of the clinical goals of therapy.
39 Medication therapy management shall include all of the
40 following services:

41 (1) A medication therapy review and in-person
42 consultation relating to all medications, vitamins, and
43 herbal supplements currently being taken by an eligible
44 individual.

45 (2) A medication action plan, subject to the
46 limitations specified in this section, communicated
47 to the individual and the individual's primary care
48 physician or other appropriate prescriber to address
49 issues including appropriateness, effectiveness,
50 safety, drug interactions, and adherence. The

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1 medication action plan may include drug therapy
2 recommendations to prescribers that are needed to meet
3 clinical goals and achieve optimal patient outcomes.

4 (3) Documentation and follow-up to ensure
5 consistent levels of pharmacy services and positive
6 outcomes.

7 2. a. The department shall utilize a request for
8 proposals process and shall enter into a contract for
9 the provision of medication therapy management services
10 for eligible employees who meet any of the following
11 criteria:

12 (1) An individual who takes four or more
13 prescription drugs to treat or prevent two or more
14 chronic medical conditions.

15 (2) An individual with a prescription drug therapy
16 problem who is identified by the prescribing physician
17 or other appropriate prescriber, and referred to a
18 pharmacist for medication therapy management services.

19 (3) An individual who meets other criteria
20 established by the third-party payment provider
21 contract, policy, or plan.

22 b. The contract shall require the entity to provide
23 annual reports to the general assembly detailing
24 the costs, savings, estimated cost avoidance and
25 return on investment, and improved patient outcomes
26 related to the medication therapy management services
27 provided. The entity shall guarantee demonstrated
28 annual savings for overall health care costs, including
29 emergency room, hospital, provider, and other costs,
30 with savings including associated cost avoidance, at
31 least equal to the program's costs with any shortfall
32 amount refunded to the state. The contract shall
33 include terms, conditions, and applicable measurement
34 standards associated with the demonstration of savings.
35 The department shall verify the demonstrated savings
36 reported by the entity were achieved in accordance with
37 the agreed upon measurement standards. The entity
38 shall be prohibited from using the entity's employees
39 to provide the medication therapy management services
40 and shall instead be required to contract with licensed
41 pharmacies, pharmacists, or physicians.

42 c. The department may establish an advisory
43 committee comprised of an equal number of physicians
44 and pharmacists to provide advice and oversight in
45 evaluating the results of the program. The department
46 shall appoint the members of the advisory committee
47 based upon designees of the Iowa pharmacy association,
48 the Iowa medical society, and the Iowa osteopathic
49 medical association.

50 d. The fees for pharmacist-delivered medication

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1 therapy management services shall be separate from
2 the reimbursement for prescription drug product or
3 dispensing services; shall be determined by each
4 third-party payment provider contract, policy, or plan;
5 and must be reasonable based on the resources and time
6 required to provide the service.

7 e. A fee shall be established for physician
8 reimbursement for services delivered for medication
9 therapy management as determined by each third-party
10 payment provider contract, policy, or plan, and must be
11 reasonable based on the resources and time required to
12 provide the service.

13 f. If any part of the medication therapy management
14 plan developed by a pharmacist incorporates services
15 which are outside the pharmacist's independent scope
16 of practice including the initiation of therapy,
17 modification of dosages, therapeutic interchange, or
18 changes in drug therapy, the express authorization
19 of the individual's physician or other appropriate
20 prescriber is required.

21 Sec. 70. NEW SECTION. 16.185A Supportive and
22 residential services for individuals who meet the
23 psychiatric medical institution for children level of
24 care — competitive grant program fund.

25 1. A supportive and residential services
26 competitive grant program fund is created within the
27 authority to further the availability of supportive
28 and residential services for individuals who meet the
29 psychiatric medical institution for children level of
30 care under the medical assistance program. The moneys
31 in the fund are appropriated to the authority to be
32 used for the development and operation of a competitive
33 grant program to provide financing to construct
34 supportive housing or develop the infrastructure in
35 which to provide supportive services, including through
36 new construction, acquisition and rehabilitation of
37 existing housing or infrastructure, or conversion or
38 adaptive reuse.

39 2. Moneys transferred by the authority for
40 deposit in the competitive grant program fund, moneys
41 appropriated to the competitive grant program,
42 and any other moneys available to and obtained
43 or accepted by the authority for placement in the
44 fund shall be credited to the fund. Additionally,
45 payment of interest, recaptures of awards, and other
46 repayments to the fund shall be credited to the fund.
47 Notwithstanding section 12C.7, subsection 2, interest
48 or earnings on moneys in the fund shall be credited
49 to the fund. Notwithstanding section 8.33, moneys
50 credited to the fund from any other fund that remain

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1 unencumbered or unobligated at the close of the fiscal
2 year shall not revert to the other fund.

3 3. The authority shall allocate moneys in the
4 fund to the extent available for the development of
5 supportive housing or the infrastructure in which to
6 provide supportive services for individuals who meet
7 the psychiatric medical institution for children level
8 of care under the medical assistance program. Moneys
9 allocated to such projects shall be in the form of
10 competitive grants. An application submitted shall
11 contain a commitment of at least a dollar-for-dollar
12 match of the grant assistance.

13 4. a. A project shall demonstrate written approval
14 of the project by the department of human services to
15 the authority prior to application for funding under
16 this section.

17 b. In order to be approved by the department of
18 human services for application for funding under this
19 section, a project shall include all of the following
20 components:

21 (1) Provision of services to individuals who meet
22 the psychiatric medical institution for children level
23 of care under the medical assistance program.

24 (2) Policies and procedures that prohibit discharge
25 of the individual from the services provided by the
26 project provider unless an alternative placement that
27 is acceptable to the client or the client's guardian is
28 identified.

29 5. Housing provided through a project under this
30 section is exempt from the requirements of chapter
31 1350.

32 6. The authority, in collaboration with the
33 department of human services, shall adopt rules
34 pursuant to chapter 17A to administer this section.

35 Sec. 71. Section 97B.39, Code 2011, is amended to
36 read as follows:

37 97B.39 Rights not transferable or subject to legal
38 process — exceptions.

39 The right of any person to any future payment under
40 this chapter is not transferable or assignable, at
41 law or in equity, and the moneys paid or payable or
42 rights existing under this chapter are not subject to
43 execution, levy, attachment, garnishment, or other
44 legal process, or to the operation of any bankruptcy
45 or insolvency law except for the purposes of enforcing
46 child, spousal, or medical support obligations or
47 marital property orders, or for recovery of medical
48 assistance payments pursuant to section 249A.5.
49 For the purposes of enforcing child, spousal, or
50 medical support obligations, the garnishment or

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1 attachment of or the execution against compensation
2 due a person under this chapter shall not exceed
3 the amount specified in 15 U.S.C. § 1673(b). The
4 system shall comply with the provisions of a marital
5 property order requiring the selection of a particular
6 benefit option, designated beneficiary, or contingent
7 annuitant if the selection is otherwise authorized
8 by this chapter and the member has not received
9 payment of the member's first retirement allowance.
10 However, a marital property order shall not require
11 the payment of benefits to an alternative payee prior
12 to the member's retirement, prior to the date the
13 member elects to receive a lump sum distribution of
14 accumulated contributions pursuant to section 97B.53,
15 or in an amount that exceeds the benefits the member
16 would otherwise be eligible to receive pursuant to this
17 chapter.

18 Sec. 72. Section 135.11, Code Supplement 2011, is
19 amended by adding the following new subsection:

20 NEW SUBSECTION. 31. Administer a public awareness
21 program for human papillomavirus infection vaccination
22 by identifying medically accurate materials that
23 contain information regarding the risks associated with
24 the various forms of the infection in causing cervical
25 cancer, and any other diseases for which the department
26 may recommend immunization or immunization information,
27 and the availability, effectiveness, and potential
28 risks of those vaccines. The department shall make
29 the identified materials available on the department's
30 internet site, provide education and training to
31 health professionals and the general public regarding
32 the vaccines, and notify each school district in the
33 state of the availability of the information. For the
34 purposes of this subsection, "human papillomavirus"
35 means the group of viruses identified by the centers
36 for disease control and prevention of the United States
37 department of health and human services.

38 Sec. 73. Section 135H.10, subsection 3, Code 2011,
39 is amended by striking the subsection.

40 Sec. 74. Section 144D.4, as enacted by 2012 Iowa
41 Acts, House File 2165, section 5, is amended by adding
42 the following new subsection:

43 NEW SUBSECTION. 10. A POST form executed between
44 July 1, 2008, and June 30, 2012, as part of the patient
45 autonomy in health care decisions pilot project created
46 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
47 as amended by 2010 Iowa Acts, chapter 1192, section 58,
48 shall remain effective until revoked or until a new
49 POST form is executed pursuant to this chapter.

50 Sec. 75. Section 225B.8, Code Supplement 2011, is

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1 amended to read as follows:

2 225B.8 Repeal.

3 This chapter is repealed July 1, ~~2012~~ 2017.

4 Sec. 76. NEW SECTION. 231.45 Certified volunteer
5 long-term care resident's advocate program.

6 1. The department shall establish a certified
7 volunteer long-term care resident's advocate program in
8 accordance with the federal Act to provide assistance
9 to the state and local long-term care resident's
10 advocates.

11 2. The department shall develop and implement a
12 certification process for volunteer long-term care
13 resident's advocates including but not limited to
14 an application process, provision for background
15 checks, classroom or on-site training, orientation, and
16 continuing education.

17 3. The provisions of section 231.42 relating to
18 local long-term care resident's advocates shall apply
19 to certified volunteer long-term care resident's
20 advocates.

21 4. The department shall adopt rules pursuant to
22 chapter 17A to administer this section.

23 Sec. 77. Section 237.3, Code 2011, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 11. The department shall adopt
26 rules to administer a certified foster care respite
27 provider program to provide respite in a licensed
28 foster home. The certified respite provider program
29 shall provide care, supervision, or guidance of a
30 foster child when the child is placed with a licensed
31 foster home. The certified foster care respite
32 provider shall be responsible to have liability
33 insurance to provide for any loss or damage arising out
34 of occurrences during the provision of certified foster
35 care respite provider care.

36 Sec. 78. Section 237.13, subsection 4, Code 2011,
37 is amended by adding the following new paragraph:
38 NEW PARAGRAPH. h. Any loss or damage arising out
39 of occurrences during the provision of certified foster
40 care respite provider care pursuant to section 237.3,
41 subsection 11.

42 Sec. 79. NEW SECTION. 239B.2C Absence from home
43 — incarceration.

44 An individual family member who is absent from the
45 home for more than three months because the individual
46 is incarcerated in jail or a correctional facility
47 shall not be included in the family unit for purposes
48 of assistance.

49 Sec. 80. NEW SECTION. 249A.17 Reimbursement for
50 providers of outpatient clinical services for children.

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1 1. Providers that meet the criteria specified in
 2 subsection 2, shall receive cost-based reimbursement
 3 for one hundred percent of the reasonable costs, as
 4 determined by Medicare reimbursement principles, for
 5 provision of outpatient clinical services for children
 6 who are recipients of medical assistance.

7 2. In order to be eligible for reimbursement under
 8 this section, a provider shall be an accredited,
 9 nonprofit agency that meets all of the following
 10 criteria:

11 a. Provides clinical outpatient services to
 12 children of whom at least sixty percent are recipients
 13 of medical assistance.

14 b. Provides at least three children's mental health
 15 services including inpatient services, outpatient
 16 services, psychiatric and psychological services, and
 17 behavioral health intervention services.

18 c. Directly employs a psychiatrist, psychologist,
 19 and licensed therapist.

20 Sec. 81. Section 453A.35, Code Supplement 2011, is
 21 amended to read as follows:

22 453A.35 Tax and fees paid to ~~general fund—~~
 23 ~~standing appropriation to health care trust fund.~~

24 1. a. ~~With the exception of revenues credited to~~
 25 ~~the health care trust fund pursuant to paragraph "b",~~
 26 ~~the~~ The proceeds derived from the sale of stamps and
 27 the payment of taxes, fees, and penalties provided for
 28 under this chapter, and the permit fees received from
 29 all permits issued by the department, shall be credited
 30 to the ~~general fund of the state.~~

31 b. ~~Of the revenues generated from the tax on~~
 32 ~~cigarettes pursuant to section 453A.6, subsection 1,~~
 33 ~~and from the tax on tobacco products as specified in~~
 34 ~~section 453A.43, subsections 1, 2, 3, and 4, the first~~
 35 ~~one hundred six million sixteen thousand four hundred~~
 36 ~~dollars shall be credited to the health care trust fund~~
 37 ~~created in section 453A.35A.~~

38 2. All permit fees provided for in this chapter and
 39 collected by cities in the issuance of permits granted
 40 by the cities shall be paid to the treasurer of the
 41 city where the permit is effective, or to another city
 42 officer as designated by the council, and credited to
 43 the general fund of the city. Permit fees so collected
 44 by counties shall be paid to the county treasurer.

45 Sec. 82. Section 453A.35A, subsection 1, Code
 46 Supplement 2011, is amended to read as follows:

47 1. A health care trust fund is created in the
 48 office of the treasurer of state. The fund consists
 49 of the revenues ~~generated from the tax on cigarettes~~
 50 ~~pursuant to section 453A.6, subsection 1, and from~~

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1 ~~the tax on tobacco products as specified in section~~
2 ~~453A.43, subsections 1, 2, 3, and 4, that are credited~~
3 ~~to the health care trust fund, annually, pursuant to~~
4 ~~section 453A.35 derived from the sale of stamps and~~
5 ~~the payment of taxes, fees, and penalties provided~~
6 ~~for under this chapter, and the permit fees received~~
7 ~~from all permits issued by the department. Moneys~~
8 in the fund shall be separate from the general fund
9 of the state and shall not be considered part of the
10 general fund of the state. However, the fund shall
11 be considered a special account for the purposes
12 of section 8.53 relating to generally accepted
13 accounting principles. Moneys in the fund shall be
14 used only as specified in this section and shall be
15 appropriated only for the uses specified. Moneys in
16 the fund are not subject to section 8.33 and shall
17 not be transferred, used, obligated, appropriated,
18 or otherwise encumbered, except as provided in this
19 section. Notwithstanding section 12C.7, subsection 2,
20 interest or earnings on moneys deposited in the fund
21 shall be credited to the fund.

22 Sec. 83. COST-BASED REIMBURSEMENT — PROVIDERS OF
23 CHILDREN'S OUTPATIENT CLINICAL SERVICES.

24 1. The department of human services shall seek
25 federal approval to amend the medical assistance
26 program state plan and shall amend the contract
27 with the department's managed care contractor for
28 behavioral health services under the medical assistance
29 program to provide medical assistance reimbursement to
30 providers that meet the criteria specified in section
31 249A.17, as enacted in this division of this Act, at
32 100 percent of the reasonable costs for recipients of
33 medical assistance for outpatient clinical services for
34 children.

35 2. Implementation of section 249A.17, as enacted
36 in this division of this Act, is contingent upon
37 receipt of federal approval and limited to the funding
38 made available through amending the contract with the
39 managed care contractor.

40 3. The department shall adopt rules pursuant to
41 chapter 17A to provide reimbursement for outpatient
42 clinical services for children as described in this
43 section. The rules shall provide that reimbursement
44 shall initially be paid on an interim basis and
45 subsequently adjusted retroactively based on submission
46 of financial and statistical reports as required by the
47 department.

48 Sec. 84. EFFECTIVE UPON ENACTMENT. The section
49 of this division of this Act enacting section 8A.441,
50 being deemed of immediate importance, takes effect upon

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1 enactment.

2 DIVISION X

3 DIRECT CARE PROFESSIONALS

4 Sec. 85. NEW SECTION. 152F.1 Definitions.

5 As used in this chapter, unless the context
6 otherwise requires:

7 1. "Board" means the board of direct care
8 professionals created under chapter 147.

9 2. "Community living professional" means a direct
10 care associate who has completed advanced training and
11 is certified to provide home and community living,
12 instrumental activities of daily living, and personal
13 support services.

14 3. "Direct care associate" means an individual who
15 has completed core training and is certified to provide
16 direct care services in the state.

17 4. "Direct care instructor" means an individual
18 approved by the board to provide direct care
19 instruction to direct care professionals.

20 5. "Direct care professional" means an individual
21 who provides direct care services for compensation
22 and is a direct care associate, a community living
23 professional, a health support professional, or a
24 personal support professional.

25 6. "Direct care services" means the services
26 provided to individuals who are ill or individuals
27 with disabilities as specified in the individual's
28 service plan or in documented goals, including but
29 not limited to home and community living services,
30 instrumental activities of daily living services,
31 personal activities of daily living services, personal
32 support services, and health monitoring and maintenance
33 services.

34 7. "Direct care trainer" means a direct care
35 instructor who is approved by the board to train
36 instructors.

37 8. "Health monitoring and maintenance services"
38 means medically-oriented services that assist an
39 individual in maintaining the individual's health
40 including measuring intake and output; providing
41 catheter and ostomy care; collecting specimens;
42 checking vital signs, including temperature, pulse,
43 respiration, and blood pressure; measuring height and
44 weight; performing range of motion exercises; providing
45 assistance with urinary care; and application of
46 thrombo embolic deterrent hose or hot and cold packs.

47 9. "Health support professional" means a direct
48 care associate who has completed advanced training
49 and is certified to provide personal activities of
50 daily living and health monitoring and maintenance

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1 services or a direct care associate who has met the
2 federal nurse aide requirements pursuant to 42 C.F.R. §
3 483.152.

4 10. "Home and community living services" means
5 services to enhance or maintain independence of
6 individuals including such activities as helping
7 individuals develop and meet personal goals, providing
8 direct physical and emotional support and assistance
9 for persons with disabilities, utilizing crisis
10 intervention and positive behavior supports, and using
11 and following individual support plans.

12 11. "Instrumental activities of daily living
13 services" means services provided to assist individuals
14 with daily living tasks to allow them to function
15 independently in a home or community setting, including
16 but not limited to assistance with managing money,
17 transportation, light housekeeping, and shopping and
18 cooking.

19 12. "Personal activities of daily living services"
20 means services to assist individuals in meeting basic
21 needs, including but not limited to bathing, back rubs,
22 and skin care; grooming activities; assistance with
23 dressing and undressing; assistance with eating and
24 feeding; assistance with toileting; and assistance with
25 mobility, including transfers, walking, and turning in
26 bed.

27 13. "Personal support professional" means a direct
28 care associate who has completed advanced training and
29 is certified to provide instrumental activities of
30 daily living, personal activities of daily living, and
31 personal support services.

32 14. "Personal support services" means support
33 services provided to an individual as the individual
34 performs personal activities of daily living including
35 but not limited to coaching and prompting, and teaching
36 skills and behaviors.

37 15. "Service plan" means a written,
38 consumer-centered, outcome-based plan of services.

39 16. "Specialty endorsement" means an advanced level
40 of certification based on requirements developed by
41 experts in a particular discipline or professional area
42 and approved by the board.

43 Sec. 86. NEW SECTION. 152F.2 Certification
44 required — exceptions — use of title.

45 1. Unless otherwise exempt under section 152F.4,
46 beginning January 1, 2014, an individual shall not
47 provide direct care services in this state without
48 being certified as a direct care associate.

49 2. An individual who is not certified pursuant to
50 this chapter shall not use words or titles which imply

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1 or represent that the individual is certified as a
2 direct care professional under this chapter.

3 3. A direct care associate shall not act as
4 or represent that the individual is a direct care
5 professional with advanced training certification
6 or a specialty endorsement, unless the direct care
7 associate is first certified at the appropriate level
8 of certification under this chapter.

9 4. Notwithstanding any provision to the contrary,
10 an individual who completes advanced training or
11 meets the requirements for a specialty endorsement
12 is not required to be certified at that level if
13 the individual does not act as or represent that the
14 individual is certified at that level. Section 147.83
15 does not apply to a direct care associate who is not
16 certified as a direct care professional with advanced
17 training certification or a specialty endorsement if
18 the direct care associate does not act as or represent
19 that the individual is certified at that level.

20 Sec. 87. NEW SECTION. 152F.3 Requirements to
21 obtain certification — renewal — continuing education
22 — reciprocity.

23 1. An applicant for certification as a direct care
24 associate shall present evidence satisfactory to the
25 board that the applicant meets all of the following
26 requirements:

27 a. The applicant has successfully completed the
28 required education for the certification from a
29 board-approved direct care instructor or direct care
30 trainer.

31 b. The applicant has paid all fees required by the
32 board.

33 c. The applicant certifies that the applicant will
34 conduct all professional activities in accordance with
35 standards for professional conduct established by the
36 board.

37 2. An applicant for certification as a direct care
38 professional with advanced training or a specialty
39 endorsement shall present evidence satisfactory to the
40 board that the applicant meets all of the following
41 requirements:

42 a. The applicant has successfully completed the
43 required education for the certification from a
44 board-approved direct care instructor or direct care
45 trainer.

46 b. The applicant has paid all fees required by the
47 board.

48 c. The applicant has passed a state examination
49 approved by the board.

50 d. The applicant certifies that the applicant will

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1 conduct all professional activities in accordance with
2 standards for professional conduct established by the
3 board.

4 3. An individual shall renew the individual's
5 certification biennially. Prior to such renewal, the
6 individual shall present evidence that the individual
7 has satisfied continuing education requirements and
8 shall pay a renewal fee as determined by the board.

9 4. The board shall issue the appropriate
10 certification to an applicant who demonstrates
11 experience in direct care services in another state and
12 meets the requirements established by the board for the
13 specific certification.

14 Sec. 88. NEW SECTION. 152F.4 Scope of chapter.

15 1. The provisions of this chapter do not apply to
16 any of the following:

17 a. An individual who is providing direct care
18 services and is governed by a collective bargaining
19 agreement in place before July 1, 2017, until the
20 expiration of such agreement.

21 b. An individual providing direct care services to
22 a family member.

23 c. An individual otherwise licensed who is
24 operating within the scope of that license and who does
25 not represent to the public that the individual is a
26 direct care professional.

27 2. This chapter shall not be interpreted to
28 preclude an individual who provides direct care
29 services but is not otherwise required to be certified
30 under this chapter from being certified under this
31 chapter on a voluntary basis.

32 Sec. 89. NEW SECTION. 152F.5 Duties of the board.

33 The board shall do all of the following:

34 1. Adopt rules consistent with this chapter,
35 chapter 147, chapter 272, and the recommendations of
36 the direct care worker advisory council established
37 pursuant to 2008 Iowa Acts, chapter 1188, section 69,
38 which are necessary for the performance of its duties.

39 2. Adopt rules to provide a transition process
40 that allows individuals providing direct care services
41 on or before January 1, 2014, who are subject to
42 the certification requirements of this chapter,
43 to continue providing direct care services while
44 completing certification under this chapter. The rules
45 shall provide that certification requirements for an
46 individual subject to the transition process are based
47 on consideration of previous training, employment
48 history, and experience. An individual subject to the
49 transition process shall complete the requirements for
50 direct care associate certification within a time frame

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- 1 determined by rule of the board.
- 2 3. Establish curriculum requirements for health
3 support professionals. The curriculum requirements
4 established shall not exceed the curriculum
5 requirements specified for nurse aides pursuant to
6 42 C.F.R. § 483.152, without prior approval of sixty
7 percent of the members of the board and prior approval
8 of the department of inspections and appeals.
- 9 4. Require an individual to undergo criminal
10 history and child and dependent adult abuse record
11 checks prior to certification, and establish record
12 checks requirements applicable to direct care
13 professionals consistent with section 135C.33.
- 14 5. Establish dependent adult abuse reporting and
15 training requirements consistent with chapters 235B and
16 235E, as applicable.
- 17 6. Establish standards and guidelines for
18 certification reciprocity.
- 19 7. Establish standards and guidelines for direct
20 care professionals, including minimum curriculum
21 requirements.
- 22 8. Prepare and conduct, or prescribe, an
23 examination for applicants for certification.
- 24 9. Establish standards and guidelines for direct
25 care instructors and direct care trainers, including
26 minimum curriculum requirements and continuing
27 education requirements. Training and continuing
28 education guidelines shall provide diverse options for
29 completion of the training and continuing education,
30 as appropriate, including but not limited to online,
31 employer-based, or educational institution-based
32 opportunities.
- 33 10. Define educational activities which fulfill
34 continuing education requirements for renewal of
35 certification.
- 36 11. Establish guidelines for inactive certification
37 status and inactive certification reentry.
- 38 12. Establish a grace period during which a newly
39 employed individual may provide direct care services
40 before being required to complete the appropriate level
41 of certification under this chapter.
- 42 Sec. 90. NEW SECTION. 152F.6 Certification
43 suspension and revocation.
- 44 A certification issued by the board under this
45 chapter may be suspended or revoked, or renewal of
46 certification may be denied by the board, for violation
47 of any provision of this chapter, section 147.55 or
48 272C.10, or rules adopted by the board.
- 49 Sec. 91. Section 10A.402, subsection 1, Code 2011,
50 is amended to read as follows:

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1 1. Investigations relative to the practice of
2 regulated professions and occupations, except those
3 within the jurisdiction of the board of medicine, the
4 board of pharmacy, the dental board, ~~and~~ the board of
5 nursing, and the board of direct care professionals.

6 Sec. 92. Section 135.11A, Code 2011, is amended to
7 read as follows:

8 135.11A Professional licensure division — other
9 licensing boards — expenses — fees.

10 1. There shall be a professional licensure
11 division within the department of public health. Each
12 board under chapter 147 or under the administrative
13 authority of the department, except the board of
14 nursing, board of medicine, dental board, ~~and~~ board of
15 pharmacy, and board of direct care professionals shall
16 receive administrative and clerical support from the
17 division and may not employ its own support staff for
18 administrative and clerical duties.

19 2. The professional licensure division and the
20 licensing boards may expend funds in addition to
21 amounts budgeted, if those additional expenditures are
22 directly the result of actual examination and exceed
23 funds budgeted for examinations. Before the division
24 or a licensing board expends or encumbers an amount
25 in excess of the funds budgeted for examinations, the
26 director of the department of management shall approve
27 the expenditure or encumbrance. Before approval is
28 given, the department of management shall determine
29 that the examination expenses exceed the funds budgeted
30 by the general assembly to the division or board
31 and the division or board does not have other funds
32 from which examination expenses can be paid. Upon
33 approval of the department of management, the division
34 or licensing board may expend and encumber funds for
35 excess examination expenses. The amounts necessary to
36 fund the excess examination expenses shall be collected
37 as fees from additional examination applicants and
38 shall be treated as repayment receipts as defined in
39 section 8.2.

40 Sec. 93. Section 135.31, Code 2011, is amended to
41 read as follows:

42 135.31 Location of boards — rulemaking.

43 The offices for the board of medicine, the board
44 of pharmacy, the board of nursing, ~~and~~ the dental
45 board, and the board of direct care professionals shall
46 be located within the department of public health.
47 The individual boards shall have policymaking and
48 rulemaking authority.

49 Sec. 94. Section 147.1, subsections 3 and 6, Code
50 2011, are amended to read as follows:

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1 3. "Licensed" or "certified", when applied
2 to a physician and surgeon, podiatric physician,
3 osteopathic physician and surgeon, physician assistant,
4 psychologist, chiropractor, nurse, dentist, dental
5 hygienist, dental assistant, optometrist, speech
6 pathologist, audiologist, pharmacist, physical
7 therapist, physical therapist assistant, occupational
8 therapist, occupational therapy assistant, respiratory
9 care practitioner, practitioner of cosmetology arts and
10 sciences, practitioner of barbering, funeral director,
11 dietitian, marital and family therapist, mental health
12 counselor, social worker, massage therapist, athletic
13 trainer, acupuncturist, nursing home administrator,
14 hearing aid dispenser, ~~or~~ sign language interpreter or
15 transliterator, or direct care professional means a
16 person licensed under this subtitle.

17 6. "Profession" means medicine and surgery,
18 podiatry, osteopathic medicine and surgery, practice
19 as a physician assistant, psychology, chiropractic,
20 nursing, dentistry, dental hygiene, dental assisting,
21 optometry, speech pathology, audiology, pharmacy,
22 physical therapy, physical therapist assisting,
23 occupational therapy, occupational therapy assisting,
24 respiratory care, cosmetology arts and sciences,
25 barbering, mortuary science, marital and family
26 therapy, mental health counseling, social work,
27 dietetics, massage therapy, athletic training,
28 acupuncture, nursing home administration, hearing
29 aid dispensing, ~~or~~ sign language interpreting
30 or transliterating, or practice as a direct care
31 professional.

32 Sec. 95. Section 147.2, subsection 1, Code 2011, is
33 amended to read as follows:

34 1. A person shall not engage in the practice of
35 medicine and surgery, podiatry, osteopathic medicine
36 and surgery, psychology, chiropractic, physical
37 therapy, physical therapist assisting, nursing,
38 dentistry, dental hygiene, dental assisting, optometry,
39 speech pathology, audiology, occupational therapy,
40 occupational therapy assisting, respiratory care,
41 pharmacy, cosmetology arts and sciences, barbering,
42 social work, dietetics, marital and family therapy or
43 mental health counseling, massage therapy, mortuary
44 science, athletic training, acupuncture, nursing
45 home administration, hearing aid dispensing, or sign
46 language interpreting or transliterating, or shall not
47 practice as a physician assistant or as a direct care
48 professional, unless the person has obtained a license
49 for that purpose from the board for the profession.

50 Sec. 96. Section 147.13, Code 2011, is amended by

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1 adding the following new subsection:
2 NEW SUBSECTION. 24. For direct care professionals,
3 the board of direct care professionals.
4 Sec. 97. Section 147.14, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. x. For the board of direct care
7 professionals, a total of eleven members, six of whom
8 are direct care professionals who represent diverse
9 settings and populations served, two members of the
10 public, one registered nurse who serves as a direct
11 care instructor, one human services professional who
12 serves as a direct care instructor, and one licensed
13 nursing home administrator.
14 Sec. 98. Section 147.74, Code 2011, is amended by
15 adding the following new subsection:
16 NEW SUBSECTION. 24. A direct care professional
17 certified under chapter 152F and this chapter may use
18 the following:
19 a. A direct care professional certified as a
20 direct care associate may use the title "direct care
21 associate" or the letters "D.C.A." after the person's
22 name.
23 b. A direct care professional certified as a
24 community living professional may use the title
25 "community living professional" or the letters "C.L.P."
26 after the person's name.
27 c. A direct care professional certified as a
28 personal support professional may use the title
29 "personal support professional" or the letters "P.S.P."
30 after the person's name.
31 d. A direct care professional certified as a
32 health support professional may use the title "health
33 support professional" or the letters "H.S.P." after the
34 person's name.
35 e. A direct care professional certified with a
36 specialty endorsement may use the title or letters
37 determined by the specialty endorsement entity and
38 approved by the board of direct care professionals.
39 f. A direct care professional who complies with
40 federal nurse aide requirements pursuant to 42 C.F.R. §
41 483.152 may use the title "certified nursing assistant"
42 or the letters "C.N.A." after the person's name.
43 Sec. 99. Section 147.80, subsection 3, Code 2011,
44 is amended to read as follows:
45 3. The board of medicine, the board of pharmacy,
46 the dental board, ~~and~~ the board of nursing, and
47 the board of direct care professionals shall retain
48 individual executive officers, but shall make
49 every effort to share administrative, clerical, and
50 investigative staff to the greatest extent possible.

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1 Sec. 100. Section 147.88, Code 2011, is amended to
2 read as follows:

3 147.88 Inspections and investigations.

4 The department of inspections and appeals may
5 perform inspections and investigations as required by
6 this subtitle, except inspections and investigations
7 for the board of medicine, board of pharmacy, board of
8 nursing, ~~and the dental board,~~ and the board of direct
9 care professionals. The department of inspections
10 and appeals shall employ personnel related to the
11 inspection and investigative functions.

12 Sec. 101. Section 272C.1, subsection 6, Code 2011,
13 is amended by adding the following new paragraph:

14 NEW PARAGRAPH. ag. The board of direct care
15 professionals, created pursuant to chapter 147.

16 Sec. 102. TRANSITION PROVISIONS.

17 1. An individual providing direct care services
18 on or before January 1, 2014, who is subject to the
19 certification requirements of this division of this
20 Act, may continue providing direct care services
21 while completing certification as required under
22 this division of this Act. The board of direct
23 care professionals shall adopt rules to provide that
24 certification requirements for an individual subject to
25 the transition process are based on consideration of
26 previous training, employment history, and experience,
27 and require such individuals to complete the
28 requirements for direct care associate certification
29 within the time frame determined by rule of the board.

30 2. An individual who is registered on or before
31 January 1, 2014, on the Iowa direct care worker
32 registry established by the department of inspections
33 and appeals, is deemed to meet the certification
34 requirements for a health support professional under
35 this division of this Act.

36 3. Notwithstanding sections 147.14 and 147.16,
37 for the initial board of direct care professionals,
38 the governor may appoint, subject to confirmation by
39 the senate, in lieu of the six members required to be
40 direct care professionals and the two members required
41 to be direct care instructors, members with experience
42 and expertise that is substantially equivalent to
43 the professional requirements for a direct care
44 professional or direct care instructor, as applicable.

45 Sec. 103. IMPLEMENTATION. The provisions of this
46 division of this Act shall be implemented as follows:

47 1. The sections of this division of this Act
48 relating to the board of direct care professionals
49 including sections 152F.1 and 152F.5, as enacted in
50 this division of this Act; sections 10A.402, 135.11A,

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1 135.31, 147.13, 147.14, 147.80, 147.88, and 272C.1, as
 2 amended in this division of this Act, and as specified
 3 in the transition provisions; and the section of this
 4 division of this Act providing transition provisions
 5 relating to the board shall be implemented so that a
 6 board of direct care professionals is appointed no
 7 later than December 15, 2012.

8 2. The sections of this division of this Act
 9 relating to requirements for certification of direct
 10 care professionals including sections 152F.2, 152F.3,
 11 152F.4, and 152F.6, as enacted in this division of this
 12 Act; and sections 147.1, 147.2, and 147.74, as amended
 13 in this division of this Act, shall be implemented so
 14 that the requirements are applicable beginning no later
 15 than January 1, 2014.

16 Sec. 104. FUNDING PROVISIONS.

17 1. The department of public health shall limit the
 18 indirect service charge for the board of direct care
 19 professionals to not more than fifteen percent.

20 2. It is the intent of the general assembly
 21 that the board of direct care professionals be
 22 self-sustaining by January 1, 2017.

23 Sec. 105. EFFECTIVE UPON ENACTMENT. This division
 24 of this Act, being deemed of immediate importance,
 25 takes effect upon enactment.>

26 2. Title page, line 2, after <appropriations,> by
 27 inserting <making penalties applicable,>

HEATON of Henry

H-8460

1 Amend the amendment, H-8270, to Senate File 430,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, by striking lines 16 through 32.

5 2. By striking page 1, line 46, through page 2,
 6 line 18, and inserting:

7 <<1. An Iowa public information board is created
 8 consisting of nine members appointed by the governor,
 9 subject to confirmation by the senate. No more than
 10 three members appointed shall be representatives from
 11 the media including newspapers and no more than three
 12 members appointed shall be representatives of cities,
 13 counties, and other political subdivisions of the
 14 state.>>

ROGERS of Black Hawk

H-8461

- 1 Amend the amendment, H-8458, to Senate File 2284,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, line 10, by striking <a.>
 5 2. Page 4, by striking lines 12 through 15.
 6 3. By renumbering as necessary.

CHAMBERS of O'Brien

H-8462

- 1 Amend the amendment, H-8458, to Senate File 2284,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 10, line 25, after <284.3,> by inserting
 5 <284.4,>

CHAMBERS of O'Brien

H-8463

- 1 Amend Senate File 430, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, line 4, by striking <four> and inserting
 4 <five>
 5 2. Page 9, line 25, after <by the> by inserting
 6 <executive>
 7 3. By renumbering as necessary.

ROGERS of Black Hawk

H-8464

- 1 Amend Senate File 2336, 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 ON AGING
 7 Section 1. 2011 Iowa Acts, chapter 129, section
 8 113, is amended to read as follows:
 9 SEC. 113. DEPARTMENT ON AGING. There is
 10 appropriated from the general fund of the state to
 11 the department on aging for the fiscal year beginning
 12 July 1, 2012, and ending June 30, 2013, the following
 13 amount, or so much thereof as is necessary, to be used
 14 for the purposes designated:
 15 For aging programs for the department on aging and
 16 area agencies on aging to provide citizens of Iowa who
 17 are 60 years of age and older with case management for

18 frail elders, Iowa's aging and disabilities resource
19 center, and other services which may include but are
20 not limited to adult day services, respite care, chore
21 services, information and assistance, and material aid,
22 for information and options counseling for persons with
23 disabilities who are 18 years of age or older, and
24 for salaries, support, administration, maintenance,
25 and miscellaneous purposes, and for not more than the
26 following full-time equivalent positions:

27 \$ 5,151,288
28 10,242,086
29 FTEs 35.00

30 1. Funds appropriated in this section may be used
31 to supplement federal funds under federal regulations.
32 To receive funds appropriated in this section, a local
33 area agency on aging shall match the funds with moneys
34 from other sources according to rules adopted by the
35 department. Funds appropriated in this section may be
36 used for elderly services not specifically enumerated
37 in this section only if approved by an area agency on
38 aging for provision of the service within the area.

39 ~~2. The amount appropriated in this section includes~~
40 ~~additional funding of \$225,000 for delivery of~~
41 ~~long term care services to seniors with low or moderate~~
42 ~~incomes.~~

43 3. Of the funds appropriated in this section,
44 ~~\$89,973~~ \$179,946 shall be transferred to the department
45 of economic development for the Iowa commission on
46 volunteer services to be used for the retired and
47 senior volunteer program.

48 4. a. The department on aging shall establish and
49 enforce procedures relating to expenditure of state and
50 federal funds by area agencies on aging that require

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1 compliance with both state and federal laws, rules, and
2 regulations, including but not limited to all of the
3 following:

4 (1) Requiring that expenditures are incurred only
5 for goods or services received or performed prior to
6 the end of the fiscal period designated for use of the
7 funds.

8 (2) Prohibiting prepayment for goods or services
9 not received or performed prior to the end of the
10 fiscal period designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or
12 services not defined specifically by good or service,
13 time period, or recipient.

14 (4) Prohibiting the establishment of accounts from
15 which future goods or services which are not defined
16 specifically by good or service, time period, or

17 recipient, may be purchased.
 18 b. The procedures shall provide that if any funds
 19 are expended in a manner that is not in compliance with
 20 the procedures and applicable federal and state laws,
 21 rules, and regulations, and are subsequently subject
 22 to repayment, the area agency on aging expending such
 23 funds in contravention of such procedures, laws, rules
 24 and regulations, not the state, shall be liable for
 25 such repayment.

26 5. The department shall develop recommendations
 27 for an implementation schedule, including funding
 28 projections, for the substitute decision maker program
 29 created pursuant to chapter 231E, and shall submit the
 30 recommendations to the individuals identified in this
 31 Act for submission of reports by December 15, 2012.

32 6. The amount appropriated in this section reflects
 33 a reduction in expenditures for office supplies,
 34 purchases of equipment, office equipment, printing and
 35 binding, and marketing, that shall be applied equitably
 36 to the programs under the purview of the department.

37 DIVISION II

38 DEPARTMENT OF PUBLIC HEALTH

39 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
 40 is amended to read as follows:

41 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
 42 appropriated from the general fund of the state to
 43 the department of public health for the fiscal year
 44 beginning July 1, 2012, and ending June 30, 2013, the
 45 following amounts, or so much thereof as is necessary,
 46 to be used for the purposes designated:

47 1. ADDICTIVE DISORDERS

48 For reducing the prevalence of use of tobacco,
 49 alcohol, and other drugs, and treating individuals
 50 affected by addictive behaviors, including gambling,

Page 3

1 and for not more than the following full-time
 2 equivalent positions:

3 \$ 11,751,595
 4 23,463,690
 5 FTEs 13.00

6 a. (1) Of the funds appropriated in this
 7 subsection, ~~\$1,626,915~~ \$3,253,830 shall be used for
 8 the tobacco use prevention and control initiative,
 9 including efforts at the state and local levels, as
 10 provided in chapter 142A. The commission on tobacco
 11 use prevention and control established pursuant to
 12 section 142A.3 shall advise the director of public
 13 health in prioritizing funding needs and the allocation
 14 of moneys appropriated for the programs and activities
 15 of the initiative under this subparagraph (1) and shall

16 make recommendations to the director in the development
 17 of budget requests relating to the initiative. Of the
 18 funds allocated in this subparagraph (1), \$750,000
 19 shall be used for support of Quitline Iowa.

20 (2) (a) Of the funds allocated in this paragraph
 21 "a", ~~\$226,915~~ \$453,830 shall be transferred to the
 22 alcoholic beverages division of the department of
 23 commerce for enforcement of tobacco laws, regulations,
 24 and ordinances in accordance with 2011 Iowa Acts, ~~House~~
 25 ~~File 467, as enacted chapter 63.~~

26 (b) For the fiscal year beginning July 1, 2012,
 27 and ending June 30, 2013, the terms of a chapter
 28 28D agreement, entered into between the division of
 29 tobacco use prevention and control of the department
 30 of public health and the alcoholic beverages division
 31 of the department of commerce, governing compliance
 32 checks conducted to ensure licensed retail tobacco
 33 outlet conformity with tobacco laws, regulations, and
 34 ordinances relating to persons under eighteen years of
 35 age, shall restrict the number of such checks to one
 36 check per retail outlet, and one additional check for
 37 any retail outlet found to be in violation during the
 38 first check.

39 b. Of the funds appropriated in this subsection,
 40 ~~\$10,124,680~~ \$20,249,360 shall be used for problem
 41 gambling and substance abuse prevention, treatment,
 42 and recovery services, including a 24-hour helpline,
 43 public information resources, professional training,
 44 and program evaluation.

45 (1) Of the funds allocated in this paragraph "b",
 46 ~~\$8,566,254~~ \$17,132,508 shall be used for substance
 47 abuse prevention and treatment.

48 (a) Of the funds allocated in this subparagraph
 49 (1), ~~\$449,650~~ \$899,300 shall be used for the public
 50 purpose of a grant program to provide substance abuse

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1 prevention programming for children.

2 (i) Of the funds allocated in this subparagraph
 3 division (a), ~~\$213,769~~ \$427,539 shall be used for grant
 4 funding for organizations that provide programming for
 5 children by utilizing mentors. Programs approved for
 6 such grants shall be certified or will be certified
 7 within six months of receiving the grant award by the
 8 Iowa commission on volunteer services as utilizing
 9 the standards for effective practice for mentoring
 10 programs.

11 (ii) Of the funds allocated in this subparagraph
 12 division (a), ~~\$213,419~~ \$426,839 shall be used for grant
 13 funding for organizations that provide programming
 14 that includes youth development and leadership. The

15 programs shall also be recognized as being programs
16 that are scientifically based with evidence of their
17 effectiveness in reducing substance abuse in children.

18 (iii) The department of public health shall utilize
19 a request for proposals process to implement the grant
20 program.

21 (iv) All grant recipients shall participate in a
22 program evaluation as a requirement for receiving grant
23 funds.

24 (v) Of the funds allocated in this subparagraph
25 division (a), up to ~~\$22,461~~ \$44,922 may be used to
26 administer substance abuse prevention grants and for
27 program evaluations.

28 (b) Of the funds allocated in this subparagraph
29 (1), ~~\$136,531~~ \$273,062 shall be used for culturally
30 competent substance abuse treatment pilot projects.

31 (i) The department shall utilize the amount
32 allocated in this subparagraph division (b) for at
33 least three pilot projects to provide culturally
34 competent substance abuse treatment in various areas
35 of the state. Each pilot project shall target a
36 particular ethnic minority population. The populations
37 targeted shall include but are not limited to African
38 American, Asian, and Latino.

39 (ii) The pilot project requirements shall provide
40 for documentation or other means to ensure access
41 to the cultural competence approach used by a pilot
42 project so that such approach can be replicated and
43 improved upon in successor programs.

44 (2) Of the funds allocated in this paragraph "b",
45 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem
46 gambling prevention, treatment, and recovery services.

47 (a) Of the funds allocated in this subparagraph
48 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem
49 gambling prevention and treatment.

50 (b) Of the funds allocated in this subparagraph

Page 5

1 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour
2 helpline, public information resources, professional
3 training, and program evaluation.

4 (c) Of the funds allocated in this subparagraph
5 (2), up to ~~\$50,000~~ \$100,000 may be used for the
6 licensing of problem gambling treatment programs.

7 (3) It is the intent of the general assembly that
8 from the moneys allocated in this paragraph "b",
9 persons with a dual diagnosis of substance abuse
10 and gambling addictions shall be given priority in
11 treatment services.

12 c. Notwithstanding any provision of law to the
13 contrary, to standardize the availability, delivery,

14 cost of delivery, and accountability of problem
15 gambling and substance abuse treatment services
16 statewide, the department shall continue implementation
17 of a process to create a system for delivery of
18 treatment services in accordance with the requirements
19 specified in 2008 Iowa Acts, chapter 1187, section
20 3, subsection 4. To ensure the system provides a
21 continuum of treatment services that best meets the
22 needs of Iowans, the problem gambling and substance
23 abuse treatment services in any area may be provided
24 either by a single agency or by separate agencies
25 submitting a joint proposal.

26 (1) The system for delivery of substance abuse
27 and problem gambling treatment shall include problem
28 gambling prevention.

29 (2) The system for delivery of substance abuse and
30 problem gambling treatment shall include substance
31 abuse prevention by July 1, 2014.

32 (3) Of the funds allocated in paragraph "b",
33 the department may use up to ~~\$50,000~~ \$100,000 for
34 administrative costs to continue developing and
35 implementing the process in accordance with this
36 paragraph "c".

37 d. The requirement of section 123.53, subsection
38 5, is met by the appropriations and allocations made
39 in this Act for purposes of substance abuse treatment
40 and addictive disorders for the fiscal year beginning
41 July 1, 2012.

42 e. The department of public health shall work
43 with all other departments that fund substance
44 abuse prevention and treatment services and all
45 such departments shall, to the extent necessary,
46 collectively meet the state maintenance of effort
47 requirements for expenditures for substance abuse
48 services as required under the federal substance abuse
49 prevention and treatment block grant.

50 f. The department shall amend or otherwise

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1 revise departmental policies and contract provisions
2 in order to eliminate free t-shirt distribution,
3 banner production, and other unnecessary promotional
4 expenditures.

5 g. The amount appropriated in this subsection
6 reflects a reduction in expenditures for office
7 supplies, purchases of equipment, office equipment,
8 printing and binding, and marketing, that shall
9 be applied equitably to the programs under this
10 subsection.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for

13 children, adolescents from birth through 21 years of
14 age, and families, and for not more than the following
15 full-time equivalent positions:

16 \$ ~~1,297,135~~
17 2,578,559
18 FTEs 10.00

19 a. Of the funds appropriated in this subsection,
20 not more than ~~\$369,659~~ \$739,318 shall be used for
21 the healthy opportunities to experience success
22 (HOPES)-healthy families Iowa (HFI) program established
23 pursuant to section 135.106. The funding shall be
24 distributed to renew the grants that were provided
25 to the grantees that operated the program during the
26 fiscal year ending June 30, 2012.

27 0b. (1) In order to implement the legislative
28 intent stated in sections 135.106 and 256I.9, that
29 priority for home visitation program funding be given
30 to programs using evidence-based or promising models
31 for home visitation, it is the intent of the general
32 assembly to phase-in the funding priority as follows:

33 (a) By July 1, 2013, 25 percent of state
34 funds expended for home visiting programs are for
35 evidence-based or promising program models.

36 (b) By July 1, 2014, 50 percent of state
37 funds expended for home visiting programs are for
38 evidence-based or promising program models.

39 (c) By July 1, 2015, 75 percent of state
40 funds expended for home visiting programs are for
41 evidence-based or promising program models.

42 (d) By July 1, 2016, 90 percent of state
43 funds expended for home visiting programs are for
44 evidence-based or promising program models. The
45 remaining 10 percent of funds may be used for
46 innovative program models that do not yet meet the
47 definition of evidence-based or promising programs.

48 (2) For the purposes of this lettered paragraph,
49 unless the context otherwise requires:

50 (a) "Evidence-based program" means a program that

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1 is based on scientific evidence demonstrating that
2 the program model is effective. An evidence-based
3 program shall be reviewed onsite and compared to
4 program model standards by the model developer or the
5 developer's designee at least every five years to
6 ensure that the program continues to maintain fidelity
7 with the program model. The program model shall have
8 had demonstrated significant and sustained positive
9 outcomes in an evaluation utilizing a well-designed and
10 rigorous randomized controlled research design or a
11 quasi-experimental research design, and the evaluation

12 results shall have been published in a peer-reviewed
13 journal.

14 (b) "Family support programs" includes group-based
15 parent education or home visiting programs that are
16 designed to strengthen protective factors, including
17 parenting skills, increasing parental knowledge of
18 child development, and increasing family functioning
19 and problem solving skills. A family support program
20 may be used as an early intervention strategy to
21 improve birth outcomes, parental knowledge, family
22 economic success, the home learning environment, family
23 and child involvement with others, and coordination
24 with other community resources. A family support
25 program may have a specific focus on preventing child
26 maltreatment or ensuring children are safe, healthy,
27 and ready to succeed in school.

28 (c) "Promising program" means a program that meets
29 all of the following requirements:

30 (i) The program conforms to a clear, consistent
31 family support model that has been in existence for at
32 least three years.

33 (ii) The program is grounded in relevant
34 empirically-based knowledge.

35 (iii) The program is linked to program-determined
36 outcomes.

37 (iv) The program is associated with a national
38 or state organization that either has comprehensive
39 program standards that ensure high-quality service
40 delivery and continuous program quality improvement
41 or the program model has demonstrated through the
42 program's benchmark outcomes that the program has
43 achieved significant positive outcomes equivalent
44 to those achieved by program models with published
45 significant and sustained results in a peer-reviewed
46 journal.

47 (v) The program has been awarded the Iowa family
48 support credential and has been reviewed onsite
49 at least every five years to ensure the program's
50 adherence to the Iowa family support standards approved

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1 by the early childhood Iowa state board created in
2 section 256I.3 or a comparable set of standards. The
3 onsite review is completed by an independent review
4 team that is not associated with the program or the
5 organization administering the program.

6 (3) (a) The data reporting requirements applicable
7 to the HOPES-HFI program services shall include the
8 requirements adopted by the early childhood Iowa state
9 board pursuant to section 256I.4 for the family support
10 programs targeted to families expecting a child or

11 with newborn and infant children through age five and
12 funded through the state board. The department of
13 public health may specify additional data reporting
14 requirements for the HOPES-HFI program services.
15 The HOPES-HFI program services shall be required to
16 participate in a state administered internet-based
17 data collection system by July 1, 2013. The annual
18 reporting concerning the HOPES-HFI program services
19 shall include program outcomes beginning with the 2015
20 report.

21 (b) The data on families served that is collected
22 by the HOPES-HFI program shall include but is not
23 limited to basic demographic information, services
24 received, funding utilized, and program outcomes for
25 the children and families served.

26 (c) The HOPES-HFI program shall work with the early
27 childhood Iowa state board in the state board's efforts
28 to identify minimum competency standards for the
29 employees and supervisors of family support programs
30 funded. The HOPES-HFI program, along with the state
31 board, shall submit recommendations concerning the
32 standards to the governor and general assembly on or
33 before January 1, 2014.

34 (d) On or before January 1, 2013, the HOPES-HFI
35 program shall adopt criminal and child abuse record
36 check requirements for the employees and supervisors of
37 family support programs funded through the program.

38 (e) The HOPES-HFI program shall work with the early
39 childhood Iowa state board in the state board's efforts
40 to develop a plan to implement a coordinated intake and
41 referral process for publicly funded family support
42 programs in order to engage the families expecting a
43 child or with newborn and infant children through age
44 five in all communities in the state by July 1, 2015.

45 b. Of the funds appropriated in this subsection,
46 ~~\$164,942~~ ~~\$329,885~~ shall be used to continue to address
47 the healthy mental development of children from birth
48 through five years of age through local evidence-based
49 strategies that engage both the public and private
50 sectors in promoting healthy development, prevention,

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1 and treatment for children. The department shall work
2 with the department of human services, Iowa Medicaid
3 enterprise, to develop a plan to secure matching
4 medical assistance program funding to provide services
5 under this paragraph, which may include a per member
6 per month payment to reimburse the care coordination
7 and community outreach services component that links
8 young children and their families with identified
9 service needs.

10 c. Of the funds appropriated in this subsection,
 11 ~~\$15,798~~ \$31,597 shall be distributed to a statewide
 12 dental carrier to provide funds to continue the donated
 13 dental services program patterned after the projects
 14 developed by the lifeline network to provide dental
 15 services to indigent elderly and disabled individuals.

16 d. Of the funds appropriated in this subsection,
 17 ~~\$56,338~~ \$112,677 shall be used for childhood obesity
 18 prevention.

19 e. Of the funds appropriated in this subsection,
 20 ~~\$81,880~~ \$163,760 shall be used to provide audiological
 21 services and hearing aids for children. The department
 22 may enter into a contract to administer this paragraph.

23 f. The amount appropriated in this subsection
 24 reflects a reduction in expenditures for office
 25 supplies, purchases of equipment, office equipment,
 26 printing and binding, and marketing, that shall
 27 be applied equitably to the programs under this
 28 subsection.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
 31 conditions or special health care needs, and for not
 32 more than the following full-time equivalent positions:

33	\$	<u>1,680,828</u>
34		<u>3,424,366</u>
35	FTEs	4.00

36 a. Of the funds appropriated in this subsection,
 37 ~~\$80,291~~ \$160,582 shall be used for grants to individual
 38 patients who have phenylketonuria (PKU) to assist with
 39 the costs of necessary special foods.

40 b. Of the funds appropriated in this subsection,
 41 ~~\$241,800~~ \$483,600 is allocated for continuation of
 42 the contracts for resource facilitator services in
 43 accordance with section 135.22B, subsection 9, and
 44 for brain injury training services and recruiting of
 45 service providers to increase the capacity within this
 46 state to address the needs of individuals with brain
 47 injuries and such individuals' families.

48 c. Of the funds appropriated in this subsection,
 49 ~~\$249,437~~ \$498,874 shall be used as additional funding
 50 to leverage federal funding through the federal Ryan

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1 White Care Act, Tit. II, AIDS drug assistance program
 2 supplemental drug treatment grants.

3 d. Of the funds appropriated in this subsection,
 4 ~~\$15,627~~ \$50,000 shall be used for the public purpose of
 5 providing a grant to an existing national-affiliated
 6 organization to provide education, client-centered
 7 programs, and client and family support for people
 8 living with epilepsy and their families.

- 9 e. Of the funds appropriated in this subsection,
- 10 ~~\$394,151~~ \$788,303 shall be used for child health
- 11 specialty clinics.
- 12 f. Of the funds appropriated in this subsection,
- 13 ~~\$248,533~~ \$497,065 shall be used for the comprehensive
- 14 cancer control program to reduce the burden of cancer
- 15 in Iowa through prevention, early detection, effective
- 16 treatment, and ensuring quality of life. Of the funds
- 17 allocated in this lettered paragraph, ~~\$75,000~~ \$250,000
- 18 shall be used to support a melanoma research symposium,
- 19 a melanoma biorepository and registry, basic and
- 20 translational melanoma research, and clinical trials.
- 21 g. Of the funds appropriated in this subsection,
- 22 ~~\$63,225~~ \$126,450 shall be used for cervical and colon
- 23 cancer screening.
- 24 h. Of the funds appropriated in this subsection,
- 25 ~~\$264,417~~ \$528,834 shall be used for the center for
- 26 congenital and inherited disorders.
- 27 i. Of the funds appropriated in this subsection,
- 28 ~~\$64,968~~ \$100,000 shall be used for the prescription
- 29 drug donation repository program created in chapter
- 30 135M.
- 31 j. No later than December 15, 2012, the department
- 32 of public health, in collaboration with the department
- 33 of education and other interested parties, shall
- 34 develop training guidelines for the management of
- 35 chronic conditions that affect children to be made
- 36 available to public schools and accredited nonpublic
- 37 schools throughout the state.
- 38 k. The amount appropriated in this subsection
- 39 reflects a reduction in expenditures for office
- 40 supplies, purchases of equipment, office equipment,
- 41 printing and binding, and marketing, that shall
- 42 be applied equitably to the programs under this
- 43 subsection.

44 4. COMMUNITY CAPACITY

45 For strengthening the health care delivery system at
46 the local level, and for not more than the following
47 full-time equivalent positions:

48	\$	<u>2,117,583</u>
49		<u>3,788,859</u>
50	FTEs	14.00

- 1 a. Of the funds appropriated in this subsection,
- 2 ~~\$50,000~~ \$100,000 is allocated for a child vision
- 3 screening program implemented through the university of
- 4 Iowa hospitals and clinics in collaboration with early
- 5 childhood Iowa areas.
- 6 b. Of the funds appropriated in this subsection,
- 7 ~~\$55,654~~ \$111,308 is allocated for continuation of an

8 initiative implemented at the university of Iowa and
 9 ~~\$50,246~~ \$100,493 is allocated for continuation of an
 10 initiative at the state mental health institute at
 11 Cherokee to expand and improve the workforce engaged in
 12 mental health treatment and services. The initiatives
 13 shall receive input from the university of Iowa, the
 14 department of human services, the department of public
 15 health, and the mental health and disability services
 16 commission to address the focus of the initiatives.

17 c. Of the funds appropriated in this subsection,
 18 ~~\$585,745~~ \$1,171,491 shall be used for essential public
 19 health services that promote healthy aging throughout
 20 the lifespan, contracted through a formula for local
 21 boards of health, to enhance health promotion and
 22 disease prevention services.

23 d. Of the funds appropriated in this section,
 24 ~~\$60,908~~ \$100,000 shall be deposited in the governmental
 25 public health system fund created in section 135A.8 to
 26 be used for the purposes of the fund.

27 e. Of the funds appropriated in this subsection,
 28 ~~\$72,271~~ \$144,542 shall be used for the mental health
 29 professional shortage area program implemented pursuant
 30 to section 135.80.

31 f. Of the funds appropriated in this subsection,
 32 ~~\$19,131~~ \$38,263 shall be used for a grant to a
 33 statewide association of psychologists that is
 34 affiliated with the American psychological association
 35 to be used for continuation of a program to rotate
 36 intern psychologists in placements in urban and rural
 37 mental health professional shortage areas, as defined
 38 in section ~~135.80~~ 135.180.

39 g. Of the funds appropriated in this subsection,
 40 the following amounts shall be allocated to the Iowa
 41 collaborative safety net provider network established
 42 pursuant to section 135.153 to be used for the purposes
 43 designated. The following amounts allocated under
 44 this lettered paragraph shall be distributed to
 45 the specified provider and shall not be reduced for
 46 administrative or other costs prior to distribution:

47 (1) For distribution to the Iowa primary care
 48 association for statewide coordination of the Iowa
 49 collaborative safety net provider network:
 50 \$ ~~66,290~~

1 70,000
 2 (2) For distribution to the local boards of health
 3 that provide direct services for pilot programs in
 4 three counties to assist patients in determining an
 5 appropriate medical home:
 6 \$ ~~38,804~~

7 77,609
 8 (3) For distribution to maternal and child health
 9 centers for pilot programs in three counties to assist
 10 patients in determining an appropriate medical home:
 11 \$ 38,804
 12 77,609

13 (4) For distribution to free clinics for necessary
 14 infrastructure, statewide coordination, provider
 15 recruitment, service delivery, and provision of
 16 assistance to patients in determining an appropriate
 17 medical home:
 18 \$ 62,025
 19 124,050

20 (5) For distribution to rural health clinics for
 21 necessary infrastructure, statewide coordination,
 22 provider recruitment, service delivery, and provision
 23 of assistance to patients in determining an appropriate
 24 medical home:
 25 \$ 55,215
 26 110,430

27 (6) For continuation of the safety net provider
 28 patient access to specialty health care initiative as
 29 described in 2007 Iowa Acts, chapter 218, section 109:
 30 \$ 130,000
 31 260,000

32 (7) For continuation of the pharmaceutical
 33 infrastructure for safety net providers as described in
 34 2007 Iowa Acts, chapter 218, section 108:
 35 \$ 135,000
 36 270,000

37 The Iowa collaborative safety net provider network
 38 may continue to distribute funds allocated pursuant to
 39 this lettered paragraph through existing contracts or
 40 renewal of existing contracts.

41 ~~h. (1) Of the funds appropriated in this~~
 42 ~~subsection, \$74,500 shall be used for continued~~
 43 ~~implementation of the recommendations of the direct~~
 44 ~~care worker task force established pursuant to 2005~~
 45 ~~Iowa Acts, chapter 88, based upon the report submitted~~
 46 ~~to the governor and the general assembly in December~~
 47 ~~2006. The department may use a portion of the funds~~
 48 ~~allocated in this lettered paragraph for an additional~~
 49 ~~position to assist in the continued implementation.~~
 50 ~~i. (1) Of the funds appropriated in this~~

1 ~~subsection, \$65,050 shall be used for allocation~~
 2 ~~to an independent statewide direct care worker~~
 3 ~~association under a contract with terms determined by~~
 4 ~~the director of public health relating to education,~~
 5 ~~outreach, leadership development, mentoring, and other~~

6 initiatives intended to enhance the recruitment and
7 retention of direct care workers in health care and
8 long-term care settings.

9 ~~(2) Of the funds appropriated in this subsection,
10 \$29,000 shall be used to provide scholarships or
11 other forms of subsidization for direct care worker
12 educational conferences, training, or outreach
13 activities.~~

14 j. Of the funds appropriated in this subsection,
15 the department may use up to ~~\$29,259~~ \$58,518 for up to
16 one full-time equivalent position to administer the
17 volunteer health care provider program pursuant to
18 section 135.24.

19 k. Of the funds appropriated in this subsection,
20 ~~\$25,000~~ \$50,000 shall be used for a matching dental
21 education loan repayment program to be allocated to a
22 dental nonprofit health service corporation to develop
23 the criteria and implement the loan repayment program.

24 l. The amount appropriated in this subsection
25 reflects a reduction in expenditures for office
26 supplies, purchases of equipment, office equipment,
27 printing and binding, and marketing, that shall
28 be applied equitably to the programs under this
29 subsection.

30 5. HEALTHY AGING

31 To provide public health services that reduce risks
32 and invest in promoting and protecting good health over
33 the course of a lifetime with a priority given to older
34 Iowans and vulnerable populations:

35 \$ ~~3,648,571~~
36 7,297,142

37 a. Of the funds appropriated in this subsection,
38 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
39 health nursing services.

40 b. Of the funds appropriated in this subsection,
41 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
42 services.

43 6. ENVIRONMENTAL HAZARDS

44 For reducing the public's exposure to hazards in the
45 environment, primarily chemical hazards, and for not
46 more than the following full-time equivalent positions:

47 \$ ~~406,888~~
48 803,870
49 FTEs 4.00

50 a. Of the funds appropriated in this subsection,

1 ~~\$272,188~~ \$544,377 shall be used for childhood lead
2 poisoning provisions.

3 b. The amount appropriated in this subsection
4 reflects a reduction in expenditures for office

5 supplies, purchases of equipment, office equipment,
 6 printing and binding, and marketing, that shall
 7 be applied equitably to the programs under this
 8 subsection.

9 7. INFECTIOUS DISEASES

10 For reducing the incidence and prevalence of
 11 communicable diseases, and for not more than the
 12 following full-time equivalent positions:

13 \$ ~~672,923~~
 14 1,335,155
 15 FTEs 4.00

16 The amount appropriated in this subsection reflects
 17 a reduction in expenditures for office supplies,
 18 purchases of equipment, office equipment, printing and
 19 binding, and marketing, that shall be applied equitably
 20 to the programs under this subsection.

21 8. PUBLIC PROTECTION

22 For protecting the health and safety of the
 23 public through establishing standards and enforcing
 24 regulations, and for not more than the following
 25 full-time equivalent positions:

26 \$ ~~1,388,116~~
 27 2,693,384
 28 FTEs 125.00

29 a. Of the funds appropriated in this subsection,
 30 not more than ~~\$235,845~~ \$471,690 shall be credited to
 31 the emergency medical services fund created in section
 32 135.25. Moneys in the emergency medical services fund
 33 are appropriated to the department to be used for the
 34 purposes of the fund.

35 b. Of the funds appropriated in this subsection,
 36 ~~\$105,309~~ \$210,619 shall be used for sexual violence
 37 prevention programming through a statewide organization
 38 representing programs serving victims of sexual
 39 violence through the department's sexual violence
 40 prevention program. The amount allocated in this
 41 lettered paragraph shall not be used to supplant
 42 funding administered for other sexual violence
 43 prevention or victims assistance programs.

44 c. Of the funds appropriated in this subsection,
 45 not more than ~~\$218,291~~ \$539,477 shall be used for the
 46 state poison control center.

47 d. Of the funds appropriated in this subsection,
 48 \$50,000 shall be used for implementation of 2012 Iowa
 49 Acts, Senate File 364, if enacted.

50 e. The amount appropriated in this subsection

1 reflects a reduction in expenditures for office
 2 supplies, purchases of equipment, office equipment,
 3 printing and binding, and marketing, that shall

4 be applied equitably to the programs under this
5 subsection.

6 9. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall
8 ability of the department to deliver services to the
9 public, and for not more than the following full-time
10 equivalent positions:

11 \$ 409,777
12 734,500
13 FTEs 7.00

14 The amount appropriated in this subsection reflects
15 a reduction in expenditures for office supplies,
16 purchases of equipment, office equipment, printing and
17 binding, and marketing, that shall be applied equitably
18 to the programs under this subsection.

19 The university of Iowa hospitals and clinics under
20 the control of the state board of regents shall not
21 receive indirect costs from the funds appropriated in
22 this section. The university of Iowa hospitals and
23 clinics billings to the department shall be on at least
24 a quarterly basis.

25 The department shall review and make recommendations
26 for consolidating or eliminating boards, commissions,
27 committees, councils, and other entities within
28 the departmental organization and under the purview
29 of the department to increase efficiencies and
30 reduce duplication. The department shall submit its
31 recommendations for consolidation or elimination to the
32 individuals specified in this Act for submission of
33 reports by December 15, 2012.

34 DIVISION III

35 DEPARTMENT OF VETERANS AFFAIRS

36 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
37 is amended to read as follows:

38 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
39 is appropriated from the general fund of the state to
40 the department of veterans affairs for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amounts, or so much thereof as is necessary,
43 to be used for the purposes designated:

44 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

45 For salaries, support, maintenance, and
46 miscellaneous purposes, including the war orphans
47 educational assistance fund created in section
48 35.8, and for not more than the following full-time
49 equivalent positions:

50 \$ 499,416

1 1,025,819
2 FTEs 16.34

3 2. IOWA VETERANS HOME

4 For salaries, support, maintenance, and
5 miscellaneous purposes:

6 \$ ~~4,476,075~~

7 8,775,714

8 a. The Iowa veterans home billings involving the
9 department of human services shall be submitted to the
10 department on at least a monthly basis.

11 b. If there is a change in the employer of
12 employees providing services at the Iowa veterans home
13 under a collective bargaining agreement, such employees
14 and the agreement shall be continued by the successor
15 employer as though there had not been a change in
16 employer.

17 c. Within available resources and in conformance
18 with associated state and federal program eligibility
19 requirements, the Iowa veterans home may implement
20 measures to provide financial assistance to or
21 on behalf of veterans or their spouses who are
22 participating in the community reentry program.

23 d. The Iowa veterans home expenditure report
24 shall be submitted monthly to the legislative services
25 agency.

26 e. The funds appropriated in this subsection
27 to the Iowa veterans home that remain available for
28 expenditure for the succeeding fiscal year pursuant to
29 section 35D.18, subsection 5, shall be distributed to
30 be used in the succeeding fiscal year in accordance
31 with this lettered paragraph. The first \$500,000 shall
32 remain available to be used for the purposes of the
33 Iowa veterans home. On or before October 15, 2013, the
34 department of management shall transfer the remaining
35 balance to the veterans trust fund created in section
36 35A.13.

37 f. The amount appropriated in this subsection
38 reflects a reduction in expenditures for office
39 supplies, purchases of equipment, office equipment,
40 printing and binding, and marketing, that shall
41 be applied equitably to the programs under this
42 subsection.

43 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF
44 DECEASED VETERANS

45 For provision of educational assistance pursuant to
46 section 35.9:

47 \$ ~~6,208~~

48 12,416

49 4. HOME OWNERSHIP ASSISTANCE PROGRAM

50 For transfer to the Iowa finance authority for the

2 for persons who are or were eligible members of the
3 armed forces of the United States, pursuant to section
4 16.54:

5 \$ 1,600,000

6 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
7 is amended to read as follows:

8 SEC. 116. LIMITATION OF COUNTY
9 COMMISSION OF VETERANS AFFAIRS FUND STANDING

10 APPROPRIATIONS. Notwithstanding the standing
11 appropriation in the following designated section for
12 the fiscal year beginning July 1, 2012, and ending June
13 30, 2013, the amounts appropriated from the general
14 fund of the state pursuant to that section for the
15 following designated purposes shall not exceed the
16 following amount:

17 For the county commissions of veterans affairs fund
18 under section 35A.16:

19 \$ 495,000
20 990,000

21 DIVISION IV

22 DEPARTMENT OF HUMAN SERVICES

23 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
24 is amended to read as follows:

25 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
26 BLOCK GRANT. There is appropriated from the fund

27 created in section 8.41 to the department of human
28 services for the fiscal year beginning July 1, 2012,
29 and ending June 30, 2013, from moneys received under
30 the federal temporary assistance for needy families
31 (TANF) block grant pursuant to the federal Personal
32 Responsibility and Work Opportunity Reconciliation
33 Act of 1996, Pub. L. No. 104-193, and successor
34 legislation, and from moneys received under the
35 emergency contingency fund for temporary assistance
36 for needy families state program established pursuant
37 to the federal American Recovery and Reinvestment
38 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
39 legislation, the following amounts, or so much
40 thereof as is necessary, to be used for the purposes
41 designated:

42 1. To be credited to the family investment program
43 account and used for assistance under the family
44 investment program under chapter 239B:

45 \$ 10,750,369
46 19,790,365

47 2. To be credited to the family investment program
48 account and used for the job opportunities and
49 basic skills (JOBS) program and implementing family
50 investment agreements in accordance with chapter 239B:

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1 \$ 6,205,764

2 12,411,528

3 3. To be used for the family development and
4 self-sufficiency grant program in accordance with
5 section 216A.107:

6 \$ 1,449,490

7 2,898,980

8 Notwithstanding section 8.33, moneys appropriated in
9 this subsection that remain unencumbered or unobligated
10 at the close of the fiscal year shall not revert but
11 shall remain available for expenditure for the purposes
12 designated until the close of the succeeding fiscal
13 year. However, unless such moneys are encumbered or
14 obligated on or before September 30, 2013, the moneys
15 shall revert.

16 4. For field operations:

17 \$ 15,648,116

18 31,296,232

19 5. For general administration:

20 \$ 1,872,000

21 3,744,000

22 6. For state child care assistance:

23 \$ 8,191,343

24 16,382,687

25 The funds appropriated in this subsection shall be
26 transferred to the child care and development block
27 grant appropriation made pursuant to 2011 Iowa Acts,
28 chapter 126, section 32, by the Eighty-fourth General
29 Assembly, ~~2012~~ 2011 Session, for the federal fiscal
30 year beginning October 1, 2012, and ending September
31 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall
32 be used for provision of educational opportunities
33 to registered child care home providers in order to
34 improve services and programs offered by this category
35 of providers and to increase the number of providers.
36 The department may contract with institutions of higher
37 education or child care resource and referral centers
38 to provide the educational opportunities. Allowable
39 administrative costs under the contracts shall not
40 exceed 5 percent. The application for a grant shall
41 not exceed two pages in length.

42 7. For distribution to counties for state case
43 services for persons with mental health and illness,
44 an intellectual disability, or a developmental
45 disabilities community services disability in
46 accordance with section 331.440:

47 \$ 2,447,026

48 4,894,052

49 8. For child and family services:

50 \$ 16,042,215

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1 32,084,430

2 9. For child abuse prevention grants:

3 \$ 62,500

4 125,000

5 10. For pregnancy prevention grants ~~on the~~
6 ~~condition that family planning services are funded:~~

7 \$ 965,033

8 1,930,067

9 Pregnancy prevention grants shall be awarded to
10 programs in existence on or before July 1, 2012, if the
11 programs have demonstrated positive outcomes. Grants
12 shall be awarded to pregnancy prevention programs
13 which are developed after July 1, 2012, if the programs
14 are based on existing models that have demonstrated
15 positive outcomes. Grants shall comply with the
16 requirements provided in 1997 Iowa Acts, chapter
17 208, section 14, subsections 1 and 2, including the
18 requirement that grant programs must emphasize sexual
19 abstinence. Priority in the awarding of grants shall
20 be given to programs that serve areas of the state
21 which demonstrate the highest percentage of unplanned
22 pregnancies of females of childbearing age within the
23 geographic area to be served by the grant.

24 11. For technology needs and other resources
25 necessary to meet federal welfare reform reporting,
26 tracking, and case management requirements:

27 \$ 518,593

28 1,037,186

29 12. To be credited to the state child care
30 assistance appropriation made in this section to be
31 used for funding of community-based early childhood
32 programs targeted to children from birth through five
33 years of age developed by early childhood Iowa areas as
34 provided in section 256I.11:

35 \$ 3,175,000

36 6,350,000

37 The department shall transfer TANF block grant
38 funding appropriated and allocated in this subsection
39 to the child care and development block grant
40 appropriation in accordance with federal law as
41 necessary to comply with the provisions of this
42 subsection.

43 13. a. Notwithstanding any provision to the
44 contrary, including but not limited to requirements
45 in section 8.41 or provisions in 2011 or 2012 Iowa
46 Acts regarding the receipt and appropriation of
47 federal block grants, federal funds from the ~~emergency~~
48 ~~contingency fund~~ for temporary assistance for needy
49 families ~~state program established pursuant to the~~
50 ~~federal American Recovery and Reinvestment Act of 2009,~~

1 ~~Pub. L. No. 111-5 § 2101, block grant~~ received by the
 2 state during the fiscal year beginning July 1, 2011,
 3 ~~and ending June 30, 2012~~, not otherwise appropriated
 4 in this section and remaining available ~~as of for~~
 5 ~~the fiscal year beginning July 1, 2012, and received~~
 6 ~~by the state during the fiscal year beginning July~~
 7 ~~1, 2012, and ending June 30, 2013~~, are appropriated
 8 ~~to the department of human services~~ to the extent as
 9 may be necessary to be used in the following priority
 10 order: the family investment program for the fiscal
 11 year and for state child care assistance program
 12 payments for individuals enrolled in the family
 13 investment program who are employed. The federal funds
 14 appropriated in this paragraph "a" shall be expended
 15 only after all other funds appropriated in subsection 1
 16 for the assistance under the family investment program
 17 under chapter 239B have been expended.

18 b. The department shall, on a quarterly basis,
 19 advise the legislative services agency and department
 20 of management of the amount of funds appropriated in
 21 this subsection that was expended in the prior quarter.

22 14. Of the amounts appropriated in this section,
 23 ~~\$6,481,004~~ ~~\$12,962,008~~ for the fiscal year beginning
 24 July 1, 2012, shall be transferred to the appropriation
 25 of the federal social services block grant made for
 26 that fiscal year.

27 15. For continuation of the program allowing the
 28 department to maintain categorical eligibility for the
 29 food assistance program as required under the section
 30 of this division relating to the family investment
 31 account:

32	\$	73,036
33		25,000

34 16. The department may transfer funds allocated
 35 in this section to the appropriations made in this
 36 division of this Act for general administration and
 37 field operations for resources necessary to implement
 38 and operate the services referred to in this section
 39 and those funded in the appropriation made in this
 40 division of this Act for the family investment program
 41 from the general fund of the state.

42 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
 43 is amended to read as follows:

44 **SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.**

45 1. Moneys credited to the family investment program
 46 (FIP) account for the fiscal year beginning July
 47 1, 2012, and ending June 30, 2013, shall be used to
 48 provide assistance in accordance with chapter 239B.

49 2. The department may use a portion of the moneys
 50 credited to the FIP account under this section as

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1 necessary for salaries, support, maintenance, and
 2 miscellaneous purposes.

3 3. The department may transfer funds allocated in
 4 this section to the appropriations in this division
 5 of this Act for general administration and field
 6 operations for resources necessary to implement and
 7 operate the services referred to in this section and
 8 those funded in the appropriation made in this division
 9 of this Act for the family investment program from the
 10 general fund of the state.

11 4. Moneys appropriated in this division of this Act
 12 and credited to the FIP account for the fiscal year
 13 beginning July 1, 2012, and ending June 30, 2013, are
 14 allocated as follows:

15 a. To be retained by the department of human
 16 services to be used for coordinating with the
 17 department of human rights to more effectively serve
 18 participants in the FIP program and other shared
 19 clients and to meet federal reporting requirements
 20 under the federal temporary assistance for needy
 21 families block grant:

22 \$ 10,000
 23 20,000

24 b. To the department of human rights for staffing,
 25 administration, and implementation of the family
 26 development and self-sufficiency grant program in
 27 accordance with section 216A.107:

28 \$ 2,671,417
 29 5,342,834

30 (1) Of the funds allocated for the family
 31 development and self-sufficiency grant program in this
 32 lettered paragraph, not more than 5 percent of the
 33 funds shall be used for the administration of the grant
 34 program.

35 (2) The department of human rights may continue to
 36 implement the family development and self-sufficiency
 37 grant program statewide during fiscal year 2012-2013.

38 c. For the diversion subaccount of the FIP account:

39 \$ 849,200
 40 1,698,400

41 A portion of the moneys allocated for the subaccount
 42 may be used for field operations salaries, data
 43 management system development, and implementation
 44 costs and support deemed necessary by the director of
 45 human services in order to administer the FIP diversion
 46 program.

47 d. For the food stamp employment and training
 48 program:

49 \$ 33,294
 50 66,588

1 (1) The department shall amend the food stamp
 2 employment and training state plan in order to maximize
 3 to the fullest extent permitted by federal law the
 4 use of the 50-50 match provisions for the claiming
 5 of allowable federal matching funds from the United
 6 States department of agriculture pursuant to the
 7 federal food stamp employment and training program for
 8 providing education, employment, and training services
 9 for eligible food assistance program participants,
 10 including but not limited to related dependent care and
 11 transportation expenses.

12 (2) The department shall continue the categorical
 13 federal food assistance program eligibility at 160
 14 percent of the federal poverty level and continue to
 15 eliminate the asset test from eligibility requirements,
 16 consistent with federal food assistance program
 17 requirements. The department shall include as many
 18 food assistance households as is allowed by federal
 19 law. The eligibility provisions shall conform to all
 20 federal requirements including requirements addressing
 21 individuals who are incarcerated or otherwise
 22 ineligible.

23 e. For the JOBS program:
 24 \$ ~~10,117,952~~
 25 20,235,905

26 5. Of the child support collections assigned under
 27 FIP, an amount equal to the federal share of support
 28 collections shall be credited to the child support
 29 recovery appropriation made in this division of this
 30 Act. Of the remainder of the assigned child support
 31 collections received by the child support recovery
 32 unit, a portion shall be credited to the FIP account,
 33 a portion may be used to increase recoveries, and a
 34 portion may be used to sustain cash flow in the child
 35 support payments account. If as a consequence of the
 36 appropriations and allocations made in this section
 37 the resulting amounts are insufficient to sustain
 38 cash assistance payments and meet federal maintenance
 39 of effort requirements, the department shall seek
 40 supplemental funding. If child support collections
 41 assigned under FIP are greater than estimated or are
 42 otherwise determined not to be required for maintenance
 43 of effort, the state share of either amount may be
 44 transferred to or retained in the child support payment
 45 account.

46 6. The department may adopt emergency rules for
 47 the family investment, JOBS, food stamp, and medical
 48 assistance programs if necessary to comply with federal
 49 requirements.

50 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,

1 is amended to read as follows:

2 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL

3 FUND. There is appropriated from the general fund of
 4 the state to the department of human services 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 purpose designated:

8 To be credited to the family investment program
 9 (FIP) account and used for family investment program
 10 assistance under chapter 239B:

11 \$ ~~25,085,513~~

12 45,286,573

13 1. Of the funds appropriated in this section,
 14 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
 15 program.

16 2. Of the funds appropriated in this section,
 17 ~~\$1,231,927~~ \$2,463,854 is allocated for the family
 18 development and self-sufficiency grant program.

19 3. Notwithstanding section 8.39, for the fiscal
 20 year beginning July 1, 2012, if necessary to meet
 21 federal maintenance of effort requirements or to
 22 transfer federal temporary assistance for needy
 23 families block grant funding to be used for purposes
 24 of the federal social services block grant or to meet
 25 cash flow needs resulting from delays in receiving
 26 federal funding or to implement, in accordance with
 27 this division of this Act, activities currently funded
 28 with juvenile court services, county, or community
 29 moneys and state moneys used in combination with such
 30 moneys, the department of human services may transfer
 31 funds within or between any of the appropriations made
 32 in this division of this Act and appropriations in law
 33 for the federal social services block grant to the
 34 department for the following purposes, provided that
 35 the combined amount of state and federal temporary
 36 assistance for needy families block grant funding for
 37 each appropriation remains the same before and after
 38 the transfer:

- 39 a. For the family investment program.
- 40 b. For child care assistance.
- 41 c. For child and family services.
- 42 d. For field operations.
- 43 e. For general administration.
- 44 f. ~~MH/MR/DD/BI community services (local purchase).~~
 45 For distribution to counties for state case services
 46 for persons with mental illness, an intellectual
 47 disability, or a developmental disability in accordance
 48 with section 331.440.

49 This subsection shall not be construed to prohibit
 50 the use of existing state transfer authority for other

1 purposes. The department shall report any transfers
2 made pursuant to this subsection to the legislative
3 services agency.

4 4. Of the funds appropriated in this section,
5 ~~\$97,839~~ \$195,678 shall be used for continuation of a
6 grant to an Iowa-based nonprofit organization with a
7 history of providing tax preparation assistance to
8 low-income Iowans in order to expand the usage of the
9 earned income tax credit. The purpose of the grant is
10 to supply this assistance to underserved areas of the
11 state.

12 5. The amount appropriated in this section reflects
13 a reduction in expenditures for office supplies,
14 purchases of equipment, office equipment, printing and
15 binding, and marketing, that shall be applied equitably
16 to the programs under this section.

17 6. The department may transfer funds appropriated
18 in this section to the appropriations made in this
19 division of this Act for general administration and
20 field operations as necessary to administer this
21 section and the overall family investment program.

22 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
23 is amended to read as follows:

24 SEC. 120. CHILD SUPPORT RECOVERY. 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, 2012, and ending June 30, 2013, the
28 following amount, or so much thereof as is necessary,
29 to be used for the purposes designated:

30 For child support recovery, including salaries,
31 support, maintenance, and miscellaneous purposes, and
32 for not more than the following full-time equivalent
33 positions:

34	\$	6,559,627
35		12,549,560
36	FTEs	475.00

37 1. The department shall expend up to ~~\$12,164~~
38 ~~\$24,329~~, including federal financial participation, for
39 the fiscal year beginning July 1, 2012, for a child
40 support public awareness campaign. The department and
41 the office of the attorney general shall cooperate in
42 continuation of the campaign. The public awareness
43 campaign shall emphasize, through a variety of media
44 activities, the importance of maximum involvement of
45 both parents in the lives of their children as well as
46 the importance of payment of child support obligations.

47 2. Federal access and visitation grant moneys shall
48 be issued directly to private not-for-profit agencies
49 that provide services designed to increase compliance
50 with the child access provisions of court orders,

1 including but not limited to neutral visitation sites
2 and mediation services.

3 3. The appropriation made to the department for
4 child support recovery may be used throughout the
5 fiscal year in the manner necessary for purposes of
6 cash flow management, and for cash flow management
7 purposes the department may temporarily draw more
8 than the amount appropriated, provided the amount
9 appropriated is not exceeded at the close of the fiscal
10 year.

11 4. With the exception of the funding amount
12 specified, the requirements established under 2001
13 Iowa Acts, chapter 191, section 3, subsection 5,
14 paragraph "c", subparagraph (3), shall be applicable
15 to parental obligation pilot projects for the fiscal
16 year beginning July 1, 2012, and ending June 30,
17 2013. Notwithstanding 441 IAC 100.8, providing for
18 termination of rules relating to the pilot projects,
19 the rules shall remain in effect until June 30, 2013.

20 5. The amount appropriated in this section reflects
21 a reduction in expenditures for office supplies,
22 purchases of equipment, office equipment, printing and
23 binding, and marketing.

24 MEDICAL ASSISTANCE PROGRAM

25 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
26 unnumbered paragraph 2, is amended to read as follows:

27 For medical assistance program reimbursement and
28 associated costs as specifically provided in the
29 reimbursement methodologies in effect on June 30,
30 2012, except as otherwise expressly authorized by
31 law, and consistent with options under federal law and
32 regulations:

33 ~~\$914,993,421~~
34 950,526,658

35 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

36 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
37 subsection 11, paragraph a, unnumbered paragraph 1, is
38 amended to read as follows:

39 Of the funds appropriated in this section,
40 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
41 match for a disproportionate share hospital payment
42 of \$19,133,430 to hospitals that meet both of the
43 conditions specified in subparagraphs (1) and (2).
44 In addition, the hospitals that meet the conditions
45 specified shall either certify public expenditures
46 or transfer to the medical assistance program an
47 amount equal to provide the nonfederal share for a
48 disproportionate share hospital payment of \$7,500,000.
49 The hospitals that meet the conditions specified
50 shall receive and retain 100 percent of the total

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1 disproportionate share hospital payment of \$26,633,430.

2 MEDICAL ASSISTANCE — IOWACARE TRANSFER

3 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
4 subsection 13, is amended to read as follows:

5 13. Of the funds appropriated in this section,
6 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the
7 IowaCare account created in section 249J.24.

8 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

9 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
10 subsection 20, paragraphs a and d, are amended to read
11 as follows:

12 a. The department may continue to implement cost
13 containment strategies recommended by the governor, ~~and~~
14 for the fiscal year beginning July 1, 2011, and shall
15 implement new strategies for the fiscal year beginning
16 July 1, 2012, as specified in this division of this
17 2012 Act. It is the intent of the general assembly
18 that the cost containment strategies are implemented
19 only to the extent necessary to achieve projected
20 savings. The department may adopt emergency rules for
21 such implementation.

22 d. If the savings to the medical assistance program
23 for the fiscal year beginning July 1, 2012, exceed
24 the cost, the department may transfer any savings
25 generated for the fiscal year due to medical assistance
26 program cost containment efforts initiated pursuant
27 to 2010 Iowa Acts, chapter 1031, Executive Order No.
28 20, issued December 16, 2009, or cost containment
29 strategies initiated pursuant to this subsection, to
30 the appropriation made in this division of this Act
31 for medical contracts or general administration to
32 defray the increased contract costs associated with
33 implementing such efforts.

34 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
35 is amended by adding the following new subsections:

36 NEW SUBSECTION. 23. The department shall align
37 reimbursement for prescription drugs administered by a
38 physician to be equivalent to the reimbursement for the
39 same prescription drug when dispensed by a pharmacy.

40 NEW SUBSECTION. 24. The department shall implement
41 a hospital inpatient reimbursement policy to provide
42 for the combining of an original claim for an inpatient
43 stay with a claim for a subsequent inpatient stay when
44 the patient is admitted within seven days of discharge
45 from the original hospital stay for the same condition.

46 NEW SUBSECTION. 25. The department shall
47 transition payment for and administration of services
48 provided by psychiatric medical institutions for
49 children to the Iowa plan.

50 NEW SUBSECTION. 26. The department shall adjust

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1 medical assistance reimbursement rates for physician
2 services by applying a site-of-service differential to
3 reflect the difference between the cost of physician
4 services when provided in a health facility setting
5 and the cost of physician services when provided in a
6 physician's office. The adjustment shall be applied
7 in a manner that does not exceed \$1 million in medical
8 assistance program cost savings annually.

9 NEW SUBSECTION. 27. The amount appropriated in
10 this section reflects a reduction in expenditures
11 for office supplies, purchases of equipment, office
12 equipment, printing and binding, and marketing, that
13 shall be applied equitably to the programs under this
14 section.

15 **MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH**
16 **DISABILITIES**

17 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
18 is amended by adding the following new subsection:

19 NEW SUBSECTION. 28. The department of human
20 services shall adopt rules for the Medicaid for
21 employed people with disabilities program to provide
22 that until such time as the department adopts
23 rules, annually, to implement the most recently
24 revised poverty guidelines published by the United
25 States department of health and human services, the
26 calculation of gross income eligibility and premium
27 amounts shall not include any increase in unearned
28 income attributable to a social security cost-of-living
29 adjustment for an individual or member of the
30 individual's family whose unearned income is included
31 in such calculation.

32 **OUTPATIENT CLINICAL SERVICE FOR CHILDREN**

33 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
34 is amended by adding the following new subsection:

35 NEW SUBSECTION. 29. a. Of the funds appropriated
36 in this section, not more than \$50,000 shall be used
37 to provide cost-based reimbursement for 100 percent
38 of the reasonable costs for provision of outpatient
39 clinical services for children who are recipients
40 of medical assistance. In order to be eligible for
41 reimbursement under this subsection, a provider shall
42 be an accredited, nonprofit agency that meets all of
43 the following criteria on or before January 1, 2012:

44 (1) Provides clinical outpatient services to
45 children of whom at least 60 percent are recipients of
46 medical assistance.

47 (2) Provides inpatient services licensed under
48 chapter 135H, outpatient services, psychiatric
49 and psychological services, and behavioral health
50 intervention services for children.

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1 (3) Directly employs a full-time psychiatrist,
2 psychologist, and licensed therapist.
3 b. The department of human services shall seek
4 federal approval to amend the medical assistance
5 program state plan and shall amend the contract with
6 the department's managed care contractor for behavioral
7 health services under the medical assistance program to
8 provide reimbursement as specified in this subsection.
9 Implementation of this subsection is contingent
10 upon receipt of such federal approval and total
11 reimbursements are limited to the funding allocated
12 under this subsection.
13 c. For the purposes of this subsection, "outpatient
14 services" means psychiatric care, psychological care,
15 and treatment services, but does not include behavioral
16 health intervention services or child welfare
17 services as defined for existing providers under the
18 department's managed care contract for behavioral
19 health services.

20 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

21 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,
22 is amended by adding the following new subsection:
23 **NEW SUBSECTION.** 30. The funds received through
24 participation in the medical assistance state balancing
25 incentive payments program created pursuant to section
26 10202 of the federal Patient Protection and Affordable
27 Care Act of 2010, Pub. L. No. 111-148 (2010), as
28 amended by the federal Health Care and Education
29 Reconciliation Act of 2010, Pub. L. No. 111-152,
30 shall be used by the department of human services to
31 comply with the requirements of the program including
32 developing a no wrong door single entry point system;
33 providing a conflict-free case management system;
34 providing core standardized assessment instruments;
35 complying with data collection requirements relating to
36 services, quality, and outcomes; meeting the applicable
37 target spending percentage required under the program
38 to rebalance long-term care spending under the medical
39 assistance program between home and community-based
40 services and institution-based services; and for new or
41 expanded medical assistance program non-institutionally
42 based long-term care services and supports.

43 Sec. 17. 2011 Iowa Acts, chapter 129, section 123,
44 is amended to read as follows:

45 SEC. 123. MEDICAL CONTRACTS. There is appropriated
46 from the general fund of the state to the department of
47 human services for the fiscal year beginning July 1,
48 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

1 For medical contracts:
 2 \$ ~~5,453,728~~
 3 7,117,155

4 1. The department of inspections and appeals
 5 shall provide all state matching funds for survey and
 6 certification activities performed by the department
 7 of inspections and appeals. The department of human
 8 services is solely responsible for distributing the
 9 federal matching funds for such activities.

10 2. Of the funds appropriated in this section,
 11 ~~\$25,000~~ \$50,000 shall be used for continuation of home
 12 and community-based services waiver quality assurance
 13 programs, including the review and streamlining of
 14 processes and policies related to oversight and quality
 15 management to meet state and federal requirements.

16 3. Of the amount appropriated in this section, up
 17 to \$200,000 may be transferred to the appropriation for
 18 general administration in this division of this Act to
 19 be used for additional full-time equivalent positions
 20 in the development of key health initiatives such as
 21 cost containment, development and oversight of managed
 22 care programs, and development of health strategies
 23 targeted toward improved quality and reduced costs in
 24 the Medicaid program.

25 4. The amount appropriated in this section reflects
 26 a reduction in expenditures for office supplies,
 27 purchases of equipment, office equipment, printing and
 28 binding, and marketing budgeted for under this section.

29 Sec. 18. 2011 Iowa Acts, chapter 129, section 124,
 30 is amended to read as follows:

31 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

32 1. There is appropriated from the general fund of
 33 the state to the department of human services for the
 34 fiscal year beginning July 1, 2012, and ending June 30,
 35 2013, the following amount, or so much thereof as is
 36 necessary, to be used for the purpose designated:

37 For the state supplementary assistance program:
 38 \$ ~~8,425,373~~
 39 15,450,747

40 2. The department shall increase the personal needs
 41 allowance for residents of residential care facilities
 42 by the same percentage and at the same time as federal
 43 supplemental security income and federal social
 44 security benefits are increased due to a recognized
 45 increase in the cost of living. The department may
 46 adopt emergency rules to implement this subsection.

47 3. If during the fiscal year beginning July 1,
 48 2012, the department projects that state supplementary
 49 assistance expenditures for a calendar year will not
 50 meet the federal pass-through requirement specified

1 in Tit. XVI of the federal Social Security Act,
 2 section 1618, as codified in 42 U.S.C. § 1382g,
 3 the department may take actions including but not
 4 limited to increasing the personal needs allowance
 5 for residential care facility residents and making
 6 programmatic adjustments or upward adjustments of the
 7 residential care facility or in-home health-related
 8 care reimbursement rates prescribed in this division of
 9 this Act to ensure that federal requirements are met.
 10 In addition, the department may make other programmatic
 11 and rate adjustments necessary to remain within the
 12 amount appropriated in this section while ensuring
 13 compliance with federal requirements. The department
 14 may adopt emergency rules to implement the provisions
 15 of this subsection.

16 Sec. 19. 2011 Iowa Acts, chapter 129, section 125,
 17 is amended to read as follows:

18 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

19 1. There is appropriated from the general fund of
 20 the state to the department of human services for the
 21 fiscal year beginning July 1, 2012, and ending June 30,
 22 2013, the following amount, or so much thereof as is
 23 necessary, to be used for the purpose designated:

24 For maintenance of the healthy and well kids in Iowa
 25 (hawk-i) program pursuant to chapter 514I, including
 26 supplemental dental services, for receipt of federal
 27 financial participation under Tit. XXI of the federal
 28 Social Security Act, which creates the children's
 29 health insurance program:

30 \$ ~~16,403,051~~
 31 36,806,102

32 2. Of the funds appropriated in this section,
 33 ~~\$64,475~~ \$141,450 is allocated for continuation of the
 34 contract for outreach with the department of public
 35 health.

36 Sec. 20. 2011 Iowa Acts, chapter 129, section 126,
 37 is amended to read as follows:

38 SEC. 126. CHILD CARE ASSISTANCE. There is
 39 appropriated from the general fund of the state to
 40 the department of human services for the fiscal year
 41 beginning July 1, 2012, and ending June 30, 2013, the
 42 following amount, or so much thereof as is necessary,
 43 to be used for the purpose designated:

44 For child care programs:

45 \$ ~~26,618,831~~
 46 61,064,552

47 1. Of the funds appropriated in this section,
 48 ~~\$25,948,041~~ \$59,695,125 shall be used for state child
 49 care assistance in accordance with section 237A.13.

50 2. Nothing in this section shall be construed or

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1 is intended as or shall imply a grant of entitlement
2 for services to persons who are eligible for assistance
3 due to an income level consistent with the waiting
4 list requirements of section 237A.13. Any state
5 obligation to provide services pursuant to this section
6 is limited to the extent of the funds appropriated in
7 this section.

8 3. Of the funds appropriated in this section,
9 ~~\$216,226~~ \$432,453 is allocated for the statewide
10 program for child care resource and referral services
11 under section 237A.26. A list of the registered and
12 licensed child care facilities operating in the area
13 served by a child care resource and referral service
14 shall be made available to the families receiving state
15 child care assistance in that area.

16 4. Of the funds appropriated in this section,
17 ~~\$468,487~~ \$936,974 is allocated for child care quality
18 improvement initiatives including but not limited to
19 the voluntary quality rating system in accordance with
20 section 237A.30.

21 5. The department may use any of the funds
22 appropriated in this section as a match to obtain
23 federal funds for use in expanding child care
24 assistance and related programs. For the purpose of
25 expenditures of state and federal child care funding,
26 funds shall be considered obligated at the time
27 expenditures are projected or are allocated to the
28 department's service areas. Projections shall be based
29 on current and projected caseload growth, current and
30 projected provider rates, staffing requirements for
31 eligibility determination and management of program
32 requirements including data systems management,
33 staffing requirements for administration of the
34 program, contractual and grant obligations and any
35 transfers to other state agencies, and obligations for
36 decategorization or innovation projects.

37 6. A portion of the state match for the federal
38 child care and development block grant shall be
39 provided as necessary to meet federal matching
40 funds requirements through the state general fund
41 appropriation made for child development grants and
42 other programs for at-risk children in section 279.51.

43 7. If a uniform reduction ordered by the governor
44 under section 8.31 or other operation of law,
45 transfer, or federal funding reduction reduces the
46 appropriation made in this section for the fiscal year,
47 the percentage reduction in the amount paid out to or
48 on behalf of the families participating in the state
49 child care assistance program shall be equal to or
50 less than the percentage reduction made for any other

1 purpose payable from the appropriation made in this
 2 section and the federal funding relating to it. The
 3 percentage reduction to the other allocations made in
 4 this section shall be the same as the uniform reduction
 5 ordered by the governor or the percentage change of the
 6 federal funding reduction, as applicable. If there is
 7 an unanticipated increase in federal funding provided
 8 for state child care assistance, the entire amount
 9 of the increase shall be used for state child care
 10 assistance payments. If the appropriations made for
 11 purposes of the state child care assistance program for
 12 the fiscal year are determined to be insufficient, it
 13 is the intent of the general assembly to appropriate
 14 sufficient funding for the fiscal year in order to
 15 avoid establishment of waiting list requirements.

16 8. Notwithstanding section 8.33, moneys
 17 appropriated in this section or advanced for purposes
 18 of the programs developed by early childhood Iowa
 19 areas, advanced for purposes of wraparound child care,
 20 or received from the federal appropriations made for
 21 the purposes of this section that remain unencumbered
 22 or unobligated at the close of the fiscal year shall
 23 not revert to any fund but shall remain available for
 24 expenditure for the purposes designated until the close
 25 of the succeeding fiscal year.

26 9. The amount appropriated in this section reflects
 27 a reduction in expenditures for office supplies,
 28 purchases of equipment, office equipment, printing and
 29 binding, and marketing, that shall be applied equitably
 30 to the programs under this section.

31 Sec. 21. 2011 Iowa Acts, chapter 129, section 127,
 32 is amended to read as follows:

33 SEC. 127. JUVENILE INSTITUTIONS. 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, 2012, and ending June 30, 2013, the
 37 following amounts, or so much thereof as is necessary,
 38 to be used for the purposes designated:

- 39 1. For operation of the Iowa juvenile home at
 40 Toledo and for salaries, support, maintenance, and
 41 miscellaneous purposes, and for not more than the
 42 following full-time equivalent positions:
 43 \$ 4,129,125
 44 8,297,765
 45 FTEs 114.00

46 The amount appropriated in this subsection reflects
 47 a reduction in expenditures for office supplies,
 48 purchases of equipment, office equipment, printing
 49 and binding, and marketing budgeted for under this
 50 subsection.

1 2. For operation of the state training school at
2 Eldora and for salaries, support, maintenance, and
3 miscellaneous purposes, and for not more than the
4 following full-time equivalent positions:

5 \$ ~~5,319,338~~
6 10,680,143
7 FTEs 164.30

8 a. Of the funds appropriated in this subsection,
9 ~~\$45,575~~ \$91,150 shall be used for distribution
10 to licensed classroom teachers at this and other
11 institutions under the control of the department of
12 human services based upon the average student yearly
13 enrollment at each institution as determined by the
14 department.

15 b. The amount appropriated in this subsection
16 reflects a reduction in expenditures for office
17 supplies, purchases of equipment, office equipment,
18 printing and binding, and marketing budgeted for under
19 this subsection.

20 3. A portion of the moneys appropriated in this
21 section shall be used by the state training school and
22 by the Iowa juvenile home for grants for adolescent
23 pregnancy prevention activities at the institutions in
24 the fiscal year beginning July 1, 2012.

25 Sec. 22. 2011 Iowa Acts, chapter 129, section 128,
26 is amended to read as follows:

27 SEC. 128. CHILD AND FAMILY SERVICES.

28 1. There is appropriated from the general fund of
29 the state to the department of human services for the
30 fiscal year beginning July 1, 2012, and ending June 30,
31 2013, the following amount, or so much thereof as is
32 necessary, to be used for the purpose designated:

33 For child and family services:
34 \$ ~~41,415,081~~
35 79,721,886

36 2. In order to address a reduction of \$5,200,000
37 from the amount allocated under the appropriation made
38 for the purposes of this section in prior years for
39 purposes of juvenile delinquent graduated sanction
40 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
41 federal temporary assistance for needy families block
42 grant funding appropriated in this division of this Act
43 for child and family services shall be made available
44 for purposes of juvenile delinquent graduated sanction
45 services.

46 3. The department may transfer funds appropriated
47 in this section as necessary to pay the nonfederal
48 costs of services reimbursed under the medical
49 assistance program, state child care assistance
50 program, or the family investment program which are

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1 provided to children who would otherwise receive
2 services paid under the appropriation in this section.
3 The department may transfer funds appropriated in this
4 section to the appropriations made in this division
5 of this Act for general administration and for field
6 operations for resources necessary to implement and
7 operate the services funded in this section. The
8 department may transfer funds appropriated in this
9 section to the appropriation made in this division of
10 this Act for adoption subsidy to support the adjustment
11 in reimbursement rates for specified child welfare
12 providers as provided in this 2012 Act.

13 4. a. Of the funds appropriated in this section,
14 up to ~~\$15,084,564~~ ~~\$30,837,098~~ is allocated as the
15 statewide expenditure target under section 232.143
16 for group foster care maintenance and services. If
17 the department projects that such expenditures for
18 the fiscal year will be less than the target amount
19 allocated in this lettered paragraph, the department
20 may reallocate the excess to provide additional
21 funding for shelter care or the child welfare emergency
22 services addressed with the allocation for shelter
23 care.

24 b. If at any time after September 30, 2012,
25 annualization of a service area's current expenditures
26 indicates a service area is at risk of exceeding its
27 group foster care expenditure target under section
28 232.143 by more than 5 percent, the department and
29 juvenile court services shall examine all group
30 foster care placements in that service area in order
31 to identify those which might be appropriate for
32 termination. In addition, any aftercare services
33 believed to be needed for the children whose
34 placements may be terminated shall be identified. The
35 department and juvenile court services shall initiate
36 action to set dispositional review hearings for the
37 placements identified. In such a dispositional review
38 hearing, the juvenile court shall determine whether
39 needed aftercare services are available and whether
40 termination of the placement is in the best interest of
41 the child and the community.

42 5. In accordance with the provisions of section
43 232.188, the department shall continue the child
44 welfare and juvenile justice funding initiative during
45 fiscal year 2012-2013. Of the funds appropriated
46 in this section, ~~\$858,876~~ ~~\$1,717,753~~ is allocated
47 specifically for expenditure for fiscal year 2012-2013
48 through the decategorization service funding pools
49 and governance boards established pursuant to section
50 232.188.

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1 6. A portion of the funds appropriated in this
2 section may be used for emergency family assistance
3 to provide other resources required for a family
4 participating in a family preservation or reunification
5 project or successor project to stay together or to be
6 reunified.

7 7. Notwithstanding section 234.35 or any other
8 provision of law to the contrary, state funding for
9 shelter care and the child welfare emergency services
10 contracting implemented to provide for or prevent the
11 need for shelter care shall be limited to ~~\$3,585,058~~
12 \$6,470,116. The department may continue or execute
13 contracts that result from the department's request for
14 proposal, bid number ACFS-11-114, to provide the range
15 of child welfare emergency services described in the
16 request for proposals, and any subsequent amendments to
17 the request for proposals.

18 8. Federal funds received by the state during
19 the fiscal year beginning July 1, 2012, as the
20 result of the expenditure of state funds appropriated
21 during a previous state fiscal year for a service or
22 activity funded under this section are appropriated
23 to the department to be used as additional funding
24 for services and purposes provided for under this
25 section. Notwithstanding section 8.33, moneys
26 received in accordance with this subsection that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert to any fund but shall remain
29 available for the purposes designated until the close
30 of the succeeding fiscal year.

31 ~~9. Of the funds appropriated in this section, at
32 least \$1,848,142 shall be used for protective child
33 care assistance.~~

34 10. a. Of the funds appropriated in this section,
35 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the
36 payment of the expenses of court-ordered services
37 provided to juveniles who are under the supervision of
38 juvenile court services, which expenses are a charge
39 upon the state pursuant to section 232.141, subsection
40 4. Of the amount allocated in this lettered paragraph,
41 up to ~~\$778,143~~ \$1,556,287 shall be made available
42 to provide school-based supervision of children
43 adjudicated under chapter 232, of which not more than
44 ~~\$7,500~~ \$15,000 may be used for the purpose of training.
45 A portion of the cost of each school-based liaison
46 officer shall be paid by the school district or other
47 funding source as approved by the chief juvenile court
48 officer.

49 b. Of the funds appropriated in this section, up to
50 ~~\$374,492~~ \$748,985 is allocated for the payment of the

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1 expenses of court-ordered services provided to children
2 who are under the supervision of the department,
3 which expenses are a charge upon the state pursuant to
4 section 232.141, subsection 4.

5 c. Notwithstanding section 232.141 or any other
6 provision of law to the contrary, the amounts allocated
7 in this subsection shall be distributed to the
8 judicial districts as determined by the state court
9 administrator and to the department's service areas as
10 determined by the administrator of the department's
11 division of child and family services. The state court
12 administrator and the division administrator shall make
13 the determination of the distribution amounts on or
14 before June 15, 2012.

15 d. Notwithstanding chapter 232 or any other
16 provision of law to the contrary, a district or
17 juvenile court shall not order any service which is
18 a charge upon the state pursuant to section 232.141
19 if there are insufficient court-ordered services
20 funds available in the district court or departmental
21 service area distribution amounts to pay for the
22 service. The chief juvenile court officer and the
23 departmental service area manager shall encourage use
24 of the funds allocated in this subsection such that
25 there are sufficient funds to pay for all court-related
26 services during the entire year. The chief juvenile
27 court officers and departmental service area managers
28 shall attempt to anticipate potential surpluses and
29 shortfalls in the distribution amounts and shall
30 cooperatively request the state court administrator
31 or division administrator to transfer funds between
32 the judicial districts' or departmental service areas'
33 distribution amounts as prudent.

34 e. Notwithstanding any provision of law to the
35 contrary, a district or juvenile court shall not order
36 a county to pay for any service provided to a juvenile
37 pursuant to an order entered under chapter 232 which
38 is a charge upon the state under section 232.141,
39 subsection 4.

40 f. Of the funds allocated in this subsection, not
41 more than ~~\$41,500~~ \$83,000 may be used by the judicial
42 branch for administration of the requirements under
43 this subsection.

44 g. Of the funds allocated in this subsection,
45 ~~\$8,500~~ \$17,000 shall be used by the department of human
46 services to support the interstate commission for
47 juveniles in accordance with the interstate compact for
48 juveniles as provided in section 232.173.

49 11. Of the funds appropriated in this section,
50 ~~\$2,961,301~~ \$5,922,602 is allocated for juvenile

1 delinquent graduated sanctions services. Any state
 2 funds saved as a result of efforts by juvenile court
 3 services to earn federal Tit. IV-E match for juvenile
 4 court services administration may be used for the
 5 juvenile delinquent graduated sanctions services.

6 12. Of the funds appropriated in this section,
 7 ~~\$494,142~~ \$1,088,285 shall be transferred to the
 8 department of public health to be used for the child
 9 protection center grant program in accordance with
 10 section 135.118. Of the amount allocated in this
 11 subsection, \$100,000 shall be used for a center for the
 12 Black Hawk county area.

13 13. If the department receives federal approval
 14 to implement a waiver under Tit. IV-E of the federal
 15 Social Security Act to enable providers to serve
 16 children who remain in the children's families and
 17 communities, for purposes of eligibility under the
 18 medical assistance program, children who participate in
 19 the waiver shall be considered to be placed in foster
 20 care.

21 14. Of the funds appropriated in this section,
 22 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
 23 for adult living program pursuant to section 234.46.

24 15. Of the funds appropriated in this section,
 25 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
 26 courts. The amount allocated in this subsection shall
 27 be distributed as follows:

28 To the judicial branch for salaries to assist with
 29 the operation of juvenile drug court programs operated
 30 in the following jurisdictions:

- 31 a. Marshall county:
- 32 \$ 31,354
- 33 62,708
- 34 b. Woodbury county:
- 35 \$ 62,841
- 36 125,682
- 37 c. Polk county:
- 38 \$ 97,946
- 39 195,892
- 40 d. The third judicial district:
- 41 \$ 33,967
- 42 67,934
- 43 e. The eighth judicial district:
- 44 \$ 33,967
- 45 67,934

46 16. Of the funds appropriated in this section,
 47 ~~\$113,668~~ \$227,337 shall be used for the public purpose
 48 of ~~providing~~ continuing a grant to a nonprofit human
 49 services organization providing services to individuals
 50 and families in multiple locations in southwest

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1 Iowa and Nebraska for support of a project providing
2 immediate, sensitive support and forensic interviews,
3 medical exams, needs assessments, and referrals for
4 victims of child abuse and their nonoffending family
5 members.

6 17. Of the funds appropriated in this section,
7 ~~\$62,795~~ \$125,590 is allocated for the ~~elevate foster~~
8 care youth council approach of providing a support
9 network to children placed in foster care.

10 18. Of the funds appropriated in this section,
11 ~~\$101,000~~ \$202,000 is allocated for use pursuant to
12 section 235A.1 for continuation of the initiative to
13 address child sexual abuse implemented pursuant to 2007
14 Iowa Acts, chapter 218, section 18, subsection 21.

15 19. Of the funds appropriated in this section,
16 ~~\$315,120~~ \$630,240 is allocated for the community
17 partnership for child protection sites.

18 20. Of the funds appropriated in this section,
19 ~~\$185,625~~ \$371,250 is allocated for the department's
20 minority youth and family projects under the redesign
21 of the child welfare system.

22 21. Of the funds appropriated in this section,
23 ~~\$600,247~~ \$1,436,595 is allocated for funding of the
24 ~~state match for~~ community circle of care collaboration
25 for children and youth in northeast Iowa, formerly
26 referred to as the federal substance abuse and mental
27 health services administration (SAMHSA) system of care
28 grant.

29 22. Of the funds appropriated in this section, at
30 least ~~\$73,579~~ \$147,158 shall be used for the child
31 welfare training academy.

32 23. Of the funds appropriated in this section,
33 ~~\$12,500~~ \$25,000 shall be used for the public purpose
34 of continuation of a grant to a child welfare services
35 provider headquartered in a county with a population
36 between 205,000 and 215,000 in the latest certified
37 federal census that provides multiple services
38 including but not limited to a psychiatric medical
39 institution for children, shelter, residential
40 treatment, after school programs, school-based
41 programming, and an Asperger's syndrome program, to
42 be used for support services for children with autism
43 spectrum disorder and their families.

44 24. Of the funds appropriated in this section
45 ~~\$125,000~~ \$327,947 shall be used for continuation of the
46 central Iowa system of care program grant through June
47 30, 2013.

48 25. Of the funds appropriated in this section,
49 ~~\$80,000~~ \$160,000 shall be used for the public
50 purpose of the continuation of a system of care

1 grant implemented in Cerro Gordo and Linn counties in
2 accordance with this Act in FY 2011-2012.

3 26. Of the funds appropriated in this section,
4 at least \$25,000 shall be used to continue and to
5 expand the foster care respite program in which
6 postsecondary students in social work and other human
7 services-related programs receive experience by
8 assisting family foster care providers with respite and
9 other support.

10 27. The amount appropriated in this section
11 reflects a reduction in expenditures for office
12 supplies, purchases of equipment, office equipment,
13 printing and binding, and marketing, and shall be
14 applied equitably to the programs under this section.

15 Sec. 23. 2011 Iowa Acts, chapter 129, section 129,
16 is amended to read as follows:

17 SEC. 129. ADOPTION SUBSIDY.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For adoption subsidy payments and services:
24 \$ 16,633,295
25 37,788,576

26 2. The department may transfer funds appropriated
27 in this section to the appropriation made in this
28 division of this Act for general administration
29 for costs paid from the appropriation relating to
30 adoption subsidy. The department may transfer funds
31 appropriated in this section to the appropriation
32 made in this division of this Act for child and family
33 services to support the adjustment in reimbursement
34 rates for specified child welfare providers as provided
35 in this 2012 Act.

36 3. Federal funds received by the state during the
37 fiscal year beginning July 1, 2012, as the result of
38 the expenditure of state funds during a previous state
39 fiscal year for a service or activity funded under
40 this section are appropriated to the department to
41 be used as additional funding for the services and
42 activities funded under this section. Notwithstanding
43 section 8.33, moneys received in accordance with this
44 subsection that remain unencumbered or unobligated at
45 the close of the fiscal year shall not revert to any
46 fund but shall remain available for expenditure for the
47 purposes designated until the close of the succeeding
48 fiscal year.

49 Sec. 24. 2011 Iowa Acts, chapter 129, section 131,
50 is amended to read as follows:

1 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

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, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is

6 necessary, to be used for the purpose designated:
7 For the family support subsidy program subject
8 to the enrollment restrictions in section 225C.37,
9 subsection 3:

10 \$ ~~583,999~~
11 1,096,784

12 2. The department shall use at least ~~\$192,750~~
13 \$385,500 of the moneys appropriated in this section
14 for the family support center component of the
15 comprehensive family support program under section
16 225C.47. Not more than ~~\$12,500~~ \$25,000 of the
17 amount allocated in this subsection shall be used for
18 administrative costs.

19 3. If at any time during the fiscal year, the
20 amount of funding available for the family support
21 subsidy program is reduced from the amount initially
22 used to establish the figure for the number of family
23 members for whom a subsidy is to be provided at any one
24 time during the fiscal year, notwithstanding section
25 225C.38, subsection 2, the department shall revise the
26 figure as necessary to conform to the amount of funding
27 available.

28 Sec. 25. 2011 Iowa Acts, chapter 129, section 132,
29 is amended to read as follows:

30 SEC. 132. CONNER DECREE. There is appropriated
31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purpose designated:

36 For building community capacity through the
37 coordination and provision of training opportunities
38 in accordance with the consent decree of Conner v.
39 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
40 \$ ~~16,811~~
41 33,622

42 Sec. 26. 2011 Iowa Acts, chapter 129, section 133,
43 is amended to read as follows:

44 SEC. 133. MENTAL HEALTH INSTITUTES. There is
45 appropriated from the general fund of the state to
46 the department of human services for the fiscal year
47 beginning July 1, 2012, and ending June 30, 2013, the
48 following amounts, or so much thereof as is necessary,
49 to be used for the purposes designated:

50 1. For the state mental health institute at

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1 Cherokee for salaries, support, maintenance, and
 2 miscellaneous purposes, and for not more than the
 3 following full-time equivalent positions:

4 \$ 2,938,654
 5 5,535,738
 6 FTEs 168.50

7 The amount appropriated in this subsection reflects
 8 a reduction in expenditures for office supplies,
 9 purchases of equipment, office equipment, printing and
 10 binding, and marketing under the purview of the mental
 11 health institute.

12 2. For the state mental health institute at
 13 Clarinda for salaries, support, maintenance, and
 14 miscellaneous purposes, and for not more than the
 15 following full-time equivalent positions:

16 \$ 3,205,867
 17 6,442,688
 18 FTEs 86.10

19 The amount appropriated in this subsection reflects
 20 a reduction in expenditures for office supplies,
 21 purchases of equipment, office equipment, printing and
 22 binding, and marketing under the purview of the mental
 23 health institute.

24 3. For the state mental health institute at
 25 Independence for salaries, support, maintenance, and
 26 miscellaneous purposes, and for not more than the
 27 following full-time equivalent positions:

28 \$ 5,137,842
 29 9,738,520
 30 FTEs 233.00

31 The amount appropriated in this subsection reflects
 32 a reduction in expenditures for office supplies,
 33 purchases of equipment, office equipment, printing and
 34 binding, and marketing under the purview of the mental
 35 health institute.

36 4. For the state mental health institute at Mount
 37 Pleasant for salaries, support, maintenance, and
 38 miscellaneous purposes, and for not more than the
 39 following full-time equivalent positions:

40 \$ 472,161
 41 885,459
 42 FTEs 97.72

43 The amount appropriated in this subsection reflects
 44 a reduction in expenditures for office supplies,
 45 purchases of equipment, office equipment, printing and
 46 binding, and marketing under the purview of the mental
 47 health institute.

48 Sec. 27. 2011 Iowa Acts, chapter 129, section 134,
 49 is amended to read as follows:

50 SEC. 134. STATE RESOURCE CENTERS.

1 1. There is appropriated from the general fund of
 2 the state to the department of human services for the
 3 fiscal year beginning July 1, 2012, and ending June 30,
 4 2013, the following amounts, or so much thereof as is
 5 necessary, to be used for the purposes designated:

6 a. For the state resource center at Glenwood for
 7 salaries, support, maintenance, and miscellaneous
 8 purposes:

9 \$ 9,253,900
 10 18,866,116

11 The amount appropriated in this paragraph "a"
 12 reflects a reduction in expenditures for office
 13 supplies, purchases of equipment, office equipment,
 14 printing and binding, and marketing under the purview
 15 of the resource center.

16 b. For the state resource center at Woodward for
 17 salaries, support, maintenance, and miscellaneous
 18 purposes:

19 \$ 6,392,829
 20 13,033,115

21 The amount appropriated in this paragraph "b"
 22 reflects a reduction in expenditures for office
 23 supplies, purchases of equipment, office equipment,
 24 printing and binding, and marketing under the purview
 25 of the resource center.

26 2. The department may continue to bill for state
 27 resource center services utilizing a scope of services
 28 approach used for private providers of ICFMR services,
 29 in a manner which does not shift costs between the
 30 medical assistance program, counties, or other sources
 31 of funding for the state resource centers.

32 3. The state resource centers may expand the
 33 time-limited assessment and respite services during the
 34 fiscal year.

35 4. If the department's administration and the
 36 department of management concur with a finding by a
 37 state resource center's superintendent that projected
 38 revenues can reasonably be expected to pay the salary
 39 and support costs for a new employee position, or
 40 that such costs for adding a particular number of new
 41 positions for the fiscal year would be less than the
 42 overtime costs if new positions would not be added, the
 43 superintendent may add the new position or positions.
 44 If the vacant positions available to a resource center
 45 do not include the position classification desired to
 46 be filled, the state resource center's superintendent
 47 may reclassify any vacant position as necessary to
 48 fill the desired position. The superintendents of the
 49 state resource centers may, by mutual agreement, pool
 50 vacant positions and position classifications during

1 the course of the fiscal year in order to assist one
2 another in filling necessary positions.

3 5. If existing capacity limitations are reached
4 in operating units, a waiting list is in effect
5 for a service or a special need for which a payment
6 source or other funding is available for the service
7 or to address the special need, and facilities for
8 the service or to address the special need can be
9 provided within the available payment source or other
10 funding, the superintendent of a state resource center
11 may authorize opening not more than two units or
12 other facilities and begin implementing the service
13 or addressing the special need during fiscal year
14 2012-2013.

15 Sec. 28. 2011 Iowa Acts, chapter 129, section 135,
16 is amended to read as follows:

17 SEC. 135. MI/MR/DD STATE CASES.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For distribution to counties for state case services
24 for persons with mental illness, mental retardation,
25 and developmental disabilities in accordance with
26 section 331.440:

27 \$ 6,084,741
28 11,150,820

29 2. For the fiscal year beginning July 1, 2012, and
30 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
31 for state case services from the amounts appropriated
32 from the fund created in section 8.41 to the department
33 of human services from the funds received from the
34 federal government under 42 U.S.C. ch. 6A, subch. XVII,
35 relating to the community mental health center block
36 grant, for the federal fiscal years beginning October
37 1, 2010, and ending September 30, 2011, beginning
38 October 1, 2011, and ending September 30, 2012, and
39 beginning October 1, 2012, and ending September 30,
40 2013. The allocation made in this subsection shall be
41 made prior to any other distribution allocation of the
42 appropriated federal funds.

43 3. 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. 29. 2011 Iowa Acts, chapter 129, section 137,
50 is amended to read as follows:

1 SEC. 137. SEXUALLY VIOLENT PREDATORS.

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, 2012, and ending June 30,
5 2013, the following amount, or so much thereof as is
6 necessary, to be used for the purpose designated:

7 For costs associated with the commitment and
8 treatment of sexually violent predators in the unit
9 located at the state mental health institute at
10 Cherokee, including costs of legal services and
11 other associated costs, including salaries, support,
12 maintenance, and miscellaneous purposes, and for not
13 more than the following full-time equivalent positions:

14	\$	3,775,363
15		<u>9,099,686</u>
16	FTEs	89.50
17		<u>115.50</u>

18 2. Unless specifically prohibited by law, if the
19 amount charged provides for recoupment of at least
20 the entire amount of direct and indirect costs, the
21 department of human services may contract with other
22 states to provide care and treatment of persons placed
23 by the other states at the unit for sexually violent
24 predators at Cherokee. The moneys received under such
25 a contract shall be considered to be repayment receipts
26 and used for the purposes of the appropriation made in
27 this section.

28 Sec. 30. 2011 Iowa Acts, chapter 129, section 138,
29 is amended to read as follows:

30 SEC. 138. FIELD OPERATIONS. There is appropriated

31 from the general fund of the state to the department of
32 human services for the fiscal year beginning July 1,
33 2012, and ending June 30, 2013, the following amount,
34 or so much thereof as is necessary, to be used for the
35 purposes designated:

36 For field operations, including salaries, support,
37 maintenance, and miscellaneous purposes, and for not
38 more than the following full-time equivalent positions:

39	\$	27,394,960
40		<u>60,355,400</u>
41	FTEs	1,781.00

42 Priority in filling full-time equivalent positions
43 shall be given to those positions related to child
44 protection services and eligibility determination for
45 low-income families.

46 The amount appropriated in this section reflects
47 a reduction in expenditures for office supplies,
48 purchases of equipment, office equipment, printing
49 and binding, and marketing under the purview of the
50 department.

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1 Sec. 31. 2011 Iowa Acts, chapter 129, section 139,
2 is amended to read as follows:

3 SEC. 139. GENERAL ADMINISTRATION. There is
4 appropriated from the general fund of the state to
5 the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, the
7 following amount, or so much thereof as is necessary,
8 to be used for the purpose designated:

9 For general administration, including salaries,
10 support, maintenance, and miscellaneous purposes, and
11 for not more than the following full-time equivalent
12 positions:

13	\$	7,298,372
14		<u>15,096,744</u>
15	FTEs	285.00
16		<u>295.00</u>

17 1. Of the funds appropriated in this section,
18 ~~\$19,271~~ \$38,543 allocated for the prevention of
19 disabilities policy council established in section
20 225B.3.

21 2. The department shall report at least monthly
22 to the legislative services agency concerning the
23 department's operational and program expenditures.

24 3. Of the funds appropriated in this section,
25 ~~\$66,150~~ \$132,300 shall be used to continue the contract
26 for the provision of a program to provide technical
27 assistance, support, and consultation to providers of
28 habilitation services and home and community-based
29 services waiver services for adults with disabilities
30 under the medical assistance program.

31 4. Of the funds appropriated in this section,
32 ~~\$88,200~~ \$176,400 shall be used to continue the contract
33 to expand the provision of nationally accredited and
34 recognized internet-based training to include mental
35 health and disability services providers.

36 ~~5. Of the funds appropriated in this section,~~
37 ~~\$250,000 shall be used for continuation of child~~
38 ~~protection system improvements addressed in 2011 Iowa~~
39 ~~Acts, House File 562, as enacted.~~

40 6. Of the funds appropriated in this section,
41 \$500,000 shall be used for implementation of 2012 Iowa
42 Acts, House File 2422, if enacted.

43 Sec. 32. 2011 Iowa Acts, chapter 129, section 140,
44 is amended to read as follows:

45 SEC. 140. VOLUNTEERS. 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 2012, and ending June 30, 2013, the following amount,
49 or so much thereof as is necessary, to be used for the
50 purpose designated:

1 For development and coordination of volunteer
2 services:

3 \$ 42,330
4 84,660

5 PROVIDER REIMBURSEMENT — NURSING FACILITIES

6 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
7 subsection 1, paragraph a, subparagraph (1), is amended
8 to read as follows:

9 (1) For the fiscal year beginning July 1, 2012, the
10 total state funding amount for the nursing facility
11 budget shall not exceed ~~\$225,457,724~~ \$237,226,901.

12 PROVIDER REIMBURSEMENT — PHARMACY AND PMICS

13 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
14 subsection 1, paragraphs b and i, are amended to read
15 as follows:

16 b. (1) For the fiscal year beginning July
17 1, 2012, the department shall reimburse pharmacy
18 dispensing fees using a single rate of range between
19 \$4.34 per prescription or the pharmacy's usual and
20 customary fee, whichever is lower, and \$11.10 per
21 prescription. The actual dispensing fee set within
22 the range shall be determined by an annual cost of
23 dispensing survey performed by the department and
24 required to be completed by all medical assistance
25 program participating pharmacies. The department shall
26 also update the cost of dispensing calculations on a
27 regular basis. However, the department shall adjust
28 the dispensing fee specified in this paragraph to
29 distribute an additional \$2,981,980 in reimbursements
30 for pharmacy dispensing fees under this paragraph for
31 the fiscal year.

32 (2) The department shall implement an average
33 acquisition cost reimbursement methodology for all
34 drugs covered under the medical assistance program.
35 The methodology shall utilize a survey of pharmacy
36 invoices from a rotation of pharmacies in determining
37 the average acquisition cost component of pharmacy
38 reimbursement. Pharmacies and providers that are
39 enrolled in the medical assistance program shall make
40 available drug acquisition cost invoice information,
41 product availability information if known, and other
42 information deemed necessary by the department to
43 assist the department in monitoring and revising the
44 reimbursement rates and for efficient operation of
45 the pharmacy benefit. The department shall provide a
46 process for pharmacies to address average acquisition
47 cost prices that are not reflective of the actual cost
48 of a drug. With regard to specialty pharmacy products
49 as defined by the department, the department shall
50 consider the population served, the current delivery

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1 system, and the standard of care relative to these
2 products, and may adjust the product reimbursement rate
3 or dispensing fee to prevent problems with access to
4 these products and their associated specialty services.

5 (a) A pharmacy or provider shall produce and submit
6 the requested information in the manner and format
7 requested by the department or its designee at no cost
8 to the department or its designee.

9 (b) A pharmacy or provider shall submit information
10 to the department or its designee within the time
11 frame indicated following receipt of a request for
12 information unless the department or its designee
13 grants an extension upon written request of the
14 pharmacy or provider.

15 i. (1) For the fiscal year beginning July 1,
16 2012, state-owned psychiatric medical institutions
17 for children shall receive cost-based reimbursement
18 for 100 percent of the actual and allowable costs for
19 the provision of services to recipients of medical
20 assistance.

21 (2) For the nonstate-owned psychiatric medical
22 institutions for children, reimbursement rates shall be
23 based on the reimbursement methodology developed by the
24 department as required for federal compliance.

25 (3) As a condition of participation in the medical
26 assistance program, enrolled providers shall accept the
27 medical assistance reimbursement rate for any covered
28 goods or services provided to recipients of medical
29 assistance who are children under the custody of a
30 psychiatric medical institution for children.

31 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE

32 PROVIDERS

33 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
34 is amended by adding the following new subsection:
35 **NEW SUBSECTION. 6A.** For the fiscal year beginning
36 July 1, 2012, the department shall adjust the
37 foster family basic daily maintenance rate, the
38 maximum adoption subsidy rates for children, the
39 family-centered service providers rate, the family
40 foster care service providers rate, the group foster
41 care service providers rate, and the resource family
42 recruitment and retention contractor rate, as such
43 rates are identified in this section and were in effect
44 on June 30, 2012, in order to distribute an additional
45 \$1,535,256 in state reimbursements equitably to such
46 providers for the fiscal year.

47 REBASING STUDY —

48 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS

49 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
50 is amended by adding the following new subsection:

1 NEW SUBSECTION. 10A. The department of human
 2 services, Iowa Medicaid enterprise, shall review
 3 reimbursement of home health agency and home and
 4 community-based services waiver services providers
 5 and shall submit a recommendation for a rebasing
 6 methodology applicable to such providers to the
 7 individuals identified in this division of this Act for
 8 receipt of reports by December 31, 2012.

9 REPORTS

10 Sec. 36. 2011 Iowa Acts, chapter 129, section 143,
 11 is amended to read as follows:

12 SEC. 143. REPORTS. Any reports or other
 13 information required to be compiled and submitted
 14 under this Act shall be submitted to the chairpersons
 15 and ranking members of the joint appropriations
 16 subcommittee on health and human services, the
 17 legislative services agency, and the legislative caucus
 18 staffs on or before the dates specified for submission
 19 of the reports or information.

20 DIVISION V

21 HEALTH CARE ACCOUNTS AND FUNDS
 22 PHARMACEUTICAL SETTLEMENT ACCOUNT

23 Sec. 37. 2011 Iowa Acts, chapter 129, section 145,
 24 is amended to read as follows:

25 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
 26 is appropriated from the pharmaceutical settlement
 27 account created in section 249A.33 to the department of
 28 human services for the fiscal year beginning July 1,
 29 2012, and ending June 30, 2013, the following amount,
 30 or so much thereof as is necessary, to be used for the
 31 purpose designated:

32 Notwithstanding any provision of law to the
 33 contrary, to supplement the appropriations made in this
 34 Act for medical contracts under the medical assistance
 35 program for the fiscal year beginning July 1, 2012, and
 36 ending June 30, 2013:

37 \$ 2,716,807

38 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA
 39 HOSPITALS AND CLINICS

40 Sec. 38. 2011 Iowa Acts, chapter 129, section 146,
 41 subsection 1, is amended by adding the following new
 42 paragraph:

43 NEW PARAGRAPH. d. The university of Iowa hospitals
 44 and clinics shall utilize a portion of the funds
 45 appropriated in this subsection to pay for lodging
 46 expenses for expansion population members receiving
 47 cancer treatment over successive days. A member shall
 48 only be eligible for such payment if the member is
 49 otherwise unable to secure lodging at the university of
 50 Iowa hospitals and clinics campus or at any other local

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1 facility offering free lodging for a member receiving
2 cancer treatment over successive days.

3 Sec. 39. 2011 Iowa Acts, chapter 129, section 146,
4 subsection 2, unnumbered paragraph 2, is amended to
5 read as follows:

6 For salaries, support, maintenance, equipment, and
7 miscellaneous purposes, for the provision of medical
8 and surgical treatment of indigent patients, for
9 provision of services to members of the expansion
10 population pursuant to chapter 249J, and for medical
11 education:

12 \$ ~~44,226,279~~
13 45,654,133

14 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING
15 HOSPITAL

16 Sec. 40. 2011 Iowa Acts, chapter 129, section 146,
17 subsection 4, unnumbered paragraph 2, is amended to
18 read as follows:

19 For distribution to a publicly owned acute care
20 teaching hospital located in a county with a population
21 over 350,000 for the provision of medical and surgical
22 treatment of indigent patients, for provision of
23 services to members of the expansion population
24 pursuant to chapter 249J, and for medical education:

25 \$ ~~65,000,000~~
26 70,000,000

27 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
28 ALLOCATIONS

29 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
30 subsection 4, paragraphs a and b, are amended to read
31 as follows:

32 a. Notwithstanding any provision of law to the
33 contrary, the amount appropriated in this subsection
34 shall be distributed based on claims submitted,
35 adjudicated, and paid by the Iowa Medicaid enterprise
36 plus a monthly disproportionate share hospital payment.
37 Any amount appropriated in this subsection in excess
38 of ~~\$60,000,000~~ \$65,000,000 shall be distributed
39 only if the sum of the expansion population claims
40 adjudicated and paid by the Iowa Medicaid enterprise
41 plus the estimated disproportionate share hospital
42 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount
43 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall
44 not adjust the original monthly payment amount but
45 shall be distributed monthly based on actual claims
46 adjudicated and paid by the Iowa Medicaid enterprise
47 plus the estimated disproportionate share hospital
48 amount. Any amount appropriated in this subsection in
49 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated
50 only if federal funds are available to match the

1 amount allocated. Pursuant to paragraph "b", of the
 2 amount appropriated in this subsection, not more than
 3 \$4,000,000 shall be distributed for prescription drugs,
 4 ~~and podiatry services, and optometric services.~~

5 b. Notwithstanding any provision of law to the
 6 contrary, the hospital identified in this subsection,
 7 shall be reimbursed for outpatient prescription drugs,
 8 ~~and podiatry services, and optometric services~~ provided
 9 to members of the expansion population pursuant to all
 10 applicable medical assistance program rules, in an
 11 amount not to exceed \$4,000,000.

12 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

13 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
 14 subsection 5, unnumbered paragraph 2, is amended to
 15 read as follows:

16 For payment to the regional provider network
 17 specified by the department pursuant to section 249J.7
 18 for provision of covered services to members of the
 19 expansion population pursuant to chapter 249J:
 20 \$ ~~3,472,176~~
 21 4,986,366

22 ACCOUNT FOR HEALTH CARE TRANSFORMATION

23 Sec. 43. 2011 Iowa Acts, chapter 129, section 148,
 24 is amended to read as follows:

25 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH
 26 CARE TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

27 Notwithstanding any provision to the contrary,
 28 there is appropriated from the account for health
 29 care transformation created in section 249J.23 to
 30 the department of human services for the fiscal year
 31 beginning July 1, 2012, and ending June 30, 2013, the
 32 following amounts, or so much thereof as is necessary,
 33 to be used for the purposes designated:

- 34 1. For the provision of an IowaCare nurse helpline
 35 for the expansion population as provided in section
 36 249J.6:
 37 \$ 50,000
 38 100,000
- 39 2. For other health promotion partnership
 40 activities pursuant to section 249J.14:
 41 \$ 300,000
- 42 3. For the costs related to audits, performance
 43 evaluations, and studies required pursuant to chapter
 44 249J:
 45 \$ 62,500
 46 125,000
- 47 4. For administrative costs associated with chapter
 48 249J:
 49 \$ 566,206
 50 1,132,412

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1 5. For planning and development, in cooperation
 2 with the department of public health, of a phased-in
 3 program to provide a dental home for children in
 4 accordance with section 249J.14:
 5 \$ 500,000
 6 1,000,000

7 6. For continuation of the establishment of the
 8 tuition assistance for individuals serving individuals
 9 with disabilities pilot program, as enacted in 2008
 10 Iowa Acts, chapter 1187, section 130:
 11 \$ 25,000
 12 50,000

13 7. For medical contracts:
 14 \$ 1,000,000
 15 2,400,000

16 8. For payment to the publicly owned acute care
 17 teaching hospital located in a county with a population
 18 of over 350,000 that is a participating provider
 19 pursuant to chapter 249J:
 20 \$ 145,000
 21 540,000

22 Disbursements under this subsection shall be made
 23 monthly. The hospital shall submit a report following
 24 the close of the fiscal year regarding use of the
 25 funds appropriated in this subsection to the persons
 26 specified in this Act to receive reports.

27 9. For transfer to the department of public health
 28 to be used for the costs of medical home system
 29 advisory council established pursuant to section
 30 135.159:
 31 \$ 116,679
 32 233,357

33 10. For continued implementation of a uniform cost
 34 report:
 35 \$ 75,000
 36 150,000

37 11. For continued implementation of an electronic
 38 medical records system:
 39 \$ 50,000
 40 100,000

41 Notwithstanding section 8.33, funds allocated in
 42 this subsection that remain unencumbered or unobligated
 43 at the close of the fiscal year shall not revert but
 44 shall remain available in succeeding fiscal years to be
 45 used for the purposes designated.

46 12. For transfer to the department of public health
 47 to support the department's activities relating to
 48 health and long-term care access as specified pursuant
 49 to chapter 135, division XXIV:
 50 \$ 67,107

1		<u>134,214</u>
2	13. For continuation of an accountable care	
3	organization pilot project:	
4	.....	\$ 50,000
5		<u>100,000</u>
6	15. For transfer to the department of public health	
7	to be used as state matching funds for the health	
8	information technology system <u>network</u> developed by the	
9	department of public health:	
10	.....	\$ 181,993
11		<u>363,987</u>
12	16. To supplement the appropriation for medical	
13	assistance:	
14	.....	\$1,956,245 <u>4,106,245</u>
15	17. For transfer to the department of public health	
16	<u>to be used for the mental health and disabilities</u>	
17	<u>services workforce development workgroup, if created by</u>	
18	<u>the Eighty-fourth General Assembly, 2012 Session:</u>	
19	.....	\$ 25,000

20 Notwithstanding section 8.39, subsection 1, without
 21 the prior written consent and approval of the governor
 22 and the director of the department of management, the
 23 director of human services may transfer funds among
 24 the appropriations made in this section as necessary
 25 to carry out the purposes of the account for health
 26 care transformation. The department shall report
 27 any transfers made pursuant to this section to the
 28 legislative services agency.

29 **QUALITY ASSURANCE TRUST FUND**

30 Sec. 44. 2011 Iowa Acts, chapter 129, section 151,
 31 is amended to read as follows:

32 **SEC. 151. QUALITY ASSURANCE TRUST FUND —**
 33 **DEPARTMENT OF HUMAN SERVICES.** Notwithstanding
 34 any provision to the contrary and subject to the
 35 availability of funds, there is appropriated from the
 36 quality assurance trust fund created in section 249L.4
 37 to the department of human services for the fiscal year
 38 beginning July 1, 2012, and ending June 30, 2013, the
 39 following amounts, or so much thereof as is necessary
 40 for the purposes designated:

41	To supplement the appropriation made in this Act	
42	from the general fund of the state to the department of	
43	human services for medical assistance:	
44	.....	\$ 29,000,000
45		<u>26,500,000</u>

46 **HOSPITAL HEALTH CARE ACCESS TRUST FUND**

47 Sec. 45. 2011 Iowa Acts, chapter 129, section 152,
 48 is amended to read as follows:

49 **SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND**
 50 **— DEPARTMENT OF HUMAN SERVICES.** Notwithstanding

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, 2012, and ending June
 6 30, 2013, the following amounts, or so much thereof as
 7 is necessary, for the purposes designated:

8 1. To supplement the appropriation made in this Act
 9 from the general fund of the state to the department of
 10 human services for medical assistance:

11 \$ ~~39,223,800~~
 12 33,898,400

13 2. For deposit in the nonparticipating provider
 14 reimbursement fund created in section 249J.24A to be
 15 used for the purposes of the fund:

16 \$ ~~776,200~~
 17 801,600

18 MISCELLANEOUS PROVISIONS

19 Sec. 46. REPEAL. 2011 Iowa Acts, chapter 129,
 20 sections 149 and 150, are repealed.

21 DIVISION VI

22 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
 23 CONTINGENCY FUND

24 Sec. 47. CHILDREN'S HEALTH INSURANCE PROGRAM —
 25 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
 26 OF FUNDS — FY 2011-2012.

27 1. Moneys received from the federal government
 28 through the child enrollment contingency fund
 29 established pursuant to section 103 of the federal
 30 Children's Health Insurance Program Reauthorization
 31 Act of 2009, Pub. L. No. 111-3, are appropriated to
 32 the department of human services for the fiscal year
 33 beginning July 1, 2011, and ending June 30, 2012, to be
 34 used in addition to any other amounts appropriated for
 35 the same purposes for the fiscal year as follows:

36 a. For adoption subsidy payments and services:

37 \$ 2,177,355

38 b. For child care programs:

39 \$ 1,212,432

40 c. For transfer to the department of public health
 41 to be used for tobacco use prevention, cessation, and
 42 treatment through support of Quitline Iowa:

43 \$ 200,000

44 2. Notwithstanding section 8.39, and to the extent
 45 that funds appropriated in this section are unexpended
 46 or unobligated for the purposes specified in subsection
 47 1, the department of human services may transfer funds
 48 within or between any of the appropriations made in
 49 this section for the following purposes:

50 a. For adoption subsidy payments and services.

1 b. For child care assistance.
2 Sec. 48. CHILDREN'S HEALTH INSURANCE PROGRAM —
3 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR
4 USE OF FUNDS — FY 2012-2013. Moneys received from
5 the federal government through the child enrollment
6 contingency fund established pursuant to section 103
7 of the federal Children's Health Insurance Program
8 Reauthorization Act of 2009, Pub. L. No. 111-3, are
9 appropriated to the department of human services for
10 the fiscal year beginning July 1, 2012, and ending June
11 30, 2013, to be used in addition to any other amounts
12 appropriated for the same purposes for the fiscal year
13 as follows:

- 14 1. For mental health and disability services
- 15 redesign technical assistance services:
- 16 \$ 500,000
- 17 2. For the field operations integrity claims unit:
- 18 \$ 961,100
- 19 3. For the child welfare resources fund created
- 20 pursuant to this subsection:
- 21 \$ 1,000,000

22 A child welfare resources fund is created under
23 the control of the department of human services.
24 Notwithstanding section 8.33, moneys credited to
25 the fund shall not revert to any other fund and are
26 appropriated to the department to be used as provided
27 in this subsection. The department shall distribute
28 the moneys credited to the fund as grants to child
29 welfare service providers to support infrastructure
30 projects, supplies, equipment, renovations, and other
31 one-time expenses in connection with publicly funded
32 child welfare services.

33 Sec. 49. EFFECTIVE DATE PROVISIONS. The section of
34 this division of this Act appropriating moneys received
35 through the federal Child Enrollment Contingency Fund
36 for the fiscal year beginning July 1, 2011, and ending
37 June 30, 2012, being deemed of immediate importance,
38 take effect upon enactment.

39 Sec. 50. RETROACTIVE APPLICABILITY. The section of
40 this division of this Act appropriating moneys received
41 through the federal Child Enrollment Contingency Fund
42 for the fiscal year beginning July 1, 2011, and ending
43 June 30, 2012, applies retroactively to July 1, 2011.

44 DIVISION VII

45 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
46 ASSISTANCE PROGRAM ADDITIONAL FUNDING

47 Sec. 51. RISK POOL APPROPRIATION FOR MEDICAL
48 ASSISTANCE PROGRAM. All moneys remaining in the risk
49 pool of the property tax relief fund on June 30,
50 2012, following the distributions made pursuant to

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1 2012 Iowa Acts, Senate File 2071, are appropriated to
2 the department of human services for the fiscal year
3 beginning July 1, 2012, and ending June 30, 2013, to be
4 used for the purpose designated:

5 To be credited to the appropriation made for the
6 medical assistance program in 2011 Iowa Acts, chapter
7 129, section 122.

8 Sec. 52. MENTAL HEALTH AND DISABILITY SERVICES
9 REDESIGN.

10 There is appropriated from the general fund of the
11 state to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount, or so much thereof as is
14 necessary, to be used for the purposes designated:

15 For the medical assistance program appropriation
16 for the fiscal year for the expense of replacing
17 the enhanced match rate provided through the federal
18 American Recovery and Reinvestment Act of 2009 and
19 for the reduction in the federal medical assistance
20 percentage associated with the mental health and
21 disabilities services for which the match has been paid
22 by counties:

23 \$ 41,736,918

24 DIVISION VIII

25 PRIOR APPROPRIATIONS AND RELATED CHANGES

26 INJURED VETERANS GRANT PROGRAM

27 Sec. 53. 2008 Iowa Acts, chapter 1187, section 69,
28 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
29 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
30 section 56, and 2011 Iowa Acts, chapter 129, section
31 53, is amended to read as follows:

32 Notwithstanding section 8.33, moneys appropriated in
33 this subsection that remain unencumbered or unobligated
34 at the close of the fiscal year shall not revert but
35 shall remain available for expenditure for the purposes
36 designated until the close of the fiscal year beginning
37 July 1, ~~2011~~ 2012.

38 IOWA VETERANS HOME

39 Sec. 54. 2011 Iowa Acts, chapter 129, section 3,
40 subsection 2, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. d. The funds appropriated in this
43 subsection to the Iowa veterans home that remain
44 available for expenditure for the succeeding fiscal
45 year pursuant to section 35D.18, subsection 5, shall
46 be distributed to be used in the succeeding fiscal
47 year in accordance with this lettered paragraph. The
48 first \$500,000 shall remain available to be used for
49 the purposes of the Iowa veterans home. Any remaining
50 balance shall be credited to the appropriation in this

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1 Act for the fiscal year beginning July 1, 2012, for
2 medical assistance.

3 FAMILY INVESTMENT PROGRAM — GENERAL FUND

4 Sec. 55. 2011 Iowa Acts, chapter 129, section 7, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 5. Notwithstanding section
7 8.33, moneys appropriated in this section that remain
8 unencumbered or unobligated at the close of the fiscal
9 year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close
11 of the succeeding fiscal year.

12 MEDICAL ASSISTANCE

13 Sec. 56. 2011 Iowa Acts, chapter 129, section 10,
14 subsection 20, paragraph d, is amended to read as
15 follows:

16 d. If the savings to the medical assistance
17 program exceed the cost, the department may transfer
18 any savings generated for the fiscal year due to
19 medical assistance program cost containment efforts
20 initiated pursuant to 2010 Iowa Acts, chapter 1031,
21 Executive Order No. 20, issued December 16, 2009, or
22 cost containment strategies initiated pursuant to this
23 subsection, to the ~~appropriation~~ appropriations made
24 in this division of this Act for medical contracts or
25 general administration to defray the increased contract
26 costs associated with implementing such efforts.

27 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL
28 ASSISTANCE

29 Sec. 57. 2011 Iowa Acts, chapter 129, section 10,
30 is amended by adding the following new subsection:
31 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
32 Acts, chapter 182, section 9, subsection 16, paragraph
33 "b", as amended by 2010 Iowa Acts, chapter 1192,
34 section 63, as amended by 2011 Iowa Acts, chapter
35 129, section 54, funds in the account that remain
36 unencumbered or unobligated at the end of the fiscal
37 year beginning July 1, 2011, are appropriated to the
38 department of human services to be used for the medical
39 assistance program for the succeeding fiscal year.

40 STATE SUPPLEMENTARY ASSISTANCE

41 Sec. 58. 2011 Iowa Acts, chapter 129, section 11,
42 is amended by adding the following new subsection:

43 NEW SUBSECTION. 4. Notwithstanding section
44 8.33, moneys appropriated in this section that remain
45 unencumbered or unobligated at the close of the fiscal
46 year shall not revert but shall remain available for
47 expenditure for the purposes designated until the close
48 of the succeeding fiscal year.

49 FIELD OPERATIONS

50 Sec. 59. 2011 Iowa Acts, chapter 129, section

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1 25, is amended by adding the following new unnumbered
2 paragraph:
3 NEW UNNUMBERED PARAGRAPH Notwithstanding section
4 8.33, moneys appropriated in this section that remain
5 unencumbered or unobligated at the close of the fiscal
6 year shall not revert but shall remain available for
7 expenditure for the purposes designated until the close
8 of the succeeding fiscal year.

9 CHILD PROTECTION SYSTEM IMPROVEMENTS

10 Sec. 60. 2011 Iowa Acts, chapter 129, section 26,
11 subsection 5, is amended to read as follows:

12 5. Of the funds appropriated in this section,
13 \$500,000 shall be used for implementation of child
14 protection system improvements addressed in 2011
15 Iowa Acts, ~~House File 562, as enacted chapter 28.~~
16 Notwithstanding section 8.33, moneys allocated in this
17 subsection that remain unencumbered or unobligated
18 at the close of the fiscal year shall not revert but
19 shall remain available for expenditure for the purposes
20 designated until the close of the succeeding fiscal
21 year.

22 GENERAL ADMINISTRATION

23 Sec. 61. 2011 Iowa Acts, chapter 129, section 26,
24 is amended by adding the following new subsection:

25 NEW SUBSECTION. 6. Notwithstanding section
26 8.33, moneys appropriated in this section that remain
27 unencumbered or unobligated at the close of the fiscal
28 year shall not revert but shall remain available for
29 expenditure for the purposes designated until the close
30 of the succeeding fiscal year.

31 IOWACARE DISTRIBUTIONS

32 Sec. 62. 2011 Iowa Acts, chapter 129, section
33 35, subsection 4, paragraph a, is amended to read as
34 follows:

35 a. Notwithstanding any provision of law to the
36 contrary, the amount appropriated in this subsection
37 shall be distributed based on claims submitted,
38 adjudicated, and paid by the Iowa Medicaid enterprise
39 plus a monthly disproportionate share hospital payment.
40 Any amount appropriated in this subsection in excess
41 of ~~\$60,000,000~~ \$56,500,000 shall be distributed
42 only if the sum of the expansion population claims
43 adjudicated and paid by the Iowa Medicaid enterprise
44 plus the estimated disproportionate share hospital
45 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount
46 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall
47 not adjust the original monthly payment amount but
48 shall be distributed monthly based on actual claims
49 adjudicated and paid by the Iowa Medicaid enterprise
50 plus the estimated disproportionate share hospital

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1 amount. Any amount appropriated in this subsection in
2 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated
3 only if federal funds are available to match the
4 amount allocated. Pursuant to paragraph "b", of the
5 amount appropriated in this subsection, not more than
6 \$4,000,000 shall be distributed for prescription drugs
7 and podiatry services.

8 Sec. 63. 2011 Iowa Acts, chapter 129, section 35,
9 subsection 4, paragraph d, subparagraph (2), is amended
10 to read as follows:

11 (2) Notwithstanding the amount collected and
12 distributed for deposit in the IowaCare account
13 pursuant to section 249J.24, subsection 4, paragraph
14 "a", subparagraph (2), the first \$19,000,000 in
15 collections pursuant to section 347.7 between January
16 1, 2012, and June 30, 2012, shall be distributed to
17 the treasurer of state for deposit in the IowaCare
18 account and collections during this time period in
19 excess of \$19,000,000 shall be distributed to the acute
20 care teaching hospital identified in this subsection.
21 ~~Of the collections in excess of the \$19,000,000~~
22 ~~received by the acute care teaching hospital under this~~
23 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
24 ~~the acute care teaching hospital to the treasurer of~~
25 ~~state for deposit in the IowaCare account in the month~~
26 ~~of July 2012, following the January 1 through June 30,~~
27 ~~2012, period.~~

28 Sec. 64. IMMEDIATE EFFECTIVE DATE. This division
29 of this Act, being deemed of immediate importance,
30 takes effect upon enactment.

31 Sec. 65. RETROACTIVE APPLICABILITY. The
32 following sections of this division of this Act apply
33 retroactively to July 1, 2011:

34 1. The section relating to the transfer of funds
35 from costs savings under the medical assistance program
36 to appropriations for medical contracts or general
37 administration for the fiscal year beginning July 1,
38 2011, and ending June 30, 2012.

39 2. The section relating to the distribution of
40 IowaCare program funds.

41 DIVISION IX

42 MISCELLANEOUS

43 Sec. 66. Section 8A.512A, subsection 3, Code
44 Supplement 2011, is amended to read as follows:

45 3. a. For purposes of this section, "executive
46 branch employee" means an employee of the executive
47 branch as defined in section 7E.2, other than a
48 member or employee of the state board of regents and
49 institutions under the control of the state board of
50 regents.

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1 b. For purposes of this section, "out-of-state
2 travel" does not include out-of-state travel incidental
3 to travel between a travel departure point in this
4 state and a travel destination point in the city of
5 Carter Lake.

6 Sec. 67. Section 97B.39, Code 2011, is amended to
7 read as follows:

8 97B.39 Rights not transferable or subject to legal
9 process — exceptions.

10 The right of any person to any future payment under
11 this chapter is not transferable or assignable, at
12 law or in equity, and the moneys paid or payable or
13 rights existing under this chapter are not subject to
14 execution, levy, attachment, garnishment, or other
15 legal process, or to the operation of any bankruptcy
16 or insolvency law except for the purposes of enforcing
17 child, spousal, or medical support obligations or
18 marital property orders, or for recovery of medical
19 assistance payments pursuant to section 249A.5.

20 For the purposes of enforcing child, spousal, or
21 medical support obligations, the garnishment or
22 attachment of or the execution against compensation
23 due a person under this chapter shall not exceed
24 the amount specified in 15 U.S.C. § 1673(b). The
25 system shall comply with the provisions of a marital
26 property order requiring the selection of a particular
27 benefit option, designated beneficiary, or contingent
28 annuitant if the selection is otherwise authorized
29 by this chapter and the member has not received
30 payment of the member's first retirement allowance.
31 However, a marital property order shall not require
32 the payment of benefits to an alternative payee prior
33 to the member's retirement, prior to the date the
34 member elects to receive a lump sum distribution of
35 accumulated contributions pursuant to section 97B.53,
36 or in an amount that exceeds the benefits the member
37 would otherwise be eligible to receive pursuant to this
38 chapter.

39 Sec. 68. Section 135.63, subsection 2, Code 2011,
40 is amended by adding the following new paragraph:

41 NEW PARAGRAPH. q. Any outpatient surgical facility
42 that meets all of the following conditions:

43 (1) Functions to provide treatment for a single
44 specialty condition, disease, or disorder.

45 (2) Is physically connected to or in the same
46 structure as the private practice office of any
47 physician participating as medical staff of the
48 outpatient surgical facility.

49 (3) Is restricted to use by any such participating
50 physician.

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1 Sec. 69. Section 135H.10, subsection 3, Code 2011,
2 is amended by striking the subsection.

3 Sec. 70. Section 144D.4, as enacted by 2012 Iowa
4 Acts, House File 2165, section 5, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 10. A POST form executed between
7 July 1, 2008, and June 30, 2012, as part of the patient
8 autonomy in health care decisions pilot project created
9 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
10 as amended by 2010 Iowa Acts, chapter 1192, section 58,
11 shall remain effective until revoked or until a new
12 POST form is executed pursuant to this chapter.

13 Sec. 71. Section 256B.9, subsection 7, Code 2011,
14 is amended to read as follows:

15 7. a. The costs of special education instructional
16 programs include the costs of purchase of
17 transportation equipment to meet the special needs of
18 children requiring special education with the approval
19 of the director of the department of education.

20 b. The department of education shall administer
21 the costs of special education instructional programs
22 when contracted with a private agency that provides
23 residential treatment services to include the costs
24 of general administration, health service, attendance
25 officers, plant operation, and plant maintenance,
26 regular and special instructional costs, overhead
27 costs, and the costs of purchase of equipment,
28 transportation, and insurance to meet the special needs
29 of children requiring special education.

30 c. The state board of education shall adopt rules
31 under chapter 17A ~~for the purchase of transportation~~
32 ~~equipment pursuant to~~ administer this section.

33 Sec. 72. SPECIAL EDUCATION COSTS — LEGISLATIVE
34 STUDY. The legislative council is requested to
35 establish an interim study committee during the 2012
36 interim to examine the payment of special education
37 costs associated with student services provided in
38 residential treatment facilities and whether the
39 planning for and costs of such services would be
40 more appropriately administered by the department of
41 education or the department of human services.

42 Sec. 73. Section 225B.8, Code Supplement 2011, is
43 amended to read as follows:

44 225B.8 Repeal.

45 This chapter is repealed July 1, ~~2012~~ 2013.

46 Sec. 74. CIVIL MONETARY PENALTIES — NURSING
47 FACILITY TRAINING — SEXUAL OFFENDERS. Of the funds
48 received by the department of human services through
49 civil monetary penalties from nursing facilities,
50 during the fiscal year beginning July 1, 2012, and

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1 ending June 30, 2013, \$250,000 shall be used for
 2 training of nursing facility staff relating to the
 3 requirements of 2012 Iowa Acts, House File 2422, if
 4 enacted.

5 Sec. 75. EFFECTIVE UPON ENACTMENT. The section
 6 of this division of this Act amending section 256B.9,
 7 being deemed of immediate importance, takes effect upon
 8 enactment.

9 Sec. 76. RETROACTIVE APPLICABILITY. The section
 10 of this division of this Act amending section 256B.9
 11 applies retroactively to July 1, 2011.>

HEATON of Henry

H-8465

1 Amend Senate File 2332, as passed by the Senate, as
 2 follows:

3 1. Page 6, line 11, before <Notwithstanding> by
 4 inserting <1.>

5 2. Page 6, after line 29 by inserting:
 6 <2. Notwithstanding subsection 1, a temporary
 7 moratorium shall be applicable to a new surcharge
 8 authorized pursuant to this section until one hundred
 9 and fifty days after submission of recommendations by
 10 the E911 task force established by this Act to the
 11 general assembly.>

12 3. Page 11, line 15, by striking <located inside>
 13 and inserting <located inside utilized by>

14 4. By renumbering as necessary.

VANDER LINDEN of Mahaska

H-8466

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 37, line 25, by striking <\$520,150> and
 5 inserting <\$1,020,150>

6 2. Page 37, line 28, by striking <To> and inserting
 7 <a. To>

8 3. Page 37, line 31, by striking <a.> and inserting
 9 <a. (1)>

10 4. Page 37, line 34, by striking <b.> and inserting
 11 <b. (2)>

12 5. Page 37, line 37, by striking <c.> and inserting
 13 <c. (3)>

14 6. Page 37, line 40, by striking <d.> and inserting
 15 <d. (4)>

16 7. Page 37, line 43, by striking <e.> and inserting

17 <e. (5)>
 18 8. Page 37, after line 45 by inserting:
 19 <b. To the judicial branch to support substance
 20 abuse services provided to juveniles participating in
 21 the juvenile drug court programs listed in paragraph
 22 "a" and the juveniles' families:
 23 \$ 500,000
 24 The state court administrator shall allocate the
 25 funding designated in this paragraph "b" among the
 26 programs.>
 27 9. By renumbering as necessary.

HALL of Woodbury

H-8467

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 14, after line 46 by inserting:
 5 <0d. Of the funds appropriated in this subsection,
 6 not more than \$1,000 may be allocated to the university
 7 of Iowa, which in consultation with the department
 8 of public health, shall review and report to the
 9 governor and the general assembly no later than
 10 November 1, 2012, on the feasibility of manufacturing
 11 essential generic pharmaceuticals at the United States
 12 food and drug administration-approved manufacturing
 13 facility located at the university, if one or more
 14 pharmaceuticals are found to be periodically or
 15 consistently unavailable to health care providers in
 16 the state for prescription or direct administration,
 17 thereby endangering public health or patient safety.
 18 The report shall include recommendations regarding
 19 any policies, legislation, or resources necessary to
 20 permit such manufacturing if the review finds such
 21 manufacturing to be necessary and feasible.>
 22 2. By renumbering as necessary.

ISENHART of Dubuque

H-8468

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 10, line 49, by striking <3,788,859> and
 5 inserting <3,848,859>
 6 2. Page 12, line 19, by striking <124,050> and
 7 inserting <184,050>

ABDUL-SAMAD of Polk

H-8469

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 15, after line 33 by inserting:
 5 <Sec. _____. 2011 Iowa Acts, chapter 129, section
 6 114, is amended by adding the following new subsection:
 7 NEW SUBSECTION. 10. VISION SCREENING. For
 8 continuation of a grant to a nationally affiliated
 9 volunteer eye organization that has an established
 10 program for children and adults and that is solely
 11 dedicated to preserving sight and preventing blindness
 12 through education, nationally certified vision
 13 screening and training, and community and patient
 14 service programs:
 15 \$ 100,000>
 16 2. By renumbering as necessary.

HUNTER of Polk

H-8470

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 10, line 49, by striking <3,788,859> and
 5 inserting <3,979,048>
 6 2. Page 12, line 1, by striking <70,000> and
 7 inserting <132,580>
 8 3. Page 12, after line 7 by inserting:
 9 <(1A) For distribution to the Iowa family planning
 10 network agencies for necessary infrastructure,
 11 statewide coordination, provider recruitment, service
 12 delivery, and provision of assistance to patients in
 13 determining an appropriate medical home;
 14 \$ 77,609>
 15 4. Page 12, line 31, by striking <260,000> and
 16 inserting <310,000>

PETERSEN of Polk

H-8471

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 60, after line 45 by inserting:
 5 <Sec. _____. Section 237A.13, subsection 7,
 6 paragraphs a and c, Code 2011, are amended to read as
 7 follows:
 8 a. Families with an income at or below one hundred
 9 percent of the federal poverty level whose members are

10 employed, for at least twenty-eight hours per week in
 11 the aggregate, are employed or are participating at a
 12 satisfactory level in an approved training program or
 13 educational program, and parents with a family poverty
 14 at or below one hundred percent of the federal income
 15 level who are under the age of twenty-one years and are
 16 participating in an educational program leading to a
 17 high school diploma or the equivalent.

18 c. Families with an income of more than one hundred
 19 percent but not more than one hundred forty-five
 20 percent of the federal poverty level whose members ~~are~~
 21 employed, for at least twenty-eight hours per week in
 22 the aggregate, are employed or are participating at a
 23 satisfactory level in an approved training program or
 24 educational program.>

25 2. By renumbering as necessary.

PETERSEN of Polk

H-8472

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 24, before line 22 by inserting:
 5 <7. The department of human services shall increase
 6 by 10 percent the amounts in the schedule of basic
 7 needs used to determine the cash assistance grants
 8 provided to participants in the family investment
 9 program. The resulting amounts shall be rounded to the
 10 nearest whole dollar. The department shall implement
 11 the increase commencing with the fiscal year beginning
 12 July 1, 2013.>

13 2. By renumbering as necessary.

BERRY of Black Hawk

H-8473

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 9, line 34, by striking ~~<3,424,366>~~ and
 5 inserting ~~<3,524,366>~~

6 2. Page 10, before line 44 by inserting:
 7 < . . . Of the funds appropriated in this subsection,
 8 \$100,000 shall be used for the purposes of the
 9 continuation of the epilepsy treatment and education
 10 task force as specified in 2011 Iowa Acts, chapter 60.>

11 3. By renumbering as necessary.

KRESSIG of Black Hawk

H-8474

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 15, before line 6 by inserting:

5 <f. (1) Of the funds appropriated in this
6 subsection, not more than \$10,000 shall be used
7 for purposes of establishing, in coordination with
8 relevant stakeholders, a plan and timetable to allow
9 manufacturers and wholesalers to voluntarily cease
10 manufacturing, selling, or distributing in this state
11 any infant pacifier or reusable beverage container
12 containing bisphenol A.

13 (2) At a minimum, the plan shall ensure that a
14 manufacturer or wholesaler who sells or offers for sale
15 in this state a reusable beverage container that is
16 intended for retail sale shall conspicuously label the
17 container as not including bisphenol A and provide the
18 retailer with affirmation that the container does not
19 contain bisphenol A.

20 (3) A voluntary agreement to cease manufacturing
21 infant pacifiers or reusable beverage containers shall,
22 at a minimum, do all of the following:

23 (a) Require a manufacturer to use the least toxic
24 alternative to bisphenol A.

25 (b) Prohibit a manufacturer from replacing
26 bisphenol A with a substance rated by the United States
27 environmental protection agency as a class A, B, or
28 C carcinogen or a substance listed on the agency's
29 list of chemicals evaluated for carcinogenic potential
30 as known or likely carcinogens, known to be human
31 carcinogens, or likely to be human carcinogens.

32 (c) Prohibit a manufacturer from replacing
33 bisphenol A with a reproductive toxicant that has
34 been identified by the United States environmental
35 protection agency as causing birth defects,
36 reproductive harm, or developmental harm.

37 (4) If the department has not established a plan
38 and a timetable by January 1, 2013, the department
39 shall propose legislation to the 85th general assembly
40 that prohibits products containing bisphenol A from
41 being manufactured, sold, or distributed in this state,
42 with terms not less restrictive than the terms proposed
43 for a voluntary agreement. Such legislation shall
44 provide for the prohibition of products containing
45 bisphenol A by January 1, 2014.>

46 2. By renumbering as necessary.

H-8475

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 16, after line 2 by inserting:
 5 <The executive council shall consult with
 6 knowledgeable persons in reviewing the return on
 7 investment of the moneys in the veterans trust fund
 8 and shall submit findings and recommendations for
 9 improving the return to the individuals specified in
 10 this division of this Act for submission of reports by
 11 December 17, 2012.>

CHAMBERS of O'Brien

H-8476

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 45, line 14, by striking <15,096,744> and
 5 inserting <16,091,841>
 6 2. Page 45, after line 42 by inserting:
 7 <7. 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.>

HEDDENS of Story

H-8477

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 10, line 49, by striking <3,788,859> and
 5 inserting <4,188,539>
 6 2. Page 12, line 1, by striking <70,000> and
 7 inserting <132,580>
 8 3. Page 12, by striking lines 41 through 49 and
 9 inserting:
 10 <h. (1) Of the funds appropriated in this
 11 subsection, ~~\$74,500~~ \$149,000 shall be used for
 12 continued implementation of the recommendations of the
 13 direct care worker task force established pursuant
 14 to 2005 Iowa Acts, chapter 88, based upon the report
 15 submitted to the governor and the general assembly in
 16 December 2006. The department may use a portion of
 17 the funds allocated in this lettered paragraph for

18 an additional position to assist in the continued
 19 implementation.>
 20 4. By striking page 12, line 50, through page 13,
 21 line 8, and inserting:
 22 <i. (1) Of the funds appropriated in this
 23 subsection, ~~\$65,050~~ \$130,100 shall be used for
 24 allocation to an independent statewide direct care
 25 worker association under a contract with terms
 26 determined by the director of public health relating
 27 to education, outreach, leadership development,
 28 mentoring, and other initiatives intended to enhance
 29 the recruitment and retention of direct care workers in
 30 health care and long-term care settings.>
 31 5. Page 13, by striking lines 9 through 13 and
 32 inserting:
 33 <(2) Of the funds appropriated in this subsection,
 34 ~~\$29,000~~ \$58,000 shall be used to provide scholarships
 35 or other forms of subsidization for direct care
 36 worker educational conferences, training, or outreach
 37 activities.>
 38 6. By renumbering as necessary.

HEDDENS of Story

H-8478

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 44, line 40, by striking <60,355,400> and
 5 inserting <62,315,440>

HEDDENS of Story

H-8479

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 25, line 34, by striking <950,526,658> and
 5 inserting <953,637,419>
 6 2. Page 48, after line 8 by inserting:
 7 <ELDERLY WAIVER
 8 Sec. ____ 2011 Iowa Acts, chapter 129, section 141,
 9 is amended by adding the following new subsection:
 10 NEW SUBSECTION. 10B. The department shall
 11 increase the monthly reimbursement cap for the medical
 12 assistance home and community-based services waiver for
 13 the elderly to \$1,400 per month.>
 14 3. By renumbering as necessary.

HEDDENS of Story

H-8480

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 53, line 21, through page 54,
5 line 32, and inserting:

6 <DIVISION VI

7 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
8 CONTINGENCY FUND

9 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM —
10 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
11 OF FUNDS — FY 2011-2012.

12 1. Moneys received from the federal government
13 through the child enrollment contingency fund
14 established pursuant to section 103 of the federal
15 Children's Health Insurance Program Reauthorization
16 Act of 2009, Pub. L. No. 111-3, are appropriated to
17 the department of human services for the fiscal year
18 beginning July 1, 2011, and ending June 30, 2012, to be
19 used in addition to any other amounts appropriated for
20 the same purposes for the fiscal year as follows:

21 a. For adoption subsidy payments and services:

22 \$ 2,177,355

23 b. For child care programs:

24 \$ 1,212,432

25 c. For transfer to the department of public health
26 to be used for tobacco use prevention, cessation, and
27 treatment through support of Quitline Iowa:

28 \$ 350,000

29 2. Notwithstanding section 8.39, and to the extent
30 that funds appropriated in this section are unexpended
31 or unobligated for the purposes specified in subsection
32 1, the department of human services may transfer funds
33 within or between any of the appropriations made in
34 this section for the following purposes:

35 a. For adoption subsidy payments and services.

36 b. For child care assistance.

37 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —
38 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
39 OF FUNDS — FY 2012-2013.

40 1. a. Moneys received from the federal government
41 through the child enrollment contingency fund
42 established pursuant to section 103 of the federal
43 Children's Health Insurance Program Reauthorization
44 Act of 2009, Pub. L. No. 111-3, are appropriated to
45 the department of human services for the fiscal year
46 beginning July 1, 2012, and ending June 30, 2013, to be
47 used in addition to any other amounts appropriated for
48 the same purposes for the fiscal year as follows:

49 (1) For adoption subsidy payments and services:

50 \$ 5,290,441

Page 2

1 (2) For child care programs:
 2 \$ 7,969,021
 3 (3) For mental health and disability services
 4 redesign technical assistance services:
 5 \$ 500,000
 6 (4) For the field operations integrity claims unit:
 7 \$ 961,100
 8 (5) For medical assistance program reimbursement
 9 and associated costs:
 10 \$ 4,950,428
 11 (6) For lodging expenses associated with patient
 12 care provided at the university of Iowa hospital and
 13 clinics under chapter 249J:
 14 \$ 200,000
 15 The department of human services shall establish the
 16 maximum number of overnight stays and the maximum rate
 17 reimbursed for overnight lodging, which may be based on
 18 the state employee rate established by the department
 19 of administrative services. The funds allocated under
 20 this subparagraph shall not be used as nonfederal share
 21 matching funds.
 22 (7) For ambulance services associated with patient
 23 care provided under chapter 249J:
 24 \$ 200,000
 25 The department of human services shall establish
 26 requirements for use of funds in this subparagraph for
 27 ambulance services when no other third-party payment is
 28 available. The funds allocated in this subparagraph
 29 shall not be used as nonfederal share matching funds.
 30 (8) For the public purpose of distribution to
 31 a statewide nonprofit organization consisting of
 32 low-income housing and homelessness service providers,
 33 advocates, local governments, lending institutions,
 34 and low-income and homeless individuals to be used to
 35 empower low-income individuals and to increase their
 36 access to affordable housing:
 37 \$ 100,000
 38 b. Notwithstanding section 8.39, and to the
 39 extent that funds appropriated in this subsection are
 40 unexpended or unobligated for the purposes specified
 41 in paragraph "a", subparagraphs (1) and (2), for the
 42 fiscal year beginning July 1, 2012, the department of
 43 human services may transfer funds within or between any
 44 of the appropriations made in this subsection for the
 45 following purposes:
 46 (1) For adoption subsidy payments and services.
 47 (2) For child care assistance.
 48 2. Moneys received from the federal government
 49 through the child enrollment contingency fund
 50 established pursuant to section 103 of the federal

Page 3

1 Children's Health Insurance Program Reauthorization
 2 Act of 2009, Pub. L. No. 111-3, are appropriated to
 3 the department of human services for the fiscal year
 4 beginning July 1, 2012, and ending June 30, 2013, to be
 5 used for audit settlements:
 6 \$ 2,405,936
 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 to any
 10 other fund but shall remain available for expenditure
 11 for the purposes designated until the close of the
 12 succeeding fiscal year.>

HEDDENS of Story

H-8481

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 54, after line 32 by inserting:
 5 <4. For transfer to the university of Iowa college
 6 of dentistry for provision of primary dental services
 7 to children:
 8 \$ 80,000
 9 State funds appropriated in this subsection shall be
 10 matched on a dollar-for-dollar basis. The university
 11 of Iowa college of dentistry shall coordinate efforts
 12 with the department of public health, bureau of oral
 13 health and delivery systems, to provide dental care to
 14 underserved populations throughout the state.
 15 5. For transfer to the department of public health
 16 for the human papillomavirus vaccination public
 17 awareness program in accordance with section 135.11,
 18 subsection 31, as enacted in this Act:
 19 \$ 50,000
 20 The department of public health may seek private
 21 sector moneys for the purpose of supporting the public
 22 awareness program.
 23 6. For distribution to a nonprofit, tax-exempt
 24 association that receives donations under section 170
 25 of the Internal Revenue Code and whose members include
 26 Iowa food banks and their affiliates that together
 27 serve all counties in the state, to be used to purchase
 28 food for distribution to food-insecure Iowans:
 29 \$ 500,000
 30 In purchasing food under this subsection, a
 31 preference shall be given to the purchase of food
 32 produced, processed, or packaged within this state
 33 whenever reasonably practicable.>

34 2. Page 59, after line 38 by inserting:
 35 <Sec. ____ Section 135.11, Code Supplement 2011, is
 36 amended by adding the following new subsection:
 37 NEW SUBSECTION. 31. Administer a public awareness
 38 program for human papillomavirus infection vaccination
 39 by identifying medically accurate materials that
 40 contain information regarding the risks associated with
 41 the various forms of the infection in causing cervical
 42 cancer, and any other diseases for which the department
 43 may recommend immunization or immunization information,
 44 and the availability, effectiveness, and potential
 45 risks of those vaccines. The department shall make
 46 the identified materials available on the department's
 47 internet site, provide education and training to
 48 health professionals and the general public regarding
 49 the vaccines, and notify each school district in the
 50 state of the availability of the information. For the

Page 2

1 purposes of this subsection, "human papillomavirus"
 2 means the group of viruses identified by the centers
 3 for disease control and prevention of the United States
 4 department of health and human services.>
 5 3. By renumbering as necessary.

HEDDENS of Story

H-8482

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 30, line 31, by striking <36,806,102> and
 5 inserting <40,400,160>

HEDDENS of Story

H-8483

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 59, by striking lines 39 through 50.

MASCHER of Johnson
 BERRY of Black Hawk
 GAINES of Polk
 HALL of Woodbury
 HEDDENS of Story
 ISENHART of Dubuque
 KAJTAZOVIC of Black Hawk

ABDUL-SAMAD of Polk
 COHOON of Des Moines
 GASKILL of Wapello
 HANSON of Jefferson
 HUNTER of Polk
 JACOBY of Johnson
 KEARNS of Lee

KELLEY of Jasper
 LENSING of Johnson
 McCARTHY of Polk
 MUHLBAUER of Crawford
 OLDSON of Polk
 T. OLSON of Linn
 RUNNING-MARQUARDT of Linn
 STECKMAN of Cerro Gordo
 THEDE of Scott
 WESSEL-KROESCHELL of Story
 WITTNEBEN of Emmet

KRESSIG of Black Hawk
 LYKAM of Scott
 H. MILLER of Webster
 MURPHY of Dubuque
 R. OLSON of Polk
 PETERSEN of Polk
 M. SMITH of Marshall
 T. TAYLOR of Linn
 THOMAS of Clayton
 WINCKLER of Scott
 WOLFE of Clinton

H-8484

- 1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 33, line 35, by striking <79.721.886> and
 5 inserting <79.671.886>

HEATON of Henry

H-8485

- 1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 28, after line 42 by inserting:
 5 <MEDICAL ASSISTANCE – SAME DAY ENCOUNTERS
 6 REIMBURSEMENT
 7 Sec. ____ 2011 Iowa Acts, chapter 129, section 122,
 8 is amended by adding the following new subsection:
 9 NEW SUBSECTION. 31. The department of human
 10 services shall provide for reimbursement of federally
 11 qualified health centers for medical, behavioral, and
 12 dental encounters occurring on the same day to support
 13 the patient-centered medical home model.>
 14 2. By renumbering as necessary.

HEATON of Henry

H-8486

- 1 Amend House File 2422, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 17, by striking <or owner>
 4 2. Page 1, line 18, after <facility.> by inserting
 5 <For purposes of this paragraph, the approval of
 6 the administrator of the nursing facility cannot
 7 be withheld on the basis of considerations that are
 8 otherwise prohibited by state or federal law.>
 9 3. Page 2, lines 13 and 14, by striking <or owner>

10 4. Page 2, line 14, after <facility.> by inserting
11 <For purposes of this subsection, the approval of the
12 administrator of the residential care facility cannot
13 be withheld on the basis of considerations that are
14 otherwise prohibited by state or federal law.>

15 5. By striking page 2, line 15, through page 4,
16 line 12, and inserting:

17 <Sec. ____ Section 229A.8A, subsection 5, Code
18 2011, is amended to read as follows:

19 5. ~~Committed~~ Except as provided in subsection 6A,
20 committed persons in the transitional release program
21 are not necessarily required to be segregated from
22 other persons.

23 Sec. ____ Section 229A.8A, Code 2011, is amended by
24 adding the following new subsection:

25 NEW SUBSECTION. 6A. Persons in the transitional
26 release program shall not be released to a health care
27 facility as defined in section 135C.1.

28 Sec. ____ Section 229A.9A, Code 2011, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 3A. If a release with or without
31 supervision is ordered, the committed person shall not
32 be released to a health care facility as defined in
33 section 135C.1.>

34 6. Page 5, line 6, by striking <or owner>

35 7. Page 5, line 7, after <program.> by inserting
36 <For purposes of this subsection, the approval of
37 the manager of the assisted living program cannot
38 be withheld on the basis of considerations that are
39 otherwise prohibited by state or federal law.>

40 8. Page 5, by striking lines 8 through 10.

41 9. By striking page 5, line 19, through page 6,
42 line 19.

43 10. Page 8, line 9, after <appeals> by inserting <,
44 in conjunction with the department of human services,>

45 11. Page 8, line 31, by striking <deems> and
46 inserting <and the department of human services deem>

47 12. By striking page 8, line 32, through page 9,
48 line 4.

49 13. By striking page 9, line 5, through page 10,
50 line 12, and inserting:

Page 2

1 <3. The committee shall discuss and make
2 recommendations on options to create a new facility
3 or assist an existing facility to expand services
4 to provide care for elderly persons who have
5 previously been declared to be a sexually violent
6 predator pursuant to chapter 229A. The committee
7 shall identify the characteristics of a client
8 for such a facility, the need for such a facility,

9 options for creating a new facility to house such
10 clients, options for the expansion of an existing
11 facility to house such clients, options for using any
12 alternative facilities for such purposes, options for
13 a public-private partnership for such a facility,
14 options for using part of a mental health institute
15 to house such clients, options to qualify a facility
16 for Medicaid reimbursement, cost projections for any
17 recommendations, regulatory challenges, and other
18 information deemed relevant by the department of
19 inspections and appeals and the department of human
20 services. The committee shall also discuss and make
21 recommendations on the authority of nursing facilities,
22 residential care facilities, and assisted living
23 programs to transfer or discharge a resident or tenant
24 who is required to register as a sex offender pursuant
25 to chapter 692A.>

26 14. By striking page 10, line 16, through page 11,
27 line 11, and inserting:
28 <Sec. __. RESIDENTS AND TENANTS – DISCHARGE. The
29 department of inspections and appeals shall adopt rules
30 that provide that a nursing facility, residential care
31 facility, or assisted living program has the authority
32 to discharge a resident or tenant who is required to
33 register as a sex offender pursuant to chapter 692A
34 based on the person's status as a sex offender as
35 an endangerment to the safety of individuals in the
36 facility or program.

37 Sec. __. EMERGENCY RULES. If specifically
38 authorized by a provision of this Act, the department
39 of inspections and appeals may adopt administrative
40 rules under section 17A.4, subsection 3, and section
41 17A.5, subsection 2, paragraph "b", to implement
42 the provisions and the rules shall become effective
43 immediately upon filing or on a later effective date
44 specified in the rules, unless the effective date is
45 delayed by the administrative rules review committee.
46 Any rules adopted in accordance with this section
47 shall not take effect before the rules are reviewed
48 by the administrative rules review committee. The
49 delay authority provided to the administrative rules
50 review committee under section 17A.4, subsection 7, and

Page 3

1 section 17A.8, subsection 9, shall be applicable to a
2 delay imposed under this section, notwithstanding a
3 provision in those sections making them inapplicable
4 to section 17A.5, subsection 2, paragraph "b". Any
5 rules adopted in accordance with the provisions of this
6 section shall also be published as a notice of intended
7 action as provided in section 17A.4.>

- 8 15. Title page, by striking lines 1 through 4 and
9 inserting <An Act relating to the care and housing of
10 elderly sex offenders and sexually violent predators
11 and including effective date provisions.>
12 16. By renumbering as necessary.

SENATE AMENDMENT

H-8487

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 33, line 35, by striking <79,721,886> and
5 inserting <79,871,886>
6 2. Page 37, line 7, by striking <\$1,088,285> and
7 inserting <\$1,238,285>
8 3. Page 37, line 11, by striking <\$100,000> and
9 inserting <\$250,000>

KRESSIG of Black Hawk
KAJTAZOVIC of Black Hawk
BERRY of Black Hawk

H-8488

- 1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 9, line 34, by striking <3,424,366> and
5 inserting <3,924,366>
6 2. Page 10, after line 43 by inserting:
7 <j. Of the funds appropriated in this subsection,
8 \$500,000 shall be used for provision of early
9 prevention screening by pap smear and advanced
10 screening by colposcope for women with incomes below
11 250 percent of the federal poverty level, as defined
12 by the most recently revised poverty income guidelines
13 issued by the United States department of health and
14 human services, who are not covered by a third-party
15 payer health policy or contract that pays for such
16 procedures and related laboratory services. The
17 department shall distribute the amount allocated in
18 this lettered paragraph to providers on behalf of
19 eligible persons within the target population.>
20 3. Page 14, line 14, by striking <1,335,155> and
21 inserting <2,335,155>
22 4. Page 14, after line 15 by inserting:
23 <a. Of the funds appropriated in this subsection,
24 \$1,000,000 shall be used for provision of vaccinations
25 for human papillomavirus to persons age 19 through
26 26 with incomes below 300 percent of the federal

27 poverty level, as defined by the most recently revised
 28 poverty income guidelines issued by the United States
 29 department of health and human services, who are
 30 not covered by a third-party payer health policy
 31 or contract that pays for such vaccinations. The
 32 department shall distribute the amount allocated in
 33 this lettered paragraph to providers on behalf of
 34 eligible persons within the target population.>

35 5. Page 14, line 16, by striking <The> and
 36 inserting:

37 b. The>

38 6. By renumbering as necessary.

HEDDENS of Story

H-8489

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 25, by striking lines 31 and 32 and
 5 inserting <law, and consistent with options under
 6 federal law and regulations.>

7 2. Page 25, after line 34 by inserting:
 8 <Sec. ____ 2011 Iowa Acts, chapter 129, section
 9 122, subsection 1, unnumbered paragraph 1, is amended
 10 to read as follows:

11 Iowans support reducing the number of abortions
 12 performed in our state. Funds appropriated in this
 13 section shall not be used for abortions. For the
 14 purposes of this section, "abortion" does not include
 15 any of the following:

16 a. The treatment of a woman for a physical
 17 disorder, physical injury, or physical illness,
 18 including a life-endangering physical condition caused
 19 by or arising from the pregnancy itself, that would,
 20 as certified by a physician, place the woman in danger
 21 of death.

22 b. The treatment of a woman for a spontaneous
 23 abortion, commonly known as a miscarriage, when not all
 24 of the products of conception are expelled.

25 1A. For an abortion covered under the program,
 26 except in the case of a medical emergency, as defined
 27 in section 135L.1, for any woman, the physician shall
 28 certify both of the following:>

29 3. Page 48 after line 39 by inserting:
 30 <Sec. ____ 2011 Iowa Acts, chapter 129, section
 31 146, subsection 1, paragraph a, subparagraph (1), is
 32 amended to read as follows:

33 (1) Funds appropriated in this subsection shall
 34 not be used for abortions shall be used in a manner
 35 consistent with options under federal Medicaid law

36 and regulation. For the purposes of this subsection,
 37 "abortion" does not include any of the following:

38 (a) The treatment of a woman for a physical
 39 disorder, physical injury, or physical illness,
 40 including a life-endangering physical condition caused
 41 by or arising from the pregnancy itself, that would,
 42 as certified by a physician, place the woman in danger
 43 of death.

44 (b) The treatment of a woman for a spontaneous
 45 abortion, commonly known as a miscarriage, when not all
 46 of the products of conception are expelled.>

47 4. Page 61 after line 11 by inserting:

48 <DIVISION ____

49 DISTRIBUTION OF FAMILY PLANNING FUNDS

50 Sec. ____ DISTRIBUTION OF FAMILY PLANNING FUNDS.

Page 2

1 1. As used in this section, unless the context
 2 otherwise requires:

3 a. "Department" means department as defined in
 4 section 7E.4.

5 b. "Federally qualified health center" means a
 6 health care provider that is eligible for federal
 7 funding under 42 U.S.C. § 1396d(1)(2)(B).

8 2. Notwithstanding any other law to the contrary,
 9 any expenditure, award, or other distribution of state
 10 or federal family planning funds shall be made to
 11 eligible applicants in the following order of priority:

12 a. Public entities that provide family planning
 13 services including state, county, or local community
 14 health clinics and federally qualified health centers.

15 b. Nonpublic entities that, in addition to family
 16 planning services, provide required primary health
 17 services as described in 42 U.S.C. § 254b(b)(1)(A).

18 c. Nonpublic entities that provide family planning
 19 services but do not provide required primary health
 20 services as described in 42 U.S.C. § 254b(b)(1)(A).

21 3. A department shall ensure distribution of
 22 federal family planning funds in a manner that does not
 23 severely limit or eliminate access to family planning
 24 services in any region of the state.

25 4. A department shall not distribute state or
 26 federal family planning funds under this section to
 27 any entity that performs abortions or that maintains
 28 or operates a facility where abortions are performed.
 29 For the purposes of this section, "abortion" does not
 30 include any of the following:

31 a. The treatment of a woman for a physical
 32 disorder, physical injury, or physical illness,
 33 including a life-endangering physical condition caused
 34 by or arising from the pregnancy itself, that would,

35 as certified by a physician, place the woman in danger
 36 of death.
 37 b. The treatment of a woman for a spontaneous
 38 abortion, commonly known as a miscarriage, when not all
 39 of the products of conception are expelled.
 40 5. State or federal family planning funds
 41 distributed in accordance with this section shall not
 42 be used for direct or indirect costs, including but not
 43 limited to administrative costs or expenses, overhead,
 44 employee salaries, rent, and telephone and other
 45 utilities, related to providing abortions as specified
 46 in subsection 4.
 47 6. Any department that distributes state or federal
 48 family planning funds shall submit a report to the
 49 governor and the general assembly, annually by December
 50 31, listing any entities receiving family planning

Page 3

1 funds as described in subsection 2, paragraph "c", and
 2 the amount and type of funds received by such entities
 3 during the preceding calendar year. The report shall
 4 provide a detailed explanation of how the department
 5 determined that distribution of family planning funds
 6 to such an entity, instead of to an entity described
 7 in subsection 2 paragraph "a" or "b", was necessary to
 8 prevent severe limitation or elimination of access to
 9 family planning services in the region of the state in
 10 which the entity is located.>
 11 5. By renumbering as necessary.

SWEENEY of Hardin
 DE BOEF of Keokuk
 TJEPKES of Webster
 BRANDENBURG of Pottawattamie
 HUSEMAN of Cherokee
 GRASSLEY of Butler
 FRY of Clarke
 J. TAYLOR of Woodbury
 KLEIN of Washington
 BYRNES of Mitchell
 RAECKER of Polk
 MASSIE of Warren
 BAUDLER of Adair
 VANDER LINDEN of Mahaska
 HEIN of Jones
 SCHULTZ of Crawford
 HELLAND of Polk
 DRAKE of Cass
 FORRISTALL of Pottawattamie
 RASMUSSEN of Buchanan
 UPMEYER of Hancock

ROGERS of Black Hawk
 PETTENGILL of Benton
 LOFGREN of Muscatine
 CHAMBERS of O'Brien
 HAGENOW of Polk
 DOLECHECK of Ringgold
 HANUSA of Pottawattamie
 VAN ENGELHOFEN of Marion
 WORTHAN of Buena Vista
 SODERBERG of Plymouth
 HAGER of Allamakee
 RAYHONS of Hancock
 ALONS of Sioux
 J. SMITH of Dickinson
 KOESTER of Polk
 DEYOE of Story
 PEARSON of Polk
 GARRETT of Warren
 L. MILLER of Scott
 WATTS of Dallas
 WINDSCHITL of Harrison

JORGENSEN of Woodbury
SHAW of Pocahontas

ANDERSON of Page
LUKAN of Dubuque

H-8490

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 23, line 12, by striking <45,286,573> and
5 inserting <45,886,573>

6 2. Page 23, line 17, by striking <2,463,854> and
7 inserting <3,063,854>

M. SMITH of Marshall
BERRY of Black Hawk
GAINES of Polk
HALL of Woodbury
HEDDENS of Story
ISENHART of Dubuque
KAJTAVOVIC of Black Hawk
KELLEY of Jasper
LENSING of Johnson
MASCHER of Johnson
MUHLBAUER of Crawford
OLDSON of Polk
T. OLSON of Linn
RUNNING-MARQUARDT of Linn
SWAIM of Davis
THEDE of Scott
WESSEL-KROESCHELL of Story
WINCKLER of Scott
WOLFE of Clinton

ABDUL-SAMAD of Polk
COHOON of Des Moines
GASKILL of Wapello
HANSON of Jefferson
HUNTER of Polk
JACOBY of Johnson
KEARNS of Lee
KRESSIG of Black Hawk
LYKAM of Scott
H. MILLER of Webster
MURPHY of Dubuque
R. OLSON of Polk
PETERSEN of Polk
STECKMAN of Cerro Gordo
T. TAYLOR of Linn
THOMAS of Clayton
WILLEMS of Linn
WITTNEBEN of Emmet

H-8491

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 60, after line 45 by inserting:
5 <Sec. ____ Section 231.41, Code 2011, is amended to
6 read as follows:

7 231.41 Purpose.

8 The purpose of this subchapter is to establish
9 the office of long-term care resident's advocate
10 ~~within as an autonomous agency which is attached to~~
11 ~~the department for organizational purposes only~~ in
12 accordance with the requirements of the federal Act,
13 and to adopt the supporting federal regulations and
14 guidelines for its operation.

15 Sec. ____ Section 231.42, subsection 1, Code 2011,
16 is amended to read as follows:

17 1. Office established. The office of long-term
18 care resident's advocate is established ~~within as an~~

19 autonomous agency which is attached to the department
 20 for organizational purposes only, in accordance with
 21 section 712 of the federal Act, as codified at 42
 22 U.S.C. § 3058g. The office shall consist of the
 23 state long-term care resident's advocate and any local
 24 long-term care resident's advocates.>
 25 2. By renumbering as necessary.

GASKILL of Wapello

H-8492

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 25, line 34, by striking <950.526.658> and
 5 inserting <950.826.658>
 6 2. Page 28, after line 42 by inserting:
 7 <MEDICAL ASSISTANCE – DISPROPORTIONATE SHARE HOSPITALS
 8 Sec. ____ 2011 Iowa Acts, chapter 129, section 122,
 9 is amended by adding the following new subsection:
 10 NEW SUBSECTION. 31. The amount appropriated in
 11 this section includes \$300,000 which shall be used
 12 to increase the amount budgeted for reimbursement of
 13 disproportionate share hospitals.>
 14 3. By renumbering as necessary.

KEARNS of Lee

H-8493

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 59, by striking lines 41 through 50 and
 5 inserting:
 6 <NEW PARAGRAPH. q. Any outpatient surgical
 7 facility that meets all of the following conditions:
 8 (1) Functions to provide treatment exclusively for
 9 ophthalmic conditions, diseases, or disorders.
 10 (2) As of July 1, 2012, is physically connected to
 11 or in the same structure as the private practice office
 12 of any physician participating as medical staff of the
 13 outpatient surgical facility.
 14 (3) Is restricted to use by any such participating
 15 physician.
 16 (4) Is located in a city of greater than one
 17 hundred twenty thousand but less than one hundred forty
 18 thousand population.>
 19 2. By renumbering as necessary.

L. MILLER of Scott

H-8494

1 Amend the amendment, H-8464, to Senate File 2336,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 37, line 7, by striking <~~\$1,088,285~~> and
5 inserting <\$988,285>
6 2. Page 37, by striking lines 10 through 12 and
7 inserting <section 135.118.>
8 3. Page 37, before line 13 by inserting:
9 <12A. In addition to the amount appropriated in
10 this section, there is appropriated from the general
11 fund of the state to the department of human services
12 for the fiscal year beginning July 1, 2012, and
13 ending June 30, 2013, \$250,000 to be used for a child
14 protection center for the Black Hawk county area.>
15 4. By renumbering as necessary.

KRESSIG of Black Hawk
KAJTZOVIC of Black Hawk
BERRY of Black Hawk

H-8495

1 Amend House File 2449 as follows:

- 2 1. Page 7, after line 27 by inserting:
3 <DIVISION ____
4 ENERGY EFFICIENCY
5 Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES —
6 ENERGY EFFICIENCY EFFORTS.
7 1. The department of administrative services shall
8 require, beginning July 1, 2012, that all passenger
9 cars purchased or leased by the state shall have a
10 United States environmental protection agency estimated
11 highway-mileage rating of at least thirty-five miles
12 per gallon.
13 2. The department of administrative services
14 shall report to the general assembly and governor by
15 November 15, 2012, regarding the feasibility of giving
16 preference to or requiring the purchase or lease of
17 electric and natural-gas powered vehicles with a United
18 States environmental protection agency estimated
19 highway-mileage rating of at least forty-five miles per
20 gallon.
21 3. Funds appropriated to a state agency for utility
22 expenses shall not be transferred or reallocated, and
23 any such unexpended funds at the end of a fiscal year
24 shall not revert to the general fund of the state but
25 shall be allocated to the Iowa energy bank revolving
26 loan fund, to be used exclusively to finance energy
27 improvements to state-owned properties.
28 4. The department of administrative services shall

29 require that the procurement of any product by a state
 30 agency conform to energy star specifications current
 31 at the time of contract or purchase if the product is
 32 subject to energy star labeling.

33 5. The department of administrative services shall
 34 provide for least-cost lighting of state buildings
 35 and property under its control, and shall work with
 36 other state departments and agencies responsible for
 37 the energy costs of buildings and property under their
 38 control to do the same, based on minimizing energy use
 39 and the life-cycle costs of the energy technology.

40 6. The department of administrative services
 41 shall establish a program with other state agencies
 42 to replace or deploy battery chargers and other smart
 43 power technology that turns off the power source to the
 44 adapter or battery once the battery is charged or cuts
 45 power to unused electrical devices.

46 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
 47 of this Act, being deemed of immediate importance,
 48 takes effect upon enactment.

49 DIVISION ____

50 PERFORMANCE-BASED EFFICIENCY CONTRACTS

Page 2

1 Sec. ____ NEW SECTION. 8B.1 Legislative intent.

2 The general assembly finds that investment in
 3 energy conservation measures by public facilities
 4 can reduce the amount of energy and other resources
 5 consumed by the facilities; reduce ongoing operational
 6 costs; improve comfort, reliability, and the indoor
 7 environment for employees and citizens; produce a
 8 positive environmental impact; enhance revenues
 9 generated by governmental units; and create local jobs,
 10 producing both immediate and long-term cost savings
 11 and other benefits. It is the policy of this state to
 12 encourage state agencies, departments, and divisions;
 13 public health facilities; public universities and
 14 community colleges, school districts, and area
 15 education agencies; and counties, municipalities,
 16 and other political subdivisions to implement energy
 17 conservation and facility improvement measures
 18 that reduce energy, water, wastewater, or any other
 19 utility or operating costs, and, when economically
 20 feasible, build, operate, maintain, or renovate public
 21 facilities and systems in a manner that will minimize
 22 operational costs and maximize utility savings and
 23 other efficiencies. It is additionally the policy of
 24 this state to encourage reinvestment of the savings and
 25 revenues resulting from energy conservation measures
 26 into additional and continued energy conservation
 27 efforts through performance-based efficiency contracts

28 and other measures deemed appropriate by a governmental
29 unit.

30 Sec. ____ NEW SECTION. 8B.2 Definitions.

31 As used in this chapter, unless the context
32 otherwise requires:

33 1. "Department" means the department of
34 administrative services.

35 2. "Energy conservation measure" or "facility
36 improvement measure" means a program, facility
37 alteration, equipment installation, remodeling of a
38 new or existing building, or technology upgrade, which
39 is designed to reduce energy, water, wastewater, or
40 other utility or operating costs, or enhance billable
41 revenue, including but not limited to the following:

42 a. Employee training and occupant behavior
43 modification programs.

44 b. Insulation of building structures and systems
45 within buildings.

46 c. Windows and window systems, roofs and
47 roofing materials, caulking or weather stripping,
48 installation or modification of doors, heat-absorbing
49 or heat-reflecting applications, or other modifications
50 to windows, doors, or the building envelope, that

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1 reduce energy and operating costs.

2 d. Automated or computerized energy or facility
3 control systems.

4 e. Heating, ventilation, and air-conditioning
5 systems, including specialty systems serving food
6 service, laboratory, and other applications.

7 f. Lighting systems and fixtures, including
8 daylighting systems.

9 g. Energy recovery systems.

10 h. Systems that produce steam or forms of energy
11 such as heat in addition to electricity.

12 i. Renewable energy systems or other distributed
13 power generation systems.

14 j. Water and wastewater fixtures, appliances, and
15 equipment.

16 k. Improvements to water distribution, sewer, and
17 wastewater treatment facilities.

18 l. Landscaping measures that reduce watering
19 demands and capture and hold applied water and
20 rainfall.

21 m. Metering or related equipment or systems
22 that improve the accuracy or efficiency of billable
23 revenue-generating systems.

24 n. Automated, electronic, or remotely controlled
25 technologies, systems, or measures that reduce
26 operating costs.

- 27 o. Installation and modification of software-based
28 systems that reduce facility management or other
29 facility operating costs.
- 30 p. Programs to reduce energy costs through rate
31 adjustments, load shifting to reduce peak demand, or
32 use of alternative energy suppliers, including but not
33 limited to demand response programs, changes to more
34 favorable rate schedules, negotiation of lower rates
35 or new suppliers, or auditing of utility billing and
36 metering.
- 37 q. Energy information and control systems that
38 monitor consumption, redirect systems to optimal energy
39 sources, and manage energy-using equipment.
- 40 r. Any measure not otherwise described in this
41 chapter that is designed to produce utility consumption
42 or operational cost savings, revenue enhancements, or
43 similar efficiency gains to a governmental unit.
- 44 3. "Governmental unit" means any authority,
45 board, bureau, commission, department, agency, or
46 institution of a government agency, including but
47 not limited to any state agency, or any county,
48 city, district, municipal corporation, municipality,
49 municipal authority, political subdivision, school
50 district, educational institution, incorporated town,

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- 1 township, other incorporated district, or other public
2 instrumentality which has the authority to contract for
3 the construction, reconstruction, alteration, or repair
4 of any public building or other public work or public
5 improvement.
- 6 4. "Performance-based efficiency contract" means a
7 contract between a governmental unit and a qualified
8 provider for the evaluation and recommendation of
9 energy conservation or facility improvement measures
10 and for implementation of one or more such measures.
- 11 5. "Qualified provider" means a person with a
12 record of documented performance-based efficiency
13 contract projects who is experienced in the design,
14 implementation, and installation of energy conservation
15 or facility-improvement measures; and has the
16 technical capabilities to verify that such measures
17 generate energy and operational cost savings or
18 enhanced revenues. A "qualified provider" provides
19 a governmental unit with the following information
20 and services in connection with a performance-based
21 efficiency contract:
- 22 a. Project design and specifications.
23 b. Construction and construction management.
24 c. Commissioning.
25 d. Ongoing services as required.

26 e. Measurement, verification, and guarantee
27 of savings from energy conservation or
28 facility-improvement measures.
29 Sec. ____ NEW SECTION. 8B.3 Selection of qualified
30 provider — award of performance-based contract —
31 contracting procedures and provisions — funding.
32 1. A governmental unit may enter into a
33 performance-based efficiency contract with a
34 qualified provider in accordance with the provisions
35 of this chapter. The department shall issue a
36 request for proposals to screen and prequalify
37 prospective qualified providers wishing to enter
38 into performance-based efficiency contracts with
39 governmental units. The request for proposals shall
40 include but not be limited to qualified provider
41 documentation of provider expertise and credentials,
42 past experience with performance-based efficiency
43 contracts with governmental units, identification
44 of financial partners, if any, associated with
45 the qualified provider, and the ability to provide
46 and fulfill performance guarantees. Based on the
47 request for proposals, the department shall develop
48 and maintain a list of prequalified qualified
49 providers. A governmental unit seeking to enter into a
50 performance-based efficiency contract with a qualified

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1 provider shall either select a qualified provider from
2 the list developed by the department, or shall limit
3 the issuance of a request for proposals to qualified
4 providers contained on the list.
5 2. A governmental unit may select a qualified
6 provider under the procedures specified in subsection
7 1 that best meets the needs of the governmental
8 unit in accordance with criteria established by the
9 governmental unit. After reviewing the qualifications
10 of one or more qualified providers, a governmental
11 unit may enter into a performance-based efficiency
12 contract with a qualified provider if it finds that
13 the amount the governmental unit would spend on the
14 energy conservation and facility-improvement measures
15 recommended in the proposal would not exceed the
16 amount of energy and operational cost savings or
17 revenue enhancements derived from the measures within a
18 twenty-year period from the date of installation.
19 3. A qualified provider to whom a performance-based
20 efficiency contract is awarded shall provide a one
21 hundred percent performance bond to the governmental
22 unit to assure the provider's faithful and complete
23 performance of the contract.
24 4. A performance-based efficiency contract

25 shall include a written guarantee by the qualified
26 provider that the savings and efficiency gains, in the
27 aggregate, will meet or exceed the cost of the energy
28 conservation or facility improvement measures to be
29 implemented under the contract. The qualified provider
30 shall be responsible, pursuant to the performance-based
31 efficiency contract, for measuring and verifying the
32 guaranteed savings and efficiency gains provided by the
33 implemented measures by using one of the measurement
34 and verification methodologies set forth in the
35 international performance measurement and verification
36 protocol. If, due to existing data limitations or the
37 nonconformance of specific project characteristics,
38 none of the methods listed in the international
39 performance measurement and verification protocol
40 is sufficient for measuring guaranteed savings and
41 efficiency gains, the qualified provider shall develop
42 and document an alternate method that is compatible
43 with the protocol.

44 5. An improvement that is not essential or causally
45 connected to an energy conservation measure may be
46 included in a performance-based efficiency contract
47 only to the extent that such expenditures do not,
48 in the aggregate, require the governmental unit to
49 contract for the improvements in a manner other than
50 that specified in the contract.

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1 6. A facility alteration which includes
2 expenditures that are required to properly implement
3 other energy conservation measures may be included as
4 part of a performance-based efficiency contract. In
5 such a case, notwithstanding any other provision of
6 law, the installation of these additional measures may
7 be supervised by the qualified provider.

8 7. A governmental unit may enter into an
9 installment payment or lease-purchase agreement to
10 finance costs associated with the performance-based
11 efficiency contract. The qualified provider shall
12 either provide financing directly for the installment
13 payment or lease-purchase agreement or arrange
14 third-party financing. A contract shall provide for
15 all costs to be repaid in full within fifteen years
16 following the date the contract was entered into,
17 subject to extensions of up to five additional years
18 if projected savings sufficient to achieve project
19 repayment do not materialize during the fifteen-year
20 period following the date the contract was entered
21 into. The qualified provider or financing entity
22 shall be responsible for any costs not fully recovered
23 after twenty years. A governmental unit shall use

24 only documented energy savings as identified in
 25 the performance-based efficiency contract for the
 26 purpose of making installment or lease-purchase
 27 payments pursuant to the contract, together with
 28 energy efficiency rebates supplied or provided by a
 29 public utility, if applicable. If energy savings and
 30 rebates are insufficient to fully fund installment
 31 or lease-purchase payments, the qualified provider
 32 or financing entity shall carry forward the excess
 33 to future years. A public utility shall provide all
 34 necessary support to facilitate a performance-based
 35 efficiency contract, including but not limited to
 36 energy use and costs to disclosure to a qualified
 37 provider selected by the governmental unit and a
 38 financing entity, if applicable.

39 8. Any amount of the performance-based efficiency
 40 contract or installment payment or lease-purchase
 41 agreements costs that is guaranteed by the qualified
 42 provider shall be excluded from any limits or
 43 requirements imposed by sections 297.36, 331.402, and
 44 384.24A.

45 9. A governmental unit entering into a
 46 performance-based efficiency contract shall submit
 47 a report to the department by January 1, annually,
 48 regarding progress pursuant to the contract, results
 49 received, and containing any additional information as
 50 specified by the department.>

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1 2. By renumbering as necessary.

ISENHART of Dubuque

H-8496

1 Amend the amendment, H-8464, to Senate File 2336,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 28, line 42, after <supports.> by inserting
 5 <The department of human services, in cooperation with
 6 the department on aging and the department of public
 7 health, shall convene a stakeholder implementation
 8 and evaluation advisory committee to ensure that
 9 implementation timelines are established, goals are
 10 met, performance is evaluated at regular intervals, and
 11 implementation is accomplished in a coordinated and
 12 integrated manner and without duplication. The state
 13 implementation work plan developed by the advisory
 14 committee and submitted by the department of human
 15 services to the centers for Medicare and Medicaid
 16 services of the United States department of health and

17 human services shall provide for sufficient resources
 18 to develop the infrastructure necessary to meet the
 19 structural changes requirements of the state balancing
 20 incentive payments program.>

M. SMITH of Marshall

H-8497

1 Amend Senate File 2315, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 43, by striking lines 11 and 12 and
 4 inserting:

5 BRAIN INJURY DEFINITION>

6 2. Page 43, by striking line 35 and inserting

7 <assistance program.

8 Sec. ____ Section 225C.23, subsection 2, Code 2011,
 9 is amended to read as follows:

10 2. For the purposes of this section and section
 11 ~~135.22A~~, "brain injury" means the occurrence of injury
 12 ~~to the head not primarily related to a degenerative~~
 13 ~~disease or aging process that is documented in a~~
 14 ~~medical record with one or more of the following~~
 15 ~~conditions attributed to the head injury:~~

16 a. ~~An observed or self-reported decreased level of~~
 17 ~~consciousness.~~

18 b. ~~Amnesia.~~

19 c. ~~A skull fracture.~~

20 d. ~~An objective neurological or neuropsychological~~
 21 ~~abnormality.~~

22 e. ~~A diagnosed intracranial lesion same as defined~~
 23 ~~in section 135.22.~~

24 DIVISION ____

25 LEGAL SETTLEMENT>

26 3. Page 49, line 27, by striking <225C.8> and
 27 inserting <225C.8 331.438F>

28 4. Page 50, line 28, by striking <225C.8> and
 29 inserting <225C.8 331.438F>

30 5. Page 50, line 30, by striking <225C.8> and
 31 inserting <225C.8 331.438F>

32 6. Page 51, line 29, by striking <225C.8> and
 33 inserting <225C.8 331.438F>

34 7. Page 52, line 34, by striking <225C.8> and
 35 inserting <225C.8 331.438F>

36 8. By striking page 56, line 25, through page 58,
 37 line 30.

38 9. Page 59, by striking lines 13 through 27.

39 10. Page 64, line 25, by striking <225C.8> and
 40 inserting <225C.8 331.438F>

41 11. Page 65, line 30, by striking <225C.8> and
 42 inserting <225C.8 331.438F>

43 12. Page 66, after line 7 by inserting:

44 <Sec. ____ Section 230.6, Code 2011, is amended to
45 read as follows:
46 230.6 Investigation by administrator.
47 The administrator shall immediately investigate the
48 ~~legal settlement~~ residency of a patient and proceed as
49 follows:
50 1. If the administrator concurs with a certified

Page 2

1 determination of ~~legal settlement~~ residency concerning
2 the patient, the administrator shall cause the patient
3 either to be transferred to a state hospital for
4 persons with mental illness at the expense of the
5 state, or to be transferred, with approval of the court
6 as required by chapter 229 to the place of foreign
7 ~~settlement~~ residence.

8 2. If the administrator disputes a certified legal
9 ~~settlement~~ residency determination, the administrator
10 shall order the patient to be maintained at a state
11 hospital for persons with mental illness at the expense
12 of the state until the dispute is resolved.

13 3. If the administrator disputes a ~~legal settlement~~
14 residency determination, the administrator shall
15 utilize the procedure provided in section ~~225C.8~~
16 331.438F to resolve the dispute. A determination of
17 the person's ~~legal settlement~~ residency status made
18 pursuant to section ~~225C.8~~ 331.438F is conclusive.>

19 13. Page 67, line 4, by striking <225C.8> and
20 inserting <~~225C.8~~ 331.438F>

21 14. Page 68, line 4, by striking <225C.8> and
22 inserting <~~225C.8~~ 331.438F>

23 15. Page 68, after line 16 by inserting:

24 <Sec. ____ Section 232.141, subsection 8, Code
25 2011, is amended to read as follows:

26 8. This subsection applies only to placements in
27 a juvenile shelter care home which is publicly owned,
28 operated as a county or multicounty shelter care home,
29 organized under a chapter 28E agreement, or operated by
30 a private juvenile shelter care home. If the actual
31 and allowable costs of a child's shelter care placement
32 exceed the amount the department is authorized to pay
33 in accordance with law and administrative rule, the
34 unpaid costs may be recovered from the child's county
35 of legal settlement. However, the maximum amount of
36 the unpaid costs which may be recovered under this
37 subsection is limited to the difference between the
38 amount the department is authorized to pay and the
39 statewide average of the actual and allowable rates
40 in effect in May of the preceding fiscal year for
41 reimbursement of juvenile shelter care homes. In no
42 case shall the home be reimbursed for more than the

43 home's actual and allowable costs. The unpaid costs
 44 are payable pursuant to filing of verified claims
 45 against the county of legal settlement. A detailed
 46 statement of the facts upon which a claim is based
 47 shall accompany the claim. Any dispute between
 48 counties arising from filings of claims pursuant to
 49 this subsection shall be settled in the manner provided
 50 to determine ~~legal settlement~~ residency in section

Page 3

1 ~~225C.8 331.438F.>~~
 2 16. Page 70, line 34, by striking <and 7> and
 3 inserting <7, and 8>
 4 17. Page 71, after line 34 by inserting:
 5 <8. If a dispute arises between different counties
 6 or between the department and a county as to the ~~legal~~
 7 ~~settlement~~ residency of a person who receives medical
 8 assistance for which the nonfederal share is payable
 9 in whole or in part by a county of ~~legal settlement~~
 10 residence, and cannot be resolved by the parties, the
 11 dispute shall be resolved as provided in section ~~225C.8~~
 12 ~~331.438F.>~~
 13 18. Page 72, line 16, by striking <225C.8> and
 14 inserting <~~225C.8 331.438F~~>
 15 19. Page 74, after line 13 by inserting:
 16 <Sec. ___. REPEAL. Section 225C.8, Code 2011, is
 17 repealed.
 18 Sec. ___. EFFECTIVE DATE. This division of this
 19 Act takes effect July 1, 2013.>
 20 20. By renumbering as necessary.

SCHULTE of Linn

H-8498

1 Amend the amendment, H-8413, to Senate File 2315,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 2, after line 37 by inserting:
 5 <__. Page 7, line 10, by striking <1.a.> and
 6 inserting <1.>>
 7 2. Page 2, line 47, after <board> by inserting <and
 8 subject to approval by the director of human services>
 9 3. Page 10, line 33, by striking <dispute> and
 10 inserting <decision>
 11 4. Page 10, lines 44 and 45, by striking <health,
 12 safety, or welfare> and inserting <health or safety>
 13 5. Page 11, line 9, by striking <health, safety, or
 14 welfare> and inserting <health or safety>
 15 6. Page 11, line 21, after <filed.> by inserting
 16 <If the reviewer determines the information submitted

17 in connection with the request is inadequate to perform
 18 the review, the reviewer shall request the submission
 19 of additional information and the review shall be
 20 performed within two business days of the time that
 21 adequate information is submitted.>

22 7. Page 11, line 36, by striking <health, safety,
 23 or welfare> and inserting <health or safety>

24 8. Page 13, line 17, by striking <subacute> and
 25 inserting <publicly funded subacute>

26 9. Page 14, by striking lines 41 and 42 and
 27 inserting <to a psychiatrist or advanced registered
 28 nurse practitioner.>

29 10. Page 15, line 6, by striking <SUBACUTE MENTAL
 30 HEALTH SERVICES> and inserting <SUBACUTE CARE FACILITY>

31 11. Page 15, line 9, by striking <mental health>
 32 and inserting <care facility for persons with serious
 33 and persistent mental illness>

34 12. Page 16, line 3, by striking <135B or> and
 35 inserting <135B, 135C, or>

36 13. Page 17, line 37, by striking <2012> and
 37 inserting <2008>

38 14. Page 18, by striking lines 40 through 42 and
 39 inserting <county services fund shall not exceed the
 40 lower of the following amounts:

41 (1) The amount of the county's base year
 42 expenditures for mental health and disabilities
 43 services.

44 (2) The amount equal to the product of the
 45 statewide per capita expenditure target for the fiscal
 46 year beginning July 1, 2013, multiplied by the county's
 47 general population for the same fiscal year.>>

48 15. Page 19, line 46, by striking <426B.3A> and
 49 inserting <426B.3>

SCHULTE of Linn

H-8499

1 Amend House File 2471 as follows:

2 1. Page 4, after line 12 by inserting:

3 <Sec. ____ Section 257.21, Code 2011, is amended to
 4 read as follows:

5 257.21 Computation of instructional support amount.

6 1. The department of management shall establish
 7 the amount of instructional support property tax to be
 8 levied and the amount of instructional support income
 9 surtax to be imposed by a district in accordance with
 10 the decision of the board under section 257.19 for
 11 each school year for which the instructional support
 12 program is authorized. The department of management
 13 shall determine these amounts based upon the most
 14 recent figures available for the district's valuation

15 of taxable property, individual state income tax
 16 paid, and budget enrollment in the district, and shall
 17 certify to the district's county auditor the amount of
 18 instructional support property tax, and to the director
 19 of revenue the amount of instructional support income
 20 surtax to be imposed if an instructional support income
 21 surtax is to be imposed.

22 2. The instructional support income surtax shall
 23 be imposed on the state individual income tax for the
 24 calendar year during which the school's budget year
 25 begins, or for a taxpayer's fiscal year ending during
 26 the second half of that calendar year and after the
 27 date the board adopts a resolution to participate
 28 in the program or the first half of the succeeding
 29 calendar year, and shall be imposed on all individuals
 30 residing in the school district on the last day of the
 31 applicable tax year. As used in this section, "state
 32 individual income tax" means the taxes computed under
 33 section 422.5, without regard to the adjustment to
 34 net income in section 422.7, subsection 57, less the
 35 amounts of nonrefundable credits allowed under chapter
 36 422, division II.>

37 2. Page 5, after line 27 by inserting:

38 <Sec. ____ Section 422D.2, Code 2011, is amended to
 39 read as follows:

40 422D.2 Local income surtax.

41 A county may impose by ordinance a local income
 42 surtax as provided in section 422D.1 at the rate set by
 43 the board of supervisors, of up to one percent, on the
 44 state individual income tax of each individual residing
 45 in the county at the end of the individual's applicable
 46 tax year. However, the cumulative total of the
 47 percents of income surtax imposed on any taxpayer in
 48 the county shall not exceed twenty percent. The reason
 49 for imposing the surtax and the amount needed shall be
 50 set out in the ordinance. The surtax rate shall be

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1 set to raise only the amount needed. For purposes of
 2 this section, "state individual income tax" means the
 3 tax computed under section 422.5, without regard to the
 4 adjustment to net income in section 422.7, subsection
 5 57, less the amounts of nonrefundable credits allowed
 6 under chapter 422, division II.>

7 3. By renumbering as necessary.

H-8500

1 Amend the amendment, H-8413, to Senate File 2315,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 8, by striking lines 25 through 34 and
5 inserting:

6 <b. (1) The director of human services shall
7 exempt a county from being required to enter into
8 a regional service system if the county furnishes
9 evidence that the county complies with the requirements
10 in subsection 3, paragraphs "d", "e", "f", and "g", and
11 is able to provide the core services required by law
12 to the county's residents in a manner that is as cost
13 effective and with outcomes that are at least equal to
14 what could be provided to the residents if the county
15 would provide the services through a regional service
16 system. The director shall identify criteria for
17 evaluating the evidence provided by counties applying
18 for the exemption. The criteria identified shall be
19 specified in rule adopted by the state commission.

20 (2) To be considered for an exemption under
21 subparagraph (1), a county must file a written
22 statement of intent to apply for an exemption with the
23 department on or before May 1, 2013, and the county's
24 exemption application must be filed with the department
25 on or before June 30, 2013. The director of human
26 services shall issue a decision on the application
27 within forty-five days of receiving the application.
28 This subparagraph is repealed July 1, 2013.>

29 2. Page 12, after line 15 by inserting:

30 <__. Page 34, after line 31 by inserting:

31 <Sec. __. EMERGENCY RULES. The mental health and
32 disability services commission may adopt administrative
33 rules under section 17A.4, subsection 3, and section
34 17A.5, subsection 2, paragraph "b", to implement
35 the provisions of this division of this Act enacting
36 section 331.438B, that relate to criteria for
37 evaluation of an application for an exemption from
38 regionalization, and the rules shall become effective
39 immediately upon filing or on a later effective date
40 specified in the rules, unless the effective date is
41 delayed by the administrative rules review committee.
42 Any rules adopted in accordance with this section
43 shall not take effect before the rules are reviewed
44 by the administrative rules review committee. The
45 delay authority provided to the administrative rules
46 review committee under section 17A.4, subsection 7, and
47 section 17A.8, subsection 9, shall be applicable to a
48 delay imposed under this section, notwithstanding a
49 provision in those sections making them inapplicable
50 to section 17A.5, subsection 2, paragraph "b". Any

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1 rules adopted in accordance with the provisions of this
2 section shall also be published as notice of intended
3 action as provided in section 17A.4.>>

4 3. Page 17, after line 24 by inserting:
5 <__. By striking page 68, line 17, through page
6 71, line 34.>

7 4. Page 20, before line 50 by inserting:
8 <__. Page 74, after line 13 by inserting:

9 <MENTAL HEALTH AND DISABILITY SERVICES REDESIGN
10 FUNDING FOR FY 2012-2013

11 Sec. __. MENTAL HEALTH AND DISABILITY SERVICES

12 REDESIGN. There is appropriated from the general fund
13 of the state to the department of human services for
14 the fiscal year beginning July 1, 2012, and ending June
15 30, 2013, the following amount, or so much thereof as
16 is necessary, to be used for the purposes designated:

17 To be credited to the mental health and disability
18 services redesign fund created in this division of this
19 Act:

20 \$ 41,736,918

21 Sec. __. REPLACEMENT GENERATION TAX REVENUES –
22 LEVY RATES FOR FY 2012-2013.

23 1. a. For the fiscal year beginning July 1, 2012,
24 and ending June 30, 2013, the replacement generation
25 tax revenues required to be deposited in the property
26 tax relief fund pursuant to section 437A.8, subsection
27 4, paragraph "d", and section 437A.15, subsection 3,
28 paragraph "f", shall instead be credited to the mental
29 health and disability services redesign fund created in
30 this division of this Act.

31 b. If this section of this division of this Act is
32 enacted after the department of management has reduced
33 county certified budgets and revised rates of taxation
34 pursuant to section 426B.2, subsection 3, paragraph
35 "b", to reflect anticipated replacement generation tax
36 revenues, and the enactment date is during the period
37 beginning May 1, 2012, and ending June 30, 2012, the
38 reductions and revisions shall be rescinded and the
39 department of management shall expeditiously report
40 that fact to the county auditors.

41 2. Except as otherwise provided in subsection 1
42 for department of management reductions of certified
43 budgets and revisions of tax rates and rescinding
44 of those reductions and revisions, the budgets and
45 tax rates certified for a county services fund under
46 section 331.424A, for the fiscal year beginning July 1,
47 2012, shall remain in effect, notwithstanding section
48 426B.3, subsection 1, the property tax relief fund
49 payment and other services fund financing changes
50 made in this division of this Act, or other statutory

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1 amendments affecting county services funds for the
2 fiscal year to the contrary.

3 Sec. ____ MENTAL HEALTH AND DISABILITY SERVICES
4 REDESIGN FUND — FY 2012-2013.

5 1. A mental health and disability services redesign
6 fund is created in the state treasury on the effective
7 date of this section to be used as provided in this
8 section for the fiscal year beginning July 1, 2012,
9 and ending June 30, 2013. The redesign fund is under
10 the control of the department of human services.

11 Moneys remaining in the redesign fund at the close
12 of the fiscal year beginning July 1, 2012, shall
13 be transferred to the mental health and disability
14 regional services fund created in section 225C.7A.

15 2. Moneys available in the mental health and
16 disability services redesign fund created in this
17 section, are appropriated to the department of human
18 services for the fiscal year beginning July 1, 2012,
19 and ending June 30, 2013, to be used as provided in
20 this section.

21 3. Moneys appropriated in this section shall be
22 used to pay the nonfederal share of medical assistance
23 program services costs that would be billed to
24 counties, if the amendments to sections 249A.12 and
25 249A.26 were not enacted by this division of this Act,
26 for the following services provided in the fiscal year
27 beginning July 1, 2012:

28 a. Habilitation.

29 b. Targeted case management.

30 c. Home-based and community-based services waiver
31 services for persons with intellectual disabilities and
32 brain injury.

33 d. Community-based intermediate care facilities for
34 persons with mental retardation (ICF/MR).

35 e. The state resource centers.

36 4. The nonfederal share of the medical assistance
37 services costs for the services specified in subsection
38 3 provided for the fiscal year beginning July 1, 2012,
39 shall be paid from the mental health and disability
40 services redesign fund and shall not be billed to
41 counties.

42 5. Of the funds appropriated in this section,
43 for the fiscal year beginning July 1, 2012, \$500,000
44 shall be used to implement the children's mental
45 health home project proposed by the department of
46 human services and reported to the general assembly's
47 mental health and disability services study committee
48 in December 2011. Of this amount up to \$50,000 may
49 be transferred by the department to the appropriation
50 made to the department for the fiscal year for general

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1 administration to be used for associated administrative
2 expenses and for not more than one full-time equivalent
3 position, in addition to those authorized for the
4 fiscal year, to be assigned to implementing the
5 project.

6 6. Of the funds appropriated in this section, up to
7 \$400,000 may be transferred by the department to the
8 appropriation made to the department for the fiscal
9 year for general administration to support redesign
10 and balancing incentive planning and implementation
11 activities. The funds may be used for contracts or for
12 personnel in addition to the amounts appropriated for
13 and the positions authorized for general administration
14 for the fiscal year.

15 7. Of the funds appropriated in this section, up to
16 \$3,000,000 may be transferred by the department to the
17 appropriations made to the department for the fiscal
18 year for general administration or medical contracts to
19 be used to support the development and implementation
20 of standardized assessment tools for persons with
21 mental illness, an intellectual disability, a
22 developmental disability, or a brain injury.

23 Sec. __. Section 249A.12, Code 2011, is amended to
24 read as follows:

25 249A.12 Assistance to persons with mental
26 retardation — state cases.

27 1. Assistance may be furnished under this chapter
28 to an otherwise eligible recipient who is a resident of
29 a health care facility licensed under chapter 135C and
30 certified as an intermediate care facility for persons
31 with mental retardation.

32 ~~2. A county shall reimburse the department on
33 a monthly basis for that portion of the cost of
34 assistance provided under this section to a recipient
35 with legal settlement in the county, which is not paid
36 from federal funds, if the recipient's placement has
37 been approved by the appropriate review organization as
38 medically necessary and appropriate. The department's
39 goal for the maximum time period for submission of a
40 claim to a county is not more than sixty days following
41 the submission of the claim by the provider of the
42 service to the department. The department's goal
43 for completion and crediting of a county for cost
44 settlement for the actual costs of a service under a
45 home and community-based services waiver is within two
46 hundred seventy days of the close of a fiscal year
47 for which cost reports are due from providers. The
48 department shall place all reimbursements from counties
49 in the appropriation for medical assistance, and may
50 use the reimbursed funds in the same manner and for~~

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1 ~~any purpose for which the appropriation for medical~~
2 ~~assistance may be used.~~

3 ~~3. 2.~~ If a county reimburses ~~reimbursed~~ the
4 department for medical assistance provided under
5 this section, Code 2011, and the amount of medical
6 assistance is subsequently repaid through a medical
7 assistance income trust or a medical assistance
8 special needs trust as defined in section 633C.1,
9 the department shall reimburse the county on a
10 proportionate basis. The department shall adopt rules
11 to implement this subsection.

12 ~~4. 3.~~ a. Effective July 1, 1995, the state shall
13 be responsible for all of the nonfederal share of the
14 costs of intermediate care facility for persons with
15 mental retardation services provided under medical
16 assistance to minors. Notwithstanding ~~subsection 2~~
17 ~~and~~ contrary provisions of section 222.73, Code 2011,
18 effective July 1, 1995, a county is not required to
19 reimburse the department and shall not be billed for
20 the nonfederal share of the costs of such services
21 provided to minors.

22 b. The state shall be responsible for all of
23 the nonfederal share of medical assistance home
24 and community-based services waivers for persons
25 with intellectual disabilities services provided to
26 minors, and a county is not required to reimburse the
27 department and shall not be billed for the nonfederal
28 share of the costs of the services.

29 c. Effective February 1, 2002, the state shall
30 be responsible for all of the nonfederal share of
31 the costs of intermediate care facility for persons
32 with mental retardation services provided under
33 medical assistance attributable to the assessment
34 fee for intermediate care facilities for individuals
35 with mental retardation imposed pursuant to section
36 249A.21. ~~Notwithstanding subsection 2, effective~~
37 Effective February 1, 2003, a county is not required
38 to reimburse the department and shall not be billed
39 for the nonfederal share of the costs of such services
40 attributable to the assessment fee.

41 ~~5. 4.~~ a. The mental health and disability
42 services commission shall recommend to the department
43 the actions necessary to assist in the transition
44 of individuals being served in an intermediate care
45 facility for persons with mental retardation, who are
46 appropriate for the transition, to services funded
47 under a medical assistance home and community-based
48 services waiver for persons with intellectual
49 disabilities in a manner which maximizes the use of
50 existing public and private facilities. The actions

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1 may include but are not limited to submitting any of
2 the following or a combination of any of the following
3 as a request for a revision of the medical assistance
4 home and community-based services waiver for persons
5 with intellectual disabilities:

6 (1) Allow for the transition of intermediate care
7 facilities for persons with mental retardation licensed
8 under chapter 135C, to services funded under the
9 medical assistance home and community-based services
10 waiver for persons with intellectual disabilities. The
11 request shall be for inclusion of additional persons
12 under the waiver associated with the transition.

13 (2) Allow for reimbursement under the waiver for
14 day program or other service costs.

15 (3) Allow for exception provisions in which an
16 intermediate care facility for persons with mental
17 retardation which does not meet size and other
18 facility-related requirements under the waiver in
19 effect on June 30, 1996, may convert to a waiver
20 service for a set period of time such as five years.
21 Following the set period of time, the facility would
22 be subject to the waiver requirements applicable to
23 services which were not operating under the exception
24 provisions.

25 b. In implementing the provisions of this
26 subsection, the mental health and disability services
27 commission shall consult with other states. The waiver
28 revision request or other action necessary to assist in
29 the transition of service provision from intermediate
30 care facilities for persons with mental retardation
31 to alternative programs shall be implemented by the
32 department in a manner that can appropriately meet
33 the needs of individuals at an overall lower cost to
34 counties, the federal government, and the state. In
35 addition, the department shall take into consideration
36 significant federal changes to the medical assistance
37 program in formulating the department's actions under
38 this subsection. The department shall consult with the
39 mental health and disability services commission in
40 adopting rules for oversight of facilities converted
41 pursuant to this subsection. A transition approach
42 described in paragraph "a" may be modified as necessary
43 to obtain federal waiver approval.

44 ~~6- 5.~~ a. The provisions of the home and
45 community-based services waiver for persons with
46 intellectual disabilities shall include adult day
47 care, prevocational, and transportation services.
48 Transportation shall be included as a separately
49 payable service.

50 b. The department of human services shall seek

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1 federal approval to amend the home and community-based
2 services waiver for persons with intellectual
3 disabilities to include day habilitation services.
4 Inclusion of day habilitation services in the waiver
5 shall take effect upon receipt of federal approval.

6 ~~e. The person's county of legal settlement shall
7 pay for the nonfederal share of the cost of services
8 provided under the waiver, and the state shall pay for
9 the nonfederal share of such costs if the person has no
10 legal settlement or the legal settlement is unknown so
11 that the person is deemed to be a state case.~~

12 ~~d. The county of legal settlement shall pay for one
13 hundred percent of the nonfederal share of the costs
14 of care provided for adults which is reimbursed under
15 a home and community-based services waiver that would
16 otherwise be approved for provision in an intermediate
17 care facility for persons with mental retardation
18 provided under the medical assistance program.~~

19 ~~7. 6. When paying the necessary and legal expenses
20 for intermediate care facility for persons with mental
21 retardation services, the cost requirements of section
22 222.60 shall be considered fulfilled when payment is
23 made in accordance with the medical assistance payment
24 rates established by the department for intermediate
25 care facilities for persons with mental retardation,
26 and the state or a county of legal settlement shall not
27 be obligated for any amount in excess of the rates.~~

28 ~~8. 7. If a person with mental retardation has no
29 legal settlement or the legal settlement is unknown
30 so that the person is deemed to be a state case and
31 services associated with the mental retardation
32 can be covered under a medical assistance home and
33 community-based services waiver or other medical
34 assistance program provision, the nonfederal share of
35 the medical assistance program costs for such coverage
36 shall be paid from the appropriation made for the
37 medical assistance program.~~

38 ~~Sec. ____.~~ Section 249A.26, subsection 2, Code 2011,
39 is amended to read as follows:

40 2. a. Except as provided for disallowed costs
41 in section 249A.27, the county of legal settlement
42 shall pay for fifty percent of the nonfederal share
43 of the cost and the state shall have responsibility
44 for the remaining fifty pay one hundred percent of
45 the nonfederal share of the cost of case management
46 provided to adults, day treatment, and partial
47 hospitalization provided under the medical assistance
48 program for persons with mental retardation, a
49 developmental disability, or chronic mental illness.
50 For purposes of this section, persons with mental

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1 disorders resulting from Alzheimer's disease or
2 ~~substance abuse~~ a substance-related disorder shall
3 not be considered ~~chronically mentally ill~~ to be
4 persons with chronic mental illness. ~~To the maximum~~
5 ~~extent allowed under federal law and regulations,~~
6 ~~the department shall consult with and inform a county~~
7 ~~of legal settlement's central point of coordination~~
8 ~~process, as defined in section 331.440, regarding the~~
9 ~~necessity for and the provision of any service for~~
10 ~~which the county is required to provide reimbursement~~
11 ~~under this subsection.~~

12 b. The state shall pay for one hundred percent
13 of the nonfederal share of the costs of case
14 management provided for adults, day treatment, partial
15 hospitalization, and the home and community-based
16 services waiver services for persons who have no
17 legal settlement residence in this state or the legal
18 settlement whose residence is unknown so that the
19 persons are deemed to be state cases.

20 c. The case management services specified in this
21 subsection shall be paid for by a county only if
22 the services are provided outside of a managed care
23 contract.

24 Sec. ____ Section 249A.26, subsections 3, 4, 7, and
25 8, Code 2011, are amended to read as follows:

26 ~~3. To the maximum extent allowed under federal law~~
27 ~~and regulations, a person with mental illness or mental~~
28 ~~retardation shall not be eligible for any service which~~
29 ~~is funded in whole or in part by a county share of the~~
30 ~~nonfederal portion of medical assistance funds unless~~
31 ~~the person is referred through the central point of~~
32 ~~coordination process, as defined in section 331.440.~~
33 ~~However, to the extent federal law allows referral of~~
34 ~~a medical assistance recipient to a service without~~
35 ~~approval of the central point of coordination process,~~
36 ~~the county of legal settlement shall be billed for the~~
37 ~~nonfederal share of costs for any adult person for whom~~
38 ~~the county would otherwise be responsible.~~

39 4. The ~~county of legal settlement~~ state shall pay
40 ~~for~~ one hundred percent of the nonfederal share of the
41 cost of services provided to adult persons with chronic
42 mental illness who qualify for habilitation services
43 in accordance with the rules adopted for the services.
44 ~~The state shall pay for one hundred percent of the~~
45 ~~nonfederal share of the cost of such services provided~~
46 ~~to such persons who have no legal settlement or the~~
47 ~~legal settlement is unknown so that the persons are~~
48 ~~deemed to be state cases.~~

49 7. ~~Unless a county has paid or is paying for the~~
50 ~~nonfederal share of the costs of a person's home and~~

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1 ~~community-based waiver services or placement in an~~
 2 ~~intermediate care facility for persons with mental~~
 3 ~~retardation under the county's mental health, mental~~
 4 ~~retardation, and developmental disabilities services~~
 5 ~~fund, or unless a county of legal settlement would~~
 6 ~~become liable for the costs of services for a person~~
 7 ~~at the level of care provided in an intermediate~~
 8 ~~care facility for persons with mental retardation due~~
 9 ~~to the person reaching the age of majority, the The~~
 10 ~~state shall pay for the nonfederal share of the costs~~
 11 ~~of an eligible person's services under the home and~~
 12 ~~community-based services waiver for persons with brain~~
 13 ~~injury.~~

14 8. If a dispute arises between different counties
 15 or between the department and a county as to the
 16 legal settlement of a person who ~~receives~~ received
 17 medical assistance for which the nonfederal share is
 18 was payable in whole or in part by a county of legal
 19 settlement in accordance with Code 2011, and cannot be
 20 resolved by the parties, the dispute shall be resolved
 21 as provided in section 225C.8, Code 2011.

22 Sec. ____ Section 445.5, subsection 1, paragraph
 23 h, Code Supplement 2011, is amended by striking the
 24 paragraph.

25 Sec. ____ 2011 Iowa Acts, chapter 129, section 43,
 26 subsection 2, paragraphs d and e, are amended to read
 27 as follows:

28 d. If moneys from a distribution made under this
 29 subsection are not expended by a county by ~~November 1,~~
 30 ~~2012~~ June 30, 2013, for services provided ~~prior to July~~
 31 ~~1, 2012~~ by that date, the county shall reimburse the
 32 unexpended moneys to the department by ~~November 30,~~
 33 ~~2012~~ August 30, 2013, and the moneys reimbursed shall
 34 be credited to the risk pool in the property tax relief
 35 fund.

36 e. The risk pool board shall submit ~~a report~~
 37 reports to the governor and general assembly on or
 38 before December 31, 2012 ~~and 2013~~, regarding the
 39 expenditure of funds distributed under this subsection.

40 Sec. ____ 2011 Iowa Acts, chapter 129, section 135,
 41 is amended to read as follows:

42 SEC. 135. MI/MR/DD STATE CASES.

43 1. There is appropriated from the general fund of
 44 the state to the department of human services for the
 45 fiscal year beginning July 1, 2012, and ending June 30,
 46 2013, the following amount, or so much thereof as is
 47 necessary, to be used for the purpose designated:

48 ~~For distribution to counties for state case services~~
 49 ~~for persons with mental illness, mental retardation,~~
 50 ~~and developmental disabilities in accordance with~~

1 section 331.440 To be credited to the mental health
2 and disability services redesign fund created by this
3 division of this 2012 Act:

4 \$ 6,084,741
5 11,150,820

6 ~~2. For the fiscal year beginning July 1, 2012,~~
7 ~~and ending June 30, 2013, \$100,000 is allocated for~~
8 ~~state case services from the amounts appropriated from~~
9 ~~the fund created in section 8.41 to the department~~
10 ~~of human services from the funds received from the~~
11 ~~federal government under 42 U.S.C. ch. 6A, subch. XVII,~~
12 ~~relating to the community mental health center block~~
13 ~~grant, for the federal fiscal years beginning October~~
14 ~~1, 2010, and ending September 30, 2011, beginning~~
15 ~~October 1, 2011, and ending September 30, 2012, and~~
16 ~~beginning October 1, 2012, and ending September 30,~~
17 ~~2013. The allocation made in this subsection shall be~~
18 ~~made prior to any other distribution allocation of the~~
19 ~~appropriated federal funds.~~

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. ____ 2011 Iowa Acts, chapter 129, section 136,
27 is amended to read as follows:

28 SEC. 136. MENTAL HEALTH AND DEVELOPMENTAL
29 DISABILITIES — COMMUNITY SERVICES FUND. There is
30 appropriated from the general fund of the state to the
31 mental health and developmental disabilities community
32 services fund created in section 225C.7 department of
33 human services for the fiscal year beginning July 1,
34 2012, and ending June 30, 2013, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purpose designated:

37 For mental health and developmental disabilities
38 community services in accordance with this division
39 of this Act To be credited to the mental health and
40 disability services redesign fund created by this
41 division of this 2012 Act:

42 \$ 14,211,100

43 ~~1. Of the funds appropriated in this section,~~
44 ~~\$14,187,556 shall be allocated to counties for funding~~
45 ~~of community-based mental health and developmental~~
46 ~~disabilities services. The moneys shall be allocated~~
47 ~~to a county as follows:~~

48 ~~a. Fifty percent based upon the county's proportion~~
49 ~~of the state's population of persons with an annual~~
50 ~~income which is equal to or less than the poverty~~

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1 guideline established by the federal office of
2 management and budget.

3 b. Fifty percent based upon the county's proportion
4 of the state's general population.

5 2. a. A county shall utilize the funding the
6 county receives pursuant to subsection 1 for services
7 provided to persons with a disability, as defined in
8 section 225C.2. However, no more than 50 percent of
9 the funding shall be used for services provided to any
10 one of the service populations.

11 b. A county shall use at least 50 percent of
12 the funding the county receives under subsection 1
13 for contemporary services provided to persons with
14 a disability, as described in rules adopted by the
15 department.

16 3. Of the funds appropriated in this section,
17 \$23,544 shall be used to support the Iowa compass
18 program providing computerized information and referral
19 services for Iowans with disabilities and their
20 families.

21 4. a. Funding appropriated for purposes of the
22 federal social services block grant is allocated for
23 distribution to counties for local purchase of services
24 for persons with mental illness or mental retardation
25 or other developmental disability.

26 b. The funds allocated in this subsection shall be
27 expended by counties in accordance with the county's
28 county management plan approved by the board of
29 supervisors. A county without an approved county
30 management plan shall not receive allocated funds until
31 the county's management plan is approved.

32 e. The funds provided by this subsection shall be
33 allocated to each county as follows:

34 (1) Fifty percent based upon the county's
35 proportion of the state's population of persons with
36 an annual income which is equal to or less than the
37 poverty guideline established by the federal office of
38 management and budget.

39 (2) Fifty percent based upon the amount provided
40 to the county for local purchase of services in the
41 preceding fiscal year.

42 5. A county is eligible for funds under this
43 section if the county qualifies for a state payment as
44 described in section 331.439.

45 6. The most recent population estimates issued by
46 the United States bureau of the census shall be applied
47 for the population factors utilized in this section.

48 Sec. __. 2011 Iowa Acts, chapter 129, section 154,
49 is amended to read as follows:

50 SEC. 154. MENTAL HEALTH, MENTAL RETARDATION,

1 AND DEVELOPMENTAL DISABILITIES SERVICES PROPERTY
 2 TAX RELIEF. ~~Notwithstanding~~ In lieu of the standing
 3 appropriation in section 426B.1, subsection 2, for the
 4 fiscal year beginning July 1, 2012, and ending June
 5 30, 2013, ~~the amount there is~~ appropriated from the
 6 general fund of the state ~~pursuant to that provision~~
 7 shall not exceed to the department of human services
 8 the following amount or so much thereof as is necessary
 9 to be used for the purposes designated:

10 To be credited to the mental health and disability
 11 services redesign fund created by this division of this
 12 2012 Act:

13 \$ 81,199,911

14 Sec. ____ 2011 Iowa Acts, chapter 129, section 155,
 15 is amended to read as follows:

16 SEC. 155. ADULT MH/MR/DD SERVICES ALLOWED GROWTH
 17 FUNDING — FY 2012-2013.

18 1. There is appropriated from the general fund of
 19 the state to the department of human services for the
 20 fiscal year beginning July 1, 2012, and ending June 30,
 21 2013, the following amount, or so much thereof as is
 22 necessary, to be used for the purpose designated:

23 ~~For distribution to counties of the county mental~~
 24 ~~health, mental retardation, and developmental~~
 25 ~~disabilities allowed growth factor adjustment for~~
 26 ~~fiscal year 2012-2013 as provided in this section in~~
 27 ~~lieu of the allowed growth factor provisions of section~~
 28 ~~331.438, subsection 2, and section 331.439, subsection~~
 29 ~~3, and chapter 426B~~ To be credited to the mental health
 30 and disability services redesign fund created by this
 31 division of this 2012 Act:

32 \$ 74,697,893

33 2. ~~Of the amount appropriated in this section,~~
 34 ~~\$38,000,000 shall be distributed as provided in this~~
 35 ~~subsection.~~

36 ~~a. To be eligible to receive a distribution under~~
 37 ~~this subsection, a county must meet the following~~
 38 ~~requirements:~~

39 (1) ~~The county is levying for the maximum amount~~
 40 ~~allowed for the county's mental health, mental~~
 41 ~~retardation, and developmental disabilities services~~
 42 ~~fund under section 331.424A for taxes due and payable~~
 43 ~~in the fiscal year beginning July 1, 2012, or the~~
 44 ~~county is levying for at least 90 percent of the~~
 45 ~~maximum amount allowed for the county's services fund~~
 46 ~~and that levy rate is more than \$2 per \$1,000 of the~~
 47 ~~assessed value of all taxable property in the county.~~

48 (2) ~~In the fiscal year beginning July 1, 2010,~~
 49 ~~the county's mental health, mental retardation, and~~
 50 ~~developmental disabilities services fund ending balance~~

1 under generally accepted accounting principles was
2 equal to or less than 15 percent of the county's actual
3 gross expenditures for that fiscal year.

4 b. The amount of a county's distribution from the
5 allocation made in this subsection shall be determined
6 based upon the county's proportion of the general
7 population of the counties eligible to receive a
8 distribution under this subsection. The most recent
9 population estimates issued by the United States
10 bureau of the census shall be applied in determining
11 population for the purposes of this paragraph.

12 c. The distributions made pursuant to this
13 subsection are subject to the distribution provisions
14 and withholding requirements established in this
15 section for the county mental health, mental
16 retardation, and developmental disabilities allowed
17 growth factor adjustment for the fiscal year beginning
18 July 1, 2012.

19 3. The following amount of the funding appropriated
20 in this section is the allowed growth factor adjustment
21 for fiscal year 2012-2013, and shall be credited to the
22 allowed growth funding pool created in the property tax
23 relief fund and for distribution in accordance with
24 section 426B.5, subsection 1:

25 \$ 36,697,893

26 4. The following formula amounts shall be utilized
27 only to calculate preliminary distribution amounts for
28 the allowed growth factor adjustment for fiscal year
29 2012-2013 under this section by applying the indicated
30 formula provisions to the formula amounts and producing
31 a preliminary distribution total for each county:

32 a. For calculation of a distribution amount for
33 eligible counties from the allowed growth funding pool
34 created in the property tax relief fund in accordance
35 with the requirements in section 426B.5, subsection 1:

36 \$ 49,773,346

37 b. For calculation of a distribution amount for
38 counties from the mental health and developmental
39 disabilities (MH/DD) community services fund
40 in accordance with the formula provided in the
41 appropriation made for the MH/DD community services
42 fund for the fiscal year beginning July 1, 2012:

43 \$ 14,187,556

44 5. a. After applying the applicable statutory
45 distribution formulas to the amounts indicated in
46 subsection 4 for purposes of producing preliminary
47 distribution totals, the department of human services
48 shall apply a withholding factor to adjust an eligible
49 individual county's preliminary distribution total.
50 In order to be eligible for a distribution under

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1 this section, a county must be levying 90 percent or
2 more of the maximum amount allowed for the county's
3 mental health, mental retardation, and developmental
4 disabilities services fund under section 331.424A for
5 taxes due and payable in the fiscal year for which the
6 distribution is payable.

7 b. An ending balance percentage for each county
8 shall be determined by expressing the county's ending
9 balance on a modified accrual basis under generally
10 accepted accounting principles for the fiscal year
11 beginning July 1, 2010, in the county's mental health,
12 mental retardation, and developmental disabilities
13 services fund created under section 331.424A, as a
14 percentage of the county's gross expenditures from that
15 fund for that fiscal year. If a county borrowed moneys
16 for purposes of providing services from the county's
17 services fund on or before July 1, 2010, and the
18 county's services fund ending balance for that fiscal
19 year includes the loan proceeds or an amount designated
20 in the county budget to service the loan for the
21 borrowed moneys, those amounts shall not be considered
22 to be part of the county's ending balance for purposes
23 of calculating an ending balance percentage under this
24 subsection.

25 e. For purposes of calculating withholding
26 factors and for ending balance amounts used for other
27 purposes under law, the county ending balances shall
28 be adjusted, using forms developed for this purpose
29 by the county finance committee, to disregard the
30 temporary funding increase provided to the counties
31 for the fiscal year through the federal American
32 Recovery and Reinvestment Act of 2009, Pub. L. No.
33 111-5. In addition, a county may adjust the ending
34 balance amount by rebating to the department all or
35 a portion of the allowed growth and MH/DD services
36 fund moneys the county received for the fiscal year
37 beginning July 1, 2011, in accordance with this Act, or
38 from any other services fund moneys available to the
39 county. The rebate must be remitted to the department
40 on or before June 1, 2012, in order to be counted.
41 The amount rebated by a county shall be subtracted
42 dollar-for-dollar from the county's ending balance
43 amount for the fiscal year beginning July 1, 2010, for
44 purposes of calculating the withholding factor and
45 for other ending balance purposes for the fiscal year
46 beginning July 1, 2012. The rebates received by the
47 department shall be credited to the property tax relief
48 fund and distributed as additional funding for the
49 fiscal year beginning July 1, 2012, in accordance with
50 the formula provisions in this section.

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1 d. The withholding factor for a county shall be the
2 following applicable percent:

3 (1) For an ending balance percentage of less than
4 5 percent, a withholding factor of 0 percent. In
5 addition, a county that is subject to this lettered
6 paragraph shall receive an inflation adjustment equal
7 to 3 percent of the gross expenditures reported for the
8 county's services fund for the fiscal year.

9 (2) For an ending balance percentage of 5 percent
10 or more but less than 10 percent, a withholding factor
11 of 0 percent. In addition, a county that is subject
12 to this lettered paragraph shall receive an inflation
13 adjustment equal to 2 percent of the gross expenditures
14 reported for the county's services fund for the fiscal
15 year.

16 (3) For an ending balance percentage of 10 percent
17 or more but less than 25 percent, a withholding factor
18 of 25 percent. However, for counties with an ending
19 balance of 10 percent or more but less than 15 percent,
20 the amount withheld shall be limited to the amount by
21 which the county's ending balance was in excess of the
22 ending balance percentage of 10 percent.

23 (4) For an ending balance percentage of 25 percent
24 or more, a withholding percentage of 100 percent.

25 6. The total withholding amounts applied pursuant
26 to subsection 5 shall be equal to a withholding target
27 amount of \$13,075,453. If the department of human
28 services determines that the amount appropriated
29 is insufficient or the amount to be withheld in
30 accordance with subsection 5 is not equal to the target
31 withholding amount, the department shall adjust the
32 withholding factors listed in subsection 5 as necessary
33 to achieve the target withholding amount. However, in
34 making such adjustments to the withholding factors,
35 the department shall strive to minimize changes to the
36 withholding factors for those ending balance percentage
37 ranges that are lower than others and shall only adjust
38 the zero withholding factor or the inflation adjustment
39 percentages specified in subsection 5, paragraph "d",
40 when the amount appropriated is insufficient.

41 Sec. __. 2012 Iowa Acts, Senate File 2071, section
42 6, subsections 5 and 6, are amended to read as follows:

43 5. If moneys from a distribution made under this
44 section are not expended by a county by ~~November 1,~~
45 ~~2012 June 30, 2013,~~ for services provided ~~prior to July~~
46 ~~1, 2012 by that date,~~ the county shall reimburse the
47 unexpended moneys to the department by ~~November 30,~~
48 ~~2012 August 30, 2013,~~ and the moneys reimbursed shall
49 be credited to the risk pool in the property tax relief
50 fund.

1 6. The risk pool board shall submit ~~a report~~
 2 reports to the governor and general assembly on or
 3 before December 31, 2012 and 2013, regarding the
 4 expenditure of funds distributed under this section.
 5 Sec. ____ 2012 Iowa Acts, Senate File 2071, section
 6 7, is amended to read as follows:

7 SEC. 7. PROPERTY TAX RELIEF — FY 2012-2013. There
 8 is appropriated from the Iowa economic emergency fund
 9 to the department of human services for the fiscal
 10 year beginning July 1, 2011, and ending June 30,
 11 2012, notwithstanding section 8.55, subsection 1, the
 12 following amount, or so much thereof as is necessary,
 13 to be used for the purposes designated:

14 To be credited to the ~~property tax relief mental~~
 15 health and disability services redesign fund to be used
 16 ~~to restore the amount of the standing appropriation~~
 17 ~~made from the general fund of the state in section~~
 18 ~~426B.1, subsection 1, for the fiscal year beginning~~
 19 ~~July 1, 2012, in the amount of the reduction applied~~
 20 ~~pursuant to 2011 Iowa Acts, chapter 129, section 154~~
 21 created by this division of this 2012 Act:
 22 \$ 7,200,089

23 Sec. ____ EFFECTIVE DATE. The following provision
 24 or provisions of this division of this Act take effect
 25 July 1, 2013, if the amendments to chapter 426B in this
 26 Act are enacted:

27 1. The section of this Act amending section 445.5.
 28 Sec. ____ EFFECTIVE UPON ENACTMENT. The following
 29 provisions of this division of this Act, being deemed
 30 of immediate importance, take effect upon enactment:

- 31 1. The section of this Act relating to replacement
- 32 generation tax revenues and county levy rates for the
- 33 fiscal year beginning July 1, 2012.
- 34 2. The section of this Act creating the mental
- 35 health and disability services redesign fund.
- 36 3. The section of this Act amending 2012 Iowa Acts,
- 37 Senate File 2071, section 7.>>
- 38 5. Page 21, line 2, after <provisions,> by
- 39 inserting <making appropriations,>

SCHULTE of Linn

H-8501

1 Amend House File 2454 as follows:
 2 1. Page 1, before line 22 by inserting:
 3 <____. The corporation complies with the provisions
 4 of section 15.107C.
 5 Sec. ____ Section 15.107C, subsections 3 and 4,
 6 Code Supplement 2011, are amended to read as follows:

- 7 3. The deliberations or meetings of the board
8 of directors of the corporation that pertain to the
9 performance of delegated functions or activities that
10 utilize public funding shall be conducted in accordance
11 with chapter 21. For purposes of this subsection,
12 "public funding" includes innovation fund investment
13 tax credits issued or transferred pursuant to section
14 15E.52.
- 15 4. All of the following shall be subject to chapter
16 22:
- 17 a. Minutes of the meetings conducted in accordance
18 with subsection 3.
- 19 b. All records pertaining to the performance by
20 the corporation of delegated functions or activities
21 that utilize public funding. For purposes of this
22 subsection, "public funding" includes innovation fund
23 investment tax credits issued or transferred pursuant
24 to section 15E.52.>
- 25 2. Page 2, line 21, by striking <11> and inserting
26 <9>
- 27 3. Page 2, before line 26 by inserting:
28 < . A corporation to which a certificate has
29 been issued pursuant to paragraph "b" shall ensure
30 that an investor in an innovation fund operated by
31 the corporation shall not be permitted to vote for or
32 participate in a decision to invest moneys from the
33 innovation fund in a business in which the investor has
34 an equity interest of greater than fifty percent if
35 that investor has received or will receive a tax credit
36 issued or transferred pursuant to this section.>
- 37 4. By renumbering, redesignating, and correcting
38 internal references as necessary.

SODERBERG of Plymouth

H-8502

- 1 Amend the amendment, H-8413, to Senate File 2315,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
- 4 1. Page 7, after line 25 by inserting:
5 < . Page 19, after line 34 by inserting:
6 <Sec. . MENTAL HEALTH AND DISABILITY SERVICES
7 REDESIGN TRANSITION FUND.
- 8 1. A mental health and disability services redesign
9 transition fund is created under the authority of
10 the department of human services for the fiscal year
11 beginning July 1, 2012, and ending June 30, 2013.
12 Moneys credited to the fund shall be used as provided
13 in appropriations made from the fund, to be enacted by
14 the general assembly, for allocation by the department
15 to counties for one-time assistance for continuation

16 of current core county mental health and disability
17 services to targeted populations that are not funded by
18 the Medicaid program.

19 2. The eligibility provisions for a county to
20 receive moneys from the fund shall include but are not
21 limited to all of the following:

22 a. The application and application materials
23 submitted are approved by the county board of
24 supervisors.

25 b. The county levy certified for the county's
26 services fund under section 331.424A for the fiscal
27 year is the maximum amount authorized by law.

28 c. The county financial information provided
29 with the application is independently verified. The
30 financial information to be provided shall be specified
31 by the department and may include actual and projected
32 cash and accrued fund balances, detailed accounts
33 receivable and payable information, budgeted revenues
34 and expenditures, identification of the need for the
35 amount requested, and costs for the county's services
36 administration.

37 d. The required county service information is
38 provided with the application. The county service
39 information to be provided shall be specified by the
40 department and may include the following:

41 (1) The type, amount, and scope of services
42 provided by the county as compared with other counties.

43 (2) The extent to which the county subsidizes the
44 services directly provided or authorized by the county.

45 (3) The extent to which the services funded by the
46 county are included in the county's management plan
47 approved under section 331.439.

48 (4) The extent to which services are provided
49 to persons other than adults with an intellectual
50 disability or mental illness with income that is at or

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1 below 150 percent of the federal poverty level.

2 e. The application contains a sustainability plan
3 in accordance with the requirements specified by the
4 department. The requirements shall include but are not
5 limited to explanation as to how the moneys requested
6 will be used during this transition year to provide
7 services in a manner that will allow the county to
8 remain within the funding available to the county under
9 per capita funding provisions, applicable to the county
10 as enacted by this Act, commencing with the fiscal year
11 beginning July 1, 2013.

12 f. The application is submitted on or before the
13 specified application date. The initial application
14 date specified shall be on or after October 15, 2012.

15 g. Other items specified by rule. The department
16 shall consult with the transition committee created by
17 this division of this Act in recommending the adoption
18 of rules by the mental health and disability services
19 commission delineating the requirements for funding
20 under this section.

21 3. The department may provide for distribution
22 provisions in which the amount awarded is distributed
23 in more than one payment based upon actual expenditures
24 and submission of required information.

25 4. The mental health and disability services
26 commission may adopt administrative rules under section
27 17A.4, subsection 3, and section 17A.5, subsection
28 2, paragraph "b", to implement the provisions of
29 this section, and the rules shall become effective
30 immediately upon filing or on a later effective date
31 specified in the rules, unless the effective date is
32 delayed by the administrative rules review committee.
33 Any rules adopted in accordance with this subsection
34 shall not take effect before the rules are reviewed
35 by the administrative rules review committee. The
36 delay authority provided to the administrative rules
37 review committee under section 17A.4, subsection 7, and
38 section 17A.8, subsection 9, shall be applicable to a
39 delay imposed under this subsection, notwithstanding a
40 provision in those sections making them inapplicable
41 to section 17A.5, subsection 2, paragraph "b". Any
42 rules adopted in accordance with the provisions of
43 this subsection shall also be published as notice of
44 intended action as provided in section 17A.4.>>

45 2. Page 8, by striking lines 25 through 34 and
46 inserting:

47 <b. (1) The director of human services shall
48 exempt a county from being required to enter into
49 a regional service system if the county furnishes
50 evidence that the county complies with the requirements

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1 in subsection 3, paragraphs "d", "e", "f", and "g", and
2 is able to provide the core services required by law
3 to the county's residents in a manner that is as cost
4 effective and with outcomes that are at least equal to
5 what could be provided to the residents if the county
6 would provide the services through a regional service
7 system. The director shall identify criteria for
8 evaluating the evidence provided by counties applying
9 for the exemption. The criteria identified shall be
10 specified in rule adopted by the state commission.

11 (2) To be considered for an exemption under
12 subparagraph (1), a county must file a written
13 statement of intent to apply for an exemption with the

14 department on or before May 1, 2013, and the county's
 15 exemption application must be filed with the department
 16 on or before June 30, 2013. The director of human
 17 services shall issue a decision on the application
 18 within forty-five days of receiving the application.
 19 This subparagraph is repealed July 1, 2013.>

20 3. Page 12, after line 15 by inserting:

21 <__. Page 34, after line 31 by inserting:

22 <Sec. __. EMERGENCY RULES. The mental health and
 23 disability services commission may adopt administrative
 24 rules under section 17A.4, subsection 3, and section
 25 17A.5, subsection 2, paragraph "b", to implement
 26 the provisions of this division of this Act enacting
 27 section 331.438B, that relate to criteria for
 28 evaluation of an application for an exemption from
 29 regionalization, and the rules shall become effective
 30 immediately upon filing or on a later effective date
 31 specified in the rules, unless the effective date is
 32 delayed by the administrative rules review committee.
 33 Any rules adopted in accordance with this section
 34 shall not take effect before the rules are reviewed
 35 by the administrative rules review committee. The
 36 delay authority provided to the administrative rules
 37 review committee under section 17A.4, subsection 7, and
 38 section 17A.8, subsection 9, shall be applicable to a
 39 delay imposed under this section, notwithstanding a
 40 provision in those sections making them inapplicable
 41 to section 17A.5, subsection 2, paragraph "b". Any
 42 rules adopted in accordance with the provisions of this
 43 section shall also be published as notice of intended
 44 action as provided in section 17A.4.>>

45 4. By renumbering as necessary.

SCHULTE of Linn

H-8503

1 Amend the amendment, H-8486, to House File 2422,
 2 as amended, passed, and reprinted by the House, as
 3 follows:

4 1. By striking page 1, line 3, through page 3, line
 5 12, and inserting:

6 <__. By striking everything after the enacting
 7 clause and inserting:

8 <Section 1. Section 135C.3, subsection 1, Code
 9 2011, is amended to read as follows:

10 1. a. A licensed nursing facility shall provide
 11 an organized twenty-four-hour program of services
 12 commensurate with the needs of its residents and
 13 under the immediate direction of a licensed nurse.
 14 Medical and nursing services must be provided
 15 under the direction of either a house physician

16 or an individually selected physician. Surgery or
17 obstetrical care shall not be provided within the
18 facility. An admission to the nursing facility must
19 be based on a physician's written order certifying
20 that the individual being admitted requires no greater
21 degree of nursing care than the facility to which the
22 admission is made is licensed to provide and is capable
23 of providing.

24 b. A nursing facility is not required to admit
25 an individual through court order, referral, or
26 other means without the express prior approval of the
27 administrator of the nursing facility. For purposes of
28 this paragraph, the approval of the administrator of
29 the nursing facility cannot be withheld on the basis of
30 considerations that are otherwise prohibited by state
31 or federal law.

32 Sec. 2. Section 135C.4, Code 2011, is amended to
33 read as follows:

34 135C.4 Residential care facilities.

35 1. Each facility licensed as a residential care
36 facility shall provide an organized continuous
37 twenty-four-hour program of care commensurate with
38 the needs of the residents of the home and under
39 the immediate direction of a person approved and
40 certified by the department whose combined training and
41 supervised experience is such as to ensure adequate and
42 competent care.

43 2. All admissions to residential care facilities
44 shall be based on an order written by a physician
45 certifying that the individual being admitted does
46 not require nursing services or that the individual's
47 need for nursing services can be avoided if home and
48 community-based services, other than nursing care, as
49 defined by this chapter and departmental rule, are
50 provided.

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1 3. For the purposes of this section, the home
2 and community-based services to be provided shall
3 be limited to the type included under the medical
4 assistance program provided pursuant to chapter 249A,
5 shall be subject to cost limitations established by
6 the department of human services under the medical
7 assistance program, and except as otherwise provided
8 by the department of inspections and appeals with
9 the concurrence of the department of human services,
10 shall be limited in capacity to the number of licensed
11 residential care facilities and the number of licensed
12 residential care facility beds in the state as of
13 December 1, 2003.

14 4. A residential care facility is not required

15 to admit an individual through court order, referral,
16 or other means without the express prior approval of
17 the administrator of the residential care facility.
18 For purposes of this subsection, the approval of the
19 administrator of the residential care facility cannot
20 be withheld on the basis of considerations that are
21 otherwise prohibited by state or federal law.

22 Sec. 3. NEW SECTION. 135C.23A Sex offender
23 notification.

24 1. Upon commitment of a person required to register
25 as a sex offender as provided in section 692A.103 to
26 a nursing facility, residential care facility, or
27 assisted living program as defined in section 231C.2,
28 the clerk of the committing court shall notify the
29 department of inspections and appeals and the admitting
30 facility or program.

31 2. Prior to admission of a resident or tenant to
32 a nursing facility, residential care facility, or
33 assisted living program, the facility or program shall
34 access and search the sex offender registry established
35 in chapter 692A to determine whether the resident
36 or tenant is a person required to register as a sex
37 offender, as provided in section 692A.103.

38 3. Upon the admission of a person required to
39 register as a sex offender, a nursing facility,
40 residential care facility, or assisted living program
41 shall provide notice of the admission, in accordance
42 with the federal Health Insurance Portability and
43 Accountability Act of 1996, Pub. L. No. 104-191, other
44 state and federal regulations, and rules adopted by the
45 department, to all of the following persons:

- 46 a. Residents or tenants of the facility or program.
- 47 b. The emergency contact person or next of kin for
48 residents or tenants of the facility or program.
- 49 c. Operators, owners, managers, or employees of the
50 facility or program.

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- 1 d. Visitors to the facility or program.
- 2 e. The sheriff for the county in which the facility
3 or program is located. The sheriff shall notify local
4 law enforcement agencies.

5 4. Upon the admission of a person required to
6 register as a sex offender, a nursing facility,
7 residential care facility, or assisted living program
8 shall develop and implement a written safety plan for
9 each such person in accordance with rules adopted by
10 the department.

11 5. The department shall establish by rule, all of
12 the following:

- 13 a. The requirements of the notice required under

14 this section. The rules shall include but are not
15 limited to provisions for the method of notice and
16 time of notice to each of the persons enumerated in
17 subsection 3.

18 b. The requirements of a safety plan for persons
19 required to register as a sex offender who are admitted
20 by a nursing facility, residential care facility, or
21 assisted living program. The rules shall include but
22 are not limited to all of the following:

23 (1) A plan for the safety of residents, tenants,
24 and staff of the facility or program.

25 (2) A plan for the safety of others when community
26 functions are held at a facility or program and when a
27 person required to register as a sex offender is not on
28 the premises of a facility or program but the person
29 remains within the care, custody, and control of the
30 facility or program.

31 (3) A provision to establish the responsibilities
32 of a nursing facility, residential care facility, and
33 assisted living program and the operators, owners,
34 managers, and employees of facilities and programs in
35 implementing a safety plan.

36 (4) A provision for the timely development and
37 implementation of a safety plan.

38 6. The department shall work with interested
39 stakeholders in developing the proposed rules under
40 this section.

41 7. A violation of this section is subject to the
42 imposition of a civil penalty in accordance with rules
43 adopted by the department pursuant to this section.

44 Sec. 4. Section 229A.8A, subsection 5, Code 2011,
45 is amended to read as follows:

46 5. ~~Committed~~ Except as provided in subsection 6A,
47 committed persons in the transitional release program
48 are not necessarily required to be segregated from
49 other persons.

50 Sec. 5. Section 229A.8A, Code 2011, is amended by

Page 4

1 adding the following new subsection:

2 NEW SUBSECTION. 6A. Persons in the transitional
3 release program shall not be released to a health care
4 facility as defined in section 135C.1.

5 Sec. 6. Section 229A.9A, Code 2011, is amended by
6 adding the following new subsection:

7 NEW SUBSECTION. 3A. If a release with or without
8 supervision is ordered, the committed person shall not
9 be released to a health care facility as defined in
10 section 135C.1.

11 Sec. 7. Section 231C.3, subsection 9, Code 2011, is
12 amended to read as follows:

13 9. An assisted living program shall comply with
14 ~~section sections 135C.23A and 135C.33.~~
15 Sec. 8. Section 231C.5A, Code 2011, is amended to
16 read as follows:

17 231C.5A Assessment of tenants — program
18 eligibility.

19 1. An assisted living program receiving
20 reimbursement through the medical assistance program
21 under chapter 249A shall assist the department of
22 veterans affairs in identifying, upon admission of a
23 tenant, the tenant's eligibility for benefits through
24 the United States department of veterans affairs.
25 The assisted living program shall also assist the
26 commission of veterans affairs in determining such
27 eligibility for tenants residing in the program on July
28 1, 2009. The department of inspections and appeals,
29 in cooperation with the department of human services,
30 shall adopt rules to administer this section, including
31 a provision that ensures that if a tenant is eligible
32 for benefits through the United States department of
33 veterans affairs or other third-party payor, the payor
34 of last resort for reimbursement to the assisted living
35 program is the medical assistance program. The rules
36 shall also require the assisted living program to
37 request information from a tenant or tenant's personal
38 representative regarding the tenant's veteran status
39 and to report to the department of veterans affairs
40 only the names of tenants identified as potential
41 veterans along with the names of their spouses and
42 any dependents. Information reported by the assisted
43 living program shall be verified by the department of
44 veterans affairs.

45 2. An assisted living program is not required
46 to enter into a lease or occupancy agreement with an
47 individual through court order, referral, or other
48 means without the express prior approval of the manager
49 of the assisted living program. For purposes of this
50 subsection, the approval of the manager of the assisted

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1 living program cannot be withheld on the basis of
2 considerations that are otherwise prohibited by state
3 or federal law.

4 Sec. 9. Section 231C.14, subsection 1, Code 2011,
5 is amended by adding the following new paragraph:
6 NEW PARAGRAPH. d. Noncompliance with section
7 135C.23A.

8 Sec. 10. Section 602.8102, Code 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 152. Notify the department of
11 inspections and appeals and the admitting entity upon

12 commitment of a person required to register as a sex
13 offender as provided in section 692A.103 to a nursing
14 facility or residential care facility as defined in
15 section 135C.1, or assisted living program as defined
16 in section 231C.2.

17 Sec. 11. PLACEMENT OF PERSONS REQUIRED TO
18 REGISTER.

19 1. For purposes of this section, "adequate
20 placement" means a placement that will provide the
21 level of care necessary for a person including the
22 level of care provided by a nursing facility or
23 residential care facility.

24 2. For the period beginning July 1, 2012, through
25 June 30, 2013, the department of human services, in
26 compliance with federal and state law, shall secure
27 adequate placements for persons required to register
28 as a sex offender pursuant to chapter 692A who are
29 being released from the custody of the department
30 of corrections and require the type of medical
31 and personal care provided by a nursing facility,
32 residential care facility, or assisted living program;
33 who are being discharged or transferred from nursing
34 facilities, residential care facilities, or assisted
35 living programs pursuant to a provision of this Act;
36 or who require the type of medical and personal care
37 provided by nursing facilities, residential care
38 facilities, or assisted living programs when the
39 persons are unable to gain access to a facility or
40 program because the persons are required to register on
41 the sex offender registry.

42 3. The department of human services may use a
43 state facility to provide care for such persons or may
44 conduct a request for proposal process to contract with
45 a private facility to care for such persons. A request
46 for proposals shall identify the reimbursement rate
47 and the necessary training for staff in the facility
48 or program.

49 4. The department of human services shall secure
50 an adequate placement for such a person within ten

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1 business days of being notified by the department of
2 corrections, the department of inspections and appeals,
3 or a nursing facility, residential care facility,
4 or assisted living program that placement is needed
5 for such person, provided that such period shall not
6 commence until the department of public safety receives
7 and approves registration data and makes such data
8 available on the sex offender registry internet site
9 pursuant to section 692A.121, subsection 12.

10 Sec. 12. WORKFORCE DEVELOPMENT WORKGROUP.

11 1. If a workgroup to address issues connected with
12 workforce development related to mental health and
13 disability services is established by or as a result
14 of legislation enacted by the 2012 regular session of
15 the Eighty-fourth General Assembly, the workgroup shall
16 also address issues connected with ensuring that an
17 adequate workforce is available in the state to provide
18 services to persons who have a history of committing
19 sexual offenses and have been determined to be likely
20 to reoffend.

21 2. a. If a workgroup to address issues connected
22 with workforce development for mental health and
23 disability services is not established by or as a
24 result of legislation enacted by the 2012 regular
25 session of the Eighty-fourth General Assembly, the
26 department of human services shall convene and provide
27 support to a health and mental health services for
28 sexual offender workforce development workgroup to
29 address issues connected with ensuring that an adequate
30 workforce is available in the state to provide health
31 and mental health services to persons who have a
32 history of committing sexual offenses and have been
33 determined to be likely to reoffend. The workgroup
34 shall report at least annually to the governor and
35 general assembly providing findings, recommendations,
36 and financing information concerning the findings and
37 recommendations.

38 b. The membership of the workgroup shall include
39 all of the following:

40 (1) The director of the department of aging or the
41 director's designee.

42 (2) The director of the department of corrections
43 or the director's designee.

44 (3) The director of the department of education or
45 the director's designee.

46 (4) The director of human services or the
47 director's designee.

48 (5) The director of the department of public health
49 or the director's designee.

50 (6) The director of the department of workforce

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1 development or the director's designee.

2 (7) At least three individuals who have a history
3 of committing sexual offenses and have been determined
4 likely to reoffend who are receiving mental health
5 or health services or involved relatives of such
6 individuals.

7 (8) At least three providers of mental health or
8 health services for individuals who have a history of
9 committing sexual offenses and have been determined

10 likely to reoffend.

11 (9) Other persons identified by the workgroup.

12 c. In addition to the members identified in
13 paragraph "b", the membership of the workgroup
14 shall include four members of the general assembly
15 serving in a ex officio, nonvoting capacity. One
16 member shall be designated by each of the following:
17 the majority leader of the senate, the minority
18 leader of the senate, the speaker of the house of
19 representatives, and the minority leader of the house
20 of representatives. A legislative member serves for a
21 term as provided in section 69.16B.

22 d. Except as provided in paragraph "c" for
23 legislative appointments, the workgroup shall determine
24 its own rules of procedure, membership terms, and
25 operating provisions.

26 Sec. 13. FACILITY FOR SEXUAL OFFENDERS COMMITTEE
27 AND REPORT.

28 1. The department of inspections and appeals, in
29 conjunction with the department of human services,
30 shall establish and facilitate the activities of
31 a committee of stakeholders to examine options for
32 designating a facility to provide care for persons in
33 this state who have a history of committing sexual
34 offenses and have been determined to be likely to
35 reoffend.

36 2. The membership of the committee shall include
37 but is not limited to the following:

38 a. Representatives of the departments of
39 inspections and appeals, human services, public health,
40 corrections, and aging, the office of the state public
41 defender, the office of the citizens' aide, the office
42 of the state long-term care ombudsman, and the judicial
43 branch.

44 b. Consumers of services provided by health care
45 facilities and family members of consumers.

46 c. Representatives of the health care industry and
47 industry associations.

48 d. Direct care workers employed by health care
49 facilities.

50 e. Representatives from the Iowa legal aid.

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1 f. Representatives from AARP Iowa.

2 g. Representatives from the Iowa civil liberties
3 union.

4 h. Other stakeholders as the department of
5 inspections and appeals and the department of human
6 services deem necessary.

7 i. Four ex officio, nonvoting members from the
8 general assembly with not more than one member from

9 each chamber being from the same political party.
10 The two senators shall be appointed, one each, by
11 the majority leader of the senate and the minority
12 leader of the senate. The two representatives shall
13 be appointed, one each, by the speaker of the house of
14 representatives and the minority leader of the house
15 of representatives.

16 3. The committee shall discuss and make
17 recommendations on all of the following:

18 a. Options to create a new facility or assist
19 an existing facility to expand services to provide
20 care for elderly persons who are no longer under
21 judicial control, but have a history of committing
22 sexual offenses and have been determined to be
23 likely to reoffend. The committee shall identify
24 the characteristics of a client for such a facility,
25 the need for such a facility, options for creating
26 a new facility to house such persons, options for
27 the expansion of an existing facility to house such
28 persons, options for using any alternative facilities
29 for such purposes, options for a public-private
30 partnership for such a facility, options for
31 using part of a mental health institute to house
32 such persons, options to qualify a facility for
33 Medicaid reimbursement, cost projections for any
34 recommendations, regulatory challenges, and other
35 information deemed relevant by the department of
36 inspections and appeals and the department of human
37 services.

38 b. The responsibility of the court, the clerk of
39 the district court, the department of corrections,
40 or any other entity, department, or person to inform
41 a nursing facility, residential care facility, or an
42 assisted living program of the admission of a person
43 who has a history of committing sexual offenses.

44 c. The responsibility of the court, clerk of the
45 district court, department of corrections, a facility,
46 or any other entity, department, or person to notify
47 persons of the discharge of a person who has a history
48 of committing sexual offenses from a nursing facility,
49 residential care facility, or assisted living program.

50 d. The requirements of a treatment safety plan for

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1 a person admitted to a nursing facility, residential
2 care facility, or assisted living program who has a
3 history of committing sexual offenses. The treatment
4 safety plan shall address the procedure for notifying
5 other residents of the residency of a person required
6 to register as a sex offender.

7 e. The establishment of a formal process for

8 the department of inspections and appeals to follow
9 when completing facility or assisted living program
10 inspections or surveys.

11 f. The establishment of a system for the judicial
12 branch to identify facilities with the capacity to
13 provide an appropriate placement for a person requiring
14 commitment when the person also has a history of
15 committing sexual offenses.

16 4. The committee shall provide a report detailing
17 its findings and recommendations to the governor and
18 the general assembly by December 14, 2012.

19 Sec. 14. EMERGENCY RULES. If specifically
20 authorized by a provision of this Act, the department
21 of inspections and appeals may adopt administrative
22 rules under section 17A.4, subsection 3, and section
23 17A.5, subsection 2, paragraph "b", to implement
24 the provisions and the rules shall become effective
25 immediately upon filing or on a later effective date
26 specified in the rules, unless the effective date is
27 delayed by the administrative rules review committee.
28 Any rules adopted in accordance with this section
29 shall not take effect before the rules are reviewed
30 by the administrative rules review committee. The
31 delay authority provided to the administrative rules
32 review committee under section 17A.4, subsection 7, and
33 section 17A.8, subsection 9, shall be applicable to a
34 delay imposed under this section, notwithstanding a
35 provision in those sections making them inapplicable
36 to section 17A.5, subsection 2, paragraph "b". Any
37 rules adopted in accordance with the provisions of this
38 section shall also be published as a notice of intended
39 action as provided in section 17A.4.

40 Sec. 15. CURRENT RESIDENTS AND TENANTS —
41 ACCESS AND SEARCH OF SEX OFFENDER REGISTRY AND
42 NOTIFICATION. A nursing facility, residential care
43 facility, or assisted living program, within three
44 months of the adoption of the rules by the department
45 of inspections and appeals regarding notification of
46 the admission of persons required to register as a
47 sex offender to a facility or program and development
48 and implementation of safety plans relating to such
49 admitted persons, shall access and search the sex
50 offender registry established in chapter 692A for

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1 persons who were residents or tenants of a facility
2 or program prior to the adoption of the rules and who
3 remain residents or tenants of the facility or program
4 after the adoption of the rules. Upon determining that
5 a resident or tenant is a person required to register
6 as a sex offender, the facility or program shall,

7 within three months of the adoption of the rules,
 8 work with the department of inspections and appeals
 9 and the department of human services to transfer a
 10 sex offender living in the facility or program to a
 11 state facility, based on the sex offender status as
 12 an endangerment to the safety of individuals in the
 13 facility or program, or notify persons as required by
 14 section 135C.23A and the rules adopted pursuant to
 15 that section and develop and implement a safety plan
 16 as required by section 135C.23A and the rules adopted
 17 pursuant to that section. The rules shall provide
 18 that, for purposes of this section, a nursing facility,
 19 residential care facility, or assisted living program
 20 has the right to discharge a current resident or tenant
 21 based solely on the person's status as a sex offender
 22 as an endangerment to the safety of individuals in the
 23 facility or program.
 24 Sec. 16. EFFECTIVE UPON ENACTMENT. This Act, being
 25 deemed of immediate importance, takes effect upon
 26 enactment.>
 27 _____. Title page, line 3, after <program,> by
 28 inserting <the care and housing of sex offenders and
 29 sexually violent predators,>>

FRY of Clarke

H-8504

1 Amend House File 2454 as follows:
 2 1. Page 1, after line 21 by inserting:
 3 <____. The innovation fund shall not invest in
 4 any business in which an equity interest is held by
 5 a person that has or will receive an innovation fund
 6 investment tax credit certificate from a corporation
 7 pursuant to section 15E.52, subsection 3, paragraph
 8 "c".>
 9 2. Page 3, after line 30 by inserting:
 10 <____. The fund does not or will not invest in
 11 any business in which an equity interest is held by
 12 a person that has or will receive an innovation fund
 13 investment tax credit certificate from a corporation
 14 pursuant to section 15E.52, subsection 3, paragraph
 15 "c".>
 16 3. By renumbering, redesignating, and correcting
 17 internal references as necessary.

PETERSEN of Polk

H-8505

1 Amend House File 563, as passed by the House, as
 2 follows:

3 1. Page 1, by striking lines 1 through 30 and
4 inserting:
5 <Section 1. Section 13.7, Code Supplement 2011, is
6 amended to read as follows:
7 13.7 Special counsel.
8 1. Compensation shall not be allowed to any
9 person for services as an attorney or counselor to an
10 executive department of the state government, or the
11 head of an executive department of state government, or
12 to a state board or commission. However, the executive
13 council may authorize employment of legal assistance,
14 at a reasonable compensation, in a pending action or
15 proceeding to protect the interests of the state, but
16 only upon a sufficient showing, in writing, made by the
17 attorney general, that the department of justice cannot
18 for reasons stated by the attorney general perform the
19 service. The reasons and action of the council shall
20 be entered upon its records. If the attorney general
21 determines that the department of justice cannot
22 perform legal service in an action or proceeding, the
23 executive council shall request the department involved
24 in the action or proceeding to recommend legal counsel
25 to represent the department. If the attorney general
26 concurs with the department that the person recommended
27 is qualified and suitable to represent the department,
28 the person recommended shall be employed. If the
29 attorney general does not concur in the recommendation,
30 the department shall submit a new recommendation. This
31 ~~section~~ subsection does not affect the general counsel
32 for the utilities board of the department of commerce,
33 the legal counsel of the department of workforce
34 development, or the general counsel for the property
35 assessment appeal board.
36 2. The executive branch and the attorney general
37 shall also comply with chapter 23B when retaining legal
38 counsel on a contingency fee basis under this section,
39 as appropriate.>
40 2. Page 2, by striking lines 32 and 33 and
41 inserting <basis, unless the attorney general
42 determines that the procurement process is not feasible
43 under the circumstances and sets>
44 3. Page 2, by striking line 35 and inserting:
45 <3. a. Except as provided in paragraph "c", the
46 state shall not enter into a contingency fee>
47 4. Page 3, line 5, after <dollars> by inserting <,
48 exclusive of reasonable costs and expenses>
49 5. Page 3, line 8, after <dollars> by inserting <,
50 exclusive of reasonable costs and expenses>

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1 6. Page 3, line 11, after <dollars> by inserting <,

- 2 exclusive of reasonable costs and expenses>
 3 7. Page 3, line 14, after <dollars> by inserting <
 4 exclusive of reasonable costs and expenses>
 5 8. Page 3, line 16, after <dollars> by inserting <
 6 exclusive of reasonable costs and expenses>
 7 9. Page 3, by striking lines 23 and 24 and
 8 inserting <executive council of the aggregate
 9 contingency fee limits in paragraphs "a" and "b" if the
 10 attorney general provides a thirty-day>
 11 10. Page 4, line 11, by striking <attend> and
 12 inserting <participate in>
 13 11. By striking page 4, line 33, through page
 14 5, line 3, and inserting <copying upon request in
 15 accordance with chapter 22.>
 16 12. By renumbering as necessary.

SENATE AMENDMENT

H-8506

- 1 Amend the amendment, H-8413, to Senate File 2315,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 8, after line 10 by inserting:
 5 <__. Page 21, after line 27 by inserting:
 6 <Sec. __. DISPUTED BILLINGS.
 7 1. To the extent allowable under federal law or
 8 regulation, if the costs of a service are payable in
 9 whole or in part by a county in accordance with a
 10 chapter of the Code listed in this section, the service
 11 was rendered prior to July 1, 2011, and the county that
 12 would be obligated to pay for the costs of the service
 13 has not been billed for the service or has disputed the
 14 billing prior to the effective date of this section, or
 15 the state has fully charged off the cost of the service
 16 or has not provided information to appropriately
 17 document the basis for the billing, the county shall
 18 have no obligation to pay for the service.
 19 2. This section is applicable to service costs that
 20 are a county obligation for services provided under any
 21 of the following chapters of the Code:
 22 a. Chapter 221.
 23 b. Chapter 222.
 24 c. Chapter 230.
 25 d. Chapter 233B.
 26 e. Chapter 249A.
 27 f. Chapter 812.>>
 28 2. Page 12, after line 15 by inserting:
 29 <__. Page 34, after line 27 by inserting:
 30 <5. a. The dispute resolution process implemented
 31 in accordance with this subsection applies to
 32 billing disputes between the state and a county

33 or region, other than residency disputes or other
34 dispute processes under this section, involving the
35 responsibility for service costs under any of the
36 following:
37 (1) Chapter 221.
38 (2) Chapter 222.
39 (3) Chapter 230.
40 (4) Chapter 249A.
41 (5) Chapter 812.>>
42 b. If a county, region, or the department, as
43 applicable, disputes a billing for service costs listed
44 in paragraph "a", the dispute shall be resolved as
45 provided in this subsection. The county or region
46 shall notify the department of the county's or region's
47 assertion within ninety days of receiving the billing.
48 If the department disputes such a billing of a regional
49 administrator, the department shall notify the affected
50 counties or regions of the department's assertion.

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1 c. The department, county, or region that received
2 the notification, as applicable, shall respond to the
3 party that provided the notification within forty-five
4 days of receiving the notification. If the parties
5 cannot agree to a settlement as to the dispute within
6 ninety days of the date of notification, on motion of
7 any of the parties, the matter shall be referred to the
8 department of inspections and appeals for a contested
9 case hearing under chapter 17A before an administrative
10 law judge assigned in accordance with section 10A.801
11 to determine facts and issue a decision to resolve the
12 dispute.

13 d. (1) The administrative law judge's decision
14 is a final agency action, notwithstanding contrary
15 provisions of section 17A.15. The party that does
16 not prevail in the decision or subsequent judicial
17 review is liable for costs associated with the
18 proceeding, including reimbursement of the department
19 of inspections and appeals' actual costs associated
20 with the administrative proceeding. Judicial review of
21 the decision may be sought in accordance with section
22 17A.19.

23 (2) If following the decision regarding a dispute
24 in accordance with this subsection, additional
25 evidence becomes available that merits a change in that
26 decision, the parties affected may change the decision
27 by mutual agreement. Otherwise, a party may move that
28 the matter be reconsidered by the department, county,
29 or region, or by the administrative law judge.

30 e. (1) Unless a petition is filed for judicial
31 review, the administrative law judge's decision

32 regarding a disputed billing shall result in one of the
33 following:

34 (a) If a county or region is determined to be
35 responsible for the disputed amounts, the county or
36 region shall pay the amounts due and shall reimburse
37 any other amounts paid for services provided by
38 the other county or region or the department on the
39 person's behalf prior to the decision.

40 (b) If it is determined that the state is
41 responsible for the disputed amounts, the state shall
42 pay the amounts due and shall reimburse the county or
43 region, as applicable, for any payment made on behalf
44 of the person prior to the decision.

45 (2) The payment or reimbursement shall be remitted
46 within forty-five days of the date the decision was
47 issued. After the forty-five-day period, a penalty of
48 not greater than one percent per month may be added to
49 the amount due.>>

50 3. By renumbering as necessary.

SCHULTE of Linn

H-8507

1 Amend Senate File 2338, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 4, after line 28 by inserting:

4 <DIVISION ___
5 PERFORMANCE-BASED EFFICIENCY CONTRACTS
6 Sec. ___. **NEW SECTION.** 8B.1 Legislative intent.
7 The general assembly finds that investment in
8 energy conservation measures by public facilities
9 can reduce the amount of energy and other resources
10 consumed by the facilities; reduce ongoing operational
11 costs; improve comfort, reliability, and the indoor
12 environment for employees and citizens; produce a
13 positive environmental impact; enhance revenues
14 generated by governmental units; and create local jobs,
15 producing both immediate and long-term cost savings
16 and other benefits. It is the policy of this state to
17 encourage state agencies, departments, and divisions;
18 public health facilities; public universities and
19 community colleges, school districts, and area
20 education agencies; and counties, municipalities,
21 and other political subdivisions to implement energy
22 conservation and facility improvement measures
23 that reduce energy, water, wastewater, or any other
24 utility or operating costs, and, when economically
25 feasible, build, operate, maintain, or renovate public
26 facilities and systems in a manner that will minimize
27 operational costs and maximize utility savings and
28 other efficiencies. It is additionally the policy of

29 this state to encourage reinvestment of the savings and
30 revenues resulting from energy conservation measures
31 into additional and continued energy conservation
32 efforts through performance-based efficiency contracts
33 and other measures deemed appropriate by a governmental
34 unit.

35 Sec. ____ NEW SECTION. 8B.2 Definitions.

36 As used in this chapter, unless the context
37 otherwise requires:

38 1. "Department" means the department of
39 administrative services.

40 2. "Energy conservation measure" or "facility
41 improvement measure" means a program, facility
42 alteration, equipment installation, remodeling of a
43 new or existing building, or technology upgrade, which
44 is designed to reduce energy, water, wastewater, or
45 other utility or operating costs, or enhance billable
46 revenue, including but not limited to the following:

47 a. Employee training and occupant behavior
48 modification programs.

49 b. Insulation of building structures and systems
50 within buildings.

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1 c. Windows and window systems, roofs and
2 roofing materials, caulking or weather stripping,
3 installation or modification of doors, heat-absorbing
4 or heat-reflecting applications, or other modifications
5 to windows, doors, or the building envelope, that
6 reduce energy and operating costs.

7 d. Automated or computerized energy or facility
8 control systems.

9 e. Heating, ventilation, and air-conditioning
10 systems, including specialty systems serving food
11 service, laboratory, and other applications.

12 f. Lighting systems and fixtures, including
13 daylighting systems.

14 g. Energy recovery systems.

15 h. Systems that produce steam or forms of energy
16 such as heat in addition to electricity.

17 i. Renewable energy systems or other distributed
18 power generation systems.

19 j. Water and wastewater fixtures, appliances, and
20 equipment.

21 k. Improvements to water distribution, sewer, and
22 wastewater treatment facilities.

23 l. Landscaping measures that reduce watering
24 demands and capture and hold applied water and
25 rainfall.

26 m. Metering or related equipment or systems
27 that improve the accuracy or efficiency of billable

28 revenue-generating systems.
29 n. Automated, electronic, or remotely controlled
30 technologies, systems, or measures that reduce
31 operating costs.
32 o. Installation and modification of software-based
33 systems that reduce facility management or other
34 facility operating costs.
35 p. Programs to reduce energy costs through rate
36 adjustments, load shifting to reduce peak demand, or
37 use of alternative energy suppliers, including but not
38 limited to demand response programs, changes to more
39 favorable rate schedules, negotiation of lower rates
40 or new suppliers, or auditing of utility billing and
41 metering.
42 q. Energy information and control systems that
43 monitor consumption, redirect systems to optimal energy
44 sources, and manage energy-using equipment.
45 r. Any measure not otherwise described in this
46 chapter that is designed to produce utility consumption
47 or operational cost savings, revenue enhancements, or
48 similar efficiency gains to a governmental unit.
49 3. "Governmental unit" means any authority,
50 board, bureau, commission, department, agency, or

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1 institution of a government agency, including but
2 not limited to any state agency, or any county,
3 city, district, municipal corporation, municipality,
4 municipal authority, political subdivision, school
5 district, educational institution, incorporated town,
6 township, other incorporated district, or other public
7 instrumentality which has the authority to contract for
8 the construction, reconstruction, alteration, or repair
9 of any public building or other public work or public
10 improvement.

11 4. "Performance-based efficiency contract" means a
12 contract between a governmental unit and a qualified
13 provider for the evaluation and recommendation of
14 energy conservation or facility improvement measures
15 and for implementation of one or more such measures.

16 5. "Qualified provider" means a person with a
17 record of documented performance-based efficiency
18 contract projects who is experienced in the design,
19 implementation, and installation of energy conservation
20 or facility-improvement measures; and has the
21 technical capabilities to verify that such measures
22 generate energy and operational cost savings or
23 enhanced revenues. A "qualified provider" provides
24 a governmental unit with the following information
25 and services in connection with a performance-based
26 efficiency contract:

27 a. Project design and specifications.
28 b. Construction and construction management.
29 c. Commissioning.
30 d. Ongoing services as required.
31 e. Measurement, verification, and guarantee
32 of savings from energy conservation or
33 facility-improvement measures.
34 Sec. __. NEW SECTION. 8B.3 Selection of qualified
35 provider — award of performance-based contract —
36 contracting procedures and provisions — funding.
37 1. A governmental unit may enter into a
38 performance-based efficiency contract with a
39 qualified provider in accordance with the provisions
40 of this chapter. The department shall issue a
41 request for proposals to screen and prequalify
42 prospective qualified providers wishing to enter
43 into performance-based efficiency contracts with
44 governmental units. The request for proposals shall
45 include but not be limited to qualified provider
46 documentation of provider expertise and credentials,
47 past experience with performance-based efficiency
48 contracts with governmental units, identification
49 of financial partners, if any, associated with
50 the qualified provider, and the ability to provide

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1 and fulfill performance guarantees. Based on the
2 request for proposals, the department shall develop
3 and maintain a list of prequalified qualified
4 providers. A governmental unit seeking to enter into a
5 performance-based efficiency contract with a qualified
6 provider shall either select a qualified provider from
7 the list developed by the department, or shall limit
8 the issuance of a request for proposals to qualified
9 providers contained on the list.
10 2. A governmental unit may select a qualified
11 provider under the procedures specified in subsection
12 1 that best meets the needs of the governmental
13 unit in accordance with criteria established by the
14 governmental unit. After reviewing the qualifications
15 of one or more qualified providers, a governmental
16 unit may enter into a performance-based efficiency
17 contract with a qualified provider if it finds that
18 the amount the governmental unit would spend on the
19 energy conservation and facility-improvement measures
20 recommended in the proposal would not exceed the
21 amount of energy and operational cost savings or
22 revenue enhancements derived from the measures within a
23 twenty-year period from the date of installation.
24 3. A qualified provider to whom a performance-based
25 efficiency contract is awarded shall provide a one

26 hundred percent performance bond to the governmental
27 unit to assure the provider's faithful and complete
28 performance of the contract.

29 4. A performance-based efficiency contract
30 shall include a written guarantee by the qualified
31 provider that the savings and efficiency gains, in the
32 aggregate, will meet or exceed the cost of the energy
33 conservation or facility improvement measures to be
34 implemented under the contract. The qualified provider
35 shall be responsible, pursuant to the performance-based
36 efficiency contract, for measuring and verifying the
37 guaranteed savings and efficiency gains provided by the
38 implemented measures by using one of the measurement
39 and verification methodologies set forth in the
40 international performance measurement and verification
41 protocol. If, due to existing data limitations or the
42 nonconformance of specific project characteristics,
43 none of the methods listed in the international
44 performance measurement and verification protocol
45 is sufficient for measuring guaranteed savings and
46 efficiency gains, the qualified provider shall develop
47 and document an alternate method that is compatible
48 with the protocol.

49 5. An improvement that is not essential or causally
50 connected to an energy conservation measure may be

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1 included in a performance-based efficiency contract
2 only to the extent that such expenditures do not,
3 in the aggregate, require the governmental unit to
4 contract for the improvements in a manner other than
5 that specified in the contract.

6 6. A facility alteration which includes
7 expenditures that are required to properly implement
8 other energy conservation measures may be included as
9 part of a performance-based efficiency contract. In
10 such a case, notwithstanding any other provision of
11 law, the installation of these additional measures may
12 be supervised by the qualified provider.

13 7. A governmental unit may enter into an
14 installment payment or lease-purchase agreement to
15 finance costs associated with the performance-based
16 efficiency contract. The qualified provider shall
17 either provide financing directly for the installment
18 payment or lease-purchase agreement or arrange
19 third-party financing. A contract shall provide for
20 all costs to be repaid in full within fifteen years
21 following the date the contract was entered into,
22 subject to extensions of up to five additional years
23 if projected savings sufficient to achieve project
24 repayment do not materialize during the fifteen-year

25 period following the date the contract was entered
 26 into. The qualified provider or financing entity
 27 shall be responsible for any costs not fully recovered
 28 after twenty years. A governmental unit shall use
 29 only documented energy savings as identified in
 30 the performance-based efficiency contract for the
 31 purpose of making installment or lease-purchase
 32 payments pursuant to the contract, together with
 33 energy efficiency rebates supplied or provided by a
 34 public utility, if applicable. If energy savings and
 35 rebates are insufficient to fully fund installment
 36 or lease-purchase payments, the qualified provider
 37 or financing entity shall carry forward the excess
 38 to future years. A public utility shall provide all
 39 necessary support to facilitate a performance-based
 40 efficiency contract, including but not limited to
 41 energy use and costs to disclosure to a qualified
 42 provider selected by the governmental unit and a
 43 financing entity, if applicable.

44 8. Any amount of the performance-based efficiency
 45 contract or installment payment or lease-purchase
 46 agreements costs that is guaranteed by the qualified
 47 provider shall be excluded from any limits or
 48 requirements imposed by sections 297.36, 331.402, and
 49 384.24A.

50 9. A governmental unit entering into a

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1 performance-based efficiency contract shall submit
 2 a report to the department by January 1, annually,
 3 regarding progress pursuant to the contract, results
 4 received, and containing any additional information as
 5 specified by the department.>

6 2. By renumbering as necessary.

ISENHART of Dubuque

H-8508

1 Amend Senate File 2338, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 4, after line 28 by inserting:

4 <DIVISION ____
 5 ENERGY EFFICIENCY

6 Sec. ____ DEPARTMENT OF ADMINISTRATIVE SERVICES —
 7 ENERGY EFFICIENCY EFFORTS.

8 1. The department of administrative services shall
 9 require, beginning July 1, 2012, that all passenger
 10 cars purchased or leased by the state shall have a
 11 United States environmental protection agency estimated
 12 highway-mileage rating of at least thirty-five miles

13 per gallon.

14 2. The department of administrative services
15 shall report to the general assembly and governor by
16 November 15, 2012, regarding the feasibility of giving
17 preference to or requiring the purchase or lease of
18 electric and natural-gas powered vehicles with a United
19 States environmental protection agency estimated
20 highway-mileage rating of at least forty-five miles per
21 gallon.

22 3. Funds appropriated to a state agency for utility
23 expenses shall not be transferred or reallocated, and
24 any such unexpended funds at the end of a fiscal year
25 shall not revert to the general fund of the state but
26 shall be allocated to the Iowa energy bank revolving
27 loan fund, to be used exclusively to finance energy
28 improvements to state-owned properties.

29 4. The department of administrative services shall
30 require that the procurement of any product by a state
31 agency conform to energy star specifications current
32 at the time of contract or purchase if the product is
33 subject to energy star labeling.

34 5. The department of administrative services shall
35 provide for least-cost lighting of state buildings
36 and property under its control, and shall work with
37 other state departments and agencies responsible for
38 the energy costs of buildings and property under their
39 control to do the same, based on minimizing energy use
40 and the life-cycle costs of the energy technology.

41 6. The department of administrative services
42 shall establish a program with other state agencies
43 to replace or deploy battery chargers and other smart
44 power technology that turns off the power source to the
45 adapter or battery once the battery is charged or cuts
46 power to unused electrical devices.

47 Sec. ____ EFFECTIVE UPON ENACTMENT. This division
48 of this Act, being deemed of immediate importance,
49 takes effect upon enactment.>

50 2. By renumbering as necessary.

ISENHART of Dubuque

H-8509

1 Amend House File 2460, as amended, passed, and
2 reprinted by the House, as follows:

3 <1. By striking everything after the enacting
4 clause and inserting:

5 <Section 1. Section 2.48, subsection 3, paragraph
6 b, subparagraph (2), Code 2011, is amended by striking
7 the subparagraph.

8 Sec. 2. Section 2.48, subsection 3, paragraph
9 c, Code 2011, is amended by adding the following new

10 subparagraph:

11 NEW SUBPARAGRAPH. (6) Property tax revenue
12 divisions for urban renewal areas under section 403.19.

13 Sec. 3. Section 11.11, Code Supplement 2011, is
14 amended to read as follows:

15 11.11 Scope of audits.

16 The written report of the audit of a governmental
17 subdivision shall include the auditor's opinion as
18 to whether a governmental subdivision's financial
19 statements are presented fairly in all material
20 respects in conformity with generally accepted
21 accounting principles or with another comprehensive
22 basis of accounting. As a part of conducting an
23 audit of a governmental subdivision, an evaluation of
24 internal control and tests for compliance with laws and
25 regulations shall be performed. As part of conducting
26 an audit of a governmental subdivision, an examination
27 of the governmental subdivision's compliance with the
28 reporting requirements of section 331.403, subsection
29 3, or 384.22, subsection 2, if applicable, shall be
30 performed.

31 Sec. 4. Section 24.21, Code 2011, is amended to
32 read as follows:

33 24.21 Transfer of inactive funds.

34 Subject to the provisions of any law relating to
35 municipalities, when the necessity for maintaining any
36 fund of the municipality has ceased to exist, and a
37 balance remains in said fund, the certifying board or
38 levying board, as the case may be, shall so declare by
39 resolution, and upon such declaration, such balance
40 shall forthwith be transferred to the fund or funds of
41 the municipality designated by such board, unless other
42 provisions have been made in creating such fund in
43 which such balance remains. In the case of a special
44 fund created by a city or a county under section
45 403.19, such balance remaining in the fund shall be
46 allocated to and paid into the funds for the respective
47 taxing districts as taxes by or for the taxing district
48 into which all other property taxes are paid.

49 Sec. 5. Section 331.403, subsection 3, Code 2011,
50 is amended by striking the subsection and inserting in

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1 lieu thereof the following:

2 3. a. Each county that had an urban renewal
3 plan and area in effect at any time during the most
4 recently ended fiscal year shall complete for each
5 such urban renewal plan and area and file with the
6 department of management an urban renewal report by
7 December 1 following the end of such fiscal year.
8 Each report shall be approved by the affirmative vote

9 of a majority of the board and be prepared in the
10 format and submitted electronically pursuant to the
11 instructions prescribed by the department of management
12 in consultation with the legislative services agency.

13 b. The report required under this subsection shall
14 include all of the following as of June 30 of the most
15 recently ended fiscal year or the information for such
16 fiscal year, as applicable:

17 (1) Whether the urban renewal area is determined by
18 the county to be a slum area, blighted area, economic
19 development area or a combination of those areas, and
20 the date such determination was made.

21 (2) A map clearly identifying the boundaries of the
22 urban renewal area.

23 (3) A copy of the ordinance providing for a
24 division of revenue in the urban renewal area under
25 section 403.19.

26 (4) A copy of the urban renewal plan adopted for
27 the urban renewal area, the date of each amendment to
28 the plan, and a copy of such amendment.

29 (5) A list and description of all urban renewal
30 projects within the urban renewal area that are in
31 process and all urban renewal projects that were
32 completed during the fiscal year.

33 (6) A description of each expenditure during the
34 fiscal year from the county's special fund created
35 in section 403.19. Each such expenditure shall be
36 classified by the county according to categories
37 established by the department of management and shall
38 be designated as corresponding to the specific loan,
39 advance, indebtedness, or bond which qualifies for
40 payment from the special fund under section 403.19.
41 Each such expenditure shall also be designated as
42 corresponding to one or more specific urban renewal
43 projects. This description shall not be required for
44 the report required to be filed on or before December
45 1, 2012.

46 (7) The amount of loans, advances, indebtedness,
47 or bonds, including interest negotiated on such loans,
48 advances, indebtedness, or bonds, which qualify for
49 payment from the special fund created in section
50 403.19, and which were incurred or issued during

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1 the fiscal year. Each such loan, advance, debt, or
2 bond shall be classified by the county according to
3 categories established by the department of management
4 and shall be designated as corresponding to one or more
5 specific urban renewal projects.

6 (8) The amount of loans, advances, indebtedness,
7 or bonds that remain unpaid at the close of the fiscal

8 year, and which qualify for payment from the special
9 fund created in section 403.19, including interest
10 negotiated on such loans, advances, indebtedness, or
11 bonds.

12 (9) The total amount of property taxes that were
13 exempted, rebated, refunded, or reimbursed by the
14 county, used to fund a grant provided by the county,
15 or directly paid by the county during the fiscal year
16 for property in the urban renewal area using moneys in
17 the county's special fund created in section 403.19 and
18 such amounts agreed to by the county for future fiscal
19 years.

20 (10) A list of all properties, including the owner
21 of such properties, and the amount of property taxes
22 due and payable for the fiscal year that were exempted,
23 rebated, refunded, or reimbursed by the county, used to
24 fund a grant provided by the county, or directly paid
25 by the county during the fiscal year using moneys in
26 the county's special fund created in section 403.19 and
27 information for such amounts agreed to by the county
28 for future fiscal years.

29 (11) The balance of the county's special fund
30 created in section 403.19.

31 (12) The aggregate assessed value of the taxable
32 property in the urban renewal area, as shown on the
33 assessment roll used to calculate the amount of taxes
34 under section 403.19, subsection 1, for the fiscal
35 year.

36 (13) The aggregate assessed value of each
37 classification of taxable property located in the urban
38 renewal area.

39 (14) That portion of the assessed value of all
40 taxable property located in the urban renewal area that
41 was used to calculate the amount of excess taxes under
42 section 403.19, subsection 2.

43 (15) The amount of taxes determined under section
44 403.19, subsection 2, in excess of the amount required
45 to pay the applicable loans, advances, indebtedness,
46 and bonds, if any, and interest thereon, for the fiscal
47 year that was paid into the funds for the respective
48 taxing districts in the same manner as taxes on all
49 other property.

50 (16) Interest or earnings received by each urban

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1 renewal area during the fiscal year on amounts
2 deposited into the special fund created in section
3 403.19 and the net proceeds during the fiscal year from
4 the sale of assets purchased using amounts deposited
5 into the special fund created in section 403.19.

6 (17) For each taxing district for which the

7 county divided taxes, the amount of taxes determined
8 under section 403.19, subsection 2, that, in lieu of
9 allocation to the taxing district, were deposited into
10 the county's special fund during the fiscal year.

11 (18) The amount of expenditures by the county
12 during the fiscal year for the purpose of providing or
13 aiding in the provision of public improvements related
14 to housing and residential development.

15 (19) The amount of assistance to low and moderate
16 income housing provided by the county under section
17 403.22 during the fiscal year if applicable.

18 (20) When required as part of an urban renewal
19 development or redevelopment agreement that includes
20 the use of incremental taxes collected pursuant to
21 section 403.19, subsection 2, the total number of jobs
22 to be created, the wages associated with those jobs,
23 the total private capital investment, and the total
24 cost of the public infrastructure constructed.

25 (21) All other additional information or
26 documentation relating to a county's urban renewal
27 activities or use of divisions of revenue under chapter
28 403 deemed relevant by the department of management, in
29 consultation with the county finance committee.

30 c. By December 1, 2012, the department of
31 management, in collaboration with the legislative
32 services agency, shall make publicly available on
33 an internet site a searchable database of all such
34 information contained in the reports required under
35 this subsection. Reports from previous years shall be
36 retained by the department and shall continue to be
37 available and searchable on the internet site.

38 d. The legislative services agency, in consultation
39 with the department of management, shall annually
40 prepare a report for submission to the governor and
41 the general assembly that summarizes and analyzes the
42 information contained in the reports submitted under
43 this subsection, section 357H.9, subsection 2, and
44 section 384.22, subsection 2. The report prepared by
45 the legislative services agency shall be submitted not
46 later than February 15 following the most recently
47 ended fiscal year for which the reports were filed.

48 e. For purposes of this subsection, "indebtedness"
49 includes but is not limited to written agreements
50 whereby the county agrees to exempt, rebate, refund, or

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1 reimburse property taxes, provide a grant for property
2 taxes paid, or make a direct payment of taxes, with
3 moneys in the special fund created in section 403.19,
4 and bonds, notes, or other obligations that are secured
5 by or subject to repayment from moneys appropriated by

6 the county from moneys in the special fund created in
7 section 403.19.

8 Sec. 6. Section 331.403, Code 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 4. The annual financial report
11 shall be prepared on forms and pursuant to instructions
12 prescribed by the department of management and shall
13 be filed with the department of management. The urban
14 renewal report shall be filed with the department of
15 management. Each report must be filed prior to the
16 publication and adoption of the county budget under
17 section 331.434 for the fiscal year beginning July
18 1 following the date such reports are due. If such
19 reports are not filed pursuant to the requirements of
20 this section, the department of management shall not
21 certify the county's taxes back to the county auditor
22 under section 24.17.

23 Sec. 7. Section 331.434, unnumbered paragraph 1,
24 Code 2011, is amended to read as follows:

25 Annually, the board of each county, subject to
26 section 331.403, subsection 4, sections 331.423
27 through 331.426, and other applicable state law, shall
28 prepare and adopt a budget, certify taxes, and provide
29 appropriations as follows:

30 Sec. 8. Section 331.434, subsection 1, Code 2011,
31 is amended to read as follows:

32 1. The budget shall show the amount required for
33 each class of proposed expenditures, a comparison of
34 the amounts proposed to be expended with the amounts
35 expended for like purposes for the two preceding years,
36 the revenues from sources other than property taxation,
37 and the amount to be raised by property taxation, in
38 the detail and form prescribed by the director of the
39 department of management. For each county that has
40 established an urban renewal area, the budget shall
41 include estimated and actual tax increment financing
42 revenues and all estimated and actual expenditures of
43 the revenues, proceeds from debt and all estimated
44 and actual expenditures of the debt proceeds, ~~and~~
45 ~~identification of any entity receiving a direct payment~~
46 ~~of taxes funded by tax increment financing revenues~~
47 ~~and shall include the total amount of loans, advances,~~
48 ~~indebtedness, or bonds outstanding at the close of~~
49 ~~the most recently ended fiscal year, which qualify~~
50 ~~for payment from the special fund created in section~~

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1 ~~403.19, including interest negotiated on such loans,~~
2 ~~advances, indebtedness, or bonds. For purposes of this~~
3 ~~subsection, "indebtedness" includes written agreements~~
4 ~~whereby the county agrees to suspend, abate, exempt,~~

5 rebate, refund, or reimburse property taxes, provide a
 6 grant for property taxes paid, or make a direct payment
 7 of taxes, with moneys in the special fund. The amount
 8 of loans, advances, indebtedness, or bonds shall be
 9 listed in the aggregate for each county reporting. The
 10 county finance committee, in consultation with the
 11 department of management and the legislative services
 12 agency, shall determine reporting criteria and shall
 13 prepare a form for reports filed with the department
 14 pursuant to this section. The department shall make
 15 the information available by electronic means.

16 Sec. 9. Section 357H.9, Code 2011, is amended to
 17 read as follows:

18 357H.9 Incremental property taxes.
 19 1. The board of trustees shall provide by
 20 resolution that taxes levied on the taxable property
 21 in a rural improvement zone each year by or for the
 22 benefit of the state, city, county, school district,
 23 or other taxing district after the effective date of
 24 the resolution shall be divided as provided in section
 25 403.19, subsections 1 and 2, in the same manner as
 26 if the taxable property in the rural improvement zone
 27 was taxable property in an urban renewal area and
 28 the resolution was an ordinance within the meaning of
 29 those subsections. The taxes received by the board
 30 of trustees shall be allocated to, and when collected
 31 be paid into, a special fund and may be irrevocably
 32 pledged by the trustees to pay the principal of
 33 and interest on the certificates, contracts, or
 34 other obligations approved by the board of trustees
 35 to finance or refinance, in whole or in part, an
 36 improvement project. As used in this section, "taxes"
 37 includes, but is not limited to, all levies on an ad
 38 valorem basis upon land or real property located in the
 39 rural improvement zone.

40 2. a. Each board of trustees that has by
 41 resolution provided for a division of revenue in the
 42 rural improvement zone during the most recently ended
 43 fiscal year shall complete and file with the department
 44 of management a tax increment financing report by
 45 December 1 following the end of such fiscal year. The
 46 report shall be approved by the affirmative vote of a
 47 majority of the board of trustees and be prepared in
 48 the format and submitted electronically pursuant to the
 49 instructions prescribed by the department of management
 50 in consultation with the legislative services agency.

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1 b. The report required under this subsection shall
 2 include substantially the same information required for
 3 counties under section 331.403, subsection 3, as of

4 June 30 of the most recently ended fiscal year or the
5 information for such fiscal year, as applicable.

6 c. By December 1, 2012, the department of
7 management, shall make publicly available on an
8 internet site a searchable database of all such
9 information contained in the reports required under
10 this subsection. Reports from previous years shall be
11 retained by the department and shall continue to be
12 available and searchable on the internet site.

13 d. A board of trustees that fails to satisfy the
14 requirements of this subsection shall have all future
15 incremental taxes withheld from payment into the rural
16 improvement zone's special fund until such requirements
17 are met.

18 Sec. 10. Section 384.16, unnumbered paragraph 1,
19 Code 2011, is amended to read as follows:

20 Annually, a city that has satisfied the requirements
21 of section 384.22, subsection 3, shall prepare and
22 adopt a budget, and shall certify taxes as follows:

23 Sec. 11. Section 384.16, subsection 1, paragraphs b
24 and c, Code 2011, are amended to read as follows:

25 b. A budget must show comparisons between the
26 estimated expenditures in each program in the following
27 year, the latest estimated expenditures in each program
28 in the current year, and the actual expenditures
29 in each program from the annual ~~report~~ reports as
30 provided in section 384.22, or as corrected by a
31 subsequent audit report. Wherever practicable, as
32 provided in rules of the committee, a budget must show
33 comparisons between the levels of service provided
34 by each program as estimated for the following year,
35 and actual levels of service provided by each program
36 during the two preceding years. For each city that has
37 established an urban renewal area, the budget shall
38 include estimated and actual tax increment financing
39 revenues and all estimated and actual expenditures of
40 the revenues, proceeds from debt and all estimated
41 and actual expenditures of the debt proceeds, ~~and~~
42 ~~identification of any entity receiving a direct payment~~
43 ~~of taxes funded by tax increment financing revenues~~
44 ~~and shall include the total amount of loans, advances,~~
45 ~~indebtedness, or bonds outstanding at the close of~~
46 ~~the most recently ended fiscal year, which qualify~~
47 ~~for payment from the special fund created in section~~
48 ~~403.19, including interest negotiated on such loans,~~
49 ~~advances, indebtedness, or bonds. The amount of loans,~~
50 ~~advances, indebtedness, or bonds shall be listed in the~~

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1 ~~aggregate for each city reporting. The city finance~~
2 ~~committee, in consultation with the department of~~

3 management and the legislative services agency, shall
4 determine reporting criteria and shall prepare a form
5 for reports filed with the department pursuant to this
6 section. The department shall make the information
7 available by electronic means.

8 e. For purposes of this subsection, "indebtedness"
9 includes written agreements whereby the city agrees to
10 suspend, abate, exempt, rebate, refund, or reimburse
11 property taxes, provide a grant for property taxes
12 paid, or make a direct payment of taxes, with moneys
13 in the special fund.

14 Sec. 12. Section 384.22, Code 2011, is amended to
15 read as follows:

16 384.22 Annual report reports — financial report —
17 urban renewal report.

18 1. Not later than December 1 of each year, a city
19 shall publish an annual financial report as provided in
20 section 362.3 containing a summary for the preceding
21 fiscal year of all collections and receipts, all
22 accounts due the city, and all expenditures, the
23 current public debt of the city, and the legal debt
24 limit of the city for the current fiscal year. The
25 annual financial report shall be prepared on forms and
26 pursuant to instructions prescribed by the auditor of
27 state. A copy of this report must be filed with the
28 auditor of state not later than December 1 of each
29 year.

30 A city that fails to meet the filing deadline
31 imposed by this section shall have withheld from
32 payments to be made to the county which are allocated
33 to the city pursuant to section 425.1 an amount equal
34 to five cents per capita until the annual report is
35 filed with the auditor of state.

36 2. a. Each city that had an urban renewal plan and
37 area in effect at any time during the most recently
38 ended fiscal year shall complete for each such urban
39 renewal plan and area and file with the department
40 of management an urban renewal report by December 1
41 following the end of such fiscal year. Each report
42 shall be approved by the affirmative vote of a
43 majority of the city council and be prepared in the
44 format and submitted electronically pursuant to the
45 instructions prescribed by the department of management
46 in consultation with the legislative services agency.

47 b. The report required under this subsection shall
48 include all of the following as of June 30 of the most
49 recently ended fiscal year:

50 (1) Whether the urban renewal area is determined

1 by the city to be a slum area, blighted area, economic

2 development area or a combination of those areas, and
3 the date such determination was made.

4 (2) A map clearly identifying the boundaries of the
5 urban renewal area.

6 (3) A copy of the ordinance providing for a
7 division of revenue in the urban renewal area under
8 section 403.19.

9 (4) A copy of the urban renewal plan adopted for
10 the urban renewal area, the date of each amendment to
11 the plan, and a copy of such amendment.

12 (5) A list and description of all urban renewal
13 projects within the urban renewal area that are in
14 process and all urban renewal projects that were
15 completed during the fiscal year.

16 (6) A description of each expenditure during
17 the fiscal year from the city's special fund created
18 in section 403.19. Each such expenditure shall
19 be classified by the city according to categories
20 established by the department of management and shall
21 be designated as corresponding to the specific loan,
22 advance, indebtedness, or bond which qualifies for
23 payment from the special fund under section 403.19.
24 Each such expenditure shall also be designated as
25 corresponding to one or more specific urban renewal
26 projects. This description shall not be required for
27 the report required to be filed on or before December
28 1, 2012.

29 (7) The amount of loans, advances, indebtedness,
30 or bonds, including interest negotiated on such loans,
31 advances, indebtedness, or bonds, which qualify for
32 payment from the special fund created in section
33 403.19, and which were incurred or issued during the
34 fiscal year. Each such loan, advance, debt, or bond
35 shall be classified by the city according to categories
36 established by the department of management and shall
37 be designated as corresponding to one or more specific
38 urban renewal projects.

39 (8) The amount of loans, advances, indebtedness,
40 or bonds that remain unpaid at the close of the fiscal
41 year, and which qualify for payment from the special
42 fund created in section 403.19, including interest
43 negotiated on such loans, advances, indebtedness, or
44 bonds.

45 (9) The total amount of property taxes that were
46 exempted, rebated, refunded, or reimbursed by the city,
47 used to fund a grant provided by the city, or directly
48 paid by the city during the fiscal year for property
49 in the urban renewal area using moneys in the city's
50 special fund created in section 403.19 and such amounts

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- 1 agreed to by the city for future fiscal years.
2 (10) A list of all properties, including the owner
3 of such properties, and the amount of property taxes
4 due and payable for the fiscal year that were exempted,
5 rebated, refunded, or reimbursed by the city, used to
6 fund a grant provided by the city, or directly paid
7 by the city during the fiscal year using moneys in
8 the city's special fund created in section 403.19 and
9 information for such amounts agreed to by the city for
10 future fiscal years.
11 (11) The balance of the city's special fund created
12 in section 403.19.
13 (12) The aggregate assessed value of the taxable
14 property in the urban renewal area, as shown on the
15 assessment roll used to calculate the amount of taxes
16 under section 403.19, subsection 1, for the fiscal
17 year.
18 (13) The aggregate assessed value of each
19 classification of taxable property located in the urban
20 renewal area.
21 (14) That portion of the assessed value of all
22 taxable property located in the urban renewal area that
23 was used to calculate the amount of excess taxes under
24 section 403.19, subsection 2.
25 (15) The amount of taxes determined under section
26 403.19, subsection 2, in excess of the amount required
27 to pay the applicable loans, advances, indebtedness,
28 and bonds, if any, and interest thereon, for the fiscal
29 year that was paid into the funds for the respective
30 taxing districts in the same manner as taxes on all
31 other property.
32 (16) Interest or earnings received by each urban
33 renewal area during the fiscal year on amounts
34 deposited into the special fund created in section
35 403.19 and the net proceeds during the fiscal year from
36 the sale of assets purchased using amounts deposited
37 into the special fund created in section 403.19.
38 (17) For each taxing district for which the
39 city divided taxes, the amount of taxes determined
40 under section 403.19, subsection 2, that, in lieu of
41 allocation to the taxing district, were deposited into
42 the city's special fund during the fiscal year.
43 (18) The amount of expenditures by the city during
44 the fiscal year for the purpose of providing or aiding
45 in the provision of public improvements related to
46 housing and residential development.
47 (19) The amount and types of assistance to low and
48 moderate income housing provided by the city under
49 section 403.22 during the fiscal year if applicable.
50 (20) When required as part of an urban renewal

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1 development or redevelopment agreement that includes
2 the use of incremental taxes collected pursuant to
3 section 403.19, subsection 2, the total number of jobs
4 to be created, the wages associated with those jobs,
5 the total private capital investment, and the total
6 cost of the public infrastructure constructed.
7 (21) All other additional information or
8 documentation relating to a city's urban renewal
9 activities or use of divisions of revenue under chapter
10 403 deemed relevant by the department of management, in
11 consultation with the city finance committee.
12 c. By December 1, 2012, the department of
13 management, in collaboration with the legislative
14 services agency, shall make publicly available on
15 an internet site a searchable database of all such
16 information contained in the reports required under
17 this subsection. Reports from previous years shall be
18 retained by the department and shall continue to be
19 available and searchable on the internet site.
20 d. For purposes of this subsection, "indebtedness"
21 includes but is not limited to written agreements
22 whereby the city agrees to exempt, rebate, refund, or
23 reimburse property taxes, provide a grant for property
24 taxes paid, or make a direct payment of taxes, with
25 moneys in the special fund created in section 403.19,
26 and bonds, notes, or other obligations that are secured
27 by or subject to repayment from moneys appropriated by
28 the city from moneys in the special fund created in
29 section 403.19.
30 3. The annual financial report shall be prepared on
31 forms and pursuant to instructions prescribed by the
32 auditor of state and shall be filed with the auditor
33 of state. The urban renewal report shall be filed
34 with the department of management. Each report must
35 be filed prior to the publication and adoption of
36 the city budget under section 384.16 for the fiscal
37 year beginning July 1 following the date such reports
38 are due. If such reports are not filed pursuant to
39 the requirements of this section, the department of
40 management shall not certify the city's taxes back to
41 the county auditor under section 24.17.
42 Sec. 13. Section 403.5, subsection 2, paragraph b,
43 Code 2011, is amended to read as follows:
44 b. (1) Prior to its approval of an urban renewal
45 plan which provides for a division of revenue pursuant
46 to section 403.19, the municipality shall mail the
47 proposed plan by regular mail to the affected taxing
48 entities. The municipality shall include with the
49 proposed plan notification of a consultation to be held
50 between the municipality and affected taxing entities

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1 prior to the public hearing on the urban renewal
2 plan. If the proposed urban renewal plan or proposed
3 urban renewal project within the urban renewal area
4 includes the use of taxes resulting from a division of
5 revenue under section 403.19 for a public building,
6 including but not limited to a police station, fire
7 station, administration building, swimming pool,
8 hospital, library, recreational building, city hall,
9 or other public building that is exempt from taxation,
10 including the grounds of, and the erection, equipment,
11 remodeling, or reconstruction of, and additions or
12 extensions to, such a building, the municipality shall
13 include with the proposed plan notification an analysis
14 of alternative development options and funding for the
15 urban renewal area or urban renewal project and the
16 reasons such options would be less feasible than the
17 proposed urban renewal plan or proposed urban renewal
18 project. A copy of the analysis required in this
19 subparagraph shall be included with the urban renewal
20 report required under section 331.403 or 384.22, as
21 applicable, and filed by December 1 following adoption
22 of the urban renewal plan or project.

23 (2) Each affected taxing entity may appoint a
24 representative to attend the consultation. The
25 consultation may include a discussion of the estimated
26 growth in valuation of taxable property included in
27 the proposed urban renewal area, the fiscal impact
28 of the division of revenue on the affected taxing
29 entities, the estimated impact on the provision of
30 services by each of the affected taxing entities in the
31 proposed urban renewal area, and the duration of any
32 bond issuance included in the plan. The designated
33 representative of the affected taxing entity may
34 make written recommendations for modification to
35 the proposed division of revenue no later than seven
36 days following the date of the consultation. The
37 representative of the municipality shall, no later
38 than seven days prior to the public hearing on the
39 urban renewal plan, submit a written response to the
40 affected taxing entity addressing the recommendations
41 for modification to the proposed division of revenue.

42 Sec. 14. Section 403.5, subsection 5, Code 2011, is
43 amended to read as follows:

44 5. a. ~~An~~ Except as otherwise provided in this
45 subsection, an urban renewal plan may be modified at
46 any time: ~~Provided, that if,~~ However, if the urban
47 renewal plan is modified after the lease or sale by
48 the municipality of real property in the urban renewal
49 project area, such modification may be conditioned upon
50 such approval of the owner, lessee, or successor in

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1 interest as the municipality may deem advisable, and in
2 any event such modification shall be subject to such
3 rights at law or in equity as a lessee or purchaser, or
4 a lessee's or purchaser's successor or successors in
5 interest, may be entitled to assert.

6 b. A municipality shall not approve an urban
7 renewal project for an urban renewal area unless the
8 governing body has amended or modified the adopted
9 urban renewal plan to include the urban renewal
10 project.

11 c. The municipality shall comply with the
12 notification, and consultation, and hearing process
13 provided in this section prior to the approval of any
14 amendment or modification to an adopted urban renewal
15 plan if such amendment or modification provides for
16 refunding bonds or refinancing resulting in an increase
17 in debt service or provides for the issuance of bonds
18 or other indebtedness, to be funded primarily in the
19 manner provided in section 403.19, or if such amendment
20 or modification provides for the inclusion and
21 approval of an urban renewal project under paragraph
22 "b". However, the review and recommendation process
23 conducted by the municipality's planning commission
24 under subsection 2, paragraph "a", shall not be
25 required when amending or modifying an adopted urban
26 renewal plan.

27 d. Once determined to be a blighted area, a
28 slum area, or an economic development area by a
29 municipality, an urban renewal area shall not be
30 redetermined by the municipality throughout the
31 duration of the urban renewal area.

32 Sec. 15. Section 403.17, subsection 1, Code 2011,
33 is amended to read as follows:

34 1. "Affected taxing entity" means a city, ~~community~~
35 ~~college~~, county, or school district which levied or
36 certified for levy a property tax on any portion of the
37 taxable property located within the urban renewal area
38 in the fiscal year beginning prior to the calendar year
39 in which a proposed urban renewal plan is submitted to
40 the local governing body for approval.

41 Sec. 16. Section 403.19, subsection 2, Code
42 Supplement 2011, as amended by 2012 Iowa Acts, Senate
43 File 2137, section 6, is amended to read as follows:

44 2. a. That portion of the taxes each year in
45 excess of such amount shall be allocated to and
46 when collected be paid into a special fund of the
47 municipality to pay the principal of and interest on
48 loans, moneys advanced to, or indebtedness, whether
49 funded, refunded, assumed, or otherwise, including
50 bonds issued under the authority of section 403.9,

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1 subsection 1, incurred by the municipality to finance
2 or refinance, in whole or in part, an urban renewal
3 project within the area, and to provide assistance for
4 low and moderate income family housing as provided
5 in section 403.22. However, except as provided in
6 paragraph "b", taxes for the regular and voter-approved
7 physical plant and equipment levy of a school district
8 imposed pursuant to section 298.2 and taxes for the
9 instructional support program of a school district
10 imposed pursuant to section 257.19, taxes for the
11 payment of bonds and interest of each taxing district,
12 and taxes imposed under section 346.27, subsection
13 22, related to joint county-city buildings shall be
14 collected against all taxable property within the
15 taxing district without limitation by the provisions
16 of this subsection.

17 b. (1) However, all All or a portion of the taxes
18 for the physical plant and equipment levy shall be
19 paid by the school district to the municipality if
20 the auditor certifies to the school district by July
21 1 the amount of such levy that is necessary to pay
22 the principal and interest on bonds issued by the
23 municipality to finance an urban renewal project, which
24 bonds were issued before July 1, 2001. Indebtedness
25 incurred to refund bonds issued prior to July 1, 2001,
26 shall not be included in the certification. Such
27 school district shall pay over the amount certified
28 by November 1 and May 1 of the fiscal year following
29 certification to the school district.

30 (2) (a) All or a portion of the taxes for the
31 instructional support program levy of a school
32 district shall be paid by the school district to the
33 municipality if the auditor, pursuant to subsection 11,
34 certifies to the school district by July 1 the amount
35 of such levy that is necessary to pay the principal and
36 interest on bonds issued or other indebtedness incurred
37 by the municipality to finance an urban renewal project
38 if such bonds or indebtedness were issued or incurred
39 on or before April 24, 2012. Such school district
40 shall pay over the amount certified by November 1 and
41 May 1 of the fiscal year following certification to the
42 school district.

43 (b) In lieu of payment to a municipality under
44 subparagraph division (a), a school district may by
45 resolution of the board of directors of the school
46 district approve at a regular meeting of the board
47 of directors the payment of all or a portion of the
48 instructional support program property tax revenue
49 excluded under paragraph "a", to the municipality for
50 the payment of principal and interest on such bonds

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1 issued or such other indebtedness incurred by the
2 municipality before, on, or after April 24, 2012.
3 c. Unless and until the total assessed valuation of
4 the taxable property in an urban renewal area exceeds
5 the total assessed value of the taxable property in
6 such area as shown by the last equalized assessment
7 roll referred to in subsection 1, all of the taxes
8 levied and collected upon the taxable property in
9 the urban renewal area shall be paid into the funds
10 for the respective taxing districts as taxes by or
11 for the taxing districts in the same manner as all
12 other property taxes. When such loans, advances,
13 indebtedness, and bonds, if any, and interest thereon,
14 have been paid, all moneys thereafter received from
15 taxes upon the taxable property in such urban renewal
16 area shall be paid into the funds for the respective
17 taxing districts in the same manner as taxes on all
18 other property.

19 d. In those instances where a school district
20 has entered into an agreement pursuant to section
21 279.64 for sharing of school district taxes levied and
22 collected from valuation described in this subsection
23 and released to the school district, the school
24 district shall transfer the taxes as provided in the
25 agreement.

26 Sec. 17. Section 403.19, subsection 6, paragraph
27 a, subparagraph (1), Code Supplement 2011, is amended
28 to read as follows:

29 (1) A municipality shall certify to the county
30 auditor on or before December 1 the amount of loans,
31 advances, indebtedness, or bonds, including interest
32 negotiated on such loans, advances, indebtedness,
33 or bonds, which qualify for payment from the special
34 fund referred to in subsection 2, for each urban
35 renewal area in the municipality, and the filing of
36 the certificate shall make it a duty of the auditor to
37 provide for the division of taxes in each subsequent
38 year without further certification, except as provided
39 in paragraphs "b" and "c", until the amount of the
40 loans, advances, indebtedness, or bonds is paid to the
41 special fund. Such certification shall include all
42 amounts which qualify for payment from the special fund
43 referred to in subsection 2 during the next fiscal
44 year and all amounts which qualify for payment from
45 the special fund in any subsequent fiscal year. If
46 any loans, advances, indebtedness, or bonds are issued
47 which qualify for payment from the special fund and
48 which are in addition to amounts already certified,
49 the municipality shall certify the amount of the
50 additional obligations on or before December 1 of the

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1 year such obligations were issued, and the filing of
2 the certificate shall make it a duty of the auditor to
3 provide for the division of taxes in each subsequent
4 year without further certification, except as provided
5 in paragraphs "b" and "c", until the amount of the
6 loans, advances, indebtedness, or bonds is paid to the
7 special fund. Any subsequent certifications under
8 this subsection shall not include amounts previously
9 certified.

10 Sec. 18. Section 403.19, subsection 6, Code
11 Supplement 2011, is amended by adding the following new
12 paragraph:

13 NEW PARAGRAPH. d. For purposes of this section,
14 "indebtedness" includes but is not limited to written
15 agreements whereby the municipality agrees to exempt,
16 rebate, refund, or reimburse property taxes, provide a
17 grant for property taxes paid, or make a direct payment
18 of taxes, with moneys in the special fund referred to
19 in subsection 2, and bonds, notes, or other obligations
20 that are secured by or subject to payment from moneys
21 appropriated by the municipality from moneys in the
22 special fund referred to in subsection 2.

23 Sec. 19. Section 403.19, Code Supplement 2011, is
24 amended by adding the following new subsection:

25 NEW SUBSECTION. 9. a. Moneys from any source
26 deposited into the special fund created in this
27 section shall not be expended for or otherwise used in
28 connection with an urban renewal project approved on or
29 after the effective date of this Act that includes the
30 relocation of a commercial or industrial enterprise not
31 presently located within the municipality, unless one
32 of the following occurs:

33 (1) The local governing body of the municipality
34 where the commercial or industrial enterprise is
35 currently located and the local governing body of
36 the municipality where the commercial or industrial
37 enterprise is proposing to relocate have either entered
38 into a written agreement concerning the relocation of
39 the commercial or industrial enterprise or have entered
40 into a written agreement concerning the general use of
41 economic incentives to attract commercial or industrial
42 development within those municipalities.

43 (2) The local governing body of the municipality
44 where the commercial or industrial enterprise is
45 proposing to relocate finds that the use of deposits
46 into the special fund for an urban renewal project that
47 includes such a relocation is in the public interest.
48 A local governing body's finding that an urban renewal
49 project that includes a commercial or industrial
50 enterprise relocation is in the public interest shall

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1 include written verification from the commercial or
2 industrial enterprise that the enterprise is actively
3 considering moving all or a part of its operations to a
4 location outside the state and a specific finding that
5 such an out-of-state move would result in a significant
6 reduction in either the enterprise's total employment
7 in the state or in the total amount of wages earned by
8 employees of the enterprise in the state.

9 b. For the purposes of this subsection,
10 "relocation" means the closure or substantial reduction
11 of an enterprise's existing operations in one area of
12 the state and the initiation of substantially the same
13 operation in the same county or a contiguous county
14 in the state. This subsection does not prohibit an
15 enterprise from expanding its operations in another
16 area of the state provided that existing operations
17 of a similar nature are not closed or substantially
18 reduced.

19 Sec. 20. Section 403.19, Code Supplement 2011, is
20 amended by adding the following new subsection:
21 NEW SUBSECTION. 10. a. Interest or earnings
22 received on amounts deposited into the special fund
23 created in this section and the net proceeds from the
24 sale of assets purchased using amounts deposited into
25 the special fund created in this section shall be
26 credited to the special fund and shall be used solely
27 for the purposes specified in this section.

28 b. Moneys in the special fund created in this
29 section shall not be transferred to another fund of the
30 municipality except for the payment of loans, advances,
31 indebtedness, or bonds that qualify for payment from
32 the special fund.

33 Sec. 21. Section 403.19, Code Supplement 2011, is
34 amended by adding the following new subsection:
35 NEW SUBSECTION. 11. For any fiscal year, a
36 municipality may certify to the county auditor for
37 instructional support program property tax revenue
38 necessary for payment of principal and interest on
39 bonds issued or other indebtedness incurred for an
40 urban renewal project on or before April 24, 2012.
41 If for any fiscal year a municipality fails to
42 certify to the county auditor by July 1 the amount
43 of instructional support program property tax revenue
44 necessary for payment of principal and interest on
45 such bonds, as provided in subsection 2, the school
46 district is not required to pay over the revenue to the
47 municipality. If a school district and a municipality
48 are unable to agree on the amount of instructional
49 support program property tax revenue certified by the
50 municipality, either party may request that the state

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1 appeal board review and finally pass upon the amount
2 that may be certified. Such appeals must be presented
3 in writing to the state appeal board no later than
4 July 31 following certification. The burden shall be
5 on the municipality to prove that the instructional
6 support program property tax revenue is necessary to
7 pay principal and interest on the applicable bonds. A
8 final decision must be issued by the state appeal board
9 no later than the following October 1.

10 Sec. 22. NEW SECTION. 403.23 Audit — certificate
11 of compliance.

12 1. Each municipality that has established an
13 urban renewal area that utilizes, or plans to
14 utilize, revenues from the special fund created in
15 section 403.19, shall make an annual certification of
16 compliance with this section. For any year in which
17 the municipality is audited in accordance with section
18 11.6, such certification shall be audited as part of
19 the municipality's audit.

20 2. The certification required under this section
21 shall include such information or documentation deemed
22 appropriate by the auditor of state including but not
23 limited to the information required to be reported
24 under section 331.403, subsection 3, or section 384.22,
25 subsection 2, as applicable.

26 3. The auditor of state shall adopt rules necessary
27 to implement this section.

28 Sec. 23. Section 423B.10, subsection 2, Code 2011,
29 is amended to read as follows:

30 2. a. An ~~Upon approval by the board of supervisors~~
31 ~~of each applicable county pursuant to paragraph~~
32 "b", an eligible city may by ordinance of the city
33 council provide for the use of a designated amount of
34 the increased local sales and services tax revenues
35 collected under this chapter which are attributable
36 to retail establishments in an urban renewal area to
37 fund urban renewal projects located in the area. The
38 designated amount may be all or a portion of such
39 increased revenues.

40 b. A city shall not adopt an ordinance under
41 paragraph "a" unless the board of supervisors of
42 each county where the urban renewal area from which
43 such local sales and services tax revenues are to be
44 collected and used to fund urban renewal projects
45 is located first adopts a resolution approving the
46 collection and use of such local sales and services tax
47 revenues.

48 Sec. 24. IMPLEMENTATION OF ACT. Section 25B.2,
49 subsection 3, shall not apply to this Act.

50 Sec. 25. APPLICABILITY. The provisions of this

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1 Act prohibiting the department of management from
2 certifying taxes back to the county auditor under
3 section 24.17 if a county, under section 331.403,
4 subsection 4, or a city, under section 384.22,
5 subsection 3, fails to meet the reporting requirements
6 of sections 331.403 and 384.22, as applicable, or the
7 provision of this Act requiring that incremental taxes
8 be withheld from payment to a rural improvement zone if
9 the rural improvement zone fails to meet the reporting
10 requirement of section 357H.9, subsection 2, shall not
11 apply to the report required to be filed on or before
12 December 1, 2012.

13 Sec. 26. APPLICABILITY. The provisions of this Act
14 relating to the division of taxes for the instructional
15 support program of a school district under section
16 403.19, as amended in this Act, apply to property taxes
17 due and payable in fiscal years beginning on or after
18 July 1, 2013.

19 Sec. 27. APPLICABILITY. The section of this Act
20 amending section 423B.10 applies to city ordinances
21 adopted under section 423B.10 on or after the effective
22 date of this Act.>

23 2. Title page, by striking lines 1 through 5 and
24 inserting <An Act relating to Iowa's urban renewal law
25 and incremental taxes by modifying provisions relating
26 to divisions of revenue, modifying provisions relating
27 to the approval of urban renewal plans and projects and
28 approval of the use of certain local sales and services
29 tax revenue, requiring certain reporting and auditing,
30 and including applicability provisions.>>

SENATE AMENDMENT

H-8510

1 Amend Senate File 2338, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 51, after line 18 by inserting:
4 <Sec. ____ NEW SECTION. 455B.810 Product
5 stewardship — report.

6 1. By January 15 of each year, the department
7 shall submit a product stewardship report to the
8 general assembly. The report shall supply information
9 identifying solid waste according to product or product
10 category. The report shall consider latex paint,
11 oil-based paint, aseptic packaging, waste tires,
12 florescent bulbs, and food waste. The report shall not
13 include consideration of motor vehicles or watercraft.

14 2. The department shall use the report described
15 in subsection 1 to recommend a strategy that most

16 efficiently manages solid waste as classified according
 17 to product or product category. The strategy shall at
 18 least include recommendations for all of the following:

19 a. Disposing of hazardous chemicals, toxic
 20 materials, or harmful physical agents that pose a risk
 21 of an adverse impact to the environment or public
 22 health and safety.

23 b. Increasing the recovery of materials for reuse
 24 or recycling.

25 c. Reducing costs associated with solid waste
 26 management.

27 3. In preparing its report, the department shall
 28 consider how other states have classified solid waste
 29 according to products and product categories and how
 30 other states have successfully collected and managed
 31 solid waste, including recovering and recycling
 32 efforts. When preparing the report, the department
 33 shall consult with landfill operators and businesses
 34 engaged in recycling solid waste. The department shall
 35 also invite participation from interested members of
 36 the public.

37 4. As part of its report, the department shall
 38 recommend the establishment of a product stewardship
 39 program that implements or improves upon the strategy
 40 developed by the department under this section,
 41 including by detailing any legislative proposals
 42 required for implementation or explaining the adoption
 43 of proposed rules under existing statutory authority.>

44 2. By renumbering as necessary.

ISENHART of Dubuque
 KAUFMANN of Cedar

H-8511

1 Amend Senate File 2338, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 5, after line 9 by inserting:

4 <Sec. ____. DEPARTMENT OF ADMINISTRATIVE SERVICES —
 5 ENERGY EFFICIENCY EFFORTS.

6 1. The department of administrative services
 7 shall report to the general assembly and governor by
 8 November 15, 2012, regarding the feasibility of giving
 9 preference to or requiring the purchase or lease of
 10 passenger cars with a United States environmental
 11 protection agency estimated highway-mileage rating of
 12 at least thirty-five miles per gallon and electric
 13 and natural-gas powered vehicles with a United
 14 States environmental protection agency estimated
 15 highway-mileage rating of at least forty-five miles
 16 per gallon. The preference shall be determined on a
 17 fleet-wide average basis.

18 2. Funds appropriated to a state agency for utility
 19 expenses shall not be transferred or reallocated, and
 20 any such unexpended funds at the end of a fiscal year
 21 shall not revert to the general fund of the state but
 22 shall be allocated to the Iowa energy bank revolving
 23 loan fund, to be used exclusively to finance energy
 24 improvements to state-owned properties.

25 3. The department of administrative services shall
 26 require that the procurement of any product by a state
 27 agency conform to energy star specifications current
 28 at the time of contract or purchase if the product is
 29 subject to energy star labeling.

30 4. The department of administrative services shall
 31 provide for least-cost lighting of state buildings
 32 and property under its control, and shall work with
 33 other state departments and agencies responsible for
 34 the energy costs of buildings and property under their
 35 control to do the same, based on minimizing energy use
 36 and the life-cycle costs of the energy technology.

37 5. The department of administrative services
 38 shall establish a program with other state agencies
 39 to replace or deploy battery chargers and other smart
 40 power technology that turns off the power source to the
 41 adapter or battery once the battery is charged or cuts
 42 power to unused electrical devices.

43 Sec. __. EFFECTIVE UPON ENACTMENT. The section of
 44 this division of this Act, relating to energy efficient
 45 efforts by the department of administrative services,
 46 being deemed of immediate importance, takes effect upon
 47 enactment.>

48 2. By renumbering as necessary.

ISENHART of Dubuque

H-8512

1 Amend the amendment, S-5183, to Senate File 2293,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:

4 1. Page 1, after line 2 by inserting:

5 <__. Page 2, after line 6 by inserting:

6 <Sec. __. Section 505.8, Code Supplement 2011, is
 7 amended by adding the following new subsection:

8 NEW SUBSECTION. 6A. The commissioner shall
 9 establish a bureau, to be known as the "health
 10 insurance and cost containment bureau", as provided in
 11 section 505.20.>

12 __. Page 2, after line 15 by inserting:

13 <Sec. __. NEW SECTION. 505.20 Health insurance
 14 and cost containment bureau — advisory board.

15 1. a. The commissioner shall establish a
 16 bureau, to be known as the "health insurance and cost

17 containment bureau", for the purpose of creating
18 methodologies to hold health carriers accountable
19 for the fair treatment of health care providers and
20 developing affordability standards for health carriers
21 that direct carriers to promote improved accessibility,
22 quality, and affordability of health care.

23 b. The commissioner shall employ professional and
24 clerical staff to carry out the purposes and functions
25 of the bureau.

26 c. The commissioner shall adopt rules under chapter
27 17A, in collaboration with the health insurance and
28 cost containment advisory board, to administer and
29 implement the purposes and functions of the bureau.

30 2. a. A health insurance and cost containment
31 advisory board is created to assist the commissioner
32 in carrying out the purposes of the bureau. The
33 advisory board shall consist of seven voting members
34 and seven nonvoting members. The voting members shall
35 be appointed by the governor, subject to confirmation
36 by the senate. The governor shall designate one voting
37 member as chairperson and one as vice chairperson.

38 b. The voting members of the advisory board shall
39 be appointed by the governor as follows:

40 (1) Two persons who represent the interests of
41 small business from nominations made to the governor
42 by nationally recognized groups that represent the
43 interests of small business.

44 (2) Two persons who represent the interests of
45 consumers from nominations made to the governor
46 by nationally recognized groups that represent the
47 interests of consumers.

48 (3) One person who is an insurance producer
49 licensed under chapter 522B.

50 (4) One person who is a health care actuary or

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1 economist with expertise in health insurance.

2 (5) One person who is a health care provider.

3 c. The nonvoting members are as follows:

4 (1) The commissioner of insurance or the
5 commissioner's designee.

6 (2) The director of human services or the
7 director's designee.

8 (3) The director of public health or the director's
9 designee.

10 (4) Four members of the general assembly,
11 one appointed by the speaker of the house of
12 representatives, one appointed by the minority leader
13 of the house of representatives, one appointed by the
14 majority leader of the senate, and one appointed by the
15 minority leader of the senate.

16 d. Meetings of the advisory board shall be held at
17 the call of the chairperson or upon the request of at
18 least two voting members. Four voting members shall
19 constitute a quorum and the affirmative vote of four
20 voting members shall be necessary for any action taken
21 by the advisory board.

22 e. The voting members of the advisory board shall
23 be appointed for staggered terms of three years within
24 sixty days after the effective date of this Act and by
25 December 15 of each year thereafter. The initial terms
26 of the voting members of the advisory board shall be
27 staggered at the discretion of the governor. A voting
28 member of the board is eligible for reappointment. The
29 governor shall fill a vacancy on the board in the same
30 manner as the original appointment for the remainder
31 of the term.

32 f. Voting members of the advisory board may be
33 reimbursed from the moneys collected from assessment
34 fees for the administration of the bureau and the
35 advisory board pursuant to subsection 7, for actual
36 and necessary expenses incurred in the performance of
37 their duties, but shall not be otherwise compensated
38 for their services.

39 g. It shall be the duty of the advisory board to
40 assist the bureau in carrying out the purposes and
41 functions of the bureau by making recommendations for
42 the creation of methodologies that hold health carriers
43 in the state accountable for the fair treatment of
44 health care providers and developing affordability
45 standards for health carriers that direct such carriers
46 to promote improved accessibility, quality, and
47 affordability of health care. The advisory board shall
48 also offer input to the commissioner regarding proposed
49 rules, the operation of the bureau, and any other
50 topics relevant to administering and implementing the

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1 purposes and functions of the bureau.

2 3. a. Health care affordability efforts shall
3 initially focus on the primary care level of care in
4 an effort to create a stronger primary care system and
5 greater supply of more highly compensated primary care
6 providers by targeting more funding to primary care.

7 b. Beginning on December 31, 2013, and each year
8 thereafter, each health carrier shall report to the
9 bureau, in a format and including information as
10 required by the commissioner by rule, the carrier's
11 proportion of medical expense paid for primary care
12 for the previous twelve months and the proportion of
13 medical expense to be allocated to primary care for
14 the succeeding twelve months beginning on January 1,

15 2014, and each year thereafter. The proportion of
16 medical expense paid for primary care shall increase by
17 at least one percentage point per year for five years
18 beginning on January 1, 2014.

19 c. Each health carrier shall submit a plan to
20 the bureau each year in a format and including
21 information as required by the commissioner by rule,
22 that demonstrates how the increase in spending for
23 primary care will be accomplished. The increase in
24 spending for primary care shall be accomplished without
25 contributing to an increase in premiums.

26 4. Each health carrier shall support the
27 implementation of the medical home system as developed
28 and implemented by the department of public health and
29 the medical home system advisory council pursuant to
30 sections 135.157, 135.158, and 135.159, by implementing
31 the phase of the medical home system pursuant to
32 section 135.159, subsection 11, that involves insurers
33 and self-insured companies in making the medical
34 home system available to individuals with private
35 health care coverage. The health insurance and cost
36 containment advisory board shall work collaboratively
37 with the medical home system advisory council to
38 implement this phase. In addition to the reimbursement
39 methodologies and incentives for participation in the
40 medical home system described in section 135.159,
41 subsection 8, the advisory board and the medical
42 home system advisory council shall review additional
43 payment and system reforms to support the expanded
44 implementation of the medical home system including but
45 not limited to all of the following:

- 46 a. Rewarding high-quality, low-cost providers.
- 47 b. Creating participant incentives to receive care
48 from high-quality, low-cost providers.
- 49 c. Fostering collaboration among providers to
50 reduce cost shifting from one part of the health care

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1 continuum to another.

2 d. Creating incentives for providing health care in
3 the least restrictive, most appropriate setting.

4 e. Creating incentives to promote diversity in
5 the size, geographic location, and accessibility of
6 practices designated as medical homes throughout the
7 state.

8 5. Each health carrier shall demonstrate by
9 December 31, 2013, implementation of incentives
10 consistent with the efforts of the department of public
11 health and the electronic health information advisory
12 council and executive committee pursuant to section
13 135.156 to promote adoption of electronic health

14 records by health care providers at all levels of the
15 health care continuum. Health carriers shall submit a
16 report to the bureau by December 31, 2014, concerning
17 the incentive programs that have been implemented in
18 a format and including information as required by the
19 commissioner by rule.

20 6. Each health carrier shall participate in efforts
21 regarding comprehensive delivery system reform,
22 including payment reform, in coordination with other
23 payers and health care providers.

24 a. As an initial step to inform such efforts,
25 the bureau and advisory board shall develop a plan
26 to implement an all-payer claims database by December
27 31, 2013, to provide for the collection and analysis
28 of claims data from multiple payers of health care
29 delivered at all levels including but not limited to
30 primary care, specialist care, outpatient surgery,
31 inpatient stays, laboratory testing, and pharmacy
32 data. The plan shall provide for development and
33 implementation of a database that complies with any
34 applicable requirements of the federal Act and that
35 most effectively and efficiently provides data to
36 determine health care utilization patterns and rates;
37 identify gaps in prevention and health promotion
38 services; evaluate access to care; assist with benefit
39 design and planning; analyze statewide and local health
40 care expenditures by provider, employer, and geography;
41 inform the development of payment systems for
42 providers; and establish clinical guidelines related
43 to quality, safety, and continuity of care. The
44 bureau shall submit the plan to the general assembly
45 by December 31, 2012, including statutory changes
46 necessary to collect and use such data, a standard
47 means of collecting the data, an implementation
48 and maintenance schedule, and a proposed budget and
49 financing options for the database.

50 b. The bureau and advisory board shall also

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1 recommend a provider payment system plan to reform the
2 health care provider payment system beyond primary care
3 providers, including but not limited to specialty care,
4 hospital, and long-term care providers, as an effective
5 way to promote coordination of care, lower costs, and
6 improve quality.

7 7. a. Funding to operate the bureau and the
8 advisory board shall come from federal and private
9 grants and from assessment fees charged to health
10 carriers. The commissioner shall charge an assessment
11 fee to all health carriers in this state, as necessary
12 to support the activities and operations of the bureau

13 and the advisory board as provided under this section.
14 No state funding shall be appropriated or allocated for
15 the operation or administration of the bureau or the
16 advisory board. The assessment shall provide for the
17 sharing of bureau and advisory board expenses on an
18 equitable and proportionate basis among health carriers
19 in the state as provided in this subsection.

20 b. Following the close of each calendar year, the
21 commissioner shall determine the expenses for operation
22 and administration of the bureau and the advisory
23 board. The expenses incurred shall be assessed by
24 the commissioner to all health carriers in proportion
25 to their respective shares of total health insurance
26 premiums or payments for subscriber contracts received
27 in Iowa during the second preceding calendar year, or
28 with paid losses in the year, coinciding with or ending
29 during the calendar year or on any other equitable
30 basis as provided by rule. In sharing expenses,
31 the commissioner may abate or defer in any part the
32 assessment of a health carrier, if, in the opinion
33 of the commissioner, payment of the assessment would
34 endanger the ability of the health carrier to fulfill
35 its contractual obligations. The commissioner may also
36 provide for an initial or interim assessment against
37 health carriers if necessary to assure the financial
38 capability of the commissioner to meet the incurred
39 or estimated operating expenses of the bureau and
40 the advisory board until the next calendar year is
41 completed.

42 c. For purposes of this subsection, "total health
43 insurance premiums" and "payments for subscriber
44 contracts" include, without limitation, premiums or
45 other amounts paid to or received by a health carrier
46 for individual and group health plan care coverage
47 provided under any chapter of the Code or Acts, and
48 "paid losses" includes, without limitation, claims paid
49 by a health carrier operating on a self-funded basis
50 for individual and group health plan care coverage

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1 provided under any chapter of the Code or Acts. For
2 purposes of calculating and conducting the assessment,
3 the commissioner shall have the express authority
4 to require health carriers to report on an annual
5 basis each health carrier's total health insurance
6 premiums and payments for subscriber contracts and
7 paid losses. A health carrier is liable for its share
8 of the assessment calculated in accordance with this
9 subsection regardless of whether it participates in the
10 individual insurance market.

11 8. The commissioner shall keep an accurate

12 accounting of all activities, receipts, and
13 expenditures of the bureau and advisory board and
14 annually submit to the governor, the general assembly,
15 and the public, a report concerning such accounting.

16 9. The bureau and the advisory board shall
17 coordinate their activities with the Iowa Medicaid
18 enterprise of the department of human services,
19 the department of revenue, the department of public
20 health, and the insurance division of the department
21 of commerce to ensure that the state fulfills the
22 requirements of the federal Act and to ensure that
23 in the event that a health insurance exchange is
24 established in the state, the functions and activities
25 of the bureau and the advisory board can be seamlessly
26 integrated into the exchange.

27 10. As used in this section, unless the context
28 otherwise requires:

29 a. "Advisory board" means the health insurance and
30 cost containment advisory board.

31 b. "Bureau" means the health insurance and cost
32 containment bureau.

33 c. "Commissioner" means the commissioner of
34 insurance.

35 d. "Federal Act" means the federal Patient
36 Protection and Affordable Care Act, Pub. L. No.
37 111-148, as amended by the federal Health Care and
38 Education Reconciliation Act of 2010, Pub. L. No.
39 111-152, and any amendments thereto, or regulations or
40 guidance issued under those Acts.

41 e. "Health care provider" means a physician who is
42 licensed under chapter 148, or a person who is licensed
43 as a physician assistant under chapter 148C or as an
44 advanced registered nurse practitioner.

45 f. "Health carrier" means an entity subject to the
46 insurance laws and rules of this state, or subject to
47 the jurisdiction of the commissioner, that contracts
48 or offers to contract to provide, deliver, arrange
49 for, pay for, or reimburse any of the costs of health
50 care services, including an insurance company offering

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1 sickness and accident plans, a health maintenance
2 organization, a nonprofit hospital or health service
3 corporation, or any other entity providing a plan of
4 health insurance, health benefits, or health services.

5 g. (1) "Health insurance" means benefits consisting
6 of health care provided directly, through insurance
7 or reimbursement, or otherwise, and including items
8 and services paid for as health care under a hospital
9 or health service policy or certificate, hospital or
10 health service plan contract, or health maintenance

11 organization contract offered by a carrier.
 12 (2) "Health insurance" does not include any of the
 13 following:
 14 (a) Coverage for accident-only or disability income
 15 insurance.
 16 (b) Coverage issued as a supplement to liability
 17 insurance.
 18 (c) Liability insurance, including general
 19 liability insurance and automobile liability insurance.
 20 (d) Workers' compensation or similar insurance.
 21 (e) Automobile medical-payment insurance.
 22 (f) Credit-only insurance.
 23 (g) Coverage for on-site medical clinic care.
 24 (h) Other similar insurance coverage, specified in
 25 federal regulations, under which benefits for medical
 26 care are secondary or incidental to other insurance
 27 coverage or benefits.
 28 (3) "Health insurance" does not include benefits
 29 provided under a separate policy as follows:
 30 (a) Limited scope dental or vision benefits.
 31 (b) Benefits for long-term care, nursing home care,
 32 home health care, or community-based care.
 33 (c) Any other similar limited benefits as provided
 34 by rule of the commissioner.
 35 (4) "Health insurance" does not include benefits
 36 offered as independent noncoordinated benefits as
 37 follows:
 38 (a) Coverage only for a specified disease or
 39 illness.
 40 (b) A hospital indemnity or other fixed indemnity
 41 insurance.
 42 (5) "Health insurance" does not include Medicare
 43 supplemental health insurance as defined under section
 44 1882(g)(1) of the federal Social Security Act, coverage
 45 supplemental to the coverage provided under 10 U.S.C.
 46 ch. 55, or similar supplemental coverage provided to
 47 coverage under group health insurance coverage.
 48 (6) "Group health insurance coverage" means health
 49 insurance offered in connection with a group health
 50 plan.>>

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1 2. Page 1, after line 4 by inserting:
 2 <_. Page 9, after line 5 by inserting:
 3 <Sec. __. NEW SECTION. 513B.16 Premium rate
 4 increases — public hearing and comment.
 5 1. All health insurance carriers licensed to
 6 do business in the state under this chapter shall
 7 immediately notify the commissioner and policyholders
 8 of any proposed rate increase exceeding the average
 9 annual health spending growth rate stated in the

10 most recent national health expenditure projection
 11 published by the centers for Medicare and Medicaid
 12 services of the United States department of health
 13 and human services, at least ninety days prior to the
 14 effective date of the increase. Such notice shall
 15 specify the rate increase proposed that is applicable
 16 to each policyholder and shall include ranking and
 17 quantification of those factors that are responsible
 18 for the amount of the rate increase proposed. The
 19 notice shall include information about how the
 20 policyholder can contact the consumer advocate for
 21 assistance.

22 2. The commissioner shall hold a public hearing at
 23 least thirty days before the proposed rate increase is
 24 to take effect.

25 3. The consumer advocate shall solicit public
 26 comments on each proposed health insurance rate
 27 increase if the increase exceeds the average annual
 28 health spending growth rate as provided in subsection
 29 1, and shall post without delay during the normal
 30 business hours of the division, all comments received
 31 on the insurance division's internet site prior to the
 32 effective date of the increase.

33 4. The consumer advocate shall present the public
 34 testimony, if any, and public comments received,
 35 for consideration by the commissioner prior to the
 36 effective date of the increase.>>

37 3. Page 1, by striking lines 5 and 6 and inserting:
 38 <_. Page 15, after line 14 by inserting:>

39 4. Page 8, by striking lines 25 and 26.

40 5. By renumbering as necessary.

SENATE AMENDMENT

H-8513

1 Amend House File 2465, 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 STANDING APPROPRIATIONS AND RELATED MATTERS

7 Section 1. 2011 Iowa Acts, chapter 131, section 42,
 8 is amended to read as follows:

9 SEC. 42. LIMITATION OF STANDING APPROPRIATIONS.

10 Notwithstanding the standing appropriations in the
 11 following designated sections for the fiscal year
 12 beginning July 1, 2012, and ending June 30, 2013, the
 13 amounts appropriated from the general fund of the state
 14 pursuant to these sections for the following designated
 15 purposes shall not exceed the following amounts:

16 1. For operational support grants and community

17 cultural grants under section 99F.11, subsection 3,
18 paragraph "d", subparagraph (1):
19 \$ 208,351
20 416,702
21 2. For regional tourism marketing under section
22 99F.11, subsection 3, paragraph "d", subparagraph (2):
23 \$ 405,153
24 810,306
25 3. ~~For the center for congenital and inherited~~
26 ~~disorders central registry under section 144.13A,~~
27 ~~subsection 4, paragraph "a":~~
28 \$ ~~85,560~~
29 4. ~~For primary and secondary child abuse prevention~~
30 ~~programs under section 144.13A, subsection 4, paragraph~~
31 ~~"a":~~
32 \$ ~~108,886~~
33 5. For programs for at-risk children under section
34 279.51:
35 \$ 5,364,446
36 10,728,891
37 The amount of any reduction in this subsection shall
38 be prorated among the programs specified in section
39 279.51, subsection 1, paragraphs "a", "b", and "c".
40 6. For payment for nonpublic school transportation
41 under section 285.2:
42 \$ 7,060,931
43 If total approved claims for reimbursement for
44 nonpublic school pupil transportation exceed the amount
45 appropriated in accordance with this subsection, the
46 department of education shall prorate the amount of
47 each approved claim.
48 7. For the enforcement of chapter 453D relating to
49 tobacco product manufacturers under section 453D.8:
50 \$ 9,208

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1 18,416
2 DIVISION II
3 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS
4 Sec. 2. FEDERAL CONSENT DECREE EXPENDITURES —
5 REPORTING.
6 1. The office of the attorney general is authorized
7 to make expenditures of moneys received pursuant to
8 the joint state federal mortgage servicing settlement
9 consent decree signed in federal court on April 5,
10 2012. Expenditures shall be consistent with the terms
11 of the consent decree.
12 2. The office of the attorney general shall
13 submit a report to the general assembly detailing the
14 expenditure of moneys for the previous calendar year
15 and how the expenditures related to the implementation,

16 monitoring, or enforcement of the settlement and how
17 expenditures in the current and succeeding calendar
18 year will be used for implementation, monitoring, or
19 enforcement of the settlement. The initial report
20 shall be submitted on or before January 15, 2013.

21 Sec. 3. DEPARTMENT OF PUBLIC HEALTH — IOWA YOUTH
22 SUICIDE PREVENTION PROGRAM. There is appropriated

23 from the general fund of the state to the department
24 of public health 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, to be used for the
27 purposes designated:

28 To contract for a program to develop an Iowa youth
29 suicide prevention program:

30 \$ 137,000

31 1. The department of public health shall issue
32 a request for proposals to select the most qualified
33 applicant that is experienced in working with the
34 target population to develop and administer an Iowa
35 youth suicide prevention program that employs a program
36 coordinator and provides for all of the following:

37 a. Administrative expenses, including but not
38 limited to facilities, communications, and professional
39 services and staff development.

40 b. School, community, and health care training for
41 specific groups identified as strategically placed to
42 enhance protective factors.

43 c. Resources and outreach, including but not
44 limited to site visits and school climate surveys, to
45 Iowa's high schools.

46 d. An antibullying internet site; internet-based
47 communications, including but not limited to texting
48 capabilities; and a telephone hotline.

49 e. Program evaluation criteria for evaluation of
50 the performance of the program administered by the

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1 applicant selected.

2 2. The department shall establish a request
3 for proposals process which shall be based upon
4 specifications established under a suicide prevention
5 plan for youth who are targets of bullying, which was
6 developed in partnership with the department during the
7 2011-2012 fiscal year.

8 3. The department shall submit to the general
9 assembly a progress report on or before January 15,
10 2013, providing a detailed analysis of the program, its
11 budgetary requirements, and the department's findings
12 and recommendations for continuation of the program.

13 Sec. 4. HOMESTEAD CREDIT FUND — APPROPRIATION.

14 1. There is appropriated from the taxpayers trust

15 fund created in section 8.57E to the department of
16 revenue for the fiscal year beginning July 1, 2012, and
17 ending June 30, 2013, the following amount, or so much
18 thereof as is necessary, to be used for the purposes
19 designated:

20 For deposit in the homestead credit fund created in
21 section 425.1:

22 \$ 48,811,613

23 2. The appropriation made in this section is in
24 lieu of an equal amount of the appropriation made
25 from the general fund of the state for the fiscal
26 year beginning July 1, 2012, and ending June 30,
27 2013, pursuant to section 425.1, and shall be used for
28 reimbursement for the homestead property tax.

29 Sec. 5. AGRICULTURAL LAND CREDIT FUND —
30 APPROPRIATION.

31 1. There is appropriated from the taxpayers trust
32 fund created in section 8.57E to the department of
33 revenue for the fiscal year beginning July 1, 2012, and
34 ending June 30, 2013, the following amount, or so much
35 thereof as is necessary, to be used for the purposes
36 designated:

37 For deposit in the agricultural land credit fund
38 created in section 426.1:

39 \$ 6,704,869

40 2. The appropriation made in this section is in
41 lieu of an equal amount of the appropriation made
42 from the general fund of the state for the fiscal
43 year beginning July 1, 2012, and ending June 30,
44 2013, pursuant to section 426.1, and shall be used for
45 reimbursement for the family farm and agricultural land
46 tax credits under sections 425A.1 and 426.1.

47 Sec. 6. PLUMBERS — LICENSE EXTENSIONS. Until
48 January 1, 2013, the plumbing and mechanical systems
49 board shall grant a one-time renewal of an expired
50 license if the person holding the expired license

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1 demonstrates successful passage of a municipal or block
2 examination. For any licensee receiving a renewal
3 under this section, the board shall clearly state in
4 any correspondence for succeeding license renewals that
5 the provisions of Code section 105.20 shall apply.

6 Sec. 7. KEEP IOWA BEAUTIFUL FUND —
7 APPROPRIATION. There is appropriated from the general
8 fund of the state to the department of transportation
9 each fiscal year for the fiscal years beginning July
10 1, 2012, July 1, 2013, and July 1, 2014, an amount
11 equal to the excess revenues transferred from the
12 lottery fund to the general fund after the first
13 \$64,900,000 is transferred during a fiscal year. The

14 amount appropriated in a fiscal year shall not exceed
15 \$1,000,000. Moneys appropriated pursuant to this
16 section shall be deposited in the keep Iowa beautiful
17 fund created in section 314.28.

18 Sec. 8. 2007 Iowa Acts, chapter 219, section 2,
19 subsection 2, paragraph a, as enacted by 2011 Iowa
20 Acts, chapter 133, section 32, is amended to read as
21 follows:

22 a. Notwithstanding section 8.33, moneys
23 appropriated in section 1, subsection 1, paragraphs
24 "a" and "f" of this division of this Act that remain
25 unencumbered or unobligated at the close of the fiscal
26 year for which they were appropriated shall not revert
27 but shall remain available for the purposes designated
28 until the close of the fiscal year that begins July
29 1, ~~2011~~ 2012, or until the project for which the
30 appropriation was made is completed, whichever is
31 earlier.

32 Sec. 9. 2010 Iowa Acts, chapter 1193, section 29,
33 subsection 2, as enacted by 2011 Iowa Acts, chapter
34 127, section 54, is amended to read as follows:

35 2. Notwithstanding section 8.33, moneys
36 appropriated in this section that remain unencumbered
37 or unobligated at the close of the fiscal year ending
38 June 30, 2011, shall not revert but shall remain
39 available for expenditure for the purposes designated
40 until the close of the fiscal year ending June 30, ~~2012~~
41 2013.

42 Sec. 10. 2011 Iowa Acts, chapter 127, section 72,
43 subsection 4, paragraph b, unnumbered paragraph 1, as
44 amended by 2012 Iowa Acts, Senate File 2313, section
45 13, if enacted, is amended to read as follows:

46 The department shall, in coordination with the health
47 facilities division, make the following information
48 available to the public by December 31, 2012, as part
49 of the department's development efforts to revise the
50 department's internet website:

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1 Sec. 11. 2012 Iowa Acts, House File 675, section
2 28, subsection 2, is amended to read as follows:

3 2. The notice provisions contained in this Act
4 relating to residential construction apply only
5 to material furnished or labor performed after the
6 effective date of this Act.

7 Sec. 12. 2012 Iowa Acts, Senate File 2289, as
8 enacted, is amended by adding the following new
9 section:

10 Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being
11 deemed of immediate importance, takes effect upon
12 enactment.

13 Sec. 14. Section 16.27, subsections 4 and 5, Code
14 2011, are amended by striking the subsections.

15 Sec. 15. Section 16.27, subsection 6, Code 2011, is
16 amended to read as follows:

17 6. The authority shall cause to be delivered to
18 the legislative fiscal committee within ninety days
19 of the close of its fiscal year its annual report
20 certified by an independent certified public accountant
21 (who may be the accountant or a member of the firm of
22 accountants who regularly audits the books and accounts
23 of the authority) selected by the authority. ~~In the
24 event that the principal amount of any bonds or notes
25 deposited in a bond reserve fund is withdrawn for
26 payment of principal or interest thereby reducing the
27 amount of that fund to less than the bond reserve fund
28 requirement, the authority shall immediately notify the
29 general assembly of this event and shall thereafter
30 take steps to restore such bond reserve to the bond
31 reserve fund requirement for that fund from any amounts
32 available, other than principal of a bond issue, which
33 are not pledged to the payment of other bonds or notes.~~

34 Sec. 16. NEW SECTION. 17A.6A Rulemaking internet
35 site.

36 1. Subject to the direction of the administrative
37 rules coordinator, each agency shall make available to
38 the public a uniform, searchable, and user-friendly
39 rules database, published on an internet site.

40 2. An agency's rulemaking internet site shall also
41 make available to the public all of the following:

42 a. A brief summary of the rulemaking process,
43 including a description of any opportunity for public
44 participation in the process.

45 b. Process forms for filing comments or complaints
46 concerning proposed or adopted rules.

47 c. Process forms and instructions for filing a
48 petition for rulemaking, a petition for a declaratory
49 order, or a request for a waiver of an administrative
50 rule.

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1 d. Any other material prescribed by the
2 administrative rules coordinator.

3 3. To the extent practicable, the administrative
4 rules coordinator shall create a uniform format for
5 rulemaking internet sites.

6 Sec. 17. Section 17A.7, subsection 2, Code 2011,
7 is amended by striking the subsection and inserting in
8 lieu thereof the following:

9 2. Beginning July 1, 2012, over each five-year
10 period of time, an agency shall conduct an ongoing
11 and comprehensive review of all of the agency's

12 rules. The goal of the review is the identification
13 and elimination of all rules of the agency that are
14 outdated, redundant, or inconsistent or incompatible
15 with statute or its own rules or those of other
16 agencies. An agency shall commence its review by
17 developing a plan of review in consultation with major
18 stakeholders and constituent groups. When the agency
19 completes its five-year review of its rules, the
20 agency shall provide a summary of the results to the
21 administrative rules coordinator and the administrative
22 rules review committee.

23 Sec. 18. Section 17A.8, subsection 4, Code 2011, is
24 amended to read as follows:

25 4. ~~a.~~ The committee shall ~~choose a chairperson~~
26 ~~from its membership and~~ prescribe its rules of
27 procedure. The committee may employ a secretary or may
28 appoint the administrative code editor or a designee
29 to act as secretary.

30 b. The chairperson of the committee shall be
31 chosen as provided in this paragraph. For the term
32 commencing with the convening of the first regular
33 session of each general assembly and ending upon
34 the convening of the second regular session of that
35 general assembly, the chairperson shall be chosen by
36 the committee from its members who are members of the
37 house of representatives. For the term commencing with
38 the convening of the second regular session of each
39 general assembly and ending upon the convening of the
40 first regular session of the next general assembly,
41 the chairperson shall be chosen by the committee from
42 its members who are members of the senate. A vacancy
43 shall be filled in the same manner as the original
44 appointment and shall be for the remainder of the
45 unexpired term of the vacancy.

46 Sec. 19. Section 97A.6, subsection 7, paragraph
47 a, subparagraph (1), Code 2011, is amended to read as
48 follows:

49 (1) Should any beneficiary for either ordinary
50 or accidental disability, except a beneficiary

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1 who is fifty-five years of age or over and would
2 have completed twenty-two years of service if the
3 beneficiary had remained in active service, be engaged
4 in a gainful occupation paying more than the difference
5 between the member's net retirement allowance and
6 ~~one~~ two and one-half times the current earnable
7 compensation of an active member at the same position
8 on the salary scale within the member's rank as the
9 member held at retirement, then the amount of the
10 retirement allowance shall be reduced to an amount

11 such that the member's net retirement allowance plus
12 the amount earned by the member shall equal ~~one~~ two
13 and one-half times the amount of the current earnable
14 compensation of an active member at the same position
15 on the salary scale within the member's rank as the
16 member held at retirement. Should the member's earning
17 capacity be later changed, the amount of the retirement
18 allowance may be further modified, provided that the
19 new retirement allowance shall not exceed the amount of
20 the retirement allowance originally granted adjusted by
21 annual readjustments of pensions pursuant to subsection
22 14 of this section nor an amount which would cause the
23 member's net retirement allowance, when added to the
24 amount earned by the beneficiary, to equal ~~one~~ two
25 and one-half times the amount of the current earnable
26 compensation of an active member at the same position
27 on the salary scale within the member's rank as the
28 member held at retirement. A beneficiary restored
29 to active service at a salary less than the average
30 final compensation upon the basis of which the member
31 was retired at age fifty-five or greater, shall not
32 again become a member of the retirement system and
33 shall have the member's retirement allowance suspended
34 while in active service. If the rank or position
35 held by the retired member is subsequently abolished,
36 adjustments to the allowable limit on the amount of
37 income which can be earned in a gainful occupation
38 shall be computed in the same manner as provided in
39 subsection 14, paragraph "c", of this section for
40 readjustment of pensions when a rank or position has
41 been abolished. If the salary scale associated with a
42 member's rank at retirement is changed after the member
43 retires, earnable compensation for purposes of this
44 section shall be based upon the salary an active member
45 currently would receive at the same rank and with
46 seniority equal to that of the retired member at the
47 time of retirement. For purposes of this paragraph,
48 "net retirement allowance" means the amount determined
49 by subtracting the amount paid during the previous
50 calendar year by the beneficiary for health insurance

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1 or similar health care coverage for the beneficiary
2 and the beneficiary's dependents from the amount of
3 the member's retirement allowance paid for that year
4 pursuant to this chapter. The beneficiary shall submit
5 sufficient documentation to the board of trustees
6 to permit the system to determine the member's net
7 retirement allowance for the applicable year.
8 Sec. 20. Section 97B.52A, subsection 1, paragraph
9 c, subparagraph (2), subparagraph division (b), Code

10 2011, is amended to read as follows:

11 (b) For a member whose first month of entitlement
12 is July 2004 or later, but before July ~~2012~~ 2014,
13 covered employment does not include employment as a
14 licensed health care professional by a public hospital
15 as defined in section 249J.3, with the exception of
16 public hospitals governed pursuant to chapter 226.

17 Sec. 21. Section 123.49, subsection 2, paragraph d,
18 Code Supplement 2011, is amended to read as follows:

19 d. (1) Keep on premises covered by a liquor
20 control license any alcoholic liquor in any container
21 except the original package purchased from the
22 division, and except mixed drinks or cocktails mixed on
23 the premises for immediate consumption on the licensed
24 premises or as otherwise provided by this paragraph
25 "d". This prohibition does not apply to common
26 carriers holding a class "D" liquor control license.

27 (2) Mixed drinks or cocktails mixed on the premises
28 that are not for immediate consumption may be consumed
29 on the licensed premises subject to the requirements
30 of this subparagraph pursuant to rules adopted by the
31 division. The rules shall provide that the mixed
32 drinks or cocktails be stored, for no longer than
33 seventy-two hours, in a labeled container in a quantity
34 that does not exceed three gallons. The rules shall
35 also provide that added flavors and other nonbeverage
36 ingredients included in the mixed drinks or cocktails
37 shall not include hallucinogenic substances or added
38 caffeine or other added stimulants including but not
39 limited to guarana, ginseng, and taurine. In addition,
40 the rules shall require that the licensee keep records
41 as to when the contents in a particular container were
42 mixed and the recipe used for that mixture.

43 Sec. 22. Section 256C.4, subsection 1, Code 2011,
44 is amended by adding the following new paragraphs:
45 NEW PARAGRAPH. g. For the fiscal year beginning
46 July 1, 2011, and each succeeding fiscal year, of the
47 amount of preschool foundation aid received by a school
48 district for a fiscal year in accordance with section
49 257.16, not more than five percent may be used by
50 the school district for administering the district's

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1 approved local program.

2 NEW PARAGRAPH. h. For the fiscal year beginning
3 July 1, 2012, and each succeeding fiscal year, of
4 the amount of preschool foundation aid received by a
5 school district for a fiscal year in accordance with
6 section 257.16, not less than ninety-five percent
7 of the per pupil amount shall be passed through to
8 a community-based provider for each pupil enrolled

9 in the district's approved local program. For the
 10 fiscal year beginning July 1, 2011, and each succeeding
 11 fiscal year, not more than five percent of the
 12 amount of preschool foundation aid passed through
 13 to a community-based provider may be used by the
 14 community-based provider for administrative costs.

15 Sec. 23. NEW SECTION. 256G.5 Continued operation
 16 and maintenance.

17 The board of regents and the university of northern
 18 Iowa shall operate, maintain, staff, and fund the
 19 research and development school known as the Malcolm
 20 Price laboratory school located on the campus of the
 21 university of northern Iowa in accordance with this
 22 chapter through July 1, 2013, unless otherwise extended
 23 by statute.

24 Sec. 24. Section 257.35, subsection 7, Code
 25 Supplement 2011, is amended to read as follows:

26 7. Notwithstanding subsection 1, and in addition
 27 to the reduction applicable pursuant to subsection
 28 2, the state aid for area education agencies and the
 29 portion of the combined district cost calculated for
 30 these agencies for the fiscal year beginning July 1,
 31 2012, and ending June 30, 2013, shall be reduced by
 32 the department of management by ~~ten~~ fifteen million
 33 dollars. The reduction for each area education agency
 34 shall be prorated based on the reduction that the
 35 agency received in the fiscal year beginning July 1,
 36 2003.

37 Sec. 25. Section 261.93, Code 2011, is amended to
 38 read as follows:

39 261.93 Program established — who qualified.

40 1. An Iowa grant program is established.

41 2. a. A grant may be awarded to a resident of
 42 Iowa who is admitted and in attendance as a full-time
 43 or part-time resident student at an accredited higher
 44 education institution and who establishes financial
 45 need.

46 b. Top priority in awarding program grants shall
 47 be given to a qualified student who is a resident of
 48 Iowa; is under the age of twenty-six, or the age of
 49 thirty if the student is a veteran who is eligible for
 50 benefits, or has exhausted the benefits, under the

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1 federal Post-9/11 Veterans Educational Assistance Act
 2 of 2008; is not a convicted felon as defined in section
 3 910.15; and who meets any of the following criteria:

4 (1) Is the child of a peace officer, as defined
 5 in section 97A.1, who is totally and permanently
 6 disabled and who receives benefits under section
 7 97A.6, subsection 5, or was killed in the line of duty

8 as determined by the board of trustees of the Iowa
 9 department of public safety peace officers' retirement,
 10 accident, and disability system in accordance with
 11 section 97A.6, subsection 16.

12 (2) Is the child of a police officer or a fire
 13 fighter, as defined in section 411.1, who is totally
 14 and permanently disabled and who receives benefits
 15 under section 411.6, subsection 5, or was killed in the
 16 line of duty as determined by the statewide fire and
 17 police retirement system in accordance with section
 18 411.6, subsection 15.

19 (3) Is the child of a sheriff or deputy sheriff
 20 as defined in section 97B.49C, who is totally and
 21 permanently disabled and who receives an in-service
 22 disability retirement allowance under section 97B.50A,
 23 subsection 2, or was killed in the line of duty as
 24 determined by the Iowa public employees' retirement
 25 system in accordance with section 97B.52, subsection 2.

26 3. Grants awarded shall be distributed to the
 27 appropriate accredited higher education institution for
 28 payment of educational expenses, including tuition,
 29 room, board, and mandatory fees, with any balance to
 30 be distributed to the student for whom the grant is
 31 awarded.

32 Sec. 26. Section 261.93A, Code 2011, is amended to
 33 read as follows:

34 261.93A Appropriation — percentages.

35 1. Of the funds appropriated to the college student
 36 aid commission to be allocated for the Iowa grant
 37 program for each fiscal year, ~~thirty-seven moneys shall~~
 38 be distributed for grants awarded to qualified students
 39 who meet the criteria established pursuant to section
 40 261.93, subsection 2, and the funds remaining shall be
 41 distributed as follows:

42 a. ~~Thirty-seven~~ and six-tenths percent shall be
 43 reserved for students attending regents institutions;
 44 ~~twenty-five.~~

45 b. ~~Twenty-five~~ and nine-tenths percent shall be
 46 reserved for students attending community colleges, ~~and~~
 47 ~~thirty-six.~~

48 c. ~~Thirty-six~~ and five-tenths percent shall be
 49 reserved for students attending private colleges and
 50 universities.

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1 2. Funds appropriated for the Iowa grant program
 2 shall be used to supplement, not supplant, funds
 3 appropriated for other existing programs at the
 4 eligible institutions.

5 Sec. 27. Section 261.95, subsection 1, Code 2011,
 6 is amended to read as follows:

7 1. The amount of a grant to a qualified full-time
8 student for an academic year shall be ~~the~~ as follows;

9 a. For a student who qualifies under section
10 261.93, subsection 2, paragraph "a", the lesser of the
11 student's financial need for that period or up to one
12 thousand dollars.

13 b. For a student who qualifies under section
14 261.93, subsection 2, paragraph "b", the lesser of
15 the student's financial need for that period or not
16 more than the resident tuition rate established for
17 institutions of higher learning under the control of
18 the state board of regents.

19 Sec. 28. Section 321.20B, subsection 6, Code 2011,
20 is amended to read as follows:

21 6. This section does not apply to a ~~snowmobile or~~
22 ~~all-terrain vehicle or to a~~ motor vehicle identified in
23 section 321.18, ~~subsections 1 through 6, and~~ subsection
24 1, 2, 3, 4, 5, 6, or 8.

25 Sec. 29. NEW SECTION. 327F.21 Railroad worker
26 walkways.

27 The state department of transportation shall adopt
28 rules requiring the provision of safe walkways for
29 railroad workers in areas where work is regularly
30 performed on the ground.

31 Sec. 30. Section 403.19, subsection 2, paragraph b,
32 subparagraph (2), subparagraph division (a), if enacted
33 by 2012 Iowa Acts, House File 2460, is amended to read
34 as follows:

35 (a) All or a portion of the taxes for the
36 instructional support program levy of a school
37 district shall be paid by the school district to the
38 municipality if the auditor, pursuant to subsection 11,
39 certifies to the school district by July 1 the amount
40 of such levy that is necessary to pay the principal and
41 interest on bonds issued or other indebtedness incurred
42 by the municipality to finance an urban renewal project
43 if such bonds or indebtedness were issued or incurred
44 on or before April 24, 2012. Indebtedness incurred
45 after April 24, 2012, to refund bonds issued or other
46 indebtedness incurred on or before April 24, 2012, may
47 be included in the certification. Such school district
48 shall pay over the amount certified by November 1 and
49 May 1 of the fiscal year following certification to the
50 school district. The authority of a municipality to

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1 pay the amounts of principal and interest on such bonds
2 issued or other indebtedness incurred on or before
3 April 24, 2012, from sources other than the portion of
4 taxes described in subsection 2, paragraph "a", shall
5 not exclude such amounts of principal and interest from

6 being deemed necessary for payment from the portion of
7 taxes described in subsection 2, paragraph "a".

8 Sec. 31. Section 418.4, subsection 3, paragraph b,
9 as enacted by 2012 Iowa Acts, Senate File 2217, section
10 5, is amended to read as follows:

11 b. For projects proposing to use sales tax
12 increment revenues or approved by the board to use
13 sales tax increment revenues, the project, or an
14 earlier phase of the project, has been approved to
15 receive financial assistance in an amount equal to
16 at least twenty percent of the total project cost or
17 thirty million dollars, whichever is less, under a
18 financial assistance program administered by the United
19 States environmental protection agency, the federal
20 Water Resources Development Act, the federal Clean
21 Water Act as defined in section 455B.291, or other
22 federal program providing assistance specifically for
23 hazard mitigation.

24 Sec. 32. Section 422.11D, subsection 2, Code 2011,
25 is amended to read as follows:

26 2. An individual may claim a historic preservation
27 and cultural and entertainment district tax credit
28 allowed a partnership, limited liability company, S
29 corporation, estate, or trust electing to have the
30 income taxed directly to the individual. The amount
31 claimed by the individual shall be based upon the
32 pro rata share of the individual's earnings of a
33 partnership, limited liability company, S corporation,
34 estate, or trust except when low-income housing tax
35 credits authorized under section 42 of the Internal
36 Revenue Code are used to assist in the financing
37 of the housing development in which case the amount
38 claimed by a partner if the business is a partnership,
39 a shareholder if the business is an S corporation,
40 or a member if the business is a limited liability
41 company shall be based on the amounts designated by
42 the eligible partnership, S corporation, or limited
43 liability company. For tax credits reserved for a
44 fiscal year beginning on or after July 1, 2012, the
45 amount claimed by a partner if the business is a
46 partnership, a shareholder if the business is an S
47 corporation, or a member if the business is a limited
48 liability company shall be based on the amounts
49 designated by the eligible partnership, S corporation,
50 or limited liability company.

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1 Sec. 33. Section 507.14, subsection 4, Code 2011,
2 is amended to read as follows:

3 4. Confidential documents, materials, information,
4 administrative or judicial orders, or other actions may

5 be disclosed to a regulatory official of any state,
6 federal agency, or foreign country provided that the
7 recipients are required, under their law, to maintain
8 their confidentiality. Confidential records may be
9 disclosed to the national association of insurance
10 commissioners, the international association of
11 insurance supervisors, and the bank for international
12 settlements provided that the ~~association certifies~~
13 associations and bank certify by written statement that
14 the confidentiality of the records will be maintained.
15 Sec. 34. NEW SECTION. 514C.29 Services provided by
16 a doctor of chiropractic.
17 1. Notwithstanding the uniformity of treatment
18 requirements of section 514C.6, a policy, contract, or
19 plan providing for third-party payment or prepayment of
20 health or medical expenses shall not impose a copayment
21 or coinsurance amount on an insured for services
22 provided by a doctor of chiropractic licensed pursuant
23 to chapter 151 that is greater than the copayment
24 or coinsurance amount imposed on the insured for
25 services provided by a person engaged in the practice
26 of medicine and surgery or osteopathic medicine and
27 surgery under chapter 148 for the same or a similar
28 diagnosed condition even if a different nomenclature is
29 used to describe the condition for which the services
30 are provided.
31 2. This section applies to the following classes
32 of third-party payment provider policies, contracts,
33 or plans delivered, issued for delivery, continued, or
34 renewed in this state on or after July 1, 2012:
35 a. Individual or group accident and sickness
36 insurance providing coverage on an expense-incurred
37 basis.
38 b. An individual or group hospital or medical
39 service contract issued pursuant to chapter 509, 514,
40 or 514A.
41 c. An individual or group health maintenance
42 organization contract regulated under chapter 514B.
43 d. A plan established pursuant to chapter 509A for
44 public employees.
45 e. An organized delivery system licensed by the
46 director of public health.
47 3. This section shall not apply to accident-only,
48 specified disease, short-term hospital or medical,
49 hospital confinement indemnity, credit, dental, vision,
50 Medicare supplement, long-term care, basic hospital

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1 and medical-surgical expense coverage as defined
2 by the commissioner, disability income insurance
3 coverage, coverage issued as a supplement to liability

4 insurance, workers' compensation or similar insurance,
5 or automobile medical payment insurance.

6 Sec. 35. Section 598.41, subsection 3, Code 2011,
7 is amended by adding the following new paragraph:
8 NEW PARAGRAPH. k. Whether a parent has allowed a
9 person custody or control of, or unsupervised access
10 to a child after knowing the person is required to
11 register or is on the sex offender registry as a sex
12 offender under chapter 692A.

13 Sec. 36. REPEAL. 2012 Iowa Acts, House File 2168,
14 section 5, is repealed.

15 Sec. 37. HOUSING ENTERPRISE ZONE TAX CREDIT
16 ISSUANCE.

17 1. Notwithstanding section 15E.193B, subsection 4,
18 the authority may issue a tax credit to an eligible
19 housing business for a project not completed within two
20 years from the time the business began construction if
21 a city failed to file the appropriate paperwork with
22 the authority requesting an extension for the project
23 pursuant to section 15E.193B, subsection 4.

24 2. The authorization described in subsection 1 only
25 applies to projects for which a city failed to file
26 an extension between January 1, 2007, and January 1,
27 2008, and only to benefits earned for a project between
28 February 8, 2005, and February 8, 2008.

29 Sec. 38. CODE EDITOR DIRECTIVE. Sections 572.1,
30 572.8, 572.10, 572.13, 572.18, 572.22, and 572.24, Code
31 and Code Supplement 2011, as amended by 2012 Iowa Acts,
32 House File 675, sections 2, 4, 6, 8, 15, 16, and 18, if
33 enacted, are amended as follows:

34 1. By striking from the sections the words "state
35 construction registry" and inserting in lieu thereof
36 the words "mechanics' notice and lien registry".

37 Sec. 39. CODE EDITOR DIRECTIVE. Sections 572.13A,
38 572.13B, and 572.34, if enacted by 2012 Iowa Acts,
39 House File 675, sections 9, 10, and 25, are amended as
40 follows:

41 1. By striking from the sections the words "state
42 construction registry" and inserting in lieu thereof
43 the words "mechanics' notice and lien registry".

44 Sec. 40. EFFECTIVE UPON ENACTMENT. The following
45 provision or provisions of this division of this Act,
46 being deemed of immediate importance, take effect upon
47 enactment:

48 1. The section of this division of this Act
49 enacting section 256C.4, subsection 1, paragraphs "g"
50 and "h".

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1 2. The section of this division of this Act
2 amending section 418.4, subsection 3, paragraph "b", as

3 enacted by 2012 Iowa Acts, Senate File 2217, section 5.

4 3. The section of this division of this Act
5 amending 2012 Iowa Acts, Senate File 2289.>

6 4. The section of this division of this Act
7 amending 2010 Iowa Acts, chapter 1193, section 29,
8 subsection 2, as enacted by 2011 Iowa Acts, chapter
9 127, section 54.

10 5. The section of this division of this Act
11 amending 2007 Iowa Acts, chapter 219, section 2,
12 subsection 2, paragraph a, as enacted by 2011 Iowa
13 Acts, chapter 133, section 32.

14 6. The section of this division of this Act
15 authorizing expenditures by the attorney general's
16 office.

17 Sec. 41. EFFECTIVE DATE. The sections of this
18 division of this Act amending sections 572.1, 572.8,
19 572.10, 572.13, 572.13A, 572.13B, 572.18, 572.22,
20 572.24, and 572.34, take effect January 1, 2013.

21 Sec. 42. RETROACTIVE APPLICABILITY. The following
22 provision or provisions of this division of this Act
23 apply retroactively to April 19, 2012:

24 1. The section of this division of this Act
25 amending section 418.4, subsection 3, paragraph "b", as
26 enacted by 2012 Iowa Acts, Senate File 2217, section 5.

27 Sec. 43. RETROACTIVE APPLICABILITY. The following
28 provision or provisions of this division of this Act
29 apply retroactively to April 12, 2012:

30 1. The section of this division of this Act
31 amending 2012 Iowa Acts, Senate File 2289.

32 DIVISION III

33 CORRECTIVE PROVISIONS

34 Sec. 44. Section 9B.2, subsection 10, paragraph a,
35 if enacted by 2012 Iowa Acts, Senate File 2265, section
36 2, is amended to read as follows:

37 a. "Personal appearance" means an act of a party
38 to physically appear within the presence of a ~~notary~~
39 ~~public notarial officer~~ at the time the ~~notarization~~
40 ~~occurs~~ notarial act is performed.

41 Sec. 45. Section 105.2, subsection 8, Code
42 Supplement 2011, as amended by 2012 Iowa Acts, House
43 File 2285, section 1, if enacted, is amended to read
44 as follows:

45 8. "Hydronic" means a heating or cooling system
46 that transfers heating or cooling by circulating fluid
47 through a closed system, including boilers, pressure
48 vessels, refrigerated equipment in connection with
49 chilled water systems, all steam piping, hot or chilled
50 water piping together with all control devices and

2 with, any heating or cooling system or appliance whose
3 primary purpose is to provide comfort using a liquid,
4 water, or steam as the heating or cooling media.
5 "Hydronic" includes all low-pressure and high-pressure
6 systems and all natural, propane, liquid propane, or
7 other gas lines associated with any component of a
8 hydronic system. For purposes of this definition,
9 "primary purpose is to provide comfort" means a system
10 or appliance in which at least fifty-one percent of
11 the capacity generated by its operation, on an annual
12 average, is dedicated to comfort heating or cooling.

13 Sec. 46. Section 135.156E, subsection 1, paragraph
14 b, if enacted by 2012 Iowa Acts, Senate File 2318,
15 section 14, is amended to read as follows:

16 b. Require authentication controls to verify the
17 ~~identify~~ identity and role of the participant using the
18 Iowa health information network.

19 Sec. 47. Section 135C.6, subsection 8, paragraphs a
20 and b, Code 2011, as amended by 2012 Iowa Acts, Senate
21 File 2247, section 15, are amended to read as follows:

22 a. Residential programs providing care to not more
23 than four individuals and receiving moneys appropriated
24 to the department of human services under provisions of
25 a federally approved home and community-based services
26 waiver for persons with an ~~intellectual disabilities~~
27 disability or other medical assistance program under
28 chapter 249A. In approving a residential program under
29 this paragraph, the department of human services shall
30 consider the geographic location of the program so as
31 to avoid an overconcentration of such programs in an
32 area. In order to be approved under this paragraph, a
33 residential program shall not be required to involve
34 the conversion of a licensed residential care facility
35 for persons with an intellectual disability.

36 b. Not more than forty residential care facilities
37 for persons with an intellectual disability that are
38 licensed to serve not more than five individuals may
39 be authorized by the department of human services
40 to convert to operation as a residential program
41 under the provisions of a medical assistance home and
42 community-based services waiver for persons with an
43 ~~intellectual disabilities~~ disability. A converted
44 residential program operating under this paragraph
45 is subject to the conditions stated in paragraph "a"
46 except that the program shall not serve more than five
47 individuals.

48 Sec. 48. Section 144D.3, subsection 4, as enacted
49 by 2012 Iowa Acts, House File 2165, section 4, is
50 amended to read as follows:

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1 4. In the absence of actual notice of the
2 revocation of a POST form, a health care provider,
3 hospital, health care facility, or any other person who
4 complies with a POST form shall not be subject to civil
5 or criminal liability or professional disciplinary
6 action for actions taken under this chapter which are
7 in accordance with reasonable medical standards. A
8 health care provider, hospital, health care facility,
9 or other person against whom criminal or civil
10 liability or professional disciplinary action is
11 asserted because of conduct in compliance with this
12 chapter may interpose the restriction on liability in
13 this ~~paragraph~~ subsection as an absolute defense.

14 Sec. 49. Section 152B.2, subsection 1, paragraph
15 a, subparagraph (2), Code 2011, as amended by 2012
16 Iowa Acts, Senate File 2248, section 2, if enacted, is
17 amended to read as follows:

18 (2) Direct and indirect respiratory care services
19 including but not limited to the administration of
20 pharmacological and diagnostic and therapeutic agents
21 related to respiratory care procedures necessary to
22 implement a treatment, disease prevention, pulmonary
23 rehabilitative, or diagnostic regimen prescribed by a
24 licensed physician, or surgeon, or a qualified health
25 care professional prescriber.

26 Sec. 50. Section 152B.3, subsection 1, unnumbered
27 paragraph 1, Code 2011, as amended by 2012 Iowa Acts,
28 Senate File 2248, section 5, if enacted, is amended to
29 read as follows:

30 The performance of respiratory care shall be
31 in accordance with the prescription of a licensed
32 physician, or surgeon, or a qualified health care
33 professional prescriber and includes but is not limited
34 to the diagnostic and therapeutic use of the following:

35 Sec. 51. Section 152B.3, subsection 2, Code 2011,
36 as amended by 2012 Iowa Acts, Senate File 2248, section
37 6, if enacted, is amended to read as follows:

38 2. A respiratory care practitioner may transcribe
39 and implement a written or verbal order from a licensed
40 physician, or surgeon, or a qualified health care
41 professional prescriber pertaining to the practice of
42 respiratory care.

43 Sec. 52. Section 152B.4, Code 2011, as amended
44 by 2012 Iowa Acts, Senate File 2248, section 7, if
45 enacted, is amended to read as follows:

46 152B.4 Location of respiratory care.

47 The practice of respiratory care may be performed
48 in a hospital as defined in section 135B.1, subsection
49 3, and other settings where respiratory care is to
50 be provided in accordance with a prescription of a

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1 licensed physician, ~~or~~ surgeon, or a qualified heal
2 care professional prescriber. Respiratory care may
3 be provided during transportation of a patient and
4 under circumstances where an emergency necessitates
5 respiratory care.

6 Sec. 53. Section 161A.63, Code 2011, as amended
7 by 2012 Iowa Acts, Senate File 2311, section 16, if
8 enacted, is amended to read as follows:

9 161A.63 Right of purchaser of agricultural land to
10 obtain information.

11 A prospective purchaser of an interest in
12 agricultural land located in this state is entitled
13 to obtain from the seller, or from the office of the
14 soil and water conservation district in which the land
15 is located, a copy of the most recently updated farm
16 unit soil conservation plan, developed pursuant to
17 section 161A.62, subsection 2, which ~~are~~ is applicable
18 to the agricultural land proposed to be purchased. A
19 prospective purchaser of an interest in agricultural
20 land located in this state is entitled to obtain
21 additional copies of ~~either or both~~ of the ~~documents~~
22 document referred to in this section from the office of
23 the soil and water conservation district in which the
24 land is located, promptly upon request, at a fee not to
25 exceed the cost of reproducing them. All persons who
26 identify themselves to the commissioners or staff of
27 a soil and water conservation district as prospective
28 purchasers of agricultural land in the district shall
29 be given information, prepared in accordance with
30 rules of the department, which clearly explains the
31 provisions of section 161A.76.

32 Sec. 54. Section 203C.14, Code 2011, as amended
33 by 2012 Iowa Acts, Senate File 2311, section 107, if
34 enacted, is amended to read as follows:

35 203C.14 Suit — claims — notice of revocation.

36 1. A person injured by the breach of an obligation
37 of a warehouse operator, for the performance of which a
38 bond on agricultural products other than bulk grain, a
39 deficiency bond, or an irrevocable letter of credit has
40 been given under any of the provisions of this chapter,
41 may sue on the bond on agricultural products other than
42 bulk grain, deficiency bond, or irrevocable letter of
43 credit in the person's own name in a court of competent
44 jurisdiction to recover any damages the person has
45 sustained by reason of the breach.

46 2. a. Upon the cessation of a warehouse operator's
47 license due to revocation, cancellation, or expiration,
48 a claim against the warehouse operator arising
49 under this chapter shall be made in writing with
50 the warehouse operator, with the issuer of a bond

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1 on agricultural products other than bulk grain, a
2 deficiency bond, or an irrevocable letter of credit,
3 and, if the claim relates to bulk grain, with the
4 department. The claim must be made within one hundred
5 twenty days after the cessation of the license. The
6 failure to make a timely claim relieves the issuer
7 and, if the claim relates to bulk grain, the grain
8 depositors and sellers indemnity fund provided in
9 chapter 203D of all obligations to the claimant.

10 ~~3.~~ b. Upon revocation of a warehouse license, the
11 department shall cause notice of the revocation to be
12 published once each week for two consecutive weeks
13 in a newspaper of general circulation in each of the
14 counties in which the licensee maintains a business
15 location and in a newspaper of general circulation
16 within the state. The notice shall state the name and
17 address of the warehouse operator and the effective
18 date of revocation. The notice shall also state that
19 any claims against the warehouse operator shall be made
20 in writing and sent by ordinary mail to the warehouse
21 operator, to the issuer of a bond on agricultural
22 products other than bulk grain, deficiency bond, or an
23 irrevocable letter of credit, and to the department
24 within one hundred twenty days after revocation, and
25 the notice shall state that the failure to make a
26 timely claim does not relieve the warehouse operator
27 from liability to the claimant.

28 c. ~~This paragraph subsection~~ does not apply if
29 a receiver is appointed as provided in this chapter
30 pursuant to a petition which is filed by the department
31 prior to the expiration of one hundred twenty days
32 after ~~revocation, termination, or cancellation~~
33 cessation of warehouse operator's license.

34 Sec. 55. Section 249A.12, subsection 5, paragraph
35 a, unnumbered paragraph 1, Code 2011, as amended by
36 2012 Iowa Acts, Senate File 2247, section 101, is
37 amended to read as follows:

38 The mental health and disability services commission
39 shall recommend to the department the actions necessary
40 to assist in the transition of individuals being served
41 in an intermediate care facility for persons with
42 an intellectual disability, who are appropriate for
43 the transition, to services funded under a medical
44 assistance home and community-based services waiver
45 for persons with an intellectual disability in a
46 manner which maximizes the use of existing public and
47 private facilities. The actions may include but are
48 not limited to submitting any of the following or
49 a combination of any of the following as a request
50 for a revision of the medical assistance home and

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1 community-based services waiver for persons with an
2 intellectual ~~disabilities~~ disability:

3 Sec. 56. Section 261.115, subsection 3, paragraphs
4 c and d, if enacted by 2012 Iowa Acts, House File 2458,
5 section 1, are amended to read as follows:

6 c. Complete ~~their~~ the residency program requirement
7 with an Iowa-based residency program.

8 d. Within nine months of graduating from ~~their~~ the
9 residency program and receiving a permanent license in
10 accordance with paragraph "b", engage in the full-time
11 practice of medicine and surgery or osteopathic
12 medicine and surgery specializing in family medicine,
13 pediatrics, psychiatry, internal medicine, or general
14 surgery for a period of sixty consecutive months in the
15 service commitment area specified under subsection 6,
16 unless the loan repayment recipient receives a waiver
17 from the commission to complete the months of practice
18 required under the agreement in another service
19 commitment area pursuant to subsection 6.

20 Sec. 57. Section 261.115, subsection 8, if enacted
21 by 2012 Iowa Acts, House File 2458, section 1, is
22 amended to read as follows:

23 8. Part-time practice — agreement amended. A
24 person who entered into an agreement pursuant to
25 subsection 3 may apply to the commission to amend the
26 agreement to allow the person to engage in less than
27 the full-time practice specified in the agreement and
28 under subsection 3, paragraph "d". If the commission
29 determines exceptional circumstances exist, the
30 commission and the person may consent to amend the
31 agreement under which the person shall engage in less
32 than full-time practice of medicine and surgery or
33 osteopathic medicine and surgery specializing in family
34 medicine, pediatrics, psychiatry, internal medicine,
35 or general surgery in a service commitment area for
36 an extended period of part-time practice determined
37 by the commission to be proportional to the amount
38 of full-time practice remaining under the original
39 agreement.

40 Sec. 58. Section 261.115, subsection 9, paragraph
41 b, if enacted by 2012 Iowa Acts, House File 2458,
42 section 1, is amended to read as follows:

43 b. Except for a postponement under paragraph "a",
44 subparagraph (6), an obligation to engage in practice
45 under an agreement entered into pursuant to subsection
46 3, shall not be postponed for more than two years from
47 the time the full-time practice was to have commenced
48 under the agreement.

49 Sec. 59. Section 273.2, subsection 3, Code
50 Supplement 2011, as amended by 2012 Iowa Acts, Senate

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1 File 2203, section 38, if enacted, is amended to read
2 as follows:

3 3. The area education agency board shall furnish
4 educational services and programs as provided in
5 ~~sections section~~ section 273.1, this section, sections 273.3
6 to 273.9, and chapter 256B to the pupils enrolled
7 in public or nonpublic schools located within its
8 boundaries which are on the list of accredited schools
9 pursuant to section 256.11. The programs and services
10 provided shall be at least commensurate with programs
11 and services existing on July 1, 1974. The programs
12 and services provided to pupils enrolled in nonpublic
13 schools shall be comparable to programs and services
14 provided to pupils enrolled in public schools within
15 constitutional guidelines.

16 Sec. 60. Section 321.188, subsection 6, paragraph
17 c, if enacted by 2012 Iowa Acts, House File 2403,
18 section 1, is amended to read as follows:

19 c. An applicant who obtains a skills test waiver
20 under this subsection shall take and successfully pass
21 the knowledge test required pursuant to subsection 2 1.

22 Sec. 61. Section 321.323A, subsection 3, paragraph
23 c, subparagraph (1), if enacted by 2012 Iowa Acts,
24 House File 2228, section 3, is amended to read as
25 follows:

26 (1) For a violation causing damage to the property
27 of another person, but not resulting in bodily injury
28 to or death of ~~to~~ another person, the department shall
29 suspend the violator's driver's license or operating
30 privileges for ninety days.

31 Sec. 62. Section 321.457, subsection 2, paragraph
32 n, subparagraph (4), if enacted by 2012 Iowa Acts,
33 House File 2428, section 1, is amended to read as
34 follows:

35 (4) For purposes of this paragraph "n", "full
36 trailer" means as defined in 49 C.F.R. § ~~390~~ 390.5.

37 Sec. 63. Section 321I.7, subsection 3, Code 2011,
38 as amended by 2012 Iowa Acts, House File 2467, section
39 39, is amended to read as follows:

40 3. Duplicate registrations may be issued by a
41 county recorder or a license agent ~~and~~ upon the payment
42 of a five dollar fee plus a writing fee as provided in
43 section 321I.29.

44 Sec. 64. Section 322.5, subsection 6, paragraph b,
45 subparagraph (2), if enacted by 2012 Iowa Acts, Senate
46 File 2249, section 4, is amended to read as follows:

47 (2) The state in which the person is licensed as
48 a motor vehicle dealer allows a motor vehicle dealer
49 licensed in Iowa to be issued a permit substantially
50 similar to the temporary permit authorized under this

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1 ~~section~~ subsection.

2 Sec. 65. Section 326.3, subsection 19, if enacted
3 by 2012 Iowa Acts, Senate File 2216, section 18, is
4 amended to read as follows:

5 19. "Operational records" means source documents
6 that evidence distance traveled by a fleet in each
7 member jurisdiction, such as ~~fuel~~ fuel reports, trip
8 sheets, and driver logs, including those which may
9 be generated through on-board devices and maintained
10 electronically, as required by the audit procedures
11 manual.

12 Sec. 66. Section 418.4, subsection 1, paragraph b,
13 if enacted by 2012 Iowa Acts, Senate File 2217, section
14 5, is amended to read as follows:

15 b. A governmental entity as defined in section
16 418.1, subsection 4, paragraph "c", shall have the
17 power to construct, acquire, own, repair, improve,
18 operate, and maintain a project, may sue and be sued,
19 contract, and acquire and hold real and personal
20 property, subject to the limitation in paragraph "c",
21 and shall have such other powers as may be included in
22 the chapter 28E agreement. Such a governmental entity
23 may contract with a city or the county participating in
24 the chapter 28E agreement to perform any governmental
25 service, activity, or undertaking that the city or
26 county is authorized by law to perform, including but
27 not limited to contracts for administrative services.

28 Sec. 67. Section 418.5, subsection 7, if enacted by
29 2012 Iowa Acts, Senate File 2217, section 6, is amended
30 to read as follows:

31 7. A majority of the ~~board~~ voting members
32 constitutes a quorum.

33 Sec. 68. Section 418.9, subsection 2, paragraph g,
34 if enacted by 2012 Iowa Acts, Senate File 2217, section
35 10, is amended to read as follows:

36 g. Whether the project plan is consistent with
37 the applicable comprehensive, ~~countywide~~ emergency
38 ~~operations~~ plan in effect and other applicable local
39 hazard mitigation plans.

40 Sec. 69. Section 504.719, subsection 3, as enacted
41 by 2012 Iowa Acts, Senate File 2260, section 8, is
42 amended to read as follows:

43 3. An inspector may, but is not required to, be a
44 director, ~~member of a designated body~~, member, officer,
45 or employee of the corporation. A person who is a
46 candidate for an office to be filled at the meeting
47 shall not be an inspector at that meeting.

48 Sec. 70. Section 508.37, subsection 5, paragraph c,
49 Code 2011, as amended by 2012 Iowa Acts, Senate File
50 2203, section 105, if enacted, is amended to read as

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1 follows:

2 c. The adjusted premiums for a policy providing
 3 term insurance benefits by rider or supplemental policy
 4 provision shall be equal to (1) the adjusted premiums
 5 for an otherwise similar policy issued at the same age
 6 without such term insurance benefits, increased during
 7 the period for which premiums for such term insurance
 8 benefits are payable, by (2) the adjusted premiums
 9 for such term insurance, the foregoing items (1) and
 10 (2) being calculated separately and as specified in
 11 paragraphs "a" and "b" of this subsection except that,
 12 for the purposes of ¶ paragraph "a", subparagraph
 13 (1), subparagraph divisions (b), (c), and (d), the
 14 amount of insurance or equivalent uniform amount of
 15 insurance used in the calculation of the adjusted
 16 premiums referred to in item (2) in this paragraph
 17 shall be equal to the excess of the corresponding
 18 amount determined for the entire policy over the amount
 19 used in the calculation of the adjusted premiums in
 20 item (1) in this paragraph.

21 Sec. 71. Section 515I.1, subsection 2, if enacted
 22 by 2012 Iowa Acts, House File 2145, section 1, is
 23 amended to read as follows:

24 2. This ~~division~~ chapter shall be liberally
 25 construed to promote these purposes.

26 Sec. 72. Section 536A.10, Code 2011, as amended
 27 by 2012 Iowa Acts, Senate File 2203, section 139, if
 28 enacted, is amended to read as follows:

29 536A.10 Issuance of license.

30 1. If The superintendent shall approve the
 31 application and issue to the applicant a license
 32 to engage in the industrial loan business in
 33 accordance with the provisions of this chapter, if the
 34 superintendent shall find:

35 a. That the financial responsibility, experience,
 36 character and general fitness of the applicant and
 37 of the officers thereof are such as to command the
 38 confidence of the community, and to warrant the belief
 39 that the business will be operated honestly, fairly and
 40 efficiently within the purpose of this chapter;

41 b. That a reasonable necessity exists for a new
 42 industrial loan company in the community to be served;

43 c. That the applicant has available for the
 44 operation of the business at the specified location
 45 paid-in capital and surplus as required by section
 46 536A.8; and

47 d. That the applicant is a corporation organized
 48 for pecuniary profit under the laws of the state of
 49 Iowa.

50 2. ~~The superintendent shall approve the application~~

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1 and issue to the applicant a license to engage in
2 the industrial loan business in accordance with the
3 provisions of this chapter. The superintendent shall
4 approve or deny an application for a license within one
5 hundred twenty days from the date of the filing of such
6 application.

7 Sec. 73. Section 602.9202, subsection 4, Code 2011,
8 as amended by 2012 Iowa Acts, Senate File 2285, section
9 106, is amended to read as follows:

10 4. "Senior judge retirement age" means seventy-eight
11 years of age or, if the senior judge is reappointed as
12 a senior judge for an additional one-year term upon
13 attaining seventy-eight years of age, and then to a
14 succeeding one-year term, pursuant to section 602.9203,
15 eighty years of age.

16 Sec. 74. Section 617.11, subsection 3, unnumbered
17 paragraph 1, if enacted by 2012 Iowa Acts, House File
18 2370, section 1, is amended to read as follows:

19 If a claim of interest against the property is
20 acquired prior to the indexing of a petition or
21 municipal infraction citation affecting real estate
22 and filed by a city and such claim is not indexed or
23 filed of record prior to the indexing of the petition
24 or citation, it is subject to the pending action
25 as provided in subsection 1, unless either of the
26 following occurs:

27 Sec. 75. EFFECTIVE DATE. The section of this
28 division of this Act amending section 9B.2, subsection
29 10, paragraph a, takes effect January 1, 2013.

30 Sec. 76. EFFECTIVE UPON ENACTMENT. The section
31 of this division of this Act amending section 105.2,
32 subsection 8, being deemed of immediate importance,
33 takes effect upon enactment.

34 Sec. 77. RETROACTIVE APPLICABILITY. The section
35 of this division of this Act amending section 105.2,
36 subsection 8, applies retroactively to the effective
37 date of 2012 Iowa Acts, House File 2285.

38 Sec. 78. EFFECTIVE UPON ENACTMENT. The section of
39 this division of this Act amending section 135.156E,
40 subsection 1, paragraph b, being deemed of immediate
41 importance, takes effect upon enactment.

42 Sec. 79. RETROACTIVE APPLICABILITY. The section of
43 this division of this Act amending section 135.156E,
44 subsection 1, paragraph b, applies retroactively to the
45 effective date of 2012 Iowa Acts, Senate File 2318.

46 Sec. 80. EFFECTIVE UPON ENACTMENT. The section
47 of this division of this Act amending section 322.5,
48 subsection 6, paragraph "b", subparagraph (2), being
49 deemed of immediate importance, takes effect upon
50 enactment.

1 Sec. 81. RETROACTIVE APPLICABILITY. The section
 2 of this division of this Act amending section 322.5,
 3 subsection 6, paragraph "b", subparagraph (2), applies
 4 retroactively to the effective date of 2012 Iowa Acts,
 5 Senate File 2249.

6 Sec. 82. EFFECTIVE UPON ENACTMENT. The sections
 7 of this division of this Act amending section 418.4,
 8 subsection 1, paragraph b, section 418.5, subsection
 9 7, and section 418.9, subsection 2, paragraph g,
 10 being deemed of immediate importance, take effect upon
 11 enactment.

12 Sec. 83. RETROACTIVE APPLICABILITY. The sections
 13 of this division of this Act amending section 418.4,
 14 subsection 1, paragraph b, section 418.5, subsection
 15 7, and section 418.9, subsection 2, paragraph g, apply
 16 retroactively to the effective date of 2012 Iowa Acts,
 17 Senate File 2217.

18 Sec. 84. EFFECTIVE UPON ENACTMENT. The section
 19 of this division of this Act amending section 515I.1,
 20 subsection 2, being deemed of immediate importance,
 21 takes effect upon enactment.

22 Sec. 85. RETROACTIVE APPLICABILITY. The section
 23 of this division of this Act amending section 515I.1,
 24 subsection 2, applies retroactively to the effective
 25 date of 2012 Iowa Acts, House File 2145.

26 DIVISION IV

27 CARRY FORWARD APPROPRIATIONS

28 Sec. 86. IOWA STATE MEMORIAL — RESTORATION. There
 29 is appropriated from the general fund of the state to
 30 the department of cultural affairs for the fiscal year
 31 beginning July 1, 2011, and ending June 30, 2012, the
 32 following amount, or so much thereof as is necessary,
 33 to be used for the purposes designated:

34 For the preservation and restoration of the Iowa
 35 state memorial at Vicksburg national military park:
 36 \$ 320,000

37 Notwithstanding section 8.33, moneys appropriated in
 38 this section that remain unencumbered or unobligated
 39 at the close of the fiscal year shall not revert but
 40 shall remain available for expenditure for the purposes
 41 designated until the close of the fiscal year that
 42 begins July 1, 2013.

43 Sec. 87. LABOR MANAGEMENT COUNCILS.

44 1. There is appropriated from the general fund of
 45 the state to the department of workforce development
 46 for the fiscal year beginning July 1, 2011, and ending
 47 June 30, 2012, the following amounts, or so much
 48 thereof as is necessary, to be used for the purposes
 49 designated:

50 a. For support of a labor management council that

1 has been in existence for at least 20 years and is
 2 located in a county with a population of more than
 3 93,650 and less than 93,700:
 4 \$ 23,000

5 b. For support of a labor management council that
 6 has been in existence for at least 20 years and is
 7 located in a county with a population of more than
 8 165,200 and less than 165,250:
 9 \$ 15,000

10 2. Notwithstanding section 8.33, moneys
 11 appropriated in this section that remain unencumbered
 12 or unobligated at the close of the fiscal year shall
 13 not revert but shall remain available for expenditure
 14 for the purposes designated until the close of the
 15 succeeding fiscal year.

16 Sec. 88. MALCOLM PRICE LABORATORY SCHOOL.

17 1. INTERIM STUDY.

18 a. The legislative council is requested to
 19 establish an interim study committee for the 2012
 20 legislative interim to study the method of education
 21 and training persons who are attending an institution
 22 under the control of the board of regents with the
 23 intent to become a prekindergarten through grade twelve
 24 school educator. The study shall include but is not
 25 limited to:

26 (1) A review and analysis of the educational
 27 methods used in a laboratory school, such as the
 28 Malcolm Price laboratory school on the campus of
 29 the university of northern Iowa, to enhance the
 30 preparation, training, and professional competence of
 31 the educators in this state.

32 (2) A review and analysis of the education methods,
 33 which are alternatives to those applied in a laboratory
 34 school, used to enhance the preparation, training, and
 35 professional competence of the educators in this state.

36 (3) A comprehensive financial analysis of the costs
 37 of the methods presented for review and analysis under
 38 this lettered paragraph.

39 (4) Such other matters as the legislative members
 40 of the committee determine are in the best interest of
 41 the state to enhance the preparation and professional
 42 competence of the educators in this state.

43 b. In addition to legislative members, the
 44 membership of the interim study committee shall include
 45 the following public members:

46 (1) Three persons with expertise in the
 47 preparation, training, and professional competence of
 48 prekindergarten through grade twelve educators. One
 49 member shall be appointed by the board of education.
 50 One member shall be appointed by the board of regents.

1 One member shall be appointed by the dean of the
2 department of education at the university of northern
3 Iowa.

4 (2) Three public members appointed by the
5 legislative council including one person who is a
6 graduate of the Malcolm Price laboratory school on the
7 university of northern Iowa campus, one person who is
8 a prekindergarten through grade twelve educator in the
9 Cedar Falls community school district, and one person
10 who is an administrator of a prekindergarten through
11 grade twelve school in the Cedar Falls community school
12 district.

13 c. The committee shall meet at least twice during
14 the 2012 legislative interim and shall submit findings
15 and any recommendations in a report for consideration
16 during the 2013 session of the general assembly.

17 2. APPROPRIATION. There is appropriated from
18 the general fund of the state to the state board of
19 regents for the fiscal year beginning July 1, 2011, and
20 ending June 30, 2012, the following amount, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:

23 For the Malcolm Price laboratory school at the
24 university of northern Iowa during the fiscal year
25 beginning July 1, 2012:

26 \$ 3,000,000

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 Sec. 89. DEPARTMENT OF NATURAL RESOURCES —
34 ECONOMIC EMERGENCY FUND. There is appropriated from
35 the Iowa economic emergency fund to the department of
36 natural resources for the fiscal year beginning July 1,
37 2011, and ending June 30, 2012, the following amount,
38 or so much thereof as is necessary, to be used for the
39 purposes designated, notwithstanding section 8.55,
40 subsection 1:

41 For the repair of damages due to the flooding of the
42 Missouri river during the calendar year 2011 in the
43 Lewis and Clark, lake Manawa, and Wilson island state
44 parks and recreation area:

45 \$ 2,865,743

46 For purposes of section 8.33, unless specifically
47 provided otherwise, unencumbered or unobligated
48 moneys remaining from the appropriation made in this
49 section shall not revert but shall remain available
50 for expenditure for the purposes designated until the

1 close of the fiscal year that ends two years after the
2 end of the fiscal year for which the appropriation is
3 made. However, if the project or projects for which
4 the appropriation was made are completed in an earlier
5 fiscal year, unencumbered or unobligated moneys shall
6 revert at the close of that same fiscal year.

7 Sec. 90. STATEWIDE FIRE AND POLICE RETIREMENT
8 SYSTEM FUND — APPROPRIATION.

9 1. There is appropriated from the general fund
10 of the state for deposit in the statewide fire and
11 police retirement fund created in section 411.8, for
12 the fiscal year beginning July 1, 2011, and ending June
13 30, 2012, the following amount to be credited to the
14 retirement fund in the succeeding fiscal year:
15

..... \$ 5,000,000

16 2. Moneys appropriated by the state pursuant to
17 this section shall not be used to reduce the normal
18 rate of contribution of any city below 17 percent.

19 3. Notwithstanding section 8.33, moneys
20 appropriated in this section that remain unencumbered
21 or unobligated at the close of the fiscal year shall
22 not revert but shall remain available for expenditure
23 for the purposes designated until expended.

24 Sec. 91. PUBLIC SAFETY TRAINING AND FACILITIES TASK
25 FORCE.

26 1. a. There is appropriated from the general fund
27 of the state to the department of public safety for the
28 fiscal period beginning July 1, 2011, and ending June
29 30, 2012, the following amount, or so much thereof as
30 is necessary, to be used for the purposes designated:

31 For providing administrative support for the public
32 safety training and facilities task force established
33 by this section:

34 \$ 50,000

35 b. Notwithstanding section 8.33, moneys
36 appropriated in this subsection that remain
37 unencumbered or unobligated at the close of the fiscal
38 year shall not revert but shall remain available for
39 expenditure for the purposes designated until the close
40 of the succeeding fiscal year.

41 2. A public safety training and facilities task
42 force is established. The department of public safety
43 shall provide administrative support for the task
44 force.

45 3. The task force shall consist of the following
46 members:

47 a. One member appointed by the Iowa peace officers
48 association.

49 b. One member appointed by the Iowa state sheriff's
50 and deputies association.

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- 1 c. One member appointed by the Iowa police chiefs
2 association.
- 3 d. One member who is a fire chief appointed by the
4 Iowa fire chiefs association.
- 5 e. One member who is a fire chief appointed by the
6 Iowa professional fire chiefs association.
- 7 f. One member who is the chief of the Iowa fire
8 service training bureau or the chief's designee.
- 9 g. Two members who are representatives of the fire
10 service appointed by the Iowa firefighters association.
- 11 h. The administrative head of the homeland security
12 and emergency management division of the department
13 of public defense, or its successor agency, or the
14 administrative head's designee.
- 15 i. The adjutant general of the department of public
16 defense or the adjutant general's designee.
- 17 j. The director of the Iowa law enforcement academy
18 or the director's designee.
- 19 k. The commissioner of public safety or the
20 commissioner's designee.
- 21 l. Two members who are appointed by the Iowa
22 professional firefighters.
- 23 m. The state fire marshal or the state fire
24 marshal's designee.
- 25 n. The director of the department of corrections or
26 the director's designee.
- 27 o. One member appointed by the chief of the bureau
28 of emergency medical services of the Iowa department
29 of public health.
- 30 p. One member appointed by the Iowa emergency
31 medical services association.
- 32 q. One member appointed by the Iowa state police
33 association.
- 34 r. One member appointed by the state police
35 officers council who is representing peace officers
36 within the department of public safety.
- 37 s. One member appointed by the state police
38 officers council who is representing employees of the
39 department of natural resources.
- 40 t. One member who is the chief of the law
41 enforcement bureau of the department of natural
42 resources or the chief's designee.
- 43 u. One member appointed by the governor who
44 is a public member who has no personal interest
45 or occupational responsibilities in the area of
46 responsibility given to the task force and represents
47 the interests of the public in general.
- 48 v. One member appointed by the collective
49 bargaining unit that represents the largest number of
50 employees in the department of corrections.

Page 30

1 w. One member appointed by the collective
2 bargaining unit that represents the largest number of
3 jailers and dispatchers in this state.

4 x. One member appointed by the Iowa association of
5 community college presidents.

6 y. One member who is an employee of the state
7 department of transportation serving in a law
8 enforcement capacity appointed by the director of
9 transportation.

10 4. The members of the task force shall select
11 one chairperson and one vice chairperson. The vice
12 chairperson shall preside in the absence of the
13 chairperson. Section 69.16A shall apply to the
14 appointed members of the task force.

15 5. The task force shall consider and develop
16 strategies relating to public safety training
17 facility governance with the goal of all public safety
18 disciplines being represented. Each public safety
19 discipline shall advise the task force by developing
20 individual training policies as determined by the
21 discipline's governing bodies. The task force shall
22 also develop a proposal for a joint public safety
23 training facility, a budget for construction and future
24 operation of this facility, and potential locations,
25 that are centrally located in this state, for the
26 facility.

27 6. a. The task force shall provide interim reports
28 to the general assembly by December 31 of each year
29 concerning the activities of the task force and shall
30 submit its final report, including its findings and
31 recommendations, to the general assembly by December
32 31, 2015.

33 b. The final report shall include but not be
34 limited to recommendations concerning the following:

35 (1) Consolidation of public safety governance
36 within a single board and the membership of the board.

37 (2) Development of a consolidated fire and police
38 public safety training facility, including possible
39 locations, building recommendations, and financing
40 options.

41 (3) Development of sustainable funding alternatives
42 for public safety training and facilities.

43 (4) Any other recommendations relating to public
44 safety training and facilities requirements.

45 Sec. 92. WATERSHED IMPROVEMENT FUND —
46 APPROPRIATION. There is appropriated from the general
47 fund of the state to the department of agriculture and
48 land stewardship for the fiscal year beginning July 1,
49 2011, and ending June 30, 2012, the following amount,
50 or so much thereof as is necessary, to be used for the

1 purposes designated:

2 For deposit in the watershed improvement fund
3 created in section 466A.2:

4 \$ 5,000,000

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. 93. BIOSCIENCE INITIATIVE — IOWA STATE
12 UNIVERSITY — APPROPRIATION. There is appropriated
13 from the general fund of the state to the state board
14 of regents for the fiscal year beginning July 1, 2011,
15 and ending June 30, 2012, the following amount, or
16 so much thereof as is necessary, to be used for the
17 purposes designated:

18 For the bioscience initiative at Iowa state
19 university of science and technology:

20 \$ 5,500,000

21 Notwithstanding section 8.33, moneys appropriated in
22 this section that remain unencumbered or unobligated
23 at the close of the fiscal year shall not revert but
24 shall remain available for expenditure for the purposes
25 designated until expended.

26 Sec. 94. EFFECTIVE UPON ENACTMENT. This division
27 of this Act, being deemed of immediate importance,
28 takes effect upon enactment.

29 DIVISION V

30 DEPARTMENT OF REVENUE

31 Sec. 95. Section 2.48, subsection 3, paragraph c,
32 subparagraph (4), Code 2011, is amended by striking the
33 subparagraph.

34 Sec. 96. Section 2.48, subsection 3, paragraph e,
35 subparagraph (5), Code 2011, is amended by striking the
36 subparagraph.

37 Sec. 97. Section 15.119, subsection 2, paragraph
38 e, Code Supplement 2011, is amended by striking the
39 paragraph.

40 Sec. 98. Section 422.15, subsection 2, Code 2011,
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 state
46 as defined in section 422.33, subsection 1, shall make
47 a return, stating specifically the net income and
48 capital gains ~~(or losses)~~ or losses reported on the
49 federal partnership return, the names and addresses
50 of the partners, and their respective shares in said

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1 amounts.

2 Sec. 99. Section 422.25, subsection 1, paragraph b,
3 Code 2011, is amended to read as follows:

4 b. The period for examination and determination of
5 the correct amount of tax is unlimited in the case of
6 a false or fraudulent return made with the intent to
7 evade tax or in the case of a failure to file a return.
8 In lieu of the period of limitation for any prior year
9 for which an overpayment of tax or an elimination or
10 reduction of an underpayment of tax due for that prior
11 year results from the carryback to that prior year of a
12 net operating loss or net capital loss, the period is
13 the period of limitation for the taxable year of the
14 net operating loss or net capital loss which results
15 in the carryback. If the tax found due is greater
16 than the amount paid, the department shall compute
17 the amount due, together with interest and penalties
18 as provided in subsection 2, and shall mail a notice
19 of assessment to the taxpayer and, if applicable, to
20 the taxpayer's authorized representative of the total,
21 which shall be computed as a sum certain ~~if paid on or~~
22 ~~before, with interest computed to the last day of the~~
23 ~~month in which the notice is dated, or on or before the~~
24 ~~last day of the following month if the notice is dated~~
25 ~~after the twentieth day of any month. The notice shall~~
26 ~~also inform the taxpayer of the additional interest and~~
27 ~~penalty which will be added to the total due if not~~
28 ~~paid on or before the last day of the applicable month.~~

29 Sec. 100. Section 422.33, subsections 9 and 27,
30 Code Supplement 2011, are amended by striking the
31 subsections.

32 Sec. 101. Section 423.37, subsection 2, Code 2011,
33 is amended to read as follows:

34 2. If a return required by this subchapter is
35 not filed, or if a return when filed is incorrect or
36 insufficient ~~and the maker fails to file a corrected~~
37 ~~or sufficient return within twenty days after the~~
38 ~~same is required by notice from the department, the~~
39 department shall determine the amount of tax due from
40 information as the department may be able to obtain
41 and, if necessary, may estimate the tax on the basis of
42 external indices, such as number of employees of the
43 person concerned, rentals paid by the person, stock
44 on hand, or other factors. The determination may be
45 made using any generally recognized valid and reliable
46 sampling technique, whether or not the person being
47 audited has complete records, as mutually agreed upon
48 by the department and the taxpayer. The department
49 shall give notice of the determination to the person
50 liable for the tax. The determination shall fix the

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1 tax unless the person against whom it is assessed
2 shall, within sixty days after the giving of notice of
3 the determination, apply to the director for a hearing
4 or unless the taxpayer contests the determination by
5 paying the tax, interest, and penalty and timely filing
6 a claim for refund. At the hearing, evidence may be
7 offered to support the determination or to prove that
8 it is incorrect. After the hearing the director shall
9 give notice of the decision to the person liable for
10 the tax.

11 Sec. 102. Section 424.10, subsection 2, paragraph
12 a, Code Supplement 2011, is amended to read as follows:

13 a. If a return required by this chapter is not
14 filed, or if a return when filed is incorrect or
15 insufficient ~~and the maker fails to file a corrected~~
16 ~~or sufficient return within twenty days after the~~
17 ~~return is required by notice from the department,~~
18 the department shall determine the amount of charge
19 due from information as the department may be able
20 to obtain and, if necessary, may estimate the charge
21 on the basis of external indices or factors. The
22 department shall give notice of the determination to
23 the person liable for the charge. The determination
24 shall fix the charge unless the person against whom it
25 is assessed shall, within sixty days after the date of
26 the notice of the determination, apply to the director
27 for a hearing or unless the person against whom it
28 is assessed contests the determination by paying the
29 charge, interest, and penalty and timely filing a claim
30 for refund. At the hearing evidence may be offered
31 to support the determination or to prove that it is
32 incorrect. After the hearing the director shall give
33 notice of the decision to the person liable for the
34 charge.

35 Sec. 103. Section 427B.4, Code 2011, is amended to
36 read as follows:

37 427B.4 Application for exemption by property owner.
38 1. a. An application shall be filed for each
39 project resulting in actual value added for which
40 an exemption is claimed. The first application
41 for exemption shall be filed by the owner of the
42 property with the local assessor by February 1 of the
43 assessment year ~~in which the value added is first~~
44 ~~assessed for taxation for which the exemption is first~~
45 claimed, but not later than the year in which all
46 improvements included in the project are first assessed
47 for taxation, or the following two assessment years,
48 in which case the exemption is allowed for the total
49 number of years in the exemption schedule.
50 b. Applications for exemption shall be made on

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1 forms prescribed by the director of revenue and shall
2 contain information pertaining to the nature of the
3 improvement, its cost, the estimated or actual date of
4 completion, whether the exemption schedules described
5 in section 427B.3 or an alternate schedule adopted
6 pursuant to section 427B.1 will be elected, and any
7 other information deemed necessary by the director of
8 revenue.

9 2. a. A person may submit a proposal to the city
10 council of the city or the board of supervisors of
11 a county to receive prior approval for eligibility
12 for a tax exemption on new construction. The city
13 council or the board of supervisors, by ordinance, may
14 give its prior approval of a tax exemption for new
15 construction if the new construction is in conformance
16 with the zoning plans for the city or county. The
17 prior approval shall also be subject to the hearing
18 requirements of section 427B.1.

19 b. Prior approval received under this subsection
20 does not entitle the owner to exemption from taxation
21 until the new construction has been completed and
22 found to be qualified real estate. However, if the
23 tax exemption for new construction is not approved,
24 the person may submit an amended proposal to the city
25 council or board of supervisors to approve or reject.

26 Sec. 104. REPEAL. Sections 16.211, 16.212, and
27 422.11X, Code 2011, are repealed.

28 Sec. 105. RETROACTIVE APPLICABILITY. The following
29 provision or provisions of this division of this Act
30 apply retroactively to January 1, 2012, for tax years
31 beginning on or after that date:

32 1. The section of this division of this Act
33 amending section 422.15, subsection 2.

34 Sec. 106. RETROACTIVE APPLICABILITY. The following
35 provision or provisions of this division of this Act
36 apply retroactively to January 1, 2012, for assessment
37 years beginning on or after that date:

38 1. The section of this division of this Act
39 amending section 427B.4.

40 DIVISION VI
41 TIME SERVED

42 Sec. 107. Section 907.3, subsection 3, unnumbered
43 paragraph 1, Code Supplement 2011, is amended to read
44 as follows:

45 By record entry at the time of or after sentencing,
46 the court may suspend the sentence and place the
47 defendant on probation upon such terms and conditions
48 as it may require including commitment to an alternate
49 jail facility or a community correctional residential
50 treatment facility to be followed by a period of

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1 probation as specified in section 907.7, or commitment
2 of the defendant to the judicial district department
3 of correctional services for supervision or services
4 under section 901B.1 at the level of sanctions which
5 the district department determines to be appropriate
6 and the payment of fees imposed under section 905.14.
7 A person so committed who has probation revoked shall
8 not be given credit for such time served. However, ~~the~~
9 a person committed to an alternate jail facility or a
10 community correctional residential treatment facility
11 who has probation revoked shall be given credit for
12 time served in the facility. The court shall not
13 suspend any of the following sentences:

14 Sec. 108. APPLICABILITY AND WAIVER OF RIGHTS. A
15 person who commits an offense prior to the effective
16 date of this division of this Act may expressly state
17 to the court, at the time of sentencing, that the
18 person waives any rights under Anderson v. State, 801
19 N.W.2d 1, relating to the calculation of credit for
20 time served, and agree to be sentenced using credits
21 as calculated under section 907.3, as amended by this
22 division of this Act. If the court finds the waiver
23 voluntary, the sentencing order shall reference the
24 person's waiver of rights under Anderson, and order
25 that credit for time served be calculated under section
26 907.3, as amended by this division of this Act.

27 Sec. 109. EFFECTIVE UPON ENACTMENT. This division
28 of this Act, being deemed of immediate importance,
29 takes effect upon enactment.

30 DIVISION VII

31 COUNTY TREASURERS

32 Sec. 110. Section 161A.35, unnumbered paragraph 1,
33 Code 2011, is amended to read as follows:

34 If the owner of any premises against which a levy
35 exceeding ~~one~~ five hundred dollars has been made and
36 certified shall, within thirty days from the date of
37 such levy, agree in writing in a separate agreement,
38 that in consideration of having a right to pay the
39 owner's assessment in installments, the owner will not
40 make any objection as to the legality of the assessment
41 for benefit, or the levy of the taxes against the
42 owner's property, then such owner shall have the
43 following options:

44 Sec. 111. Section 311.17, subsection 1, Code 2011,
45 is amended to read as follows:

46 1. If an owner other than the state or a county or
47 city, of any tracts of land on which the assessment
48 is more than ~~one~~ five hundred dollars, shall, within
49 twenty days from the date of the assessment, agree in
50 writing filed in the office of the county auditor,

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1 that in consideration of the owner having the right
2 to pay the assessment in installments, the owner will
3 not make any objection of illegality or irregularity
4 as to the assessment upon the real estate, and will
5 pay the assessment plus interest, the assessment
6 shall be payable in ten equal installments. The
7 first installment shall be payable on the date of
8 the agreement. The other installments shall be paid
9 annually at the same time and in the same manner
10 as the September semiannual payment of ordinary
11 taxes with interest accruing as provided in section
12 384.65, subsection 3. The rate of interest shall be
13 as established by the board, but not exceeding that
14 permitted by chapter 74A.

15 Sec. 112. Section 311.19, unnumbered paragraph 1,
16 Code 2011, is amended to read as follows:

17 Assessments of ~~one~~ five hundred dollars or less
18 against any tract of land, and assessments against
19 lands owned by the state, county, or city, shall be
20 due and payable from the date of levy by the board of
21 supervisors, or in the case of any appeal, from the
22 date of final confirmation of the levy by the court.

23 Sec. 113. Section 331.384, subsection 3, Code 2011,
24 is amended to read as follows:

25 3. If any amount assessed against property under
26 this section exceeds ~~one~~ five hundred dollars, a county
27 may permit the assessment to be paid in up to ten
28 annual installments in the same manner and with the
29 same interest rates provided for assessments against
30 benefited property under chapter 384, division IV.

31 Sec. 114. Section 357.20, Code 2011, is amended to
32 read as follows:

33 357.20 Due date — bonds.

34 Assessments of ~~less than one~~ five hundred dollars
35 or less will come due at the first taxpaying date
36 after the approval of the final assessment, and
37 assessments of ~~one hundred dollars or more~~ than five
38 hundred dollars may be paid in ten annual installments
39 with interest on the unpaid balance at a rate not
40 exceeding that permitted by chapter 74A. The board of
41 supervisors shall issue bonds against the completed
42 assessment in an amount equal to the total cost of the
43 project, so that the amount of the assessment will be
44 approximately ten percent greater than the amount of
45 the bonds.

46 Sec. 115. Section 358.16, subsection 3, Code 2011,
47 is amended to read as follows:

48 3. If any amount assessed against property pursuant
49 to this section will exceed ~~one~~ five hundred dollars,
50 the board of trustees may permit the assessment to be

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1 paid in up to ten annual installments, in the manner
2 and with the same interest rates as provided for
3 assessments against benefited property under chapter
4 384, division IV.

5 Sec. 116. Section 364.13, Code 2011, is amended to
6 read as follows:

7 364.13 Installments.

8 If any amount assessed against property under
9 section 364.12 will exceed ~~one~~ five hundred dollars, a
10 city may permit the assessment to be paid in up to ten
11 annual installments, in the same manner and with the
12 same interest rates provided for assessments against
13 benefited property under chapter 384, division IV.

14 Sec. 117. Section 384.60, subsection 1, paragraph
15 b, Code 2011, is amended to read as follows:

16 b. State the number of annual installments, not
17 exceeding fifteen, into which assessments of ~~one~~ more
18 than five hundred dollars ~~or more~~ are divided.

19 Sec. 118. Section 384.65, subsection 1, Code 2011,
20 is amended to read as follows:

21 1. The first installment of each assessment, or
22 the total amount if ~~less than one~~ five hundred dollars
23 or less, is due and payable on July 1 next succeeding
24 the date of the levy, unless the assessment is filed
25 with the county treasurer after May 31 in any year.
26 The first installment shall bear interest on the
27 whole unpaid assessment from the date of acceptance of
28 the work by the council to the first day of December
29 following the due date.

30 Sec. 119. Section 435.24, subsection 6, paragraph
31 b, Code 2011, is amended to read as follows:

32 b. Partial payment of taxes which are delinquent
33 may be made to the county treasurer. For the
34 installment being paid, payment shall first be applied
35 toward any interest, fees, and costs accrued and the
36 remainder applied to the tax due. A partial payment
37 must equal or exceed the interest, fees, and costs of
38 the installment being paid. A partial payment made
39 under this paragraph shall be apportioned in accordance
40 with section 445.57, however, such partial payment
41 may, at the discretion of the county treasurer, be
42 apportioned either on or before the tenth day of the
43 month following the receipt of the partial payment
44 or on or before the tenth day of the month following
45 the due date of the next semiannual tax installment.

46 If the payment does not include the whole of any
47 installment of the delinquent tax, the unpaid tax
48 shall continue to accrue interest pursuant to section
49 445.39. Partial payment shall not be permitted in lieu
50 of redemption if the property has been sold for taxes

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1 under chapter 446 and under any circumstances shall not
2 constitute an extension of the time period for a sale
3 under chapter 446.

4 Sec. 120. Section 445.36A, subsection 2, Code 2011,
5 is amended to read as follows:

6 2. Partial payment of taxes which are delinquent
7 may be made to the county treasurer. For the
8 installment being paid, payment shall first be applied
9 to any interest, fees, and costs accrued and the
10 remainder applied to the taxes due. A partial payment
11 must equal or exceed the amount of interest, fees, and
12 costs of the installment being paid. A partial payment
13 made under this subsection shall be apportioned in
14 accordance with section 445.57, however, such partial
15 payment may, at the discretion of the county treasurer,
16 be apportioned either on or before the tenth day of
17 the month following the receipt of the partial payment
18 or on or before the tenth day of the month following
19 the due date of the next semiannual tax installment.

20 If the payment does not include the whole of any
21 installment of the delinquent tax, the unpaid tax
22 shall continue to accrue interest pursuant to section
23 445.39. Partial payment shall not be permitted in lieu
24 of redemption if the property has been sold for taxes
25 under chapter 446 and under any circumstances shall not
26 constitute an extension of the time period for a sale
27 under chapter 446.

28 Sec. 121. Section 445.57, unnumbered paragraph 1,
29 Code 2011, is amended to read as follows:

30 On or before the tenth day of each month, the county
31 treasurer shall apportion all taxes collected during
32 the preceding month, except partial payment amounts
33 collected pursuant to section 445.36A, subsection 1 and,
34 partial payments collected and not yet designated
35 by the county treasurer for apportionment pursuant
36 to section 445.36A, subsection 2, partial payments
37 collected pursuant to section 435.24, subsection
38 6, paragraph "a", and partial payments collected
39 and not yet designated by the county treasurer for
40 apportionment pursuant to section 435.24, subsection
41 6, paragraph "b", among the several funds to which they
42 belong according to the amount levied for each fund,
43 and shall apportion the interest, fees, and costs on
44 the taxes to the general fund, and shall enter those
45 amounts upon the treasurer's cash account, and report
46 the amounts to the county auditor.

47 Sec. 122. Section 446.32, Code 2011, is amended to
48 read as follows:

49 446.32 Payment of subsequent taxes by purchaser.
50 The county treasurer shall provide to the purchaser

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1 of a parcel sold at tax sale a receipt for the total
2 amount paid by the purchaser after the date of purchase
3 for a subsequent year. Taxes for a subsequent year
4 may be paid by the purchaser beginning one month
5 and fourteen days following the date from which an
6 installment becomes delinquent as provided in section
7 445.37. Notwithstanding any provision to the contrary,
8 a subsequent payment must be received and recorded
9 by the treasurer in the county system no later than
10 five 5:00 p.m. on the last business day of the month
11 for interest for that month to accrue and be added
12 to the amount due under section 447.1. However, the
13 treasurer may establish a deadline for receipt of
14 subsequent payments that is other than five 5:00 p.m.
15 on the last business day of the month to allow for
16 timely processing of the subsequent payments. Late
17 interest shall be calculated through the date that the
18 subsequent payment is recorded by the treasurer in
19 the county system. In no instance shall the date of
20 postmark of a subsequent payment be used by a treasurer
21 either to calculate interest or to determine whether
22 interest shall accrue on the subsequent payment.

23 Sec. 123. Section 468.57, subsection 1, Code
24 Supplement 2011, is amended to read as follows:

25 1. If the owner of any land against which a levy
26 exceeding ~~one~~ five hundred dollars has been made and
27 certified shall, within thirty days from the date
28 of such levy, agree in writing endorsed upon any
29 improvement certificate referred to in section 468.70,
30 or in a separate agreement, that in consideration
31 of having a right to pay the owner's assessment in
32 installments, the owner will not make any objection as
33 to the legality of the assessment for benefit, or the
34 levy of the taxes against the property, then such owner
35 shall have the following options:

36 a. To pay one-third of the amount of the assessment
37 at the time of filing the agreement; one-third within
38 twenty days after the engineer in charge certifies to
39 the auditor that the improvement is one-half completed;
40 and the remaining one-third within twenty days after
41 the improvement has been completed and accepted by the
42 board. All installments shall be without interest if
43 paid at said times, otherwise the assessments shall
44 bear interest from the date of the levy at a rate
45 determined by the board notwithstanding chapter 74A,
46 payable annually, and be collected as other taxes on
47 real estate, with like interest for delinquency.

48 b. To pay the assessments in not less than ten nor
49 more than twenty equal installments, with the number
50 of payments and interest rate determined by the board,

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1 notwithstanding chapter 74A. The first installment
2 of each assessment, or the total amount if less than
3 one five hundred dollars or less, is due and payable
4 on July 1 next succeeding the date of the levy, unless
5 the assessment is filed with the county treasurer
6 after May 31 in any year. The first installment shall
7 bear interest on the whole unpaid assessment from the
8 date of the levy as set by the board to the first day
9 of December following the due date. The succeeding
10 annual installments, with interest on the whole unpaid
11 amount, to the first day of December following the due
12 date, are respectively due on July 1 annually, and must
13 be paid at the same time and in the same manner as
14 the first semiannual payment of ordinary taxes. All
15 future installments of an assessment may be paid on
16 any date by payment of the then outstanding balance
17 plus interest to the next December 1, or additional
18 annual installments may be paid after the current
19 installment has been paid before December 1 without
20 interest. A payment must be for the full amount of
21 the next installment. If installments remain to be
22 paid, the next annual installment with interest added
23 to December 1 will be due. After December 1, if a
24 drainage assessment is not delinquent, a property owner
25 may pay one-half or all of the next annual installment
26 of principal and interest of a drainage assessment
27 prior to the delinquency date of the installment.
28 When the next installment has been paid in full,
29 successive principal installments may be prepaid.
30 The county treasurer shall accept the payments of the
31 drainage assessment, and shall credit the next annual
32 installment or future installments of the drainage
33 assessment to the extent of the payment or payments,
34 and shall remit the payments to the drainage fund. If
35 a property owner elects to pay one or more principal
36 installments in advance, the pay schedule shall be
37 advanced by the number of principal installments
38 prepaid. Each installment of an assessment with
39 interest on the unpaid balance is delinquent from
40 October 1 after its due date. However, when the last
41 day of September is a Saturday or Sunday, that amount
42 shall be delinquent from the second business day of
43 October. Taxes assessed pursuant to this chapter
44 which become delinquent shall bear the same delinquent
45 interest as ordinary taxes. When collected, the
46 interest must be credited to the same drainage fund as
47 the drainage special assessment.

48 DIVISION VIII

49 BOARDS AND COMMISSIONS

50 Sec. 124. Section 28B.1, subsection 1, unnumbered

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1 paragraph 1, Code 2011, is amended to read as follows:

2 ~~The In accordance with a resolution adopted for~~
3 ~~this purpose by the legislative council, an Iowa~~
4 ~~commission on interstate cooperation is hereby~~
5 ~~established shall be appointed to address the charge~~
6 ~~and other responsibilities for the commission outlined~~
7 ~~in the resolution. It The commission shall consist of~~
8 thirteen members to be appointed as follows:

9 Sec. 125. Section 28B.4, Code 2011, is amended to
10 read as follows:

11 28B.4 Report.

12 1. The commission shall report to the governor
13 and to the legislature ~~within fifteen days after the~~
14 ~~convening of each general assembly~~ general assembly in
15 accordance with the commission's charge, and at may
16 report at other times as it ~~deems~~ deemed appropriate by
17 the commission.

18 2. ~~Its~~ The commission's members and the members of
19 all committees which it establishes shall be reimbursed
20 for their travel and other necessary expenses in
21 carrying out their obligations under this chapter
22 and legislative members shall be paid a per diem
23 ~~as specified in section 7E.6~~ for each day in which
24 engaged in the performance of their duties, the per
25 diem and legislators' expenses to be paid from funds
26 appropriated by sections 2.10 and 2.12. Expenses of
27 administrative officers, state officials, or state
28 employees who are members of the Iowa commission on
29 interstate cooperation or a committee appointed by the
30 commission shall be paid from funds appropriated to the
31 agencies or departments which persons represent except
32 as may otherwise be provided by the general assembly.
33 Expenses of citizen members who may be appointed to
34 committees of the commission may be paid from funds as
35 authorized by the general assembly. Expenses of the
36 secretary or employees of the secretary and support
37 services in connection with the administration of the
38 commission shall be paid from funds appropriated to the
39 legislative services agency unless otherwise provided
40 by the general assembly. Expenses of commission
41 members shall be paid upon approval of the chairperson
42 or the secretary of the commission.

43 Sec. 126. Section 216A.132, subsection 1, paragraph
44 c, Code 2011, is amended to read as follows:

45 c. (1) The chief justice of the supreme court
46 shall designate one member who is a district judge and
47 one member who is either a district associate judge or
48 associate juvenile judge. ~~The chairperson and ranking~~
49 ~~member of the senate committee on judiciary shall be~~
50 ~~members. In alternating four-year intervals, the~~

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1 ~~chairperson and ranking member of the house committee~~
 2 ~~on judiciary or of the house committee on public~~
 3 ~~safety shall be members, with the chairperson and~~
 4 ~~ranking member of the house committee on public safety~~
 5 ~~serving during the initial interval. Nonlegislative~~
 6 ~~The members appointed pursuant to this paragraph~~
 7 ~~subparagraph shall serve as ex officio, nonvoting~~
 8 ~~members for four-year terms beginning and ending as~~
 9 ~~provided in section 69.19, unless the member ceases to~~
 10 ~~serve as a district court judge.~~

11 (2) The chairperson and ranking member of the
 12 senate committee on judiciary shall be ex officio,
 13 nonvoting members. In alternating two-year terms,
 14 beginning and ending as provided in section 69.16B, the
 15 chairperson and ranking member of the house committee
 16 on judiciary or of the house committee on public
 17 safety shall be ex officio, nonvoting members, with the
 18 chairperson and ranking member of the house committee
 19 on public safety serving during the term beginning in
 20 January 2011.

21 Sec. 127. REPEAL. Section 249A.36, Code 2011, is
 22 repealed.

23 DIVISION IX

24 ALLOWABLE GROWTH

25 Sec. 128. Section 257.8, subsection 1, Code
 26 Supplement 2011, is amended to read as follows:
 27 1. State percent of growth. ~~The state percent of~~
 28 ~~growth for the budget year beginning July 1, 2010,~~
 29 ~~is two percent.~~ The state percent of growth for the
 30 budget year beginning July 1, 2012, is two percent.
 31 The state percent of growth for the budget year
 32 beginning July 1, 2013, is four percent. The state
 33 percent of growth for each subsequent budget year shall
 34 be established by statute which shall be enacted within
 35 thirty days of the submission in the year preceding the
 36 base year of the governor's budget under section 8.21.
 37 The establishment of the state percent of growth for
 38 a budget year shall be the only subject matter of the
 39 bill which enacts the state percent of growth for a
 40 budget year.

41 Sec. 129. Section 257.8, subsection 2, Code
 42 Supplement 2011, is amended to read as follows:
 43 2. Categorical state percent of growth. ~~The~~
 44 ~~categorical state percent of growth for the budget~~
 45 ~~year beginning July 1, 2010, is two percent.~~ The
 46 categorical state percent of growth for the budget
 47 year beginning July 1, 2012, is two percent. The
 48 categorical state percent of growth for the budget
 49 year beginning July 1, 2013, is four percent. The
 50 categorical state percent of growth for each budget

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1 year shall be established by statute which shall
2 be enacted within thirty days of the submission in
3 the year preceding the base year of the governor's
4 budget under section 8.21. The establishment of the
5 categorical state percent of growth for a budget year
6 shall be the only subject matter of the bill which
7 enacts the categorical state percent of growth for a
8 budget year. The categorical state percent of growth
9 may include state percents of growth for the teacher
10 salary supplement, the professional development
11 supplement, and the early intervention supplement.
12 Sec. 130. EFFECTIVE UPON ENACTMENT. This division
13 of this Act, being deemed of immediate importance,
14 takes effect upon enactment.

15 Sec. 131. APPLICABILITY. This division of this Act
16 is applicable for computing state aid under the state
17 school foundation program for the school budget year
18 beginning July 1, 2013.

19 Sec. 132. CODE SECTION 257.8 — IMPLEMENTATION.
20 The requirements of section 257.8 regarding the
21 enactment of the regular program state percent of
22 growth and categorical state percent of growth within
23 thirty days of the submission in the year preceding the
24 base year of the governor's budget and the requirements
25 that the subject matter of each bill establishing
26 the state percent of growth or the categorical state
27 percent of growth be the only subject matter of the
28 bill do not apply to this division of this Act.

29 DIVISION X

30 CITY FRANCHISE FEES

31 Sec. 133. Section 364.2, subsection 4, paragraph f,
32 Code 2011, is amended to read as follows:

33 f. (1) (a) A franchise fee assessed by a city may
34 be based upon a percentage of gross revenues generated
35 from sales of the franchisee within the city not to
36 exceed five percent, except as provided in subparagraph
37 division (b), without regard to the city's cost of
38 inspecting, supervising, and otherwise regulating the
39 franchise.

40 (b) For franchise fees assessed and collected
41 during fiscal years beginning on or after July 1,
42 2012, but before July 1, 2030, by a city that is the
43 subject of a judgment, court-approved settlement, or
44 court-approved compromise providing for payment of
45 restitution, a refund, or a return described in section
46 384.3A, subsection 3, paragraph "j", the rate of the
47 franchise fee shall not exceed seven and one-half
48 percent of gross revenues generated from sales of the
49 franchisee in the city, and franchise fee amounts
50 assessed and collected during such fiscal years in

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1 excess of five percent of gross revenues generated
2 from sales shall be used solely for the purpose
3 specified in section 384.3A, subsection 3, paragraph
4 "j". A city may assess and collect a franchise fee
5 in excess of five percent of gross revenues generated
6 from the sales of the franchisee pursuant to this
7 subparagraph division (b) for a period not to exceed
8 seven consecutive fiscal years once the franchise fee
9 is first imposed at a rate in excess of five percent.
10 This subparagraph division is repealed July 1, 2030.

11 (2) Franchise fees collected pursuant to an
12 ordinance in effect on May 26, 2009, shall be deposited
13 in the city's general fund and such fees collected in
14 excess of the amounts necessary to inspect, supervise,
15 and otherwise regulate the franchise may be used by
16 the city for any other purpose authorized by law.
17 Franchise fees collected pursuant to an ordinance
18 that is adopted or amended on or after May 26, 2009,
19 to increase the percentage rate at which franchise
20 fees are assessed shall be credited to the franchise
21 fee account within the city's general fund and used
22 pursuant to section 384.3A. If a city franchise fee
23 is assessed to customers of a franchise, the fee shall
24 not be assessed to the city as a customer. Before a
25 city adopts or amends a franchise fee rate ordinance
26 or franchise ordinance to increase the percentage
27 rate at which franchise fees are assessed, a revenue
28 purpose statement shall be prepared specifying the
29 purpose or purposes for which the revenue collected
30 from the increased rate will be expended. If property
31 tax relief is listed as a purpose, the revenue purpose
32 statement shall also include information regarding the
33 amount of the property tax relief to be provided with
34 revenue collected from the increased rate. The revenue
35 purpose statement shall be published as provided in
36 section 362.3.

37 Sec. 134. Section 384.3A, subsection 3, Code 2011,
38 is amended by adding the following new paragraph:
39 NEW PARAGRAPH. j. For franchise fees assessed
40 and collected by a city in excess of five percent of
41 gross revenues generated from sales of the franchisee
42 within the city pursuant to section 364.2, subsection
43 4, paragraph "f", subparagraph (1), subparagraph
44 division (b), during fiscal years beginning on or after
45 July 1, 2012, but before July 1, 2030, the adjustment,
46 renewing, or extension of any part or all of the legal
47 indebtedness of a city, whether evidenced by bonds,
48 warrants, court-approved settlements, court-approved
49 compromises, or judgments, or the funding or refunding
50 of the same, if such legal indebtedness relates to

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1 restitution, a refund, or a return ordered by a court
2 of competent jurisdiction for franchise fees assessed
3 and collected by the city before the effective date of
4 this division of this Act. This paragraph is repealed
5 July 1, 2030.

6 Sec. 135. EFFECTIVE UPON ENACTMENT. This division
7 of this Act, being deemed of immediate importance,
8 takes effect upon enactment.

9 DIVISION XI

10 EXTERNAL REVIEW OF HEALTH CARE COVERAGE DECISIONS

11 Sec. 136. Section 514J.102, subsections 1 and 10,
12 Code Supplement 2011, are amended to read as follows:

13 1. "Adverse determination" means a determination
14 by a health carrier that an admission, availability
15 of care, continued stay, or other health care service
16 that is a covered benefit has been reviewed and,
17 based upon the information provided, does not meet the
18 health carrier's requirements for medical necessity,
19 appropriateness, health care setting, level of
20 care, or effectiveness, and the requested service or
21 payment for the service is therefore denied, reduced,
22 or terminated. "Adverse determination" includes a
23 denial of coverage for a dental care service that is
24 a covered benefit that has been reviewed and, based
25 upon the information provided, does not meet the health
26 carrier's requirements for medical necessity, and
27 the requested service or payment for the dental care
28 service is therefore denied, reduced, or terminated,
29 in whole or in part. "Adverse determination" does not
30 include a denial of coverage for a service or treatment
31 specifically listed in plan or evidence of coverage
32 documents as excluded from coverage.

33 10. "Covered benefits" or "benefits" means those
34 health care services and dental care services to which
35 a covered person is entitled under the terms of a
36 health benefit plan.

37 Sec. 137. Section 514J.102, Code Supplement 2011,
38 is amended by adding the following new subsection:

39 NEW SUBSECTION. 11A. "Dental care services" means
40 services for diagnostic, preventive, maintenance, and
41 therapeutic dental care that is provided under chapter
42 153.

43 Sec. 138. Section 514J.103, subsection 1, Code
44 Supplement 2011, is amended to read as follows:

45 1. Except as provided in subsection 2, this chapter
46 shall apply to all health carriers, including health
47 carriers issuing a policy or certificate that provides
48 coverage for dental care.

49 Sec. 139. Section 514J.103, subsection 2, paragraph
50 a, Code Supplement 2011, is amended to read as follows:

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1 a. A policy or certificate that provides coverage
2 only for a specified disease, specified accident or
3 accident-only, credit, disability income, hospital
4 indemnity, long-term care, dental care, vision care, or
5 any other limited supplemental benefit.

6 DIVISION XII

7 EARLY INTERVENTION BLOCK GRANT PROGRAM

8 Sec. 140. REPEAL. Section 256D.9, Code 2011, is
9 repealed.

10 Sec. 141. EFFECTIVE DATE. This division of this
11 Act takes effect June 30, 2012.

12 DIVISION XIII

13 JUVENILE OFFENDERS

14 Sec. 142. Section 232.8, subsection 1, paragraph c,
15 Code 2011, is amended to read as follows:

16 c. Violations by a child, aged sixteen or older,
17 which subject the child to the provisions of section
18 124.401, subsection 1, paragraph "e" or "f", or
19 violations of section 723A.2 which involve a violation
20 of chapter 724, or violation of chapter 724 which
21 constitutes a felony, or violations which constitute
22 a forcible felony are excluded from the jurisdiction
23 of the juvenile court and shall be prosecuted as
24 otherwise provided by law unless the district court
25 transfers jurisdiction of the child to the juvenile
26 court upon motion and for good cause pursuant to
27 section 803.6. ~~A child over whom jurisdiction has not~~
28 ~~been transferred to the juvenile court, and who is~~
29 ~~convicted of a violation excluded from the jurisdiction~~
30 ~~of the juvenile court under this paragraph, shall be~~
31 ~~sentenced pursuant to section 124.401B, 902.9, or~~
32 ~~903.1~~. Notwithstanding any other provision of the
33 Code to the contrary, the district court may accept
34 from a child in district court a plea of guilty, or
35 may instruct the jury on a lesser included offense
36 to the offense excluded from the jurisdiction of the
37 juvenile court under this section, in the same manner
38 as regarding an adult. The judgment and sentence of
39 a child in district court shall be as provided in
40 section 901.5. However, the juvenile court shall
41 have exclusive original jurisdiction in a proceeding
42 concerning an offense of animal torture as provided in
43 section 717B.3A alleged to have been committed by a
44 child under the age of seventeen.

45 Sec. 143. Section 232.8, subsection 3, paragraph a,
46 Code 2011, is amended to read as follows:

47 a. The juvenile court, after a hearing and in
48 accordance with the provisions of section 232.45, may
49 waive jurisdiction of a child alleged to have committed
50 a public offense so that the child may be prosecuted

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1 as an adult or youthful offender for such offense in
2 another court. If the child, ~~except a child being~~
3 ~~prosecuted as a youthful offender,~~ pleads guilty or is
4 found guilty of a public offense other than a class "A"
5 felony in another court of this state, that court may
6 suspend the sentence or, with the consent of the child,
7 defer judgment and without regard to restrictions
8 placed upon deferred judgments for adults, place the
9 child on probation for a period of not less than one
10 year upon such conditions as it may require. Upon
11 fulfillment of the conditions of probation, a child
12 who receives a deferred judgment shall be discharged
13 without entry of judgment. A child prosecuted as
14 a youthful offender shall be sentenced pursuant to
15 section 907.3A.

16 Sec. 144. Section 232.45, subsection 6, unnumbered
17 paragraph 1, Code 2011, is amended to read as follows:

18 At the conclusion of the waiver hearing the court
19 may waive its jurisdiction over the child for the
20 alleged commission of the public offense for the
21 purpose of prosecution of the child as an adult if all
22 of the following apply:

23 Sec. 145. Section 232.45, subsection 7, paragraph
24 a, subparagraph (1), Code 2011, is amended to read as
25 follows:

26 (1) The child is twelve through fifteen years of
27 age or ~~younger~~ the child is ten or eleven years of age
28 and has been charged with a public offense that would
29 be classified as a class "A" felony if committed by an
30 adult.

31 Sec. 146. Section 232.45A, subsections 2 and 3,
32 Code 2011, are amended to read as follows:

33 2. Once a child sixteen years of age or older
34 has been waived ~~to and convicted of an aggravated~~
35 ~~misdemeanor or a felony in~~ by the juvenile court to the
36 district court, all subsequent criminal proceedings
37 against the child for any aggravated misdemeanor
38 or felony occurring subsequent to the date of the
39 conviction of the child for any delinquent act
40 committed after the date of the waiver by the juvenile
41 court shall begin in district court, notwithstanding
42 sections 232.8 and 232.45. A copy of the findings
43 required by section 232.45, subsection 10, shall
44 be made a part of the record in the district court
45 proceedings. However, upon acquittal or dismissal
46 in district court of all waived offenses and all
47 lesser included offenses of the waived offenses, the
48 proceedings for any delinquent act committed by the
49 child subsequent to such acquittal or dismissal shall
50 begin in juvenile court. Any proceedings initiated in

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1 district court for a public offense committed by the
2 child subsequent to the waiver by the juvenile court,
3 but prior to any acquittal or dismissal of all waived
4 offenses and lesser included offenses in district
5 court, shall remain in district court.

6 3. If proceedings against a child for an aggravated
7 ~~misdemeanor or a felony~~ sixteen years of age or older
8 who has previously been waived to ~~and convicted of~~
9 ~~an aggravated misdemeanor or a felony in the district~~
10 court are mistakenly begun in the juvenile court, the
11 matter shall be transferred to district court upon
12 the discovery of the prior waiver and conviction,
13 notwithstanding sections 232.8 and 232.45.

14 Sec. 147. Section 232.50, subsection 1, Code 2011,
15 is amended to read as follows:

16 1. As soon as practicable following the entry
17 of an order of adjudication pursuant to section
18 232.47 or notification that the child has ~~received a~~
19 ~~youthful offender deferred sentence~~ been placed on
20 youthful offender status pursuant to section 907.3A,
21 the court shall hold a dispositional hearing in order
22 to determine what disposition should be made of the
23 matter.

24 Sec. 148. Section 232.52, subsection 1, Code 2011,
25 is amended to read as follows:

26 1. Pursuant to a hearing as provided in section
27 232.50, the court shall enter the least restrictive
28 dispositional order appropriate in view of the
29 seriousness of the delinquent act, the child's
30 culpability as indicated by the circumstances of
31 the particular case, the age of the child, the
32 child's prior record, or the fact that the child has
33 ~~received a youthful offender deferred sentence~~ been
34 placed on youthful offender status under section
35 907.3A. The order shall specify the duration and
36 the nature of the disposition, including the type of
37 residence or confinement ordered and the individual,
38 agency, department, or facility in whom custody is
39 vested. In the case of a child who has ~~received a~~
40 ~~youthful offender deferred sentence~~ been placed on
41 youthful offender status, the initial duration of the
42 dispositional order shall be until the child reaches
43 the age of eighteen.

44 Sec. 149. Section 232.54, subsection 1, paragraph
45 g, Code 2011, is amended to read as follows:

46 g. With respect to a juvenile court dispositional
47 order entered regarding a child who has ~~received a~~
48 ~~youthful offender deferred sentence~~ been placed on
49 youthful offender status under section 907.3A, the
50 dispositional order may be terminated prior to the

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1 child reaching the age of eighteen upon motion of the
2 child, the person or agency to whom custody of the
3 child has been transferred, or the county attorney
4 following a hearing before the juvenile court if it is
5 shown by clear and convincing evidence that it is in
6 the best interests of the child and the community to
7 terminate the order. The hearing may be waived if all
8 parties to the proceeding agree. The dispositional
9 order regarding a child who has ~~received a youthful~~
10 ~~offender deferred sentence~~ been placed on youthful
11 offender status may also be terminated prior to the
12 child reaching the age of eighteen upon motion of the
13 county attorney, if the waiver of the child to district
14 court was conditioned upon the terms of an agreement
15 between the county attorney and the child, and the
16 child violates the terms of the agreement after the
17 waiver order has been entered. The district court
18 shall discharge the child's youthful offender status
19 upon receiving a termination order under this section.

20 Sec. 150. Section 232.54, subsection 1, paragraph
21 h, unnumbered paragraph 1, Code 2011, is amended to
22 read as follows:

23 With respect to a dispositional order entered
24 regarding a child who has ~~received a youthful offender~~
25 ~~deferred sentence~~ been placed on youthful offender
26 status under section 907.3A, the juvenile court may,
27 in the case of a child who violates the terms of the
28 order, modify or terminate the order in accordance with
29 the following:

30 Sec. 151. Section 232.55, subsection 3, Code 2011,
31 is amended to read as follows:

32 3. This section does not apply to dispositional
33 orders entered regarding a child who has ~~received a~~
34 ~~youthful offender deferred sentence~~ been placed on
35 youthful offender status under section 907.3A who
36 is not discharged from probation before or upon the
37 child's eighteenth birthday.

38 Sec. 152. Section 232.56, Code 2011, is amended to
39 read as follows:

40 232.56 Youthful offenders — transfer to district
41 court supervision.

42 The juvenile court shall deliver a report, which
43 includes an assessment of the child by a juvenile court
44 officer after consulting with the judicial district
45 department of correctional services, to the district
46 court prior to the eighteenth birthday of a child who
47 has ~~received a youthful offender deferred sentence~~
48 been placed on youthful offender status under section
49 907.3A. A hearing shall be held in the district court
50 in accordance with section 907.3A to determine whether

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1 the child should be discharged from youthful offender
2 status or whether the child shall continue under the
3 supervision of the district court after the child's
4 eighteenth birthday.

5 Sec. 153. Section 901.5, Code Supplement 2011, is
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 14. Notwithstanding any provision
8 in section 907.3 or any other provision of law
9 prescribing a mandatory minimum sentence for the
10 offense, if the defendant is guilty of a public offense
11 other than a class "A" felony, and was a minor at
12 the time the offense was committed, the court may
13 suspend the sentence in whole or in part, including any
14 mandatory minimum sentence, defer sentence, or with the
15 consent of the defendant, defer judgment, and place the
16 defendant on probation, upon such conditions as the
17 court may require.

18 Sec. 154. Section 907.3A, Code 2011, is amended to
19 read as follows:

20 ~~907.3A Youthful offender deferred sentence —~~
21 ~~youthful offender status.~~

22 1. Notwithstanding section 907.3 but subject to any
23 conditions of the waiver order, the trial court shall,
24 upon a plea of guilty or a verdict of guilty, ~~defer~~
25 ~~sentence of a youthful offender~~ place the juvenile
26 over whom the juvenile court has waived jurisdiction
27 pursuant to section 232.45, subsection 7, and place
28 the juvenile on youthful offender status. The court
29 shall transfer supervision of the youthful offender
30 to the juvenile court for disposition in accordance
31 with section 232.52. An adjudication of delinquency
32 entered by the juvenile court at disposition for
33 a public offense shall not be deemed a conviction
34 and shall not preclude the subsequent entry of a
35 deferred judgment, conviction, or sentence by the
36 district court. The court shall require supervision
37 of the youthful offender in accordance with section
38 232.54, subsection 1, paragraph "h", or subsection 2
39 of this section. ~~Notwithstanding section 901.2, a~~
40 ~~presentence investigation shall not be ordered by the~~
41 ~~court subsequent to an entry of a plea of guilty or~~
42 ~~verdict of guilty or prior to deferral of sentence of a~~
43 ~~youthful offender under this section.~~

44 2. The court shall hold a hearing prior to a
45 youthful offender's eighteenth birthday to determine
46 whether the youthful offender shall continue on
47 youthful offender status after the youthful offender's
48 eighteenth birthday ~~under the supervision of the~~
49 ~~court or be discharged.~~ Notwithstanding section
50 901.2, the court may order a presentence investigation

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1 report including a report for an offense classified
2 as a class "A" felony. The court shall review the
3 report of the juvenile court regarding the youthful
4 offender and prepared pursuant to section 232.56,
5 and any presentence investigation report, if ordered
6 by the court. The court shall hear evidence by or
7 on behalf of the youthful offender, by the county
8 attorney, and by the person or agency to whom custody
9 of the youthful offender was transferred. The court
10 shall make its decision, pursuant to the sentencing
11 options available in subsection 3, after considering
12 the services available to the youthful offender, the
13 evidence presented, the juvenile court's report, the
14 presentence investigation report if ordered by the
15 court, the interests of the youthful offender, and
16 interests of the community.

17 3. a. Notwithstanding any provision of the Code
18 which prescribes a mandatory minimum sentence for the
19 offense committed by the youthful offender, following
20 transfer of the youthful offender from the juvenile
21 court back to the court having jurisdiction over the
22 criminal proceedings involving the youthful offender,
23 ~~the court may continue the youthful offender deferred~~
24 ~~sentence or enter a sentence, which may be a suspended~~
25 ~~sentence.~~ shall order one of the following sentencing
26 options:

27 (1) Defer judgment and place the youthful offender
28 on probation, upon the consent of the youthful
29 offender.

30 (2) Defer the sentence and place the youthful
31 offender on probation upon such terms and conditions
32 as the court may require.

33 (3) Suspend the sentence and place the youthful
34 offender on probation upon such terms and conditions
35 as the court may require.

36 (4) A term of confinement.

37 (5) Discharge the youthful offender from youthful
38 offender status and terminate the sentence.

39 b. Notwithstanding anything in section 907.7 to
40 the contrary, if the district court either grants
41 the youthful offender a deferred judgment, continues
42 the youthful offender deferred sentence, or enters a
43 sentence, and suspends the sentence, and places the
44 youthful offender on probation, the term of formal
45 supervision shall commence upon entry of the order by
46 the district court and may continue for a period not
47 to exceed five years. If the district court enters a
48 sentence of confinement, and the youthful offender was
49 previously placed in secure confinement by the juvenile
50 court under the terms of the initial disposition order

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1 or any modification to the initial disposition order,
2 the person shall receive credit for any time spent in
3 secure confinement. During any period of probation
4 imposed by the district court, a youthful offender who
5 violates the terms of probation is subject to section
6 908.11.

7 DIVISION XIV

8 STATE BOARD OF REGENTS

9 Sec. 155. Section 8D.10, Code 2011, is amended to
10 read as follows:

11 8D.10 Report of savings by state agencies.

12 A state agency which is a part of the network shall
13 annually provide a written report to the general
14 assembly certifying the identified savings associated
15 with the state agency's use of the network. The report
16 shall be delivered on or before January 15 for the
17 previous fiscal year of the state agency. This section
18 does not apply to the state board of regents or to
19 any institution under control of the state board of
20 regents.

21 Sec. 156. Section 262.93, Code 2011, is amended to
22 read as follows:

23 262.93 Reports to general assembly.

24 The college student aid commission and the state
25 board of regents each shall submit to the general
26 assembly, by January 15 of each year, a report on
27 the progress and implementation of the programs
28 which they administer under sections 261.102 through
29 261.105, ~~262.82~~, and 262.92. By January 31 of each
30 year, the state board of regents shall submit a report
31 to the general assembly regarding the progress and
32 implementation of the program administered pursuant to
33 section 262.82. The reports shall include, but are
34 not limited to, the numbers of students and educators
35 participating in the programs and allocation of funds
36 appropriated for the programs.

37 Sec. 157. Section 263.19, Code 2011, is amended to
38 read as follows:

39 263.19 Purchases.

40 Any purchase ~~in excess of ten thousand dollars,~~
41 of materials, appliances, instruments, or supplies by
42 the university of Iowa hospitals and clinics, ~~when the~~
43 ~~price of the materials, appliances, instruments, or~~
44 ~~supplies to be purchased is subject to competition,~~
45 shall be made pursuant to open competitive quotations,
46 and all contracts for such purchases shall be ~~subject~~
47 ~~to chapter 72. However, purchases may be made through~~
48 ~~a hospital group purchasing organization provided~~
49 ~~that the university of Iowa hospitals and clinics~~
50 ~~is a member of the organization~~ in compliance with

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1 purchasing policies of the state board of regents.
2 Sec. 158. Section 432.13, Code 2011, is amended to
3 read as follows:
4 432.13 Premium tax exemption — hawk-i program —
5 state employee benefits.

6 1. Premiums collected by participating insurers
7 under chapter 514I are exempt from premium tax.

8 2. Premiums received for benefits acquired
9 on behalf of state employees by the department of
10 administrative services on behalf of state employees
11 pursuant to section 8A.402, subsection 1, and by the
12 state board of regents pursuant to chapter 262, are
13 exempt from premium tax.

14 DIVISION XV

15 SALES AND USE TAX

16 Sec. 159. Section 423.1, subsection 47, Code
17 Supplement 2011, is amended to read as follows:

18 47. "Retailer" means and includes every person
19 engaged in the business of selling tangible personal
20 property or taxable services at retail, or the
21 furnishing of gas, electricity, water, or communication
22 service, and tickets or admissions to places of
23 amusement and athletic events or operating amusement
24 devices or other forms of commercial amusement
25 from which revenues are derived and includes but is
26 not limited to every retailer maintaining a place
27 of business in this state. However, when in the
28 opinion of the director it is necessary for the
29 efficient administration of this chapter to regard any
30 salespersons, representatives, truckers, peddlers,
31 or canvassers as agents of the dealers, distributors,
32 supervisors, employers, or persons under whom they
33 operate or from whom they obtain tangible personal
34 property sold by them irrespective of whether or not
35 they are making sales on their own behalf or on behalf
36 of such dealers, distributors, supervisors, employers,
37 or persons, the director may so regard them, and
38 may regard such dealers, distributors, supervisors,
39 employers, or persons as retailers for the purposes of
40 this chapter. "Retailer" includes a seller obligated
41 to collect sales or use tax.

42 Sec. 160. Section 423.1, subsection 48, Code
43 Supplement 2011, is amended to read as follows:

44 48. a. "Retailer maintaining a place of business
45 in this state" or any like term includes any retailer
46 having or maintaining within this state, directly
47 or by a subsidiary, an office, distribution house,
48 sales house, warehouse, or other place of business,
49 or any representative operating within this state
50 under the authority of the retailer or its subsidiary,

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1 irrespective of whether that place of business
2 or representative is located here permanently or
3 temporarily, or whether the retailer or subsidiary is
4 admitted to do business within this state pursuant to
5 chapter 490.

6 b. (1) A retailer shall be presumed to be
7 maintaining a place of business in this state, as
8 defined in paragraph "a", if any person that has
9 substantial nexus in this state, other than a person
10 acting in its capacity as a common carrier, does any
11 of the following:

12 (a) Sells a similar line of products as the
13 retailer and does so under the same or similar business
14 name.

15 (b) Maintains an office, distribution facility,
16 warehouse, storage place, or similar place of business
17 in this state to facilitate the delivery of property
18 or services sold by the retailer to the retailer's
19 customers.

20 (c) Uses trademarks, service marks, or trade
21 names in this state that are the same or substantially
22 similar to those used by the retailer.

23 (d) Delivers, installs, assembles, or performs
24 maintenance services for the retailer's customers.

25 (e) Facilitates the retailer's delivery of
26 property to customers in this state by allowing the
27 retailer's customers to take delivery of property sold
28 by the retailer at an office, distribution facility,
29 warehouse, storage place, or similar place of business
30 maintained by the person in this state.

31 (f) Conducts any other activities in this state
32 that are significantly associated with the retailer's
33 ability to establish and maintain a market in this
34 state for the retailer's sales.

35 (2) The presumption established in this paragraph
36 may be rebutted by a showing of proof that the
37 person's activities in this state are not significantly
38 associated with the retailer's ability to establish
39 or maintain a market in this state for the retailer's
40 sales.

41 Sec. 161. NEW SECTION. 423.13A Administration —
effectiveness of agreements with retailers.

43 1. Notwithstanding any provision of this chapter
44 to the contrary, any ruling, agreement, or contract,
45 whether written or oral, express or implied, entered
46 into after the effective date of this division of
47 this Act between a retailer and a state agency which
48 provides that a retailer is not required to collect
49 sales and use tax in this state despite the presence
50 in this state of a warehouse, distribution center, or

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1 fulfillment center that is owned and operated by the
2 retailer or an affiliate of the retailer shall be null
3 and void unless such ruling, agreement, or contract
4 is approved by a majority vote of both houses of the
5 general assembly.

6 2. For purposes of this section, "state agency"
7 means the executive branch, including any executive
8 department, commission, board, institution, division,
9 bureau, office, agency, or other entity of state
10 government. "State agency" does not mean the general
11 assembly, or the judicial branch as provided in section
12 602.1102.

13 Sec. 162. Section 423.36, Code 2011, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 1A. a. Notwithstanding subsection
16 1, if any person will make taxable sales of tangible
17 personal property or furnish services to any state
18 agency, that person shall, prior to the sale, apply
19 for and receive a permit to collect sales or use tax
20 pursuant to this section. A state agency shall not
21 purchase tangible personal property or services from
22 any person unless that person has a valid, unexpired
23 permit issued pursuant to this section and is in
24 compliance with all other requirements in this chapter
25 imposed upon retailers, including but not limited to
26 the requirement to collect and remit sales and use tax
27 and file sales tax returns.

28 b. For purposes of this subsection, "state
29 agency" means any executive, judicial, or legislative
30 department, commission, board, institution, division,
31 bureau, office, agency, or other entity of state
32 government.

33 DIVISION XVI

34 COMMERCIAL ESTABLISHMENT FUND

35 Sec. 163. Section 162.2, Code 2011, is amended by
36 adding the following new subsections:

37 NEW SUBSECTION. 12A. "Dispositional expenses" means
38 the same as defined in section 717B.1.

39 NEW SUBSECTION. 16A. "Local authority" means the
40 same as defined in section 717B.1.

41 Sec. 164. Section 162.2, subsection 27, Code 2011,
42 is amended to read as follows:

43 27. "Vertebrate animal" means those vertebrate
44 animals other than members of the equine, bovine,
45 caprine, ovine, ~~and~~ or porcine species, ~~and~~ ostriches,
46 ruelas, ~~or~~ emus, farm deer as defined in section 170.1,
47 or poultry.

48 Sec. 165. Section 162.2C, Code 2011, is amended by
49 adding the following new subsections:

50 NEW SUBSECTION. 2A. The fiscal year of the fund

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1 begins July 1 and ends June 30. Fiscal quarters of the
2 fund begin July 1, October 1, January 1, and April 1.
3 NEW SUBSECTION. 2B. The fund shall include two
4 accounts, a general account and a dispositional
5 account.

6 a. Except as provided in paragraph "b", the general
7 account is composed of all moneys deposited in the fund
8 as provided in subsection 2. The department shall
9 utilize moneys in the general account to provide for
10 the administration and enforcement of this chapter.

11 b. The dispositional account is composed of all
12 fees collected pursuant to section 162.2B, until the
13 department determines that the account has achieved
14 a threshold of at least two hundred fifty thousand
15 dollars. At the end of each fiscal quarter the
16 department shall determine the balance of unencumbered
17 and unobligated moneys in the account, and may transfer
18 any moneys in the account exceeding the threshold to
19 the general account. The department shall return
20 any unexpended and unobligated moneys expended from
21 the dispositional account back to that account, or
22 the general account if the dispositional account's
23 threshold is achieved.

24 Sec. 166. NEW SECTION. 162.2D Payment of
25 dispositional expenses incurred by local authorities.

26 1. Moneys deposited into the dispositional account
27 of the commercial establishment fund created in section
28 162.2C are appropriated to the department to pay
29 eligible claims submitted to the department by local
30 authorities for dispositional expenses incurred by
31 the local authority, including by providing for the
32 maintenance of a vertebrate animal subject to a court
33 hearing pursuant to section 717B.4 or rescued pursuant
34 to section 717B.5. This section does not apply to
35 livestock as defined in section 717.1.

36 2. The department shall pay an eligible claim
37 according to procedures adopted by departmental
38 rule. In order for a claim to be eligible, all of the
39 following must apply:

40 a. At the time of the hearing for the disposition
41 of the vertebrate animal or the rescue of the
42 vertebrate animal, the vertebrate animal must have been
43 possessed or controlled by a commercial establishment
44 that possessed or controlled more than twenty
45 vertebrate animals at any one time during the prior
46 twelve months.

47 b. The commercial establishment must be required to
48 operate pursuant to an authorization issued or renewed
49 pursuant to section 162.2A, regardless of whether the
50 commercial establishment is actually issued or renewed

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1 such authorization.

2 c. The dispositional expenses must be actually
3 and reasonably incurred by the local authority,
4 including by an animal care provider providing for the
5 maintenance of the vertebrate animal under contract
6 with the local authority.

7 d. The local authority must submit the claim to the
8 department according to procedures established by rules
9 adopted by the department. A claim is not eligible
10 if submitted twelve months or more after the local
11 authority has incurred its final dispositional expense.

12 3. A claim is eligible for payment even if any of
13 the following applies:

14 a. The responsible party has posted a bond or
15 other security with the local authority as provided in
16 section 717B.4.

17 b. The local authority may receive a future payment
18 for the dispositional expense from a responsible party
19 as provided in section 717B.4.

20 4. Upon a determination that the claim is eligible,
21 the department shall provide for payment to the local
22 authority of one hundred percent of the claimed amount.
23 If there are insufficient moneys in the dispositional
24 account to make full payment of all eligible claims,
25 the department shall prorate the payment amounts and
26 defer the remaining payment until the dispositional
27 account again contains sufficient moneys.

28 5. A local authority shall repay the department
29 the claimed amount as provided in subsection 4 from
30 any moneys received by the local authority from a
31 responsible party for dispositional expenses pursuant
32 to section 717B.4. The department shall deposit the
33 moneys in the commercial establishment fund as provided
34 in section 162.2C.

35 Sec. 167. Section 717B.1, Code 2011, is amended by
36 adding the following new subsection:

37 NEW SUBSECTION. 3A. "Department" means the
38 department of agriculture and land stewardship.

39 Sec. 168. NEW SECTION. 717B.5A Dispositional
40 expenses — commercial establishment fund.

41 A local authority may submit a claim to the
42 department to pay for dispositional expenses incurred
43 by the local authority if the local authority complies
44 with the requirements provided in section 162.2D.>

45 2. Title page, by striking lines 1 through 5 and
46 inserting <An Act relating to state and local finances
47 by making and adjusting appropriations, providing for
48 funding of property tax credits and reimbursements and
49 for other matters pertaining to taxation, providing
50 for fees and criminal penalties, providing for legal

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- 1 responsibilities, providing for certain insurance and
2 employee benefits, and providing for properly related
3 matters, and including effective date and retroactive
4 and other applicability provisions.>
5 3. By renumbering as necessary.

SENATE AMENDMENT

H-8514

- 1 Amend House File 2473 as follows:
2 1. Page 28, after line 1 by inserting:
3 <Sec. ____ **NEW SECTION.** 15.113 Tax lien and
4 delinquency search requirement.
5 Before authorizing tax incentives or disbursing
6 moneys to a person or business applying for assistance
7 under any of the authority's programs, the authority
8 shall conduct a search for outstanding state or
9 local tax liability, tax liens, or other related
10 delinquencies. The authority shall not authorize tax
11 incentives or disburse moneys if the result of the
12 search shows that the applicant is currently delinquent
13 in the payment of state or local taxes or is otherwise
14 in substantial noncompliance with Iowa tax law.>
15 2. By renumbering as necessary.

HAGER of Allamakee

H-8515

- 1 Amend House File 2473 as follows:
2 1. Page 12, by striking lines 2 through 20.
3 2. By renumbering as necessary.

KEARNS of Lee

H-8516

- 1 Amend House File 2473 as follows:
2 1. By striking page 7, line 31, through page 9,
3 line 11.
4 2. Page 10, lines 5 and 6, by striking <the
5 moneys deposited by the department of revenue pursuant
6 to section 15.331.>
7 3. Page 18, after line 22 by inserting:
8 <10. The authority shall not award a grant to an
9 entrepreneur assistance program from the entrepreneur
10 investment awards program fund after June 30, 2014.
11 It is the intent of the general assembly to review
12 and assess the success of the entrepreneur investment
13 awards program based on the report provided by the

14 economic development authority.
 15 11. The economic development authority shall
 16 conduct a comprehensive review of the entrepreneur
 17 investment awards program and shall, by December 31,
 18 2013, submit a report of the findings of the review,
 19 as well as any recommendations and cost projections of
 20 its recommendations, to the governor and the general
 21 assembly. The report shall consist of the following
 22 information:
 23 a. The number of grants awarded, the total amount
 24 of the grants awarded, the total amount expended on the
 25 entrepreneur investment awards program, and the number
 26 of entrepreneur investment awards to entrepreneur
 27 assistance programs that were the subject of repayment
 28 or collection activity.
 29 b. The number of applications received by the
 30 authority for the program and the status of the
 31 applications.
 32 c. For each entrepreneur assistance program
 33 receiving moneys from the entrepreneur investment
 34 awards program fund, the following information:
 35 (1) The amount the entrepreneur assistance program
 36 received from the entrepreneur investment awards
 37 program fund.
 38 (2) The number of entrepreneurs creating a business
 39 in the state that were assisted by the entrepreneur
 40 assistance program and the number of new jobs
 41 associated with the business.
 42 (3) The number of entrepreneurs locating or
 43 expanding a business in the state that were assisted by
 44 the entrepreneur assistance program and the number of
 45 new or retained jobs associated with the business.
 46 (4) The entrepreneur assistance program's location.
 47 (5) The amount, if any, of private and local
 48 matching funds received by the entrepreneur assistance
 49 program.
 50 d. The number of clients referred by the authority

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1 to an entrepreneur assistance program receiving moneys
 2 from the entrepreneur investment awards program fund.
 3 e. An evaluation of the investment made by the
 4 state of Iowa in the entrepreneur investment awards
 5 program.
 6 f. Any other information the authority deems
 7 relevant to assessing the success of the entrepreneur
 8 investment awards program.>
 9 4. Page 20, by striking lines 5 through 24.
 10 5. By striking page 28, line 28, through page 29,
 11 line 22.
 12 6. Title page, by striking lines 4 through 7 and

13 inserting <administered by the economic development
 14 authority, by replacing references to the economic>
 15 7. Title page, line 11, by striking <and other>
 16 8. By renumbering as necessary.

BYRNES of Mitchell

H-8517

1 Amend House File 2470, as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 3 through 8 and
 4 inserting:
 5 <NEW PARAGRAPH. c. For purposes of this
 6 subsection, the following items are exempt under
 7 paragraph "a" when used in agricultural production:
 8 (1) A snow blower that is to be attached to a
 9 self-propelled implement of husbandry.
 10 (2) A rear-mounted or front-mounted blade that
 11 is to be attached to or towed by a self-propelled
 12 implement of husbandry.
 13 (3) A rotary cutter that is to be attached to a
 14 self-propelled implement of husbandry.>
 15 2. By renumbering, redesignating, and correcting
 16 internal references as necessary.

SENATE AMENDMENT

H-8518

1 Amend the House amendment, S-5234, to Senate File
 2 2315, as amended, passed, and reprinted by the Senate,
 3 as follows:
 4 1. Page 5, after line 34 by inserting:
 5 <__. Page 11, line 18, by striking <A person> and
 6 inserting <Notwithstanding subsection 1, a person>>
 7 2. Page 7, by striking lines 7 through 13 and
 8 inserting <in this Act. In addition, the transition>
 9 3. Page 10, after line 22 by inserting:
 10 <__. Chapter 229.>
 11 4. Page 12, after line 10 by inserting:
 12 <__. Page 27, line 23, before <one> by inserting
 13 <at least>
 14 __. Page 27, line 24, after <designees> by
 15 inserting <and any other members specified in the
 16 region's regional governance agreement entered into in
 17 accordance with section 331.438E>>
 18 5. Page 15, line 1, after <applies> by inserting
 19 <beginning July 1, 2012,>
 20 6. Page 15, line 5, after <costs> by inserting <for
 21 services provided on or after July 1, 2011,>
 22 7. Page 15, after line 8 by inserting:
 23 <() Chapter 229.>

24 8. Page 15, line 17, after <billing.> by inserting
 25 <However, for services provided on or after July 1,
 26 2011, for which a county has received the billing as of
 27 July 1, 2012, the county shall notify the department of
 28 the county's assertion on or before October 1, 2012.>

29 9. By striking page 24, line 23, through page 28,
 30 line 2, and inserting:

31 <DIVISION ____

32 PROPERTY TAX-RELATED PROVISIONS

33 Sec. ____ MENTAL HEALTH AND DISABILITY SERVICES
 34 REDESIGN FISCAL VIABILITY ANALYSIS.

35 1. The legislative council is requested to
 36 authorize a study committee to analyze the viability
 37 of the mental health and disability services redesign
 38 financing provisions in 2012 Iowa Acts, Senate File
 39 2315, if enacted, during the 2012 and 2013 legislative
 40 interims. The study committee may contract for an
 41 independent analysis to be performed. Reports of
 42 the analysis containing findings and recommendations
 43 shall be submitted for consideration during the 2013
 44 legislative session. The study committee may meet
 45 during the 2013 legislative interim to consider and
 46 determine whether revisions to 2013 redesign financing
 47 enactments are warranted and to make appropriate
 48 recommendations for consideration during the 2014
 49 legislative session.

50 2. The financial information addressed by the

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1 analysis shall include but is not limited to all of the
 2 following:

3 a. A determination as to the adequacy of the local
 4 funding sources available to counties and county
 5 regions, including the per capita levy provisions;
 6 whether adjustments are warranted to reflect the
 7 relative capacity of the property tax base to provide
 8 needed funding; how to provide funding sufficiently
 9 flexible to meet the needs identified and reflect
 10 annual population and property valuation changes;
 11 and identification of options for revising the levy
 12 provisions.

13 b. Identification of options and alternatives for
 14 provision of state funding to the regional system,
 15 including making equalization payments, addressing
 16 growth and population shifts, dealing with growth in
 17 terms of costs and numbers of consumers, and allocation
 18 of state cases in a phase-out of the legal settlement
 19 system for determining financial responsibility.

20 c. Analysis of the likely effects that the
 21 implementation of the federal Patient Protection and
 22 Affordable Care Act, Pub. L. No. 111-148, as amended by

23 the federal Health Care and Education Reconciliation
 24 Act of 2010, Pub. L. No. 111-152, and any amendments
 25 thereto, or other applicable federal law, will have on
 26 the service obligations of counties.

27 d. Analysis of services fund balances held by
 28 counties.

29 Sec. ____ Section 331.424A, Code Supplement 2011,
 30 is amended to read as follows:

31 331.424A County mental health, ~~mental retardation,~~
 32 and ~~developmental~~ disabilities services fund.

33 1. For the purposes of this chapter and chapter
 34 426B, unless the context otherwise requires,
 35 "services fund" means the county mental health, mental
 36 retardation, and developmental disabilities services
 37 fund created in subsection 2. The county finance
 38 committee created in section 333A.2 shall consult with
 39 the state commission in adopting rules and prescribing
 40 forms for administering the services fund;

41 a. "Base year expenditures for mental health and
 42 disabilities services" means the same as defined in
 43 section 331.438, Code Supplement 2011, minus the amount
 44 the county received from the property tax relief fund
 45 pursuant to section 426B.1, Code 2011, for the fiscal
 46 year beginning July 1, 2008.

47 b. "County population expenditure target amount"
 48 means the product of the statewide per capita
 49 expenditure target amount multiplied by a county's
 50 general population.

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1 c. "County services fund" means a county mental
 2 health and disabilities services fund created pursuant
 3 to this section.

4 d. "Per capita growth amount" means the amount by
 5 which the statewide per capita expenditure target
 6 amount may grow from one year to the next.

7 e. "Statewide per capita expenditure target amount"
 8 means the dollar amount of a statewide expenditure
 9 target per person as established by statute.

10 2. The county finance committee created in section
 11 333A.2 shall consult with the department of human
 12 services and the department of management in adopting
 13 rules and prescribing forms for administering the
 14 county services funds.

15 2. 3. For the fiscal year beginning July 1, 1996,
 16 and succeeding fiscal years, county County revenues
 17 from taxes and other sources designated by a county for
 18 mental health, ~~mental retardation,~~ and developmental
 19 disabilities services shall be credited to the county
 20 mental health, ~~mental retardation,~~ and developmental
 21 disabilities services fund of which shall be created by

22 the county. The board shall make appropriations from
 23 the fund for payment of services provided under the
 24 county regional service system management plan approved
 25 pursuant to section ~~331.439~~ 331.439A. The county may
 26 pay for the services in cooperation with other counties
 27 by pooling appropriations from the county services
 28 fund with appropriations from the county services fund
 29 of other counties or through county regional entities
 30 including but not limited to the county's mental health
 31 and developmental disabilities regional planning
 32 council created pursuant to section 225C.18 through the
 33 county's regional administrator, or through another
 34 arrangement specified in the regional governance
 35 agreement entered into by the county under section
 36 331.438E.

37 ~~3. 4. For the fiscal year beginning July 1, 1996,~~
 38 ~~and succeeding fiscal years, receipts~~ Receipts from the
 39 state or federal government for such the mental health
 40 and disability services administered or paid for by a
 41 county shall be credited to the county services fund,
 42 including moneys allotted distributed to the county
 43 from the state payment made pursuant to section ~~331.439~~
 44 and moneys allotted to the county for property tax
 45 relief pursuant to section 426B.1 department of human
 46 services and moneys allocated under chapter 426B.

47 ~~4. 5. For the fiscal year beginning July 1, 1996,~~
 48 ~~and for each subsequent fiscal year, the county shall~~
 49 certify a levy for payment of services. For each
 50 fiscal year, county revenues from taxes imposed by the

Page 4

1 county credited to the services fund shall not exceed
 2 an amount equal to the amount of base year expenditures
 3 for mental health and disability services as defined
 4 in section 331.438, less the amount of property tax
 5 relief to be received pursuant to section 426B.2, in
 6 the fiscal year for which the budget is certified.
 7 ~~The county auditor and the board of supervisors shall~~
 8 ~~reduce the amount of the levy certified for the~~
 9 services fund by the amount of property tax relief
 10 to be received. A levy certified under this section
 11 is not subject to the appeal provisions of section
 12 331.426 or to any other provision in law authorizing a
 13 county to exceed, increase, or appeal a property tax
 14 levy limit.

15 ~~5. 6. Appropriations specifically authorized to be~~
 16 ~~made from the mental health, mental retardation, and~~
 17 ~~developmental disabilities services fund shall not be~~
 18 made from any other fund of the county.

19 ~~6. 7. This section is repealed July 1, 2013.~~

20 Notwithstanding subsection 5, for the fiscal years

21 beginning July 1, 2013, and July 1, 2014, county
 22 revenues from taxes levied by the county and credited
 23 to the county services fund shall not exceed the lower
 24 of the following amounts:

25 a. The amount of the county's base year
 26 expenditures for mental health and disabilities
 27 services.

28 b. The amount equal to the product of the statewide
 29 per capita expenditure target for the fiscal year
 30 beginning July 1, 2013, multiplied by the county's
 31 general population for the same fiscal year.

32 Sec. ____ Section 331.432, subsection 3, Code
 33 Supplement 2011, is amended to read as follows:

34 3. Except as authorized in section 331.477,
 35 transfers of moneys between the county mental health,
 36 ~~mental retardation,~~ and ~~developmental~~ disabilities
 37 services fund created pursuant to section 331.424A and
 38 any other fund are prohibited.

39 Sec. ____ Section 426B.1, subsection 2, Code 2011,
 40 is amended by striking the subsection and inserting in
 41 lieu thereof the following:

42 2. Moneys shall be distributed from the property
 43 tax relief fund to counties for the mental health and
 44 disability regional service system for providing county
 45 base property tax equivalent equalization payments and
 46 the per capita growth amount established pursuant to
 47 section 426B.3, in accordance with the appropriations
 48 made to the fund and other statutory requirements.

49 Sec. ____ Section 426B.2, subsections 1 and 2, Code
 50 2011, are amended by striking the subsections.

Page 5

1 Sec. ____ Section 426B.2, subsection 3, Code 2011,
 2 is amended to read as follows:

3 3. ~~a.~~ The director of human services shall draw
 4 warrants on the property tax relief fund, payable to
 5 the county treasurer in the amount due to a county in
 6 accordance with ~~subsection 1~~ section 426B.3, and mail
 7 the warrants to the county auditors in July and January
 8 of each year.

9 ~~b. Any replacement generation tax in the property~~
 10 ~~tax relief fund as of May 1 shall be paid to the~~
 11 ~~county treasurers in July and January of the fiscal~~
 12 ~~year beginning the following July 1. The department~~
 13 ~~of management shall determine the amount each county~~
 14 ~~will be paid pursuant to this lettered paragraph~~
 15 ~~for the following fiscal year. The department shall~~
 16 ~~reduce by the determined amount the amount of each~~
 17 ~~county's certified budget to be raised by property~~
 18 ~~tax for that fiscal year which is to be expended for~~
 19 ~~mental health, mental retardation, and developmental~~

20 ~~disabilities services and shall revise the rate of~~
 21 ~~taxation as necessary to raise the reduced amount. The~~
 22 ~~department of management shall report the reduction in~~
 23 ~~the certified budget and the revised rate of taxation~~
 24 ~~to the county auditors by June 15.~~

25 Sec. ____ Section 426B.3, Code 2011, is amended by
 26 striking the section and inserting in lieu thereof the
 27 following:

28 426B.3 Per capita funding for fiscal years 2013-2014
 29 and 2014-2015.

30 1. For the fiscal years beginning July 1, 2013,
 31 and July 1, 2014, the state and county funding for the
 32 mental health and disability services administered
 33 or paid for by counties shall be provided based on a
 34 statewide per capita expenditure target amount computed
 35 in accordance with this section.

36 2. The statewide per capita expenditure target
 37 amount shall consist of the sum of the following:

38 a. A county base property tax equivalent to
 39 forty-seven dollars and twenty-eight cents per capita.
 40 Each per capita growth amount established by statute
 41 as provided in paragraph "b", shall be added to this
 42 amount.

43 b. A per capita growth amount, which may be stated
 44 as a percentage of the prior fiscal year's county base
 45 property tax per capita amount, as established by
 46 statute.

47 3. The per capita growth amount established
 48 by statute shall provide funding for increases in
 49 non-Medicaid expenditures from county services funds
 50 due to service costs, additional service populations,

Page 6

1 additional core service domains, and numbers of persons
 2 receiving services.

3 4. a. For the fiscal years beginning July 1, 2013,
 4 and July 1, 2014, a county with a county population
 5 expenditure target amount that exceeds the amount of
 6 the county's base year expenditures for mental health
 7 and disabilities services shall receive an equalization
 8 payment for the difference.

9 b. The equalization payments determined in
 10 accordance with this subsection shall be made by the
 11 department of human services for each fiscal year as
 12 provided in appropriations made from the property tax
 13 relief fund for this purpose.

14 Sec. ____ REPEAL. Section 426B.6, Code Supplement
 15 2011, is repealed.

16 Sec. ____ EFFECTIVE DATE. The following provisions
 17 of this division of this Act take effect July 1, 2013:

18 1. The section of this Act amending section

- 19 331.424A.
 20 2. The section of this Act amending section
 21 331.432.
 22 3. The section of this Act amending section 426B.1.
 23 4. The sections of this Act amending section
 24 426B.2.
 25 5. The section of this Act amending section 426B.3.
 26 Sec. ____ APPLICABILITY. The following provisions
 27 of this division of this Act are applicable commencing
 28 with the budget and tax levy certification process for
 29 the fiscal year beginning July 1, 2013:
 30 1. The section of this Act amending section
 31 331.424A.
 32 2. The section of this Act amending section 426B.1.
 33 3. The sections of this Act amending section
 34 426B.2.
 35 4. The section of this Act amending section
 36 426B.3.>
 37 10. By renumbering as necessary.

SENATE AMENDMENT

H-8519

- 1 Amend House File 2466, as passed by the House, as
 2 follows:
 3 1. Page 1, after line 14 by inserting:
 4 <Sec. ____ Section 423.3, subsection 78, paragraph
 5 c, Code Supplement 2011, is amended to read as follows:
 6 c. This Except as otherwise provided in section
 7 423.3, subsection 96, this exemption does not apply to
 8 the sales price from games of skill, games of chance,
 9 raffles, and bingo games as defined in chapter 99B.
 10 This exemption is disallowed on the amount of the sales
 11 price only to the extent the profits from the sales,
 12 rental, or services are not used by or donated to
 13 the appropriate entity and expended for educational,
 14 religious, or charitable purposes.
 15 Sec. ____ Section 423.3, Code Supplement 2011, is
 16 amended by adding the following new subsection:
 17 NEW SUBSECTION. 96. The sales price from raffles,
 18 as raffle is defined in section 99B.1, if the raffle
 19 provides for educational scholarships and is conducted
 20 by a qualified organization representing veterans as
 21 defined in section 99B.7B.>
 22 2. Page 1, after line 27 by inserting:
 23 <Sec. ____ RETROACTIVE APPLICABILITY. The
 24 following provision or provisions of this Act apply
 25 retroactively to January 1, 2012, to all such raffles
 26 occurring on or after that date:
 27 1. The sections of this Act amending section
 28 423.3.>

- 29 3. Title page, line 1, after <Act> by inserting
30 <relating to veterans by>
31 4. Title page, line 2, after <services> by
32 inserting <and by providing certain sales tax
33 exemptions to qualified organizations representing
34 veterans>
35 5. Title page, line 3, after <date> by inserting
36 <and retroactive applicability>
37 6. By renumbering as necessary.

SENATE AMENDMENT

CONFERENCE COMMITTEE REPORTS

HOUSE FILE 2335

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2335, a bill for an Act relating to appropriations to the justice system, and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8323.
2. That House File 2335, as amended, passed, and reprinted by the House, is amended to read as follows:
 1. Page 1, line 17, by striking "7,013,637" and inserting "7,792,930"
 2. Page 1, by striking line 18 and inserting:
 "..... FTEs 212.00
214.00"
 3. Page 1, line 26, by striking "2,590,502" and inserting "2,876,400"
 4. Page 2, line 6, by striking "1,633,348" and inserting "1,814,831"
 5. Page 3, line 22, by striking "40,859,943" and inserting "42,686,899"
 6. Page 3, after line 22 by inserting:
"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, 2013, 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."
 7. Page 3, line 27, by striking "31,985,974" and inserting "32,920,521"
 8. Page 3, line 32, by striking "55,717,933" and inserting "57,950,613"
 9. Page 4, line 2, by striking "25,958,757" and inserting "27,127,290"
 10. Page 4, line 7, by striking "25,917,815" and inserting "26,751,707"
 11. Page 4, line 12, by striking "9,316,466" and inserting "9,671,148"
 12. Page 4, line 17, by striking "24,477,653" and inserting "25,241,616"
 13. Page 4, line 27, by striking "15,615,374" and inserting "16,341,725"
 14. Page 4, line 32, by striking "29,062,235" and inserting "29,865,232"

15. Page 5, line 3, by striking "775,092" and inserting "1,075,092"
16. Page 5, line 7, by striking "239,411" and inserting "484,411"
17. Page 5, line 29, by striking "4,835,542" and inserting "5,081,582"
18. Page 6, line 17, by striking "2,308,109" and inserting "2,358,109"
19. Page 8, line 16, by striking "12,204,948" and inserting "12,958,763"
20. Page 8, line 20, by striking "10,336,948" and inserting "10,870,425"
21. Page 8, line 24, by striking "5,599,765" and inserting "6,238,455"
22. Page 8, line 28, by striking "5,391,355" and inserting "5,495,309"
23. Page 8, line 33, by striking "18,742,129" and inserting "19,375,428"
24. Page 9, line 2, by striking "13,112,563" and inserting "14,095,408"
25. Page 9, line 6, by striking "6,492,814" and inserting "6,895,634"
26. Page 9, line 10, by striking "6,879,715" and inserting "7,518,935"
27. Page 9, by striking lines 11 and 12 and inserting:
1A. In order to enhance the safety of the general public.
28. Page 10, line 20, by striking "868,698" and inserting "968,698"
29. Page 12, line 7, by striking "1,053,835" and inserting "1,203,835"
30. Page 12, line 25, by striking "309.21" and inserting "296.00"
31. Page 14, line 7, by striking "155.10" and inserting "154.60"
32. Page 14, line 35, by striking "69.00" and inserting "68.00"
33. Page 15, line 27, by striking "51,903,233" and inserting "53,493,490"
34. Page 16, after line 25 by inserting:
"9. For costs associated with the training and operation of the statewide interoperable communications system board excluding salaries and contracts:
..... \$ 48,000"
35. Page 16, line 34, after "direct" by inserting "and indirect"
36. Page 18, line 7, by striking "1,167,362" and inserting "1,297,069"
37. Page 19, after line 29 by inserting:
"Sec. ____ Section 654.4B, subsection 2, paragraph b, Code Supplement 2011, is amended to read as follows:
b. This subsection is repealed July 1, ~~2012~~ 2013.
Sec. ____ Section 904A.4A, Code 2011, is amended by adding

the following new subsections:

NEW SUBSECTION. 7. Act as the representative of the board relative to the passage, defeat, approval, or modification of legislation that is being considered by the general assembly.

NEW SUBSECTION. 8. Develop a budget for the board subject to the approval of the board and prepare all reports required by law.

NEW SUBSECTION. 9. Hire and supervise all staff pursuant to the provisions of chapter 8A, subchapter IV.

Sec. ____ REPEAL. Section 904A.4B, Code 2011, is repealed.

Sec. ____ DEPARTMENT OF PUBLIC SAFETY BUILDING DESIGNATION. The state office building located at 215 east seventh street, which houses the department of public safety, shall be named after Oran Pape, the first member of the state patrol killed in the line of duty and the only member of the state patrol to have been murdered. An appropriate commemorative plaque shall be placed near the entrance of the state building in recognition of Oran Pape and his sacrifice as a member of the state patrol."

38. Page 20, after line 3 by inserting:

"4. The section of this Act amending section 654.4B, subsection 2, paragraph "b"."

39. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

GARY WORTHAN, CHAIRPERSON
 RICHARD ARNOLD
 LANCE HORBACH

TOM HANCOCK, CHAIRPERSON
 EUGENE S. FRAISE
 ROBERT M. HOGG

HOUSE FILE 2336

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2336, a bill for an Act relating to 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-8322.
 2. That House File 2336, as passed by the House, is amended to read as follows:

1. Page 1, line 17, by striking "18,132,808" and inserting "17,081,328"

2. Page 1, after line 32 by inserting:

"4. The department shall use one of the full-time equivalent positions authorized in subsection 1 to employ one new assistant state veterinarian.

5. The department shall use two of the full-time equivalent

positions authorized in subsection 1 to employ two new full-time positions whose primary responsibility shall be to inspect commercial establishments as defined in section 162.2 and to otherwise administer and enforce the provisions of chapter 162. The department may charge the salaries and benefits of the positions to the commercial establishment fund created in section 162.2C."

3. Page 2, line 19, by striking "15G.205" and inserting "15G.205 159A.16"

4. Page 5, line 33, by striking "11,832,252" and inserting "12,516,700"

5. Page 6, after line 6 by inserting:

"2A. a. The department shall use 32 of the full-time equivalent positions authorized pursuant to subsection 1 to support full-time park ranger positions, including four new full-time park ranger positions.

b. Notwithstanding paragraph "a", if the department determines that the amount of the appropriation made in subsection 1 is not sufficient to support 32 full-time park ranger positions, it shall support at least 30 full-time park ranger positions.

c. The department shall not reduce the number of full-time park ranger positions to fewer than 30."

6. Page 6, after line 30 by inserting:

"1A. From the amount appropriated in subsection 1, the department shall support at least 84 full-time conservation officer positions."

7. Page 8, line 28, by striking "1,800,000" and inserting "2,000,000"

8. By striking page 9, line 22, through page 10, line 7.

9. Page 10, before line 8 by inserting:

"DIVISION ____

USE OF MONEYS IN THE STATE FISH AND GAME PROTECTION FUND ----
PURCHASE OF RADIOS

Sec. ____ . 2011 Iowa Acts, chapter 128, section 19, subsection 1, is amended to read as follows:

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, ~~2012~~ 2013.

Sec. ____ . EFFECTIVE UPON ENACTMENT. This division of this Act amending 2011 Iowa Acts, chapter 128, section 19, subsection 1, being deemed of immediate importance, takes effect upon enactment."

10. Page 11, by striking lines 24 through 26 and inserting:

"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."

11. Page 12, by striking lines 5 through 7 and inserting:

"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."

12. Page 12, line 28, by striking "2,000,000" and inserting "2,550,000"

13. Page 13, by striking lines 1 through 3 and inserting:

"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."

14. Page 13, line 10, by striking "7,000,000" and inserting "6,650,000"

15. Page 14, line 28, by striking "675,000" and inserting "525,000"

16. Page 14, line 30, by striking "\$450,000" and inserting "\$393,750"

17. Page 15, line 1, by striking "\$225,000" and inserting "\$131,250"

18. Page 15, line 14, by striking "1,250,000" and inserting "550,000"

19. Page 15, by striking lines 15 through 23.

20. Page 16, line 6, by striking "3,210,000" and inserting "3,710,000"

21. Page 16, line 30, by striking "420,000" and inserting "620,000"

22. Page 17, by striking lines 11 through 16 and inserting:

"10. GEOLOGICAL AND WATER SURVEY

For continuing the operations of the department's geological and water survey including but not limited to providing analysis, data collection, investigative programs, and information for water supply development and protection:

..... \$ ~~100,000~~
200,000"

23. By striking page 17, line 17, through page 18, line 7.

24. Page 18, before line 8 by inserting:

"DIVISION ____
RESOURCES ENHANCEMENT AND PROTECTION (REAP) FUND
GENERAL APPROPRIATION FOR FY 2012-2013

Sec. ____ . 2011 Iowa Acts, chapter 128, is amended by adding the following new section:

NEW SECTION. SEC. 59A. ENVIRONMENT FIRST FUND. Notwithstanding the amount of the standing appropriation from the general fund of the state to the Iowa resources enhancement and protection fund as provided in section 455A.18, there is appropriated from the environment first fund created in section 8.57A to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, to be allocated

as provided in section 455A.19:

..... \$ 12,000,000"

25. Page 18, before line 8 by inserting:

"DIVISION ____

AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND
SPECIAL APPROPRIATION FOR FY 2012-2013

Sec. ____ . 2011 Iowa Acts, chapter 128, is amended by adding the following new section:

NEW SECTION. SEC. 59B. REBUILD IOWA INFRASTRUCTURE

FUND. Notwithstanding section 8.57, subsection 6, paragraph "c", there is appropriated from the rebuild Iowa infrastructure fund created in section 8.57 to the department of agriculture and land stewardship 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 deposit in the agricultural drainage well water quality assistance fund created in section 460.303 in order to support the agricultural drainage well water quality assistance program as provided in section 460.304:

..... \$ 1,000,000"

26. Title page, line 3, after "protection" by inserting ", and including effective date provisions"

27. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

JACK DRAKE, Chair
ROSS PAUSTIAN
NICK WAGNER

DENNIS H. BLACK, Chair
DICK L. DEARDEN
HUBERT HOUSER
MARY JO WILHELM

HOUSE FILE 2337

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2337, a bill for an Act relating to appropriations to the department of cultural affairs, the economic development authority, 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, including effective date and retroactive and other applicability provisions, respectfully make the following report:

1. That the Senate amendment, H-8425, to House File 2337, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 1, line 6, by striking "FY 2012-2013" and inserting

"GENERAL"

2. Page 1, line 49, by striking "933,764" and inserting "1,133,764"

3. Page 2, by striking lines 19 through 35.

4. By striking page 6, line 27, through page 7, line 9.

5. Page 8, line 1, by striking "936,345" and inserting "735,728"

6. Page 9, line 37, by striking "718,716" and inserting "574,716"

7. Page 9, line 41, by striking "261,639" and inserting "117,639"

8. Page 9, line 42, by striking "and small and micro businesses"

9. Page 10, by striking lines 6 through 46.

10. Page 11, line 20, by striking "1,148,426" and inserting "1,278,426"

11. Page 11, after line 25 by inserting:

"Sec. ____ IOWA ECONOMIC EMERGENCY FUND ----
APPROPRIATION. There is appropriated from the Iowa economic emergency fund created in section 8.55 to the department of management for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount for deposit in the rebuild Iowa infrastructure fund, notwithstanding section 8.55, subsection 1, and subsection 3, paragraph "a":
..... \$ 20,000,000

Sec. ____ BUSINESS DEVELOPMENT FINANCIAL ASSISTANCE. There is appropriated from the rebuild Iowa infrastructure fund to the economic development authority for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount to be used for the purposes of providing assistance under the high quality jobs program as described in section 15.335B, if enacted by the 2012 regular session of the Eighty-fourth General Assembly, notwithstanding section 8.57, subsection 6, paragraph "c":
..... \$ 15,000,000

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. ____ REGENTS INNOVATION FUND.

1. There is appropriated from the rebuild Iowa infrastructure fund to the institutions of higher learning under the control of the state board of regents for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount to be used for the purposes provided in this section, notwithstanding section 8.57, subsection 6, paragraph "c":
..... \$ 3,000,000

Of the moneys appropriated pursuant to this section, thirty-five percent shall be allocated for Iowa state university, thirty-five percent shall be allocated for

university of Iowa, and thirty percent shall be allocated for university of northern Iowa.

2. The institutions shall use moneys appropriated in this section for capacity building infrastructure in areas related to technology commercialization, marketing and business development efforts in areas related to technology commercialization, entrepreneurship, and business growth, and infrastructure projects and programs needed to assist in the implementation of activities under chapter 262B.

3. The institutions shall provide a one-to-one match of additional moneys for the activities funded with moneys appropriated under this section.

4. The state board of regents shall annually prepare a report for submission to the governor, the general assembly, and the legislative services agency regarding the activities, projects, and programs funded with moneys allocated under this section. The report shall be provided in an electronic format and shall include a list of metrics and criteria mutually agreed to in advance by the board of regents and the economic development authority. The metrics and criteria shall allow the governor's office and the general assembly to quantify and evaluate the progress of the board of regents institutions with regard to their activities, projects, and programs in the areas of technology commercialization, entrepreneurship, regional development, and market research."

12. Page 12, line 1, by striking "3,548,440" and inserting "3,495,440"

13. Page 12, line 2, by striking "65.00" and inserting "64.00"

14. Page 12, by striking lines 8 through 11.

15. Page 12, line 17, by striking "3,102,044" and inserting "3,262,044"

16. Page 12, line 18, by striking "31.00" and inserting "30.00"

17. Page 12, line 37, by striking "9,671,352" and inserting "9,179,413"

18. By striking page 12, line 49, through page 13, line 2.

19. Page 13, line 28, by striking "1,217,084" and inserting "1,627,084"

20. Page 13, by striking lines 29 through 45.

21. Page 13, line 46, by striking "4." and inserting "2."

22. Page 15, by striking lines 24 through 44.

23. Page 15, before line 45 by inserting:

"Sec. ____ BATTLE FLAG RESTORATION FUND.

1. A battle flag restoration fund is created and established as a separate and distinct fund in the state treasury under the control of the department of cultural affairs. The moneys in the fund are appropriated to the department for purposes of continuing the project recommended by the Iowa battle flag advisory committee to stabilize the condition of the battle flag collection. Moneys in the fund shall not be subject to appropriation for any other purpose by the general assembly,

but shall be used only for the purposes of the battle flag restoration fund.

2. The battle flag restoration fund shall consist of any moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the department for placement in the fund including any proceeds from insurance settlements received by the state involving battle flags loaned to other states or entities.

3. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund."

24. Page 16, by striking lines 3 through 6 and inserting:

"DIVISION ____
FILM OFFICE

Sec. ____ Section 2.48, subsection 3, paragraph c, subparagraph (5), Code 2011, is amended by striking the subparagraph.

Sec. ____ Section 15.119, subsection 2, paragraph b, Code Supplement 2011, is amended by striking the paragraph.

Sec. ____ Section 303.1, subsection 4, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. Film office.

Sec. ____ NEW SECTION. 303.95 Film office establishment and purpose.

The department shall establish and administer a film office. The purpose of the film office is to assist legitimate film, television, and video producers in the production of film, television, and video projects in the state and to increase the fiscal impact on the state's economy of film, television, and video projects produced in the state.

Sec. ____ Section 422.7, subsection 52, Code Supplement 2011, is amended by striking the subsection.

Sec. ____ Section 422.33, subsections 23 and 24, Code Supplement 2011, are amended by striking the subsections.

Sec. ____ Section 422.35, subsection 23, Code Supplement 2011, is amended by striking the subsection.

Sec. ____ Section 422.60, subsections 10 and 11, Code Supplement 2011, are amended by striking the subsections.

Sec. ____ Section 533.329, subsection 2, paragraphs f and g, Code Supplement 2011, are amended by striking the paragraphs.

Sec. ____ REPEAL. Sections 15.391, 15.392, 15.393, 422.11T, 422.11U, 432.12J, and 432.12K, Code and Code Supplement 2011, are repealed.

Sec. ____ APPLICABILITY. The sections of this division of this Act amending sections 2.48, 15.119, 422.7, 422.33, 422.35, 422.60, and 533.329, and repealing sections 15.391, 15.392, 15.393, 422.11T, 422.11U, 432.12J, and 432.12K do not apply to contracts or agreements entered into on or before the effective date of this division of this Act.

Sec. ____ RETROACTIVE APPLICABILITY. The sections of this division of this Act amending sections 2.48, 15.119, 422.7, 422.33, 422.35, 422.60, and 533.329, and repealing sections 15.391, 15.392, 15.393, 422.11T, 422.11U, 432.12J, and 432.12K

apply retroactively to January 1, 2012, for tax years beginning on or after that date.

Sec. ____ EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment. ""

____. Title page, line 4, after "authority," by inserting "the rebuild Iowa infrastructure fund,"

____. Title page, line 5, after "board," by inserting "eliminating the film tax credit program,""

25. By renumbering as necessary.

ON THE PART OF THE HOUSE:

JASON SCHULTZ, Chair
CHIP BALTIMORE
CHRIS HALL
DAVE JACOBY
JEREMY TAYLOR

ON THE PART OF THE SENATE:

WILLIAM DOTZLER, Chair
LIZ MATHIS
DR. JOE M. SENG

HOUSE FILE 2338

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2338, a bill for an Act relating to appropriations to the judicial branch, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8318.
2. That House File 2338, as amended, passed, and reprinted by the House, is amended to read as follows:
 1. Page 1, line 22, by striking "154,111,822" and inserting "158,911,822"
 2. Page 1, line 29, by striking "2,300,000" and inserting "3,100,000"

ON THE PART OF THE HOUSE:

GARY WORTHAN, Chair
RICHARD ARNOLD
LANCE HORBACH
TODD TAYLOR
MARY WOLFE

ON THE PART OF THE SENATE:

ROBERT M. HOGG, Chair
EUGENE S. FRAISE
TOM HANCOCK
STEVE KETTERING

HOUSE FILE 2465

To the Speaker of the House of Representatives and the President of the Senate:

We, the undersigned members of the conference committee appointed to resolve the differences between the House of Representatives and the Senate on House File 2465, a bill for

an Act relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, respectfully make the following report:

1. That Senate amendment, H-8513, to House File 2465, as amended, passed, and reprinted by the House, is amended to read as follows:

1. Page 1, after line 6 by inserting:

"Sec. ____ GENERAL ASSEMBLY. The appropriations made pursuant to section 2.12 for the expenses of the general assembly and the legislative agencies for the fiscal year beginning July 1, 2012, and ending June 30, 2013, are reduced by the following amount:

..... \$ 1,672,924"

2. Page 2, after line 1 by inserting:

"8. For reimbursement for the homestead property tax credit under section 425.1:

..... \$106,983,518

Sec. ____ Section 97A.11A, subsection 1, Code 2011, is amended to read as follows:

1. Beginning with the fiscal year commencing July 1, ~~2012~~ 2013, and ending June 30 of the fiscal year during which the board determines that the system's funded ratio of assets to liabilities is at least eighty-five percent, there is appropriated from the general fund of the state for each fiscal year to the retirement fund described in section 97A.8, an amount equal to five million dollars."

3. Page 2, after line 3 by inserting:

"Sec. ____ WATERSHED IMPROVEMENT FUND ---- APPROPRIATION. There is appropriated from the rebuild Iowa infrastructure fund to the department of agriculture and land stewardship 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, notwithstanding section 8.57, subsection 6, paragraph "c":

For deposit in the watershed improvement fund created in section 466A.2:

..... \$ 1,000,000

Sec. ____ TUITION GRANTS ---- FOR-PROFIT ACCREDITED PRIVATE INSTITUTIONS.

1. There is appropriated from the general fund of the state to the college student aid commission 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 tuition grants for students attending for-profit accredited private institutions located in Iowa under 261.25, subsection 2:

..... \$ 500,000

2. Moneys appropriated in this section shall supplement and not supplant moneys appropriated in section 261.25, subsection

2, for the fiscal year beginning July 1, 2012, and ending June 30, 2013.

Sec. ____ IOWA READING RESEARCH CENTER. There is appropriated from the general fund of the state to the department of education 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 establishing an Iowa reading research center pursuant to 2012 Iowa Acts, Senate File 2284, if enacted:

..... \$ 2,000,000"

4. Page 2, by striking lines 4 through 11 and inserting:
"Sec. ____ JOINT STATE-FEDERAL MORTGAGE SERVICING SETTLEMENT MONEYS ---- APPROPRIATIONS.

1. A mortgage servicing settlement fund is established, separate and apart from all other public moneys or funds of the state, under the control of the department of justice. The department of justice shall deposit moneys received by the department from the joint state-federal mortgage servicing settlement into the fund. The department of justice is authorized to make expenditures of moneys in the fund consistent with the terms of the consent decree signed in federal court on April 5, 2012. Any unencumbered or unobligated moneys remaining in the fund on June 30, 2015, shall be transferred to the general fund of the state.

2. A banking division mortgage servicing settlement fund is established, separate and apart from all other public moneys or funds of the state, under the control of the division of banking of the department of commerce. The banking division shall deposit moneys received by the division from the joint state-federal mortgage servicing settlement into the fund. Moneys deposited in the fund are appropriated to the banking division to be used as provided in a financial plan developed by the superintendent of banking and approved by the department of management to support state financial regulation, including oversight of mortgage lending and mortgage servicing, real estate and real estate appraisal, state chartered banks, and other financial services regulated by the division of banking. Moneys in the fund may also be used to support financial literacy efforts. The financial plan may be updated periodically as provided by the superintendent and approved by the department of management. Notwithstanding section 8.33, moneys in the fund that remain unencumbered or unobligated at the close of a 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. Any unencumbered or unobligated moneys remaining in the fund on June 30, 2015, shall be transferred to the general fund of the state.

3. There is appropriated from the mortgage servicing settlement fund to the department of management 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 deposit in the rebuild Iowa infrastructure fund:

- \$ 1,000,000"
- 5. Page 2, by striking line 12 and inserting:
- 4. a. The department of justice shall"
- 6. Page 2, line 14, after "moneys" by inserting "from the mortgage servicing settlement fund by the department of justice"
- 7. Page 2, after line 20 by inserting:
"b. The division of banking shall submit a report to the general assembly detailing the expenditure of moneys from the banking division mortgage servicing settlement fund by the division of banking for the previous calendar year and how the expenditures related to the implementation, monitoring, or enforcement of the settlement and how expenditures in the current and succeeding calendar year will be used for implementation, monitoring, or enforcement of the settlement. The initial report shall be submitted on or before January 15, 2013."
- 8. Page 2, line 30, by striking "137,000" and inserting "50,000"
- 9. By striking page 2, line 31, through page 3, line 1.
- 10. Page 3, line 2, by striking "2." and inserting "1."
- 11. Page 3, line 7, after "year" by inserting "and shall include but is not limited to an antibullying internet site, internet-based communications including texting capabilities, and a telephone hotline"
- 12. Page 3, line 8, by striking "3." and inserting "2."
- 13. Page 3, by striking lines 13 through 46.
- 14. Page 4, by striking lines 6 through 17.
- 15. Page 5, line 10, by striking "13." and inserting "___."
- 16. Page 5, before line 13 by inserting:
"Sec. . NEW SECTION. 15E.71 Executive council action. Notwithstanding section 7D.29, subsection 1, the executive council in full consultation with the attorney general, and with the agreement of the attorney general, shall take any action deemed necessary to protect the interests of the state with respect to any certificates, tax credits, entities created, or action taken in relation to this division. Such actions may include but are not limited to initiation of legal action, commencement of special investigations, institution of special audits of any involved entity, or establishment of receiverships. If such action is taken, the council may incur the necessary expense to perform such a duty or cause such a duty to be performed, and pay the same out of any money in the state treasury not otherwise appropriated."
- 17. By striking page 6, line 46, through page 8, line 7.
- 18. Page 9, by striking lines 15 through 23.
- 19. Page 9, line 32, by striking "fifteen" and inserting "twenty"
- 20. Page 9, before line 37 by inserting:

"Sec. ____ Section 257.37, subsections 1 and 2, Code 2011, are amended to read as follows:

1. For the budget year beginning July 1, 1991, and succeeding budget years, the total amount funded in each area for media services shall be computed as provided in this subsection. For the budget year beginning July 1, 1991, the total amount funded in each area for media services in the base year, ~~including the cost for media resource material which shall only be used for the purchase or replacement of material required in section 273.6, subsection 1, paragraphs "a", "b", and "c",~~ shall be divided by the enrollment served in the base year to provide an area media services cost per pupil in the base year, and the department of management shall compute the state media services cost per pupil in the base year which is equal to the average of the area media services costs per pupil in the base year. For the budget year beginning July 1, 1991, and succeeding budget years, the department of management shall compute the allowable growth for media services in the budget year by multiplying the state media services cost per pupil in the base year times the state percent of growth for the budget year, and the total amount funded in each area for media services cost in the budget year equals the area media services cost per pupil in the base year plus the allowable growth for media services in the budget year times the enrollment served in the budget year. Funds shall be paid to area education agencies as provided in section 257.35.

2. ~~Thirty~~ Up to thirty percent of the budget of an area for media services ~~shall may~~ be expended for media resource material ~~which shall only be used for~~ including the purchase or replacement of material required in section 273.6, subsection 1. Funds shall be paid to area education agencies as provided in section 257.35."

21. Page 10, by striking lines 5 through 7 and inserting "in section 97A.1, who was killed in the line of duty"

22. Page 10, by striking lines 13 through 15 and inserting "fighter, as defined in section 411.1, who was killed in the"

23. Page 10, by striking lines 20 through 23 and inserting "as defined in section 97B.49C, who was killed in the line of duty as"

24. Page 10, after line 25 by inserting:

"(4) Is the child of a fire fighter 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."

25. By striking page 11, line 25, through page 12, line 7.

26. Page 13, before line 1 by inserting:

"Sec. ____ Section 476C.3, subsection 4, paragraph b, Code Supplement 2011, is amended to read as follows:

b. The maximum amount of energy production capacity equivalent of all other facilities the board may find eligible under this chapter shall not exceed a combined output of fifty-three megawatts of nameplate generating capacity and

one hundred sixty-seven billion British thermal units of heat for a commercial purpose. Of the maximum amount of energy production capacity equivalent of all other facilities found eligible under this chapter, no more than ten megawatts of nameplate generating capacity or energy production capacity equivalent shall be allocated to any one facility. Of the maximum amount of energy production capacity equivalent of all other facilities found eligible under this chapter, fifty-five billion British thermal units of heat for a commercial purpose shall be reserved for an eligible facility that is a refuse conversion facility for processed, engineered fuel from a multicounty solid waste management planning area. The maximum amount of energy production capacity the board may find eligible for a single refuse conversion facility is fifty-five billion British thermal units of heat for a commercial purpose. ~~Of the maximum amount of energy production capacity equivalent of all other facilities found eligible under this chapter, an amount equivalent to ten megawatts of nameplate generating capacity shall be reserved for eligible renewable energy facilities incorporated within or associated with an ethanol cogeneration plant engaged in the sale of ethanol to states to meet a low carbon fuel standard.~~

Sec. ____ Section 476C.3, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. Notwithstanding the definition of "eligible renewable energy facility" in section 476C.1, subsection 6, unnumbered paragraph 1, of the maximum amount of energy production capacity equivalent of all other facilities found eligible pursuant to subsection 4, paragraph "b", an amount equivalent to ten megawatts of nameplate generating capacity shall be reserved for natural gas cogeneration facilities incorporated within or associated with an ethanol plant to assist the ethanol plant in meeting a low carbon fuel standard."

27. Page 13, after line 14 by inserting:

"Sec. ____ Section 511.8, subsection 19, Code Supplement 2011, is amended to read as follows:

19. Other foreign government or corporate obligations.

a. Bonds or other evidences of indebtedness, not to include currency, issued, assumed, or guaranteed by a foreign government other than Canada, or by a corporation incorporated under the laws of a foreign government other than Canada. Such governmental obligations must be valid, legally authorized and issued, and on the date of acquisition have predominantly investment qualities and characteristics as provided by rule. Such corporate obligations must meet the qualifications established in subsection 5 for bonds and other evidences of indebtedness issued, assumed, or guaranteed by a corporation incorporated under the laws of the United States or Canada. Foreign investments authorized by this subsection are not eligible in excess of ~~twenty~~ **twenty-five** percent of the legal reserve of the life insurance company or association.

Investments in obligations of a foreign government, other than Canada ~~and~~ ~~2012~~ 2013."

38. By striking page 46, line 12, through page 52, line 6.

39. By striking page 53, line 14, through page 57, line 44, and inserting:

"DIVISION ____
NAVIGATOR ---- INSURANCE

Sec. ____ NEW SECTION. 522D.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Commissioner" means the commissioner of insurance.
2. "Navigator" means a public or private entity or an individual that is qualified and licensed, if appropriate, to engage in the activities and meet the standards described in 45 C.F.R. { 155.210.

Sec. ____ NEW SECTION. 522D.2 License required.

A person shall not act as a navigator in this state unless the person is licensed by the commissioner as required in this chapter.

Sec. ____ NEW SECTION. 522D.3 Actions prohibited.

A navigator shall not perform the functions of a person required to be licensed as an insurance producer under chapter 522B unless the navigator is licensed as a navigator pursuant to this chapter and as an insurance producer pursuant to chapter 522B.

Sec. ____ NEW SECTION. 522D.4 Application for examination.

1. An individual applying for a navigator license shall pass a written examination. The examination shall test the knowledge of the individual concerning the duties and responsibilities of a navigator and the insurance laws and regulations of this state. The commissioner shall adopt rules pursuant to chapter 17A related to the development and conduct of the examination.

2. The commissioner may make arrangements, including contracting with an outside testing service or other appropriate entity, for administering examinations and collecting fees.

3. An individual applying for an examination shall remit a nonrefundable fee as established by rule of the commissioner.

4. An individual who fails to appear for the examination as scheduled or fails to pass the examination shall reapply for an examination and remit all required fees and forms before being rescheduled for another examination.

Sec. ____ NEW SECTION. 522D.5 Application for license.

1. A person applying for a navigator license shall make application to the commissioner on an application form approved by the commissioner and declare under penalty of refusal, suspension, or revocation of the license that the statements made on the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the commissioner shall find all of

the following:

a. The individual is at least eighteen years of age.
b. The individual has not committed any act that is a ground for denial, suspension, or revocation as set forth in section 522D.7.

c. The individual has paid the license fee, as established by the commissioner by rule.

d. The individual has successfully completed the initial training and education program for a license as established by the commissioner by rule.

e. The individual has successfully passed the examination as provided in section 522D.4.

f. In order to protect the public interest, the individual has the requisite character and competence to receive a license as a navigator.

2. A public or private entity acting as a navigator may elect to obtain a navigator license. Application shall be made using the application form approved by the commissioner. Prior to approving the application, the commissioner shall find both of the following:

a. The entity has paid the appropriate fees.

b. The entity has designated a licensed navigator responsible for the entity's compliance with this chapter.

Sec. __. NEW SECTION. 522D.6 License.

1. A person who meets the requirements of sections 522D.4 and 522D.5, unless otherwise denied licensure pursuant to section 522D.7, shall be issued a navigator license. A navigator license is valid for three years.

2. A navigator license remains in effect unless revoked or suspended as long as all required fees are paid and continuing education requirements are met by any applicable due date. A navigator is required to complete continuing education requirements required by law in order to be eligible for license renewal.

3. A licensed navigator who is unable to comply with license renewal procedures due to military service or other extenuating circumstances may request a waiver of those procedures. The licensed navigator may also request a waiver of any examination requirement or any other penalty or sanction imposed for failure to comply with renewal procedures.

4. The license shall contain the licensee's name, address, personal identification number, the date of issuance, the expiration date, and any other information the commissioner deems necessary.

5. A licensee shall inform the commissioner by any means acceptable to the commissioner of a change of legal name or address within thirty days of the change. Failure to timely inform the commissioner of a change of legal name or address may result in a penalty as specified in section 522D.7.

6. The commissioner shall require by rule that a licensed navigator furnish a surety bond or other evidence of financial responsibility that protects all persons against wrongful acts,

misrepresentations, errors, omissions, or negligence of the navigator.

7. In order to assist with the commissioner's duties, the commissioner may contract with a nongovernmental entity, including the national association of insurance commissioners or any affiliate or subsidiary the national association of insurance commissioners oversees, to perform any ministerial functions, including the collection of fees, related to navigator licensing that the commissioner deems appropriate.

Sec. __. NEW SECTION. 522D.7 License denial, nonrenewal, or revocation.

1. The commissioner may place on probation, suspend, revoke, or refuse to issue or renew a navigator's license or may levy a civil penalty as provided in section 522D.8 for any one or more of the following causes:

- a. Providing incorrect, misleading, incomplete, or materially untrue information in the license application.
 - b. Violating any insurance laws, or violating any regulation, subpoena, or order of the commissioner or of a commissioner of another state.
 - c. Obtaining or attempting to obtain a license through misrepresentation or fraud.
 - d. Improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business.
 - e. Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.
 - f. Having been convicted of a felony.
 - g. Having admitted or been found to have committed any unfair insurance trade practice or fraud.
 - h. Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.
 - i. Having a navigator license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
 - j. Forging another's name to an application for insurance or to any document related to an insurance transaction.
 - k. Improperly using notes or any other reference material to complete an examination for a navigator license.
 - l. Failing to comply with an administrative or court order imposing a child support obligation.
 - m. Failing to comply with an administrative or court order related to repayment of loans to the college student aid commission.
 - n. Failing to pay state income tax or comply with any administrative or court order directing payment of state income tax.
 - o. Failing or refusing to cooperate in an investigation by the commissioner.
2. If the commissioner does not renew a license or denies

an application for a license, the commissioner shall notify the applicant or licensee and advise, in writing, the licensee or applicant of the reason for the nonrenewal of the license or denial of the application for a license. The licensee or applicant may request a hearing on the nonrenewal or denial. A hearing shall be conducted according to section 507B.6.

3. The license of a public or private entity operating as a navigator may be suspended, revoked, or refused if the commissioner finds, after hearing, that an individual navigator licensee's violation was known or should have been known by a partner, officer, or manager acting on behalf of the entity and the violation was not reported to the commissioner and corrective action was not taken.

4. In addition to, or in lieu of, any applicable denial, suspension, or revocation of a license, a person, after hearing, may be subject to a civil penalty as provided in section 522D.8.

5. The commissioner may conduct an investigation of any suspected violation of this chapter pursuant to section 507B.6 and may enforce the provisions and impose any penalty or remedy authorized by this chapter and chapter 507B against any person who is under investigation for, or charged with, a violation of either chapter even if the person's license has been surrendered or has lapsed by operation of law.

6. a. In order to assure a free flow of information for accomplishing the purposes of this section, all complaint files, investigation files, other investigation reports, and other investigative information in the possession of the commissioner or the commissioner's employees or agents that relates to licensee discipline are privileged and confidential, and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the licensee, and are not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. A final written decision of the commissioner in a disciplinary proceeding is a public record.

b. Investigative information in the possession of the commissioner or the commissioner's employees or agents that relates to licensee discipline may be disclosed, in the commissioner's discretion, to appropriate licensing authorities within this state, the appropriate licensing authority in another state, the District of Columbia, or a territory or country in which the licensee is licensed or has applied for a license.

c. If the investigative information in the possession of the commissioner or the commissioner's employees or agents indicates a crime has been committed, the information shall be reported to the proper law enforcement agency.

d. Pursuant to the provisions of section 17A.19, subsection 6, upon an appeal by the licensee, the commissioner shall transmit the entire record of the contested case to the reviewing court.

e. Notwithstanding the provisions of section 17A.19, subsection 6, if a waiver of privilege has been involuntary and evidence has been received at a disciplinary hearing, the court shall issue an order to withhold the identity of the individual whose privilege was waived.

Sec. __. NEW SECTION. 522D.8 Cease and desist orders --- penalties.

1. A navigator who, after hearing, is found to have violated this chapter, may be ordered to cease and desist from engaging in the conduct resulting in the violation and may be assessed a civil penalty pursuant to chapter 507B.

2. If a person does not comply with an order issued pursuant to this section, the commissioner may petition a court of competent jurisdiction to enforce the order. The court shall not require the commissioner to post a bond in an action or proceeding under this section. If the court finds, after notice and opportunity for hearing, that the person is not in compliance with an order, the court may adjudge the person to be in civil contempt of the order. The court may impose a civil penalty against the person for contempt in an amount not less than three thousand dollars but not greater than ten thousand dollars for each violation and may grant any other relief that the court determines is just and proper in the circumstances.

Sec. __. NEW SECTION. 522D.9 Injunctive relief.

1. A person may bring an action in district court to enjoin another person from acting as a navigator in violation of section 522D.2. However, before bringing an action in district court to enjoin a person pursuant to this section, the person shall file a complaint with the insurance division alleging that another person is acting as a navigator in violation of section 522D.2.

2. If the division makes a determination to proceed administratively against the person for a violation of section 522D.2, the complainant shall not bring an action in district court against the person pursuant to this section based upon the allegations contained in the complaint filed with the division.

3. If the division does not make a determination to proceed administratively against the person for a violation of section 522D.2, the division shall issue, by ninety days from the date of filing of the complaint, a release to the complainant that permits the complainant to bring an action in district court pursuant to this section.

4. The filing of a complaint with the division pursuant to this section tolls the statute of limitations pursuant to section 614.1 as to the alleged violation for a period of one hundred twenty days from the date of filing the complaint.

5. Any action brought in district court by a complainant against a person pursuant to this section, based upon the allegations contained in the complaint filed with the division, shall be brought within one year after the ninety-day period following the filing of the complaint with the division, or the

date of the issuance of a release by the division, whichever is earlier.

6. If the court finds that the person is in violation of section 522D.2 and enjoins the person from acting as a navigator in violation of that section, the court's findings of fact and law, and the judgment and decree, when final, shall be admissible in any proceeding initiated pursuant to section 522D.8 by the commissioner against the person enjoined and the person enjoined shall be precluded from contesting in that proceeding the court's determination that the person acted as a navigator in violation of section 522D.2.

Sec. __. NEW SECTION. 522D.10 Rules.

The commissioner may adopt rules pursuant to chapter 17A as are necessary or proper to carry out the purposes of this chapter.

Sec. __. NEW SECTION. 522D.11 Severability.

If any provision of this chapter or its application to any person or circumstance is held invalid by a court of competent jurisdiction or by federal law, the invalidity does not affect other provisions or applications of the chapter that can be given effect without the invalid provision or application, and to this end the provisions of the chapter are severable and the valid provisions or applications shall remain in full force and effect.

Sec. __. NEW SECTION. 522D.12 Future repeal.

If the federal law providing for the sale of qualified health benefit plans of the state is repealed by federal legislation or is ruled invalid by a decision of the United States supreme court, the commissioner shall notify the Iowa Code editor of the effective date of the repeal or the date of the ruling. This chapter is repealed on the effective date of such federal legislation or the date of the United States supreme court decision.

DIVISION __

CAPITAL GAIN DEDUCTION FOR SALE TO AN IOWA ESOP

Sec. __. Section 422.7, subsection 21, Code Supplement 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. (1) To the extent not already excluded, fifty percent of the net capital gain from the sale or exchange of employer securities of an Iowa corporation to a qualified Iowa employee stock ownership plan when, upon completion of the transaction, the qualified Iowa employee stock ownership plan owns at least thirty percent of all outstanding employer securities issued by the Iowa corporation.

(2) For purposes of this paragraph:

(a) "Employer securities" means the same as defined in section 409(l) of the Internal Revenue Code.

(b) "Iowa corporation" means a corporation whose commercial domicile, as defined in section 422.32, is in this state.

(c) "Qualified Iowa employee stock ownership plan" means an employee stock ownership plan, as defined in section 4975(e)(7) of the Internal Revenue Code, and trust that are established

by an Iowa corporation for the benefit of the employees of the corporation.

Sec. ____ RETROACTIVE APPLICABILITY. This division of this Act applies retroactively to January 1, 2012, for tax years beginning on or after that date."

40. By renumbering as necessary.

ON THE PART OF THE HOUSE:

J. SCOTT RAECKER, Chair
MARK LOFGREN
TYLER OLSON
KIRSTEN RUNNING-MARQUARDT
NICK WAGNER

ON THE PART OF THE SENATE:

ROBERT E. DVORSKY, Chair
MICHAEL E. GRONSTAL
JOHN P. KIBBIE

SENATE FILE 466

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 466, a bill for an Act relating to residential contractors and providing a penalty, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8453.
2. That the House amendment, S-3329, to Senate File 466, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 2, by striking lines 3 through 15 and inserting:
"NOTICE OF CONTRACT OBLIGATIONS AND RIGHTS

You may be responsible for payment to (insert name of residential contractor) for the cost of all goods and services provided whether or not you receive payment from any property and casualty insurance policy with respect to the damage. Pursuant to Iowa law your contract with (insert name of residential contractor) to provide goods and services to repair damage resulting from a naturally occurring catastrophe including but not limited to a fire, earthquake, tornado, windstorm, flood, or hail storm is void"

2. Page 2, by striking lines 36 through 41 and inserting:
"6. a. A residential contractor violating this section is subject to the penalties and remedies prescribed by this chapter.

b. A violation of subsection 2 or 3 by a residential contractor is an unlawful practice pursuant to section 714.16."

ON THE PART OF THE HOUSE:

STEWART IVERSON, Chair
JEFF KAUFMANN
DAN MUHLBAUER
JO OLDSO

ON THE PART OF THE SENATE:

MATT McCOY, Chair
BILL ANDERSON
RICK BERTRAND
THOMAS G. COURTNEY
PAM JOCHUM

SENATE FILE 2284

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 2284, a bill for an Act relating to programs and activities under the purview of the department of education, the state board of education, the board of educational examiners, the state board of regents, school districts, and accredited nonpublic schools, and including effective date provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-5216.
2. That Senate File 2284, 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

COMPETENCY-BASED INSTRUCTION

Section 1. Section 256.7, subsection 26, paragraph a, Code Supplement 2011, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (02) The rules shall allow a school district or accredited nonpublic school to award high school credit to an enrolled student upon the demonstration of required competencies for a course or content area, as approved by a teacher licensed under chapter 272. The school district or accredited nonpublic school shall determine the assessment methods by which a student demonstrates sufficient evidence of the required competencies.

Sec. 2. COMPETENCY-BASED INSTRUCTION TASK FORCE.

1. The department of education shall appoint a task force to conduct a study regarding competency-based instruction standards and options and the integration of competency-based instruction with the Iowa core curriculum, and to develop related assessment models and professional development focused on competency-based instruction.
2. At a minimum, the task force shall do all of the following:
 - a. Redefine the Carnegie unit into competencies.
 - b. Construct personal learning plans and templates.
 - c. Develop student-centered accountability and assessment models.
 - d. Empower learning through technology.
 - e. Develop supports and professional development for educators to transition to a competency-based system.
3. The task force shall be comprised of at least twelve members, nine of whom shall represent education stakeholders and practitioners knowledgeable about the Iowa core curriculum; one of whom shall be the deputy director and administrator of the division of learning and results of the department of

education or the deputy director's designee; one of whom shall represent the area education agencies; and one of whom shall represent the Iowa state education association.

4. The person representing the area education agency shall convene the initial meeting. The task force shall elect one of its members as chairperson. After the initial meeting, the task force shall meet at the time and place specified by call of the chairperson. The department of education shall provide staffing services for the task force.

5. a. The task force shall submit a preliminary report that includes but is not limited to its findings and recommendations relating to subsection 2, paragraphs "b", "d", and "e", by January 15, 2013.

b. The task force shall submit its plan, findings, models, and recommendations in a final report to the state board of education, the governor, and the general assembly by November 15, 2013.

Sec. 3. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

ASSESSMENT OF STUDENT PROGRESS ON CORE ACADEMIC INDICATORS

Sec. 4. Section 256.7, subsection 21, paragraph b, Code Supplement 2011, is amended to read as follows:

b. A set of core academic indicators in mathematics and reading in grades four, eight, and eleven, a set of core academic indicators in science in grades eight and eleven, and another set of core indicators that includes, but is not limited to, graduation rate, postsecondary education, and successful employment in Iowa. Annually, the department shall report state data for each indicator in the condition of education report. Rules adopted pursuant to this subsection shall specify that the approved district-wide assessment of student progress administered for purposes of this paragraph shall be the assessment utilized by school districts statewide in the school year beginning July 1, 2011. The state board may submit to the general assembly recommendations the state board deems appropriate for modifications of assessments of student progress administered for purposes of this paragraph.

DIVISION III

TEACHER AND ADMINISTRATOR MATTERS

Sec. 5. Section 284.6, subsection 8, Code Supplement 2011, is amended to read as follows:

8. For each year in which a school district receives funds calculated and paid to school districts for professional development pursuant to section 257.10, subsection 10, or section 257.37A, subsection 2, the school district shall create quality professional development opportunities. Not less than thirty-six hours in the school calendar, held outside of the minimum school day, shall be set aside during nonpreparation time or designated professional development time to allow practitioners to collaborate with each other to deliver

educational programs and assess student learning, or to engage in peer review pursuant to section 284.8, subsection 1. The goal for the use of the funds is to provide one additional contract day or the equivalent thereof for professional development, and use of the funds is limited to providing professional development to teachers, including additional salaries for time beyond the normal negotiated agreement; pay for substitute teachers, professional development materials, speakers, and professional development content; and costs associated with implementing the individual professional development plans. The use of the funds shall be balanced between school district, attendance center, and individual professional development plans, making every reasonable effort to provide equal access to all teachers.

Sec. 6. Section 284.8, subsection 1, Code 2011, is amended to read as follows:

1. A school district shall provide for an annual review of each teacher's performance at least once every three years for purposes of assisting teachers in making continuous improvement, documenting continued competence in the Iowa teaching standards, identifying teachers in need of improvement, or to determine whether the teacher's practice meets school district expectations for career advancement in accordance with section 284.7. The review shall include, at minimum, classroom observation of the teacher, the teacher's progress, and implementation of the teacher's individual professional development plan, subject to the level of resources provided to implement the plan; and shall include supporting documentation from parents, students, and other teachers. The first and second year of review shall be conducted by a peer group of teachers. The peer group shall review all of the peer group members. Peer group reviews shall be formative and shall be conducted on an informal, collaborative basis that is focused on assisting each peer group member in achieving the goals of the teacher's individual professional development plan. 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. Members of the peer group shall be reviewed every third year by at least one evaluator certified in accordance with section 284.10.

Sec. 7. Section 284A.7, Code 2011, is amended to read as follows:

284A.7 Evaluation requirements for administrators.
A school district shall conduct an annual evaluation of an administrator who holds a professional administrator license issued under chapter 272 at least once every three years for purposes of assisting the administrator in making

continuous improvement, documenting continued competence in the Iowa standards for school administrators adopted pursuant to section 256.7, subsection 27, or to determine whether the administrator's practice meets school district expectations. The review evaluation shall include, at a minimum, an assessment of the administrator's competence in meeting the Iowa standards for school administrators and the goals of the administrator's individual professional development plan, including supporting documentation or artifacts aligned to the Iowa standards for school administrators and the individual administrator's professional development plan.

Sec. 8. REPEAL. Section 284.14A, Code 2011, is repealed.

Sec. 9. STATEWIDE EDUCATOR EVALUATION SYSTEM TASK FORCE.

1. The director of the department of education shall convene a task force to conduct a study regarding a statewide teacher evaluation system and a statewide administrator evaluation system.

2. The task force shall be comprised of at least twelve members as follows:

a. Eight members shall be appointed by the director to represent education stakeholders and practitioners knowledgeable about the Iowa core curriculum and may include members currently serving on the department's teacher quality partnership teacher evaluation team.

b. One member shall be the deputy director and administrator of the division of learning and results of the department of education or the deputy director's designee.

c. One member shall represent the area education agencies.

d. One member shall represent a certified employee organization representing teachers licensed under chapter 272.

e. One member shall represent a statewide organization representing school administrators licensed under chapter 272.

3. The person representing the area education agency shall convene the initial meeting. The task force shall elect one of its members as chairperson. After the initial meeting, the task force shall meet at the time and place specified by call of the chairperson. The department of education shall provide staffing services for the task force.

4. To the extent possible, appointments shall be made to provide geographical area representation and to comply with sections 69.16, 69.16A, and 69.16C.

5. The task force shall develop a statewide teacher evaluation system and a statewide administrator evaluation system that standardize the instruments and processes used by school districts, charter schools, and accredited nonpublic schools throughout the state to evaluate teachers and administrators. The components of the statewide teacher evaluation system shall include but not be limited to the following:

a. Direct observation of classroom teaching behaviors.

b. Balanced consideration of student growth measures, when available for tested subjects and grades, to supplement direct

observation of classroom teaching behaviors.

c. Integration of the Iowa teaching standards.

d. System applicability to teachers in all content areas taught in a school.

6. The task force, at a minimum, shall include in its recommendations and proposal a tiered evaluation system that differentiates ineffective, minimally effective, effective, and highly effective performance by teachers and administrators.

7. The task force shall submit its findings, recommendations, and a proposal for each system to the general assembly by October 15, 2012.

Sec. 10. IOWA TEACHING STANDARDS AND CRITERIA REVIEW TASK FORCE.

1. The department of education shall convene a task force to identify and recommend measures to improve the Iowa teaching standards and criteria and align the Iowa teaching standards with best practices and nationally accepted standards, and to identify and recommend measures to improve the educator evaluations conducted based on the Iowa teaching standards. The task force shall recommend changes to the Iowa Code as appropriate.

2. The task force shall consist of teachers, administrators, and representatives of the department of education, the board of educational examiners, an organization representing teachers, an organization representing school boards, accredited institutions of higher education, and any other appropriate educational stakeholders.

3. The task force shall submit its findings and recommendations, including recommendations for changes to the Iowa Code as appropriate, to the general assembly by November 15, 2012.

Sec. 11. TEACHER PERFORMANCE, COMPENSATION, AND CAREER DEVELOPMENT TASK FORCE.

1. The director of the department of education shall appoint, and provide staffing services for, a teacher performance, compensation, and career development task force to develop recommendations for a new teacher compensation system to replace the current teacher compensation system which addresses, at a minimum, the following:

a. The duties and responsibilities of apprentice, career, mentor, and master teachers.

b. Utilizing retired teachers as mentors.

c. Strategic and meaningful uses of finite resources and the realignment of resources currently available.

d. Mechanisms to substantially increase the average salary of teachers who assume leadership roles within the profession.

e. Standardizing implementation of task force recommendations in all of Iowa's school districts and public charter schools.

2. The task force shall also propose a peer coaching pilot project to expand excellence in the teaching profession. The proposal shall include recommendations for peer coaching

criteria goals, strategies, documentation of progress, incentives for participation, and program evaluation.

3. The director of the department of education shall appoint and provide staffing services for a task force whose members shall represent teachers, parents, school administrators, and business and community leaders. Insofar as practicable, appointments shall be made to provide geographical area representation and to comply with sections 69.16, 69.16A, and 69.16C.

4. The task force shall submit its findings, recommendations, and pilot project proposal in a report to the state board of education, the governor, and the general assembly by October 15, 2012.

Sec. 12. EFFECTIVE UPON ENACTMENT. The section of this division of this Act providing for the appointment of the teacher performance, compensation, and career development task force, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV ONLINE LEARNING

Sec. 13. Section 256.2, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. "Online learning" and "online coursework" mean educational instruction and content which are delivered primarily over the internet. "Online learning" and "online coursework" do not include print-based correspondence education, broadcast television or radio, videocassettes, or stand-alone educational software programs that do not have a significant internet-based instructional component.

Sec. 14. Section 256.7, subsection 7, paragraph d, Code Supplement 2011, is amended to read as follows:

d. ~~For the purpose~~ purposes of the rules adopted by the state board, telecommunications ~~this chapter,~~ "telecommunications" means narrowcast communications through systems that are directed toward a narrowly defined audience and includes interactive live communications. For purposes of this chapter, "telecommunications" does not include online learning.

Sec. 15. Section 256.7, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 33. a. Adopt rules for online learning in accordance with sections 256.24, 256.24A, and 256.27, and criteria for waivers granted pursuant to section 256.24.

b. Except as provided in paragraph "c", adopt rules prohibiting the open enrollment of students whose educational instruction and course content are delivered primarily over the internet.

c. Adopt rules that limit the statewide enrollment of pupils in educational instruction and course content that are delivered primarily over the internet to not more than eighteen one-hundredths of one percent of the statewide enrollment of all pupils, and that limit the number of pupils participating

in open enrollment for purposes of receiving educational instruction and course content that are delivered primarily over the internet to no more than one percent of a sending district's enrollment. Until June 30, 2015, students who meet the requirements of section 282.18 may participate in open enrollment under this paragraph "c" for purposes of enrolling only in the CAM community school district or the Clayton Ridge community school district.

(1) School districts providing educational instruction and course content that are delivered primarily over the internet pursuant to this paragraph "c" shall annually submit to the department, in the manner prescribed by the department, data that includes but is not limited to student achievement and demographic characteristics, retention rates, and the percentage of enrolled students' active participation in extracurricular activities.

(2) The department shall conduct annually a survey of not less than ten percent of the total number of students enrolled as authorized under this paragraph "c" and section 282.18, and not less than one hundred percent of the students in those districts who are enrolled as authorized under this paragraph "c" and section 282.18 and who are eligible for free or reduced price meals under the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. §§ 1751-1785, to determine whether students are enrolled under this paragraph "c" and section 282.18 to receive educational instruction and course content primarily over the internet or are students who are receiving competent private instruction from a licensed practitioner provided through a school district pursuant to chapter 299.

(3) The department shall compile and review the data collected pursuant to this paragraph "c" and shall submit its findings and recommendations for the continued delivery of instruction and course content by school districts pursuant to this paragraph "c", in a report to the general assembly by January 15 annually.

(4) This paragraph "c" is repealed July 1, 2015.

Sec. 16. Section 256.9, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 65. Develop and establish an online learning program model in accordance with rules adopted pursuant to section 256.7, subsection 33, paragraph "a", and in accordance with section 256.27.

Sec. 17. **NEW SECTION.** 256.24 Iowa learning online initiative.

1. An Iowa learning online initiative is established within the department to partner with school districts and accredited nonpublic schools to provide distance education to high school students statewide. The department shall utilize a variety of content repositories, including those maintained by the area education agencies and the public broadcasting division, in administering the initiative.

2. The initiative shall include an online learning program model designed to prepare teachers to meet the needs of students in an online learning environment, including but not limited to building community interaction and support, developing strategies for working with virtual students, and assessing virtual students.

3. Coursework offered under the initiative shall be taught by a teacher licensed under chapter 272 who has completed an online-learning-for-Iowa-educators-professional-development project offered by area education agencies, a teacher preservice program, or comparable coursework.

4. Each participating school district and accredited nonpublic school shall submit its online curricula to the department for review. Each participating school district and accredited nonpublic school shall include in its comprehensive school improvement plan submitted pursuant to section 256.7, subsection 21, a list and description of the online coursework offered by the district.

5. Under the initiative, students must be enrolled in a participating school district or accredited nonpublic school, which is responsible for recording grades received for initiative coursework in a student's permanent record, awarding high school credit for initiative coursework, and issuing high school diplomas to students enrolled in the district or school who participate and complete coursework under the initiative. Each participating school shall identify a site coordinator to serve as a student advocate and as a liaison between the initiative staff and teachers and the school district or accredited nonpublic school.

6. Coursework offered under the initiative shall be rigorous and high quality, and the department shall annually evaluate the quality of the courses, ensure that coursework is aligned with the state's core curriculum and core content requirements and standards, as well as national standards of quality for online courses issued by an internationally recognized association for kindergarten through grade twelve online learning.

7. The department may waive for one year the provisions of section 256.11, subsection 5, which require that specified subjects be offered and taught by professional staff of a school district or school, if the school district or school makes every reasonable and good faith effort to employ a teacher licensed under chapter 272 for such a subject, and the school district or school proves to the satisfaction of the department that the school district or school is unable to employ such a teacher. The specified subject shall be provided by the initiative.

Sec. 18. NEW SECTION. 256.24A Online learning requirements
--- legislative findings and declarations.

1. The general assembly finds and declares the following:
 - a. That prior legislative enactments on the use of telecommunications in elementary and secondary school classes

and courses did not contemplate and were not intended to authorize participation in open enrollment under section 282.18 for purposes of attending online schools, contracts to provide exclusively or predominantly online coursework to students, or online coursework that does not use teachers licensed under chapter 272 for instruction and supervision.

b. That online learning technology has moved ahead of Iowa's statutory framework and the current administrative rules of the state board, promulgated over twenty years ago, are inadequate to regulate today's virtual opportunities.

2. Online learning curricula shall be provided and supervised by a teacher licensed under chapter 272.

Sec. 19. NEW SECTION. 256.27 Online learning program model.

1. Online learning program model established. The director, pursuant to section 256.9, subsection 65, shall establish an online learning program model that provides for the following:

a. Online access to high-quality content, instructional materials, and blended learning.

b. Coursework customized to the needs of the student using online content.

c. A means for a student to demonstrate competency in completed online coursework.

d. High-quality online instruction taught by teachers licensed under chapter 272.

e. Online content and instruction evaluated on the basis of student learning outcomes.

f. Use of funds available for online learning for program development, implementation, and innovation.

g. Infrastructure that supports online learning.

h. Online administration of online course assessments.

i. Criteria for school districts or schools to use when choosing providers of online learning to meet the online learning program requirements specified in rules adopted pursuant to section 256.7, subsection 33, paragraph "a".

2. Private providers. At the discretion of the school board or authorities in charge of an accredited nonpublic school, after consideration of circumstances created by necessity, convenience, and cost-effectiveness, courses developed by private providers may be utilized by the school district or school in implementing a high-quality online learning program. Courses obtained from private providers shall be taught by teachers licensed under chapter 272.

3. Grading. Grades in online courses shall be based, at a minimum, on whether a student mastered the subject, demonstrated competency, and met the standards established by the school district. Grades shall be conferred only by teachers licensed under chapter 272.

4. Accreditation criteria. All online courses and programs shall meet existing accreditation standards.

Sec. 20. Section 256.33, subsection 3, Code 2011, is amended to read as follows:

3. Priority shall be given to programs integrating

~~telecommunications~~ educational technology into the classroom. The department may award grants to school corporations and higher education institutions to perform the functions listed in this section.

Sec. 21. ONLINE LEARNING ---- INTERIM STUDY. The legislative council is requested to establish an interim study committee relating to online learning and programming for school districts and related educational issues. The objective of the study shall be to review the appropriate use of online learning by school districts, the appropriate levels and sources of funding for online learning, partnerships between school districts and private providers of online programs, and the potential use of online learning as the exclusive means to provide coursework required under the state's educational standards. The study shall identify opportunities between interested agencies and entities involved in or potentially involved in online learning activities, including but not limited to K-12 schools, area education agencies, institutions of higher learning, the public broadcasting division of the department of education, the department of education, and the Iowa communications network. The committee shall review the benefits of using the department of education's Iowa learning online initiative as the sole source of online learning for Iowa's school districts. The committee shall submit recommendations for the establishment of an online learning program model in accordance with section 256.27 to the director of the department of education by December 14, 2012. The committee is directed to submit its findings and recommendations in a report to the general assembly by December 14, 2012.

DIVISION V

BOARD OF EDUCATIONAL EXAMINERS PROVISIONS

Sec. 22. Section 272.5, Code 2011, is amended to read as follows:

272.5 Compensation of board, ---- executive director.

1. Members shall be reimbursed for actual and necessary expenses incurred while engaged in their official duties and may be entitled to per diem compensation as authorized under section 7E.6. For duties performed during an ordinary school day by a member who is employed by a school corporation or state university, the member shall also receive regular compensation from the school or university. However, the member shall reimburse the school or university in the amount of the per diem compensation received.

2. The governor shall appoint an executive director of the board of educational examiners subject to confirmation by the senate. The director shall possess a background in education licensure and administrative experience and shall serve at the pleasure of the governor. The board of educational examiners shall set the salary of the executive director within the range established for the position by the general assembly.

Sec. 23. Section 272.25, subsection 1, Code 2011, is amended

to read as follows:

1. A requirement that each student admitted to an approved practitioner preparation program must participate in field experiences that include both observation and participation in teaching activities in a variety of school settings. These field experiences shall comprise a total of at least fifty hours in duration, at least ten hours of which shall occur prior to a student's acceptance in an approved practitioner preparation program. The student teaching experience shall be a minimum of ~~twelve~~ fourteen weeks in duration during the student's final year of the practitioner preparation program. The program must make every reasonable effort to offer the student teaching experience prior to a student's last semester, or equivalent, in the program, and to expand the student's student teaching opportunities beyond one semester or the equivalent.

DIVISION VI

SCHOOL ADMINISTRATION MANAGER

Sec. 24. Section 256.7, subsection 30, Code Supplement 2011, is amended to read as follows:

30. Set standards and procedures for the approval of training programs for individuals who seek an authorization issued by the board of educational examiners for ~~employment~~ the following:

- a. Employment as a school business official responsible for the financial operations of a school district.
- b. Employment as a school administration manager responsible for assisting a school principal in performing noninstructional duties.

Sec. 25. Section 272.1, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 11A. "School administration manager" means a person who is authorized to assist a school principal in performing noninstructional administrative duties.

Sec. 26. Section 272.31, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. The board shall issue a school administration manager authorization to an individual who successfully completes a training program that meets the standards set by the state board pursuant to section 256.7, subsection 30, and who complies with rules adopted by the state board pursuant to subsection 3.

DIVISION VII

STATE BOARD OF REGENTS PROVISIONS

Sec. 27. Section 262.9, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 36. Implement continuous improvement in every undergraduate program offered by an institution of higher education governed by the board.

- a. A continuous improvement plan shall be developed and implemented built upon the results of the institution's student outcomes assessment program using the following phase-in

timeline:

(1) For each course with typical annual enrollment of three hundred or more, whether in one or multiple sections, a continuous improvement plan shall be developed and implemented beginning in the fall semester of 2013.

(2) For each course with typical annual enrollment of two hundred or more but less than three hundred, whether in one or multiple sections, a continuous improvement plan shall be developed and implemented beginning in the fall semester of 2014.

(3) For each course with a typical annual enrollment of one hundred or more but less than two hundred, whether in one or multiple sections, a continuous improvement plan shall be developed and implemented beginning in the fall semester of 2015.

b. For each undergraduate course the institution shall collect and use the results of formative and summative assessments in its continuous improvement plan. The board shall annually evaluate the effectiveness of the plans and shall submit an executive summary of its findings and recommendations in its annual strategic plan progress report, a copy of which shall be submitted to the general assembly.

Sec. 28. NEW SECTION. 262.94 College readiness and awareness programs.

The state board of regents may establish or contract to establish programs designed to increase college readiness and college awareness in potential first-generation college students and underrepresented populations. The programs may include but shall not be limited to college go center programs and science bound programs.

DIVISION VIII

NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS AWARDS

Sec. 29. Section 256.44, subsection 1, paragraph a, Code 2011, is amended to read as follows:

a. If a teacher registers for national board for professional teaching standards certification ~~by~~ after December 31, 2007, a one-time initial reimbursement award in the amount of up to one-half of the registration fee paid by the teacher for registration for certification by the national board for professional teaching standards. The teacher shall apply to the department ~~within one year of registration in a manner and according to procedures required by the department.~~ submitting to the department any documentation the department requires. A teacher who receives an initial reimbursement award shall receive a one-time final registration award in the amount of the remaining national board registration fee paid by the teacher if the teacher notifies the department of the teacher's certification achievement and submits any documentation requested by the department.

Sec. 30. Section 256.44, subsection 1, paragraph b, subparagraph (1), subparagraph division (b), Code 2011, is amended to read as follows:

(b) If the teacher registers for national board for professional teaching standards certification ~~between January 1, 1999, and December 31, 2007,~~ and achieves certification within the timelines and policies established by the national board for professional teaching standards, an annual award in the amount of two thousand five hundred dollars upon achieving certification by the national board of professional teaching standards.

DIVISION IX

EARLY CHILDHOOD LITERACY

Sec. 31. Section 256.7, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 32. a. By July 1, 2013, adopt by rule guidelines for school district implementation of section 279.69, including but not limited to basic levels of reading proficiency on approved locally determined or statewide assessments and identification of tools that school districts may use in evaluating and reevaluating any student who may be or who is determined to be deficient in reading, including but not limited to initial assessments and subsequent assessments, alternative assessments, and portfolio reviews. The state board shall adopt standards that provide a reasonable expectation that a student's progress toward reading proficiency under section 279.69 is sufficient to master appropriate grade four level reading skills prior to the student's promotion to grade four.

b. Adopt rules for the Iowa reading research center and for implementation of the intensive summer literacy program developed and administered pursuant to section 256.9, subsection 53.

Sec. 32. Section 256.9, subsection 53, Code Supplement 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. Establish, subject to an appropriation of funds by the general assembly, an Iowa reading research center.

(1) The purpose of the center shall be to apply current research on literacy to provide for the development and dissemination of all of the following:

(a) Instructional strategies for prekindergarten through grade twelve to achieve literacy proficiency that includes reading, reading comprehension, and writing for all students.

(b) Strategies for identifying and providing evidence-based interventions for students, beginning in kindergarten, who are at risk of not achieving literacy proficiency.

(c) Models for effective school and community partnerships to improve student literacy.

(d) Reading assessments.

(e) Professional development strategies and materials to support teacher effectiveness in student literacy development.

(f) Data reports on attendance center, school district, and statewide progress toward literacy proficiency in the context of student, attendance center, and school district demographic characteristics.

(g) An intensive summer literacy program. The center shall establish program criteria and guidelines for implementation of the program by school districts, under rules adopted by the state board pursuant to section 256.7, subsection 32.

(2) The first efforts of the center shall focus on kindergarten through grade three. The center shall draw upon national and state expertise in the field of literacy proficiency, including experts from Iowa's institutions of higher education and area education agencies with backgrounds in literacy development. The center shall seek support from the Iowa research community in data report development and analysis of available information from Iowa education data sources. The center shall work with the department to identify additional needs for tools and technical assistance for Iowa schools to help schools achieve literacy proficiency goals and seek public and private partnerships in developing and accessing necessary tools and technical assistance.

(3) The center shall submit a report of its activities to the general assembly by January 15 annually.

Sec. 33. Section 279.60, Code 2011, is amended to read as follows:

279.60 Kindergarten assessment Assessments ---- access to data ---- reports.

1. Each school district shall administer a kindergarten readiness 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. 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 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 assessment 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.

3. Each school district shall administer the Iowa assessments, created by the state university of Iowa, to all students enrolled in grade ten.

Sec. 34. NEW SECTION. 279.69 Student progression ---- remedial instruction ---- reporting requirements ---- promotion.

1. Reading deficiency and parental notification.

a. A school district shall assess all students enrolled in kindergarten through grade three at the beginning of each school year for their level of reading or reading readiness on locally determined or statewide assessments, as provided in section 256.7, subsection 32. A school district shall provide intensive reading instruction to any student who exhibits a substantial deficiency in reading, based upon the assessment or through teacher observations. The student's reading proficiency shall be reassessed by locally determined or statewide assessments. The student shall continue to be provided with intensive reading instruction until the reading deficiency is remedied.

b. The parent or guardian of any student in kindergarten through grade three who exhibits a substantial deficiency in reading, as described in paragraph "a", shall be notified at least annually in writing of the following:

(1) That the child has been identified as having a substantial deficiency in reading.

(2) A description of the services currently provided to the child.

(3) A description of the proposed supplemental instructional services and supports that the school district will provide to the child that are designed to remediate the identified area of reading deficiency.

(4) Strategies for parents and guardians to use in helping the child succeed in reading proficiency, including but not limited to the promotion of parent-guided home reading.

c. Beginning May 1, 2017, unless the school district is granted a waiver pursuant to subsection 2, paragraph "e", if the student's reading deficiency is not remedied by the end of grade three, as demonstrated by scoring on a locally determined or statewide assessment as provided in section 256.7, subsection 32, the school district shall notify the student's parent or guardian that the parent or guardian may enroll the student in an intensive summer reading program offered in accordance with subsection 2, paragraph "e". If the parent or guardian does not enroll the student in the intensive summer reading program and the student is ineligible for the good cause exemption under subsection 5, the student shall be retained in grade three pursuant to subsection 3.

If the student is exempt from participating in an intensive summer reading program for good cause, pursuant to subsection 5, or completes the intensive summer reading program but is not reading proficient upon completion of the program, the student may be promoted to grade four, but the school district shall continue to provide the student with intensive reading instruction until the student is proficient in reading as demonstrated by scoring on locally determined or statewide assessments.

2. Successful progression for early readers. If funds are appropriated by the general assembly for purposes of implementing this subsection, a school district shall do all of the following:

a. Provide students who are identified as having a substantial deficiency in reading under subsection 1, paragraph "a", with intensive instructional services and supports, free of charge, to remediate the identified areas of reading deficiency, including a minimum of ninety minutes daily of scientific, research-based reading instruction and other strategies prescribed by the school district which may include but are not limited to the following:

- (1) Small group instruction.
- (2) Reduced teacher-student ratios.
- (3) More frequent progress monitoring.
- (4) Tutoring or mentoring.
- (5) Extended school day, week, or year.
- (6) Summer reading programs.

b. At regular intervals, apprise the parent or guardian of academic and other progress being made by the student and give the parent or guardian other useful information.

c. In addition to required reading enhancement and acceleration strategies, provide parents of students who are identified as having a substantial deficiency in reading under subsection 1, paragraph "a", with a plan outlined in a parental contract, including participation in regular parent-guided home reading.

d. Establish a reading enhancement and acceleration development initiative designed to offer intensive accelerated reading instruction to each kindergarten through grade three student who is assessed as exhibiting a substantial deficiency in reading. The initiative shall comply with all of the following criteria:

- (1) Be provided to all kindergarten through grade three students who exhibit a substantial deficiency in reading under this section. The assessment initiative shall measure phonemic awareness, phonics, fluency, vocabulary, and comprehension.
- (2) Be provided during regular school hours in addition to the regular reading instruction.
- (3) Provide a reading curriculum that meets guidelines adopted pursuant to section 256.7, subsection 32, and at a minimum has the following specifications:
 - (a) Assists students assessed as exhibiting a substantial

deficiency in reading to develop the skills to read at grade level.

(b) Provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension.

(c) Includes a scientifically based and reliable assessment.

(d) Provides initial and ongoing analysis of each student's reading progress.

(e) Is implemented during regular school hours.

(f) Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.

e. Offer each summer, beginning in the summer of 2017, unless the school district receives a waiver from this requirement from the department of education for the summer of 2017, an intensive summer literacy program for students assessed as exhibiting a substantial deficiency in reading. The program shall meet the criteria and follow the guidelines established pursuant to section 256.9, subsection 53, paragraph "c", subparagraph (1), subparagraph division (g).

f. Report to the department of education the specific intensive reading interventions and supports implemented by the school district pursuant to this section. The department shall annually prescribe the components of required or requested reports.

3. Promotion to grade four. In determining whether to promote a student in grade three to grade four, a school district shall place significant weight on any reading deficiency identified pursuant to subsection 1, paragraph "a", that is not yet remediated. The school district shall also weigh the student's progress in other subject areas, as well as the student's overall intellectual, physical, emotional, and social development. A decision to retain a student in grade three shall be made only after direct personal consultation with the student's parent or guardian and after the formulation of a specific plan of action to remedy the student's reading deficiency.

4. Ensuring continuous improvement in reading proficiency.

a. To ensure all children are reading proficiently by the end of third grade, each school district shall address reading proficiency as part of its comprehensive school improvement plan, drawing upon information about children from assessments conducted pursuant to subsection 1 and the prevalence of deficiencies identified by classroom, elementary school, and other student characteristics. As part of its comprehensive school improvement plan, each school district shall review chronic early elementary absenteeism for its impact on literacy development. If more than fifteen percent of an attendance center's students are not proficient in reading by the end of third grade, the comprehensive school improvement plan shall include strategies to reduce that percentage, including school and community strategies to raise the percentage of students

who are proficient in reading.

b. Each school district, subject to an appropriation of funds by the general assembly, shall provide professional development services to enhance the skills of elementary teachers in responding to children's unique reading issues and needs and to increase the use of evidence-based strategies.

5. Good cause exemption.

a. The school district shall exempt students from the retention and intensive summer reading program requirements of subsection 1, paragraph "c", for good cause. Good cause exemptions shall be limited to the following:

(1) Limited English proficient students who have had less than two years of instruction in an English as a second language program.

(2) Students requiring special education whose individualized education program indicates that participation in a locally determined or statewide assessment as provided in section 256.7, subsection 32, is not appropriate, consistent with the requirements of rules adopted by the state board of education for the administration of chapter 256B.

(3) Students who demonstrate an acceptable level of performance on an alternative performance measure approved pursuant to section 256.7, subsection 32.

(4) Students who demonstrate mastery through a student portfolio under alternative performance measures approved pursuant to section 256.7, subsection 32.

(5) Students who have received intensive remediation in reading for two or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade one, grade two, or grade three. Intensive reading instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The school district shall assist attendance centers and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.

b. Requests for good cause exemptions from the retention requirement of subsection 1, paragraph "c", for students described in paragraph "a", subparagraphs (3) and (4), shall include documentation from the student's teacher to the school principal that indicates that the promotion of the student is appropriate and is based upon the student's academic record. Such documentation shall include but not be limited to the individualized education program, if applicable, report card, or student portfolio.

Sec. 35. CROSS-AGENCY ASSESSMENT INSTRUMENT PLANNING GROUP. The department of education and the early childhood Iowa state board shall collaborate to form a cross-agency planning group. Members of the planning group shall include teachers and school leaders, and representatives from the departments of public health, human services, and education,

the Iowa early childhood state and area boards, the state board of regents, applicable nonprofit groups, and experts in early childhood assessment and educational assessment. The planning group shall study and select one standard, multidomain assessment instrument for implementation by all school districts for purposes of section 279.60, subsection 1. The instrument shall align with agreed upon state and national curriculum standards. The planning group shall study all costs associated with implementing a universal assessment instrument. The assessment instrument shall be administered at least at the beginning and at the end of the school year to measure student skills and academic growth. The planning group shall submit its findings and recommendations in a report to the general assembly by November 15, 2012.

DIVISION X

SCHOOL INSTRUCTIONAL TIME TASK FORCE

Sec. 36. SCHOOL INSTRUCTIONAL TIME TASK FORCE.

1. The director of the department of education shall appoint a school instructional time task force comprised of at least seven members to conduct a study regarding the minimum requirements of the school day and the school year. The study shall include but not be limited to an examination of the following:
 - a. Whether the minimum length of an instructional day should be extended and, if so, whether the instructional day should be extended for all students or for specific groups of students.
 - b. Whether the minimum number of instructional days or hours in a school year should be increased and, if so, whether the minimum number of days or hours in a school year should be increased for all students or for specific groups of students.
 - c. Whether the minimum number of instructional days or hours should be rearranged to result in a shorter summer break, with other days or weeks off throughout the school year.
 - d. Whether the minimum school year should be defined by a number of days or by a number of instructional hours.
 - e. Whether there should be a uniform, statewide start date for the school year that can only be waived for the purpose of implementing an innovative educational program.
 - f. Whether resources necessary to extend the minimum length of an instructional day or the minimum length of a school year are justified when compared to competing education priorities.
2. Based upon the examination conducted pursuant to subsection 1, the task force shall design, propose, and establish goals for a pilot project on extending the school day or year to expand instructional time for prekindergarten through grade twelve.
3. The appointment of members to the task force shall be made in a manner which provides geographical area representation and complies with sections 69.16, 69.16A, and 69.16C.
4. The task force shall submit its findings, recommendations, and pilot project proposal in a report

to the state board of education, the governor, and the general assembly by October 15, 2012.

DIVISION XI

CLASS SHARING AGREEMENTS

Sec. 37. Section 257.11, subsection 3, Code 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. A school district that collaborates with a community college to provide a college-level class that uses an activities-based, project-based, and problem-based learning approach and that is offered through a partnership with a nationally recognized provider of rigorous and innovative science, technology, engineering, and mathematics curriculum for schools, which provider is exempt from taxation under section 501(c)(3) of the Internal Revenue Code, is eligible to receive additional weighting under a supplementary weighting plan adopted pursuant to this subsection.

Sec. 38. Section 261E.8, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. A student enrolled in a career and technical course made available pursuant to subsection 1 is exempt from the proficiency requirements of section 261E.3, subsection 1, paragraph "e". However, a community college may require a student who applies for enrollment under a district-to-community college sharing or concurrent enrollment program to complete an initial assessment administered by the community college receiving the application to determine the applicant's readiness to enroll in career and technical coursework, and the community college may deny the enrollment.

DIVISION XII

PRACTITIONER PREPARATION PROGRAM ASSESSMENTS

Sec. 39. Section 256.16, subsection 1, paragraph a, Code 2011, is amended to read as follows:

a. (1) Administer a basic skills test a preprofessional skills test offered by a nationally recognized testing service to practitioner preparation program admission candidates. Rules adopted shall require institutions to deny admission to the program to any candidate who does not successfully pass the test.

(2) Administer, prior to a student's completion of the practitioner preparation program and subject to the director's approval, subject assessments designed by a nationally recognized testing service that measure pedagogy and knowledge of at least one subject area; or, a valid and reliable subject-area-specific, performance-based assessment for preservice teacher candidates, centered on student learning. A student shall not successfully complete the program unless the student achieves scores above the twenty-fifth percentile nationally on the assessments administered pursuant to this subparagraph.

DIVISION XIII

KINDERGARTEN REQUIREMENT

Sec. 40. Section 299.1A, Code 2011, is amended to read as

follows:

299.1A Compulsory attendance age.

1. A Except as provided in subsection 2, a child who has reached the age of six and is under sixteen years of age by September 15 is of compulsory attendance age. However, if a child enrolled in a school district or accredited nonpublic school reaches the age of sixteen on or after September 15, the child remains of compulsory age until the end of the regular school calendar.

2. A child who has reached the age of five by September 15 and who is enrolled in a school district shall be considered to be of compulsory attendance age unless the parent or guardian of the child notifies the school district in writing of the parent's or guardian's intent to remove the child from enrollment in the school district.

DIVISION XIV
STATE MANDATE

Sec. 41. 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 Act shall be paid by a school district from the 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 Act by and enforcement of this Act against all affected school districts."

ON THE PART OF THE HOUSE:

ROYD CHAMBERS, Chair
CECIL DOLECHECK
GREG FORRISTALL
MARY MASCHER
SHARON STECKMAN

ON THE PART OF THE SENATE:

HERMAN C. QUIRMBACH, Chair
NANCY J. BOETTGER
TOD BOWMAN
SHAWN HAMERLINCK
BRIAN SCHOENJAHN

SENATE FILE 2313

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 2313, a bill for an Act relating to appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, respectfully make the following report:

1. That the House amendment, S-5114, to Senate File 2313, as amended, passed, and reprinted by the Senate, is amended to read as follows:

- 1. Page 1, line 10, after "balance" by inserting "in an amount not to exceed five hundred thousand dollars"
- 2. Page 1, line 32, by striking "3,901,735" and inserting "4,020,344"
- 3. Page 1, line 37, by striking "2,548,973" and inserting "2,676,460"

4. Page 1, by striking lines 47 and 48 and inserting:
 "405,914
 FTEs 6.88
 5.00"

5. Page 1, line 49, by striking "the I3 distribution account" and inserting "the I3 distribution account distribution to other governmental entities for the payment of services related to the integrated information for Iowa system"

6. Page 2, line 1, by striking "0" and inserting "3,277,946"

7. Page 2, before line 2 by inserting:
 "Moneys appropriated in this lettered paragraph shall be separately accounted for in a distribution account and shall be distributed to other governmental entities based upon a formula established by the department to pay for services associated with the integrated information for Iowa system provided during the fiscal year by the department."

8. Page 2, line 5, by striking "966,164" and inserting "995,535"

9. Page 2, line 50, by striking "878,755" and inserting "905,468"

10. Page 3, line 33, by striking "475,000" and inserting "490,000"

11. Page 3, line 47, by striking "1,184,387" and inserting "1,220,391"

12. Page 4, line 5, by striking "582,641" and inserting "600,353"

13. Page 5, line 30, by striking "legislation" and inserting "legislation House File 561"

14. Page 6, by striking lines 31 through 36 and inserting:
 "1. GENERAL OFFICE

For salaries, support, maintenance, and miscellaneous purposes:

..... \$ 1,144,013
 2,194,914
 FTEs 22.88
 20.00

2. TERRACE HILL QUARTERS
For salaries, support, maintenance, and miscellaneous purposes for the governor's quarters at Terrace Hill, and for not more than the following full-time equivalent positions:

..... \$ 93,111
 FTEs 2.00"

15. Page 7, line 2, by striking "290,000" and inserting "240,000"

16. Page 7, line 4, by striking "6.00" and inserting "4.00"

17. Page 7, line 18, by striking "200,022" and inserting

"206,103"

18. Page 7, line 26, by striking "997,746" and inserting "1,028,077"

19. Page 7, line 34, by striking "993,685" and inserting "1,100,105"

20. Page 12, line 32, by striking "2,323,370" and inserting "2,393,998"

21. Page 13, line 15, by striking "17,138,488" and inserting "17,659,484"

22. Page 13, line 17, by striking "245.46" and inserting "309.00"

23. Page 14, line 4, by striking "2,810,159" and inserting "2,895,585"

24. Page 14, line 38, by striking "829,086" and inserting "854,289"

25. By striking page 15, line 37, through page 16, line 22, and inserting:

"Sec. ____ Section 80E.1, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 3. The governor's office of drug control policy shall be an independent office, located at the same location as the department of public safety. Administrative support services may be provided to the governor's office of drug control policy by the department of public safety."

26. Page 16, by striking lines 28 through 32.

27. By renumbering as necessary.

ON THE PART OF THE HOUSE:

RALPH WATTS, Chair
WALT ROGERS
JEFF SMITH

ON THE PART OF THE SENATE:

PAM JOCHUM, Chair
MERLIN BARTZ
TOD BOWMAN
JEFF DANIELSON
JONI ERNST

SENATE FILE 2315

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 2315, a bill for an Act relating to redesign of publicly funded mental health and disability services by requiring certain core services and addressing other services and providing for establishment of regions and including effective date and applicability provisions, respectfully make the following report:

1. That the Senate recedes from its amendment, H-8518.
2. That the House amendment, S-5234, to Senate File 2315, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 5, after line 34 by inserting:

" ___. Page 11, line 18, by striking "A person" and inserting "Notwithstanding subsection 1, a person""

2. Page 6, by striking lines 2 and 3.

3. Page 7, by striking lines 7 through 13 and inserting "in this Act. In addition, the transition"

4. Page 8, line 38, after "2012." by inserting "The department shall complete the application process and make a recommendation by December 1, 2012, to the governor and general assembly for an appropriate amount of funding to meet the need for assistance under this section as determined by the department's analysis of the applications, which amount may be addressed by an appropriation by the Eighty-fifth General Assembly, 2013 Regular Session."

5. Page 10, after line 22 by inserting:

___ Chapter 229."

6. Page 12, after line 10 by inserting:

" ___. Page 27, line 23, before "one" by inserting "at least""

7. Page 15, line 1, after "applies" by inserting "beginning July 1, 2012,"

8. Page 15, line 5, after "costs" by inserting "for services provided on or after July 1, 2011,"

9. Page 15, after line 8 by inserting:

(__) Chapter 229."

10. Page 15, line 17, after "billing." by inserting "However, for services provided on or after July 1, 2011, for which a county has received the billing as of July 1, 2012, the county shall notify the department of the county's assertion on or before October 1, 2012."

11. By striking page 24, line 23, through page 28, line 2, and inserting:

"DIVISION ___

PROPERTY TAX-RELATED PROVISIONS

Sec. ___. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN FISCAL VIABILITY ANALYSIS. The legislative council is

requested to authorize a study committee to analyze the viability of the mental health and disability services redesign financing provisions in this Act, during the 2012 and 2013 legislative interims. The study committee may contract for an independent analysis to be performed. The study committee shall consider reports from the transition committee created by this division of this Act. Reports of the analysis containing findings and recommendations shall be submitted for consideration by the Eighty-fifth General Assembly during the 2013 legislative session. The study committee may meet during the 2013 legislative interim to consider and determine whether revisions to 2013 redesign financing enactments are warranted and to make appropriate recommendations for consideration during the 2014 legislative session.

Sec. ___. Section 331.424A, Code Supplement 2011, is amended to read as follows:

331.424A County mental health, ~~mental retardation~~, and

developmental disabilities services fund.

1. For the purposes of this chapter ~~and chapter 426B,~~ unless the context otherwise requires, "services fund" means the county mental health, mental retardation, and developmental disabilities services fund created in subsection 2. ~~The county finance committee created in section 333A.2 shall consult with the state commission in adopting rules and prescribing forms for administering the services fund.~~

2. ~~3.~~ For the fiscal year beginning July 1, 1996, and succeeding fiscal years, county County revenues from taxes and other sources designated by a county for mental health, ~~mental retardation,~~ and developmental disabilities services shall be credited to the county mental health, ~~mental retardation,~~ and developmental disabilities services fund of which shall be created by the county. The board shall make appropriations from the fund for payment of services provided under the county regional service system management plan approved pursuant to section ~~331.439~~ 331.439A. The county may pay for the services in cooperation with other counties by pooling appropriations from the county services fund with appropriations from the county services fund of other counties or through county regional entities including but not limited to the county's mental health and developmental disabilities regional planning council created pursuant to section 225C.18 through the county's regional administrator, or through another arrangement specified in the regional governance agreement entered into by the county under section 331.438E.

3. ~~4.~~ For the fiscal year beginning July 1, 1996, and succeeding fiscal years, receipts Receipts from the state or federal government for ~~such the mental health and disability services administered or paid for by a county~~ shall be credited to the county services fund, including moneys allotted distributed to the county from the state payment made pursuant to section 331.439 and moneys allotted to the county for property tax relief pursuant to section 426B.1 department of human services and moneys allocated under chapter 426B.

4. ~~5.~~ For the fiscal year beginning July 1, 1996, and for each subsequent fiscal year, the county shall certify a levy for payment of services. For each fiscal year, county revenues from taxes imposed by the county credited to the services fund shall not exceed an amount equal to the amount of base year expenditures for mental health and disability services as defined in section 331.438, less the amount of property tax relief to be received pursuant to section 426B.2, in the fiscal year for which the budget is certified. The county auditor and the board of supervisors shall reduce the amount of the levy certified for the services fund by the amount of property tax relief to be received. A levy certified under this section is not subject to the appeal provisions of section 331.426or to any other provision in law authorizing a county to exceed, increase, or appeal a property tax levy limit.

5. ~~6.~~ Appropriations specifically authorized to be made

from the mental health, ~~mental retardation,~~ and developmental disabilities services fund shall not be made from any other fund of the county.

~~6. 7. This section is repealed July 1, 2013.~~

Notwithstanding subsection 5, for the fiscal years beginning July 1, 2013, and July 1, 2014, county revenues from taxes levied by the county and credited to the county services fund shall not exceed the lower of the following amounts:

a. The amount of the county's base year expenditures for mental health and disabilities services.

b. The amount equal to the product of the statewide per capita expenditure target for the fiscal year beginning July 1, 2013, multiplied by the county's general population for the same fiscal year.

Sec. ____ Section 331.432, subsection 3, Code Supplement 2011, is amended to read as follows:

3. Except as authorized in section 331.477, transfers of moneys between the county mental health, ~~mental retardation,~~ and ~~developmental~~ disabilities services fund created pursuant to section 331.424A and any other fund are prohibited.

Sec. ____ Section 426B.1, subsection 2, Code 2011, is amended by striking the subsection and inserting in lieu thereof the following:

2. Moneys shall be distributed from the property tax relief fund to counties for the mental health and disability regional service system for providing county base property tax equivalent equalization payments and the per capita growth amount established pursuant to section 426B.3, in accordance with the appropriations made to the fund and other statutory requirements.

Sec. ____ Section 426B.2, subsections 1 and 2, Code 2011, are amended by striking the subsections.

Sec. ____ Section 426B.2, subsection 3, Code 2011, is amended to read as follows:

3. ~~a.~~ The director of human services shall draw warrants on the property tax relief fund, payable to the county treasurer in the amount due to a county in accordance with ~~subsection 1~~ section 426B.3, and mail the warrants to the county auditors in July and January of each year.

~~b. Any replacement generation tax in the property tax relief fund as of May 1 shall be paid to the county treasurers in July and January of the fiscal year beginning the following July 1. The department of management shall determine the amount each county will be paid pursuant to this lettered paragraph for the following fiscal year. The department shall reduce by the determined amount the amount of each county's certified budget to be raised by property tax for that fiscal year which is to be expended for mental health, mental retardation, and developmental disabilities services and shall revise the rate of taxation as necessary to raise the reduced amount. The department of management shall report the reduction in the certified budget and the revised rate of taxation to the county~~

auditors by June 15.

Sec. __. Section 426B.3, Code 2011, is amended by striking the section and inserting in lieu thereof the following:

426B.3 Per capita funding for fiscal years 2013-2014 and 2014-2015.

1. For the fiscal years beginning July 1, 2013, and July 1, 2014, the state and county funding for the mental health and disability services administered or paid for by counties shall be provided based on a statewide per capita expenditure target amount computed in accordance with this section.

2. The statewide per capita expenditure target amount shall consist of the sum of the following:

a. A county base property tax equivalent to forty-seven dollars and twenty-eight cents per capita. Each per capita growth amount established by statute as provided in paragraph "b", shall be added to this amount.

b. A per capita growth amount, which may be stated as a percentage of the prior fiscal year's county base property tax per capita amount, as established by statute.

3. The per capita growth amount established by statute shall provide funding for increases in non-Medicaid expenditures from county services funds due to service costs, additional service populations, additional core service domains, and numbers of persons receiving services.

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.

Sec. __. REPEAL. Section 426B.6, Code Supplement 2011, is repealed.

Sec. __. EFFECTIVE DATE. The following provisions of this division of this Act take effect July 1, 2013:

1. The section of this Act amending section 331.424A.
2. The section of this Act amending section 331.432.
3. The section of this Act amending section 426B.1.
4. The sections of this Act amending section 426B.2.
5. The section of this Act amending section 426B.3.

Sec. __. APPLICABILITY. The following provisions of this division of this Act are applicable commencing with the budget and tax levy certification process for the fiscal year beginning July 1, 2013:

1. The section of this Act amending section 331.424A.
2. The section of this Act amending section 426B.1.
3. The sections of this Act amending section 426B.2.
4. The section of this Act amending section 426B.3."
12. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

RENEE SCHULTE, Chair
LINDA UPMEYER
NICK WAGNER

JACK HATCH, Chair
JOE BOLKCOM
JONI ERNST
DAVID JOHNSON
AMANDA RAGAN

SENATE FILE 2316

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 2316, a bill for an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the FY 2009 prison bonding fund, and the endowment for Iowa's health restricted capitals fund, providing for related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House amendment, S-5148, to Senate File 2316, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, line 15, by striking "20,000,000" and inserting "10,250,000"

2. Page 1, by striking line 16 and inserting:
"The moneys appropriated in this lettered paragraph shall be used according to the department's major maintenance project recommendation list submitted to the Governor's vertical infrastructure advisory committee."

3. Page 1, line 28, by striking "2,000,000" and inserting "1,450,000"

4. Page 1, after line 28 by inserting:
FY 2013-2014..... \$ 1,000,000"

5. Page 1, after line 34 by inserting:
"_. ECONOMIC DEVELOPMENT AUTHORITY
a. For equal distribution to regional sports authority districts certified by the department pursuant to section 15E.321, notwithstanding section 8.57, subsection 6, paragraph "c":

FY 2012-2013..... \$ 500,000

b. For administration and support of the world food prize including the Borlaug/Ruan scholar program, notwithstanding section 8.57, subsection 6, paragraph "c":

FY 2012-2013..... \$ 100,000

c. For roof repairs, restoration of the chapel, and improvements and interior renovation to develop a collections room at the museum at Fort Des Moines:

FY 2012-2013..... \$ 100,000

d. For remodeling, renovations, and related improvements of

a kitchen at a year-round camp for persons with disabilities in a central Iowa city with a population between one hundred ninety-five thousand and two hundred five thousand as determined by the 2010 federal decennial census:

FY 2012-2013..... \$ 125,000

Moneys appropriated in this lettered paragraph are contingent upon receipt of matching funds."

- 6. Page 1, line 36, by striking "a."
- 7. Page 1, line 41, by striking "5,000,000" and inserting "6,000,000"
- 8. Page 1, by striking lines 42 through 46.
- 9. Page 2, by striking lines 2 through 21.
- 10. Page 2, line 23, before "For" by inserting "a."
- 11. Page 2, line 29, by striking "5,459,000" and inserting "6,000,000"
- 12. Page 2, after line 29 by inserting:

"b. For the restoration and reconstruction of a dam in a county with a population between seventeen thousand seven hundred and seventeen thousand eight hundred as determined by the 2010 federal decennial census, for a lake with public access that has the support of a benefited lake district:

FY 2012-2013..... \$ 2,500,000

FY 2013-2014..... \$ 2,500,000

The appropriations in this lettered paragraph are conditioned upon the completion of a plan by the benefited lake district to increase public access areas to the lake such as boat ramps and beaches, and to address wastewater treatment systems for homeowners in an effort to reduce pollution and increase the water quality at the lake. The plan shall be submitted to the general assembly no later than December 31, 2012.

c. For the administration of a water trails and low head dam public hazard statewide plan, including salaries, support, maintenance, and miscellaneous purposes, notwithstanding section 8.57, subsection 6, paragraph "c":

FY 2012-2013..... \$ 1,000,000"

- 13. Page 2, line 45, before "For" by inserting "a."
- 14. Page 3, after line 4 by inserting:
"b. To Iowa state university of science and technology at the college of veterinary medicine for renovations and improvements of facilities:
FY 2012-2013..... \$ 400,000
- c. To Iowa state university of science and technology to be used for the phase II expansion of a building at the science and technology research park:
FY 2012-2013..... \$ 1,000,000"
- 15. Page 3, line 32, by striking "500,000" and inserting "250,000"
- 16. Page 3, after line 32 by inserting:
FY 2013-2014..... \$ 250,000"
- 17. Page 4, by striking lines 4 through 10 and inserting "following entities for the following fiscal years, the

following amounts, or so much thereof as is necessary, to be used for the purposes designated."

18. Page 4, after line 13 by inserting: "FY 2012-2013"

19. Page 4, after line 20 by inserting: "FY 2012-2013"

20. Page 4, after line 35 by inserting:

"___. DEPARTMENT OF CULTURAL AFFAIRS

For providing a grant to the Grout museum district for the Sullivan brothers veterans museum for costs associated with the oral history exhibit including but not limited to exhibit information technology, computer connectivity, and interactive display technologies:

FY 2012-2013..... \$ 150,000

FY 2013-2014..... \$ 129,450"

21. Page 4, after line 41 by inserting: "FY 2012-2013"

22. Page 4, after line 49 by inserting: "FY 2012-2013"

23. Page 4, after line 50 by inserting:

"c. For maintenance and lease costs associated with connections for part III of the Iowa communications network:

FY 2013-2014..... \$ 2,727,000"

24. Page 5, after line 4 by inserting: "FY 2012-2013"

25. Page 5, line 5, by striking "1,742,397" and inserting "1,714,307"

26. Page 5, after line 5 by inserting:

"___. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

a. For a comprehensive audit and appraisal, notwithstanding section 8.57C, subsection 2:

FY 2012-2013..... \$ 500,000

Prior to the sale or lease of the Iowa communications network, the network shall conduct a comprehensive accounting to include a complete inventory of all the components included in the network including all fiber, switching stations, end user equipment, and individual components purchased by the network and the state of Iowa since the creation of the network. The network shall then conduct an appraisal of the network to determine the market value of the assets listed in the accounting as well as the market value of the network's current and future operations.

The inventory audit and appraisal shall be conducted by an independent professional firm selected through a competitive bidding process not associated with the network or any of its vendors. The selected firm shall be accredited in business valuation from either the American institute of certified public accountants or the American society of appraisers, be technology-based, and have extensive industry experience in telecommunications. In addition, the selected firm shall have experience and knowledge regarding the public markets for telecommunications companies, potential buyers of telecommunications networks, and specific attributes of telecommunications networks that impact their valuation.

b. For replacement of equipment for the Iowa communications network:

FY 2012-2013..... \$ 2,198,653

The commission may continue to enter into contracts pursuant to section 8D.13 for the replacement of equipment and for operations and maintenance costs of the network.

In addition to moneys appropriated in this lettered paragraph, the commission may use a financing agreement entered into by the treasurer of state in accordance with section 12.28 for the replacement of equipment for the network. For purposes of this lettered paragraph, the treasurer of state is not subject to the maximum principal limitation contained in section 12.28, subsection 6. Repayment of any amounts financed shall be made from receipts associated with fees charged for use of the network."

27. Page 5, after line 9 by inserting: "FY 2012-2013"

28. Page 5, after line 12 by inserting: "FY 2012-2013"

29. Page 5, by striking line 18 and inserting:

"FY 2012-2013.....	\$ 1,000,000
FY 2013-2014.....	\$ 3,000,000"

30. By striking page 5, line 32, through page 6, line 1, and inserting:

"ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND ACCOUNT
---- APPROPRIATION

Sec. ____ . ENDOWMENT FOR IOWA'S HEALTH RESTRICTED CAPITALS FUND ACCOUNT. There is appropriated from the endowment for Iowa's health restricted capitals fund account to the department of corrections 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 the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:
..... \$ 2,000,000

Sec. ____ . REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends one year after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year."

31. Page 6, by striking lines 19 through 33 and inserting:
"MORTGAGE SERVICING SETTLEMENT FUND ---- APPROPRIATION ----
DEPARTMENT OF EDUCATION

Sec. ____ . MORTGAGE SERVICING SETTLEMENT FUND. There is appropriated from the mortgage servicing settlement fund to the department of education 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 major renovation and major repair needs, including health, life, and fire safety needs and for compliance with

the federal Americans with Disabilities Act, and for routine maintenance and building operations, for buildings and facilities under the purview of the community colleges:

..... \$ 5,000,000"

32. Page 6, line 40, by striking "one year" and inserting "three years"

33. Page 7, line 28, by striking "paragraph b, is" and inserting "paragraphs a and b, are"

34. Page 7, after line 29 by inserting:

"a. For the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:

FY 2011-2012..... \$ 5,155,077

FY 2012-2013..... \$ 18,269,124

16,269,124

FY 2013-2014..... \$ 3,000,000"

35. Page 7, line 37, by striking "paragraph c, is" and inserting "paragraphs c through f, are"

36. Page 8, after line 3 by inserting:

"d. For construction, renovation, and related improvements for phase II of the agricultural and biosystems engineering complex, including classrooms, laboratories, and offices at Iowa state university of science and technology:

FY 2011-2012..... \$ 1,000,000

FY 2012-2013..... \$ 20,800,000

19,050,000

FY 2013-2014..... \$ 20,000,000

21,750,000

FY 2014-2015..... \$ 18,600,000

e. For the renovation and related improvements to the dental science building at the state university of Iowa including but not limited to renovation of clinical spaces and development of a multidisciplinary clinical area:

FY 2011-2012..... \$ 1,000,000

FY 2012-2013..... \$ 12,000,000

10,250,000

FY 2013-2014..... \$ 8,000,000

9,750,000

FY 2014-2015..... \$ 8,000,000

f. For renovation and related improvements for Bartlett hall at the university of northern Iowa including providing faculty offices, seminar rooms, and laboratories in the building and the associated demolition of Baker hall:

FY 2011-2012..... \$ 1,000,000

FY 2012-2013..... \$ 8,286,000

7,786,000

FY 2013-2014..... \$ 9,767,000

10,267,000

FY 2014-2015..... \$ 1,947,000"

37. Page 8, after line 12 by inserting:

"Sec. ____ 2011 Iowa Acts, chapter 133, section 3, subsection 5, paragraph a, is amended to read as follows:

a. To be used for medical contracts under the medical

assistance program for technology upgrades necessary to support Medicaid claims and other health operations, worldwide HIPAA claims transactions and coding requirements, and the Iowa automated benefits calculation system:

FY 2011-2012.....	\$ 3,494,176
FY 2012-2013.....	\$ 4,667,600
	<u>4,120,037</u>
FY 2013-2014.....	\$ 4,267,600
	<u>4,815,163</u>
FY 2014-2015.....	\$ 1,945,684"

38. Page 8, line 14, by striking "paragraph a,"

39. Page 8, after line 15 by inserting:

8. DEPARTMENT OF PUBLIC SAFETY"

40. Page 8, after line 50 by inserting:

"b. For transfer to a firefighter association in a county with a population between ninety thousand and ninety-five thousand as determined by the 2010 federal decennial census for a ~~driving simulator to enhance the association's emergency vehicle operations course~~ firearms training simulator:"

FY 2011-2012..... \$ 80,000"

41. Page 9, by striking lines 17 through 50 and inserting:

"(i) ~~(A) However~~ Except as otherwise provided in subparagraph part (B), in lieu of the deposit in subparagraph subdivision (i), for the fiscal year years beginning July 1, 2010, July 1, 2011, and July 1, 2013, and for each fiscal year thereafter until the principal and interest on all bonds issued by the treasurer of state pursuant to section 12.87 are paid, as determined by the treasurer of state, sixty-four million seven hundred fifty thousand dollars of the excess moneys directed to be deposited in the rebuild Iowa infrastructure fund under subparagraph subdivision (i) shall be deposited in the general fund of the state.

(B) For the fiscal year beginning July 1, 2012 and ending June 30, 2013, thirty-eight million seven hundred fifty thousand dollars shall be deposited in the general fund of the state and the next twenty million dollars shall be deposited in the technology reinvestment fund.

Sec. ____ Section 8.57C, subsection 3, paragraph a, Code Supplement 2011, is amended to read as follows:

a. There is appropriated from the general fund of the state for the fiscal year beginning July 1, ~~2012~~ 2013, and for each subsequent fiscal year thereafter, the sum of seventeen million five hundred thousand dollars to the technology reinvestment fund."

42. Page 10, before line 1 by inserting:

"Sec. ____ Section 15F.204, subsection 8, paragraph g, Code Supplement 2011, is amended to read as follows:

g. For ~~the each~~ fiscal year for the fiscal period beginning July 1, 2012, and ending June 30, ~~2013~~ 2014, the sum of five million dollars."

43. Page 10, by striking lines 36 through 40 and inserting:

"____. Title page, by striking lines 4 and 5 and inserting

"endowment for Iowa's health restricted capitals fund, and the mortgage servicing settlement fund, providing for related"

44. By renumbering as necessary.

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

DAN HUSEMAN, Chair
ROYD CHAMBERS
DENNIS COHOON
LEE HEIN
BRIAN QUIRK

MATT McCOY, Chair
DARYL BEALL
ROBERT E. DVORSKY

SENATE FILE 2321

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 2321, 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 effective date provisions, respectfully make the following report:

- 1. That the House recedes from its amendment, S-5145.
- 2. That Senate File 2321, 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 2012-2013 EDUCATION APPROPRIATIONS

Section 1. 2011 Iowa Acts, chapter 132, section 7, subsection 1, paragraph a, is amended to read as follows:

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 1,065,005
.....	FTEs 15.00

(1) The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative services agency.

(2) The state board of regents may transfer moneys appropriated under paragraphs "b", "c", and "d", to any of the centers specified in paragraph "b", "c", or "d", if the board notifies, in writing, the general assembly and the legislative services agency of the amount, the date, and the purpose of the transfer.

MIDWESTERN HIGHER EDUCATION COMPACT

Sec. 2. 2011 Iowa Acts, chapter 132, section 32, is amended to read as follows:

SEC. 32. There is appropriated from the general fund of the state to the department of education for the following

fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

To be distributed to the midwestern higher education compact to pay Iowa's member state annual obligation:

FY 2010-2011.....	\$	39,000
FY 2011-2012.....	\$	100,000
FY 2012-2013.....	\$	50,000
		<u>100,000</u>

Notwithstanding section 8.33, moneys appropriated in this section, to the department of education for purposes of paying Iowa's member state annual obligation under the midwestern higher education compact, that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2010, and ending June 30, 2011, shall not revert but shall remain available for expenditure for the purpose designated until the close of the succeeding fiscal year.

DEPARTMENT FOR THE BLIND

Sec. 3. 2011 Iowa Acts, chapter 132, section 97, is amended to read as follows:

SEC. 97. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind 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:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	845,908
		<u>1,691,815</u>
.....	FTEs	88.00

2. For costs associated with universal access to audio information over the phone on demand for blind and print handicapped Iowans:

.....	\$	25,000
		<u>50,000</u>

COLLEGE STUDENT AID COMMISSION

Sec. 4. 2011 Iowa Acts, chapter 132, section 98, is amended to read as follows:

SEC. 98. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2012, and ending June 30, 2013, 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:

.....	\$	116,472
		<u>232,943</u>
.....	FTEs	3.95

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program

established in section 261.93:

..... \$ ~~395,589~~
791,177

3. ~~DES MOINES UNIVERSITY~~ HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

For ~~forgivable loans to Iowa students attending Des Moines university~~ osteopathic medical center under the forgivable loan repayment program for health care professionals established pursuant to section 261.19:

..... \$ ~~162,987~~
325,973

4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

..... \$ ~~1,593,117~~
4,800,233

5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

..... \$ ~~196,226~~
392,452

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:

..... \$ ~~277,029~~
554,057

7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

a. For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:

..... \$ ~~1,120,427~~
2,240,854

b. If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2012-2013 for purposes of the all Iowa opportunity scholarship program exceed \$500,000, "eligible institution" as defined in section 261.87, shall, during fiscal year 2012-2013, include accredited private institutions as defined in section 261.9, subsection 1.

8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM

a. For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:

..... \$ ~~40,426~~
80,852

b. It is the intent of the general assembly that the commission continue to consider moneys allocated pursuant to this subsection as moneys that meet the state matching funds requirements of the federal leveraging educational assistance program and the federal supplemental leveraging educational assistance program established under the Higher Education Act of 1965, as amended.

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:

..... \$ 18,469
36,938

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.

DEPARTMENT OF EDUCATION

Sec. 5. 2011 Iowa Acts, chapter 132, section 102, is amended to read as follows:

SEC. 102. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2012, and ending June 30, 2013, 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:

..... \$ 2,956,906
5,913,812
..... FTEs 81.67

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 224,638
598,197
..... FTEs 11.50

3. VOCATIONAL REHABILITATION SERVICES DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,481,584
4,963,168
..... FTEs 255.00

For purposes of optimizing the job placement of individuals with disabilities, the division shall make its best efforts to work with community rehabilitation program providers for job placement and retention services for individuals with significant disabilities and most significant disabilities. By January 15, 2013, the division shall submit a written report to the general assembly on the division's outreach efforts with community rehabilitation program providers.

b. For matching funds for programs to enable persons

with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

..... \$ 19,564
39,128
..... FTEs 1.00

c. For the entrepreneurs with disabilities program established pursuant to section 259.4, subsection 9:

..... \$ 72,768
145,535

d. For costs associated with centers for independent living:

..... \$ 20,147
40,294

4. STATE LIBRARY

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 604,810
2,215,063
..... FTEs 17.00
29.00

b. For the enrich Iowa program established under section 256.57:

..... \$ 837,114
2,174,228

5. LIBRARY SERVICE AREA SYSTEM

For state aid:

..... \$ 502,722

6. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,327,011
6,969,021
..... FTEs 82.00

7. REGIONAL TELECOMMUNICATIONS COUNCILS

For state aid:

..... \$ 496,457

~~The regional telecommunications councils established in section 8D.5 shall use the moneys appropriated in this subsection to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.~~

8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

..... \$ 1,315,067
2,630,134

Moneys appropriated in this subsection shall be used to reimburse school districts for vocational education

expenditures made by secondary schools to meet the standards set in sections 256.11, 258.4, and 260C.14.

9. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,088,399
		<u>2,176,797</u>
.....	FTEs	20.58

10. EARLY CHILDHOOD IOWA FUND ---- GENERAL AID

For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

.....	\$	2,693,057
		<u>5,386,113</u>

a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2012, and ending June 30, 2013, not more than \$265,950 is allocated for the early childhood Iowa office and other technical assistance activities. The early childhood Iowa state board shall direct staff to work with the early childhood stakeholders alliance created in section 256I.12 to inventory technical assistance needs. Moneys allocated under this lettered paragraph may be used by the early childhood Iowa state board for the purpose of skills development and support for ongoing training of staff. However, except as otherwise provided in this subsection, moneys shall not be used for additional staff or for the reimbursement of staff.

b. As a condition of receiving moneys appropriated in this subsection, each early childhood Iowa area board shall report to the early childhood Iowa state board progress on each of the local indicators approved by the area board. Each early childhood Iowa area board must also submit an annual budget for the area's comprehensive school ready children grant developed for providing services for children from birth through five years of age, and provide other information specified by the early childhood Iowa state board, including budget amendments as needed. The early childhood Iowa state board shall establish a submission deadline for the annual budget and any budget amendments that allow a reasonable period of time for preparation by the early childhood Iowa area boards and for review and approval or request for modification of the materials by the early childhood Iowa state board. In addition, each early childhood Iowa area board must continue to comply with reporting provisions and other requirements adopted by the early childhood Iowa state board in implementing section 256I.9.

c. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$2,318,018 shall be used for efforts to improve the quality of early care, health, and education programs. Moneys allocated pursuant to this paragraph may be

used for additional staff and for the reimbursement of staff. The early childhood Iowa state board may reserve a portion of the allocation, not to exceed \$88,650, for the technical assistance expenses of the early childhood Iowa state office, including the reimbursement of staff, and shall distribute the remainder to early childhood Iowa areas for local quality improvement efforts through a methodology identified by the early childhood Iowa state board to make the most productive use of the funding, which may include use of the distribution formula, grants, or other means.

d. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$825,030 shall be used for support of professional development and training activities for persons working in early care, health, and education by the early childhood Iowa state board in collaboration with the professional development component group of the early childhood Iowa stakeholders alliance maintained pursuant to section 256I.12, subsection 7, paragraph "b", and the early childhood Iowa area boards. Expenditures shall be limited to professional development and training activities agreed upon by the parties participating in the collaboration.

11. EARLY CHILDHOOD IOWA FUND ---- PRESCHOOL TUITION ASSISTANCE

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ ~~2,714,439~~
5,428,877

b. The amount appropriated in this subsection shall be used for early care, health, and education programs to assist low-income parents with tuition for preschool and other supportive services for children ages three, four, and five who are not attending kindergarten in order to increase the basic family income eligibility requirement to not more than 200 percent of the federal poverty level. In addition, if sufficient funding is available after addressing the needs of those who meet the basic income eligibility requirement, an early childhood Iowa area board may provide for eligibility for those with a family income in excess of the basic income eligibility requirement through use of a sliding scale or other copayment provisions.

12. EARLY CHILDHOOD IOWA FUND ---- FAMILY SUPPORT AND PARENT EDUCATION

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ ~~6,182,217~~
12,364,434

b. The amount appropriated in this subsection shall be used for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five and shall be distributed using the distribution formula approved by the early childhood Iowa

state board and shall be used by an early childhood Iowa area board only for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five.

c. 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 as follows:

(1) By July 1, 2013, 25 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(2) By July 1, 2014, 50 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(3) By July 1, 2015, 75 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(4) By July 1, 2016, 90 percent of state funds expended for home visiting programs are for evidence-based or promising program models. The remaining 10 percent of funds may be used for innovative program models that do not yet meet the definition of evidence-based or promising programs.

d. For the purposes of this subsection, unless the context requires:

(1) "Evidence-based program" means a program that is based on scientific evidence demonstrating that the program model is effective. An evidence-based program shall be reviewed on site and compared to program model standards by the model developer or the developer's designee at least every five years to ensure that the program continues to maintain fidelity with the program model. The program model shall have had demonstrated significant and sustained positive outcomes in an evaluation utilizing a well-designed and rigorous randomized controlled research design or a quasi-experimental research design, and the evaluation results shall have been published in a peer-reviewed journal.

(2) "Family support programs" includes group-based parent education or home visiting programs that are designed to strengthen protective factors, including parenting skills, increasing parental knowledge of child development, and increasing family functioning and problem solving skills. A family support program may be used as an early intervention strategy to improve birth outcomes, parental knowledge, family economic success, the home learning environment, family and child involvement with others, and coordination with other community resources. A family support program may have a specific focus on preventing child maltreatment or ensuring children are safe, healthy, and ready to succeed in school.

(3) "Promising program" means a program that meets all of the following requirements:

(a) The program conforms to a clear, consistent family

support model that has been in existence for at least three years.

(b) The program is grounded in relevant empirically-based knowledge.

(c) The program is linked to program-determined outcomes.

(d) The program is associated with a national or state organization that either has comprehensive program standards that ensure high-quality service delivery and continuous program quality improvement or the program model has demonstrated through the program's benchmark outcomes that the program has achieved significant positive outcomes equivalent to those achieved by program models with published significant and sustained results in a peer-reviewed journal.

(e) The program has been awarded the Iowa family support credential and has been reviewed on site at least every five years to ensure the program's adherence to the Iowa family support standards approved by the early childhood Iowa state board created in section 256I.3 or a comparable set of standards. The on-site review is completed by an independent review team that is not associated with the program or the organization administering the program.

e. (1) The data reporting requirements adopted by the early childhood Iowa state board pursuant to section 256I.4 for the family support programs targeted to families expecting a child or with newborn and infant children through age five and funded through the board shall require the programs to participate in a state administered internet-based data collection system by July 1, 2013. The data reporting requirements shall be developed in a manner to provide for compatibility with local data collection systems. The state board's annual report submitted each January to the governor and general assembly under section 256I.4 shall include family support program outcomes beginning with the January 2015 report.

(2) The data on families served that is collected by the family support programs funded through the early childhood Iowa initiative shall include but is not limited to basic demographic information, services received, funding utilized, and program outcomes for the children and families served. The state board shall adopt performance benchmarks for the family support programs and shall revise the Iowa family support credential to incorporate the performance benchmarks on or before January 1, 2014.

(3) The state board shall identify minimum competency standards for the employees and supervisors of family support programs funded through the early childhood Iowa initiative. The state board shall submit recommendations concerning the standards to the governor and general assembly on or before January 1, 2014.

(4) On or before January 1, 2013, the state board shall adopt criminal and child abuse record check requirements for the employees and supervisors of family support programs funded through the early childhood Iowa initiative.

(5) The state board shall develop a plan to implement a coordinated intake and referral process for publicly funded family support programs in order to engage the families expecting a child or with newborn and infant children through age five in all communities in the state by July 1, 2015.

13. BIRTH TO AGE THREE SERVICES

For expansion of the federal Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, as amended to January 1, 2012, birth through age three services due to increased numbers of children qualifying for those services:

..... \$ ~~860,700~~
1,721,400

From the moneys appropriated in this subsection, \$383,769 shall be allocated to the child health specialty clinic at the state university of Iowa to provide additional support for infants and toddlers who are born prematurely, drug-exposed, or medically fragile.

14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide moneys for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1:

..... \$ ~~280,107~~
560,214

Funding under this subsection is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils.

15. CORE CURRICULUM AND CAREER INFORMATION AND DECISION-MAKING SYSTEM

For purposes of implementing the statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system:

..... \$ ~~500,000~~
1,000,000

16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes of the student achievement and teacher quality program established pursuant to chapter 284, and for not more than the following full-time equivalent positions:

..... \$ ~~2,392,500~~
4,785,000
 FTEs 2.00

17. JOBS FOR AMERICA'S GRADUATES

For school districts to provide direct services to the most at-risk senior high school students enrolled in school districts through direct intervention by a jobs for America's graduates specialist:

..... \$ ~~20,000~~
540,000

18. COMMUNITY COLLEGES

a. For general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C:

..... \$ 81,887,324
 177,274,647

The funds appropriated in this subsection shall be allocated pursuant to the formula established in section 260C.18C.

Notwithstanding the allocation formula in section 260C.18C, the funds appropriated in this subsection shall be allocated as follows:

(1) Merged Area I	\$ 8,815,803
(2) Merged Area II	\$ 9,196,145
(3) Merged Area III	\$ 8,473,561
(4) Merged Area IV	\$ 4,164,164
(5) Merged Area V	\$ 9,859,104
(6) Merged Area VI	\$ 8,113,382
(7) Merged Area VII	\$ 12,193,896
(8) Merged Area IX	\$ 15,262,118
(9) Merged Area X	\$ 27,387,664
(10) Merged Area XI	\$ 28,219,579
(11) Merged Area XII	\$ 9,971,081
(12) Merged Area XIII	\$ 10,444,823
(13) Merged Area XIV	\$ 4,235,051
(14) Merged Area XV	\$ 13,275,582
(15) Merged Area XVI	\$ 7,662,694

b. For distribution to community colleges to supplement faculty salaries:

..... \$ 250,000
 500,000

c. For deposit in the workforce training and economic development funds created pursuant to section 260C.18A:

..... \$ 2,500,000
 8,000,000

d. For deposit in the gap tuition assistance fund established pursuant to section 260I.2, subsection 2:

..... \$ 2,000,000

STATE BOARD OF REGENTS

Sec. 6. 2011 Iowa Acts, chapter 132, section 103, is amended to read as follows:

SEC. 103. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 532,503
 1,065,005
 FTEs 15.00

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative services agency. The report submitted in December 2012 shall include the five-year

graduation rates for the regents universities.

b. For moneys to be allocated to the southwest Iowa graduate studies center:

..... \$ 43,736
87,471

c. For moneys to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 22:

..... \$ 33,301
66,601

d. For moneys to be allocated to the quad-cities graduate studies center:

..... \$ 64,888
129,776

The board may transfer moneys appropriated under paragraph "b", "c", or "d", of this subsection to any of the other centers specified in paragraph "b", "c", or "d", if the board notifies, in writing, the general assembly and the legislative services agency of the amount, the date, and the purpose of the transfer.

e. For moneys to be distributed to Iowa public radio for public radio operations:

..... \$ 195,784
391,568

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 104,868,656
216,414,572
 FTEs 5,058.55

b. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,093,279
2,186,558
 FTEs 38.25

c. State hygienic laboratory

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,768,358
3,536,716
 FTEs 102.50

d. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants to carry out the provisions of chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 894,133
1,788,265
 FTEs 190.40

e. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 329,728
659,456
 FTEs 57.97

f. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

..... \$ 74,526
149,051
 FTEs 2.10

g. Substance abuse consortium

For moneys to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent position:

..... \$ 27,765
55,529
 FTEs 1.00

h. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

..... \$ 361,864
723,727
 FTEs 6.28

i. Primary health care initiative

For the primary health care initiative in the college of medicine, and for not more than the following full-time equivalent positions:

..... \$ 324,465
648,930
 FTEs 5.89

From the moneys appropriated in this lettered paragraph, \$254,889 shall be allocated to the department of family practice at the state university of Iowa college of medicine for family practice faculty and support staff.

j. Birth defects registry

For the birth defects registry, and for not more than the following full-time equivalent position:

..... \$ 19,144
38,288
 FTEs 1.00

k. Larned A. Waterman Iowa nonprofit resource center

For the Larned A. Waterman Iowa nonprofit resource center, and for not more than the following full-time equivalent

positions:

..... \$ 81,270
162,539
 FTEs 2.75

1. Iowa online advanced placement academy science, technology, engineering, and mathematics initiative
 For the establishment of the Iowa online advanced placement academy science, technology, engineering, and mathematics initiative:

..... \$ 240,925
481,849

m. For the Iowa flood center for use by the university's college of engineering pursuant to section 466C.1:

..... \$ 1,500,000

3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 82,172,599
169,577,342
 FTEs 3,647.42

b. Agricultural experiment station

For the agricultural experiment station salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 14,055,939
28,111,877
 FTEs 546.98

c. Cooperative extension service in agriculture and home economics

For the cooperative extension service in agriculture and home economics salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 8,968,361
17,936,722
 FTEs 383.34

d. Leopold center

For agricultural research grants at Iowa state university of science and technology under section 266.39B, and for not more than the following full-time equivalent positions:

..... \$ 198,709
397,417
 FTEs 11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8:

..... \$ 86,423
172,845

4. UNIVERSITY OF NORTHERN IOWA

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 37,367,293
81,113,859
 FTEs 1,447.50

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent positions:

..... \$ 87,628
175,256
 FTEs 3.00

c. Science, technology, engineering, and mathematics (STEM) collaborative initiative

For purposes of establishing a science, technology, engineering, and mathematics (STEM) collaborative initiative, and for not more than the following full-time equivalent positions:

..... \$ 867,328
4,700,000
 FTEs 6.20

(1) From the moneys appropriated in this lettered paragraph, up to \$282,000 shall be allocated for salaries, staffing, and institutional support. The remainder of the moneys appropriated in this lettered paragraph shall be expended only to support activities directly related to recruitment of kindergarten through grade 12 mathematics and science teachers and for ongoing mathematics and science programming for students enrolled in kindergarten through grade 12.

(2) The university of northern Iowa shall work with the community colleges to develop STEM professional development programs for community college instructors and STEM curriculum development.

d. Real estate education program

For purposes of the real estate education program, and for not more than the following full-time equivalent position:

..... \$ 62,651
125,302
 FTEs 1.00

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,339,982
8,853,563
 FTEs 126.60

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,809,466

3,691,310

..... FTEs 62.87

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing, prescription, and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 5,882

11,763

8. LICENSED CLASSROOM TEACHERS

For distribution at the Iowa braille and sight saving school and the Iowa school for the deaf based upon the average yearly enrollment at each school as determined by the state board of regents:

..... \$ 41,025

82,049

Sec. 7. Section 235A.15, subsection 2, paragraph e, Code Supplement 2011, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (22) To the administrator of a family support program receiving public funds, if the data relates to a record check of an employee working directly with families.

Sec. 8. Section 256.86, Code 2011, is amended to read as follows:

256.86 Competition with private sector.

1. It is the intent of the general assembly that the division shall not compete with the private sector by actively seeking revenue from its operations except as provided in this chapter.

2. a. The division may receive revenue for providing services, products, and usage of facilities and equipment if one or more of the following conditions are met:

(1) The service, product, or usage is not reasonably available in the private sector.

(2) The division can provide the service, product, or usage at a time, price, location, or terms that are not reasonably available through the private sector.

(3) The service, product, or usage is deemed by the division to be related to public service or the educational mission of the division.

b. The division may charge reasonable fees for providing services, products, and usage of facilities and equipment in accordance with paragraph "a", including but not limited to a reasonable equipment and facilities usage fee.

c. Fees charged in accordance with this subsection shall be deposited in the capital equipment replacement revolving fund created pursuant to section 256.87.

3. It is not the intent of the general assembly to prohibit the receipt of charitable contributions as defined by section 170 of the Internal Revenue Code.

4. The board, the governor, or the administrator may apply for and accept federal or nonfederal gifts, loans, or grants of funds and may use the funds for projects under this chapter.

Sec. 9. Section 256.87, Code 2011, is amended to read as follows:

256.87 Costs and fees ---- capital equipment replacement revolving fund.

1. ~~The board may provide noncommercial production or reproduction services for other public agencies, nonprofit corporations or associations organized under state law, or other nonprofit organizations, and may collect the costs of providing the services from the public agency, corporation, association, or organization, plus a separate equipment usage fee in an amount determined by the board and based upon the equipment used. The costs shall be deposited to the credit of the board. The separate equipment usage fee shall be deposited in the capital equipment replacement revolving fund.~~

2. ~~The board may establish a capital equipment replacement revolving fund into which shall be deposited equipment usage fees collected under subsection 1 and funds from other sources designated for deposit in the Δ capital equipment replacement revolving fund is created in the state treasury. The revolving fund shall be administered by the board and shall consist of moneys collected by the division as fees and any other moneys obtained or accepted by the division for deposit in the revolving fund.~~

2. The board may expend moneys from the capital equipment replacement revolving fund to update facilities and purchase technical equipment for operating the educational radio and television facility its operations.

3. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the revolving fund shall be credited to the revolving fund. Notwithstanding section 8.33, moneys in the revolving fund that remain unencumbered or unobligated at the close of the fiscal year shall not revert to any other fund but shall remain available in the revolving fund for the purposes designated.

Sec. 10. Section 261.19, subsection 3, Code Supplement 2011, is amended to read as follows:

3. ~~A health care professional recruitment revolving fund is created in the state treasury as a separate fund under the control of the commission for deposit of moneys appropriated to or received by the commission for use under the program. The commission shall deposit payments made by health care professional recruitment program recipients and the proceeds from the sale of osteopathic loans awarded pursuant to section 261.19, subsection 2, paragraph "b", Code 2011, into the health care professional recruitment revolving fund. Moneys credited to the fund shall be used to supplement moneys appropriated for the health care professional recruitment program, for loan repayment in accordance with this section, and to pay for loan or interest repayment defaults by program~~

recipients. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state but shall remain in the fund and be continuously available for loan forgiveness under the program. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

Sec. 11. Section 261.25, subsections 1 and 2, Code Supplement 2011, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~forty-three~~ forty-five million five hundred thirteen thousand four hundred forty-eight dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~four~~ two million dollars for tuition grants for students attending for-profit accredited private institutions located in Iowa. A for-profit institution which, effective March 9, 2005, or effective January 8, 2010, purchased an accredited private institution that was exempt from taxation under section 501(c) of the Internal Revenue Code, shall be an eligible institution under the tuition grant program. For purposes of the tuition grant program, "for-profit accredited private institution" means an accredited private institution which is not exempt from taxation under section 501(c)(3) of the Internal Revenue Code but which otherwise meets the requirements of section 261.9, subsection 1, paragraph "b", and whose students were eligible to receive tuition grants in the fiscal year beginning July 1, 2003.

Sec. 12. NEW SECTION. 268.7 Science, technology, engineering, and mathematics collaborative initiative.

1. A science, technology, engineering, and mathematics collaborative initiative is established at the university of northern Iowa for purposes of supporting activities directly related to recruitment of prekindergarten through grade twelve mathematics and science teachers for ongoing mathematics and science programming for students enrolled in prekindergarten through grade twelve.

2. The collaborative initiative shall prioritize student interest in achievement in science, technology, engineering, and mathematics; reach every student and teacher in every school district in the state; identify, recruit, prepare, and support the best mathematics and science teachers; and sustain exemplary programs through the university's Iowa mathematics and science education partnership. The university shall collaborate with the community colleges to develop science, technology, engineering, and mathematics professional development programs for community college instructors and for purposes of science, technology, engineering, and mathematics curricula development.

3. Subject to an appropriation of funds by the general assembly, the initiative shall administer the following:

a. Regional science, technology, engineering, and mathematics networks for Iowa, the purpose of which is to equalize science, technology, engineering, and mathematics education enrichment opportunities available to learners statewide. The initiative shall establish six geographically similar regional science, technology, engineering, and mathematics networks across Iowa that complement and leverage existing resources, including but not limited to extension service assets, area education agencies, state accredited postsecondary institutions, informal educational centers, school districts, economic development zones, and existing public and private science, technology, engineering, and mathematics partnerships. Each network shall be managed by a highly qualified science, technology, engineering, and mathematics advocate positioned at a network hub to be determined through a competitive application process. Oversight for each regional network shall be provided by a regional advisory board. Members of the board shall be appointed by the governor. The membership shall represent prekindergarten through grade twelve school districts and schools, and higher education, business, nonprofit organizations, youth agencies, and other appropriate stakeholders.

b. A focused array of the best science, technology, engineering, and mathematics enrichment opportunities, selected through a competitive application process, that can be expanded to meet future needs. A limited, focused list of selected exemplary programs shall be made available to each regional network.

c. Statewide science, technology, engineering, and mathematics programming designed to increase participation of students and teachers in successful learning experiences; to increase the number of science, technology, engineering, and mathematics-related teaching majors offered by the state's universities; to elevate public awareness of the opportunities; and to increase collaboration and partnerships.

4. The initiative shall evaluate the effectiveness of programming to document best practices.

Sec. 13. Section 284.13, subsection 1, paragraphs a, b, c, and d, Code Supplement 2011, are amended to read as follows:

a. For the fiscal year beginning July 1, ~~2011~~ 2012, and ending June 30, ~~2012~~ 2013, to the department of education, the amount of ~~six~~ five hundred eighty-five thousand dollars for the issuance of national board certification awards in accordance with section 256.44. Of the amount allocated under this paragraph, not less than eighty-five thousand dollars shall be used to administer the ambassador to education position in accordance with section 256.45.

b. For the fiscal year beginning July 1, ~~2011~~ 2012, and ending June 30, ~~2012~~ 2013, an amount up to two million ~~three~~ four hundred ~~ninety-five~~ sixty-three thousand ~~one~~ five hundred ~~fifty-seven~~ ninety dollars for first-year and

second-year beginning teachers, to the department of education for distribution to school districts and area education agencies for purposes of the beginning teacher mentoring and induction programs. A school district or area education agency shall receive one thousand three hundred dollars per beginning teacher participating in the program. If the funds appropriated for the program are insufficient to pay mentors, school districts, and area education agencies as provided in this paragraph, the department shall prorate the amount distributed to school districts and area education agencies based upon the amount appropriated. Moneys received by a school district or area education agency pursuant to this paragraph shall be expended to provide each mentor with an award of five hundred dollars per semester, at a minimum, for participation in the school district's or area education agency's beginning teacher mentoring and induction program; to implement the plan; and to pay any applicable costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system or a pension and annuity retirement system established under chapter 294, for such amounts paid by the district or area education agency.

c. For the fiscal year beginning July 1, ~~2011~~ 2012, and ending June 30, ~~2012~~ 2013, up to six hundred thousand dollars to the department for purposes of implementing the professional development program requirements of section 284.6, assistance in developing model evidence for teacher quality committees established pursuant to section 284.4, subsection 1, paragraph "c", and the evaluator training program in section 284.10. A portion of the funds allocated to the department for purposes of this paragraph may be used by the department for administrative purposes and for not more than four full-time equivalent positions.

d. For the fiscal year beginning July 1, ~~2011~~ 2012, and ending June 30, ~~2012~~ 2013, an amount up to one million one hundred ~~four~~ thirty-six thousand ~~eight~~ four hundred ~~forty-three~~ ten dollars to the department for the establishment of teacher development academies in accordance with section 284.6, subsection 10. A portion of the funds allocated to the department for purposes of this paragraph may be used for administrative purposes.

Sec. 14. REPEAL. 2011 Iowa Acts, chapter 132, section 99, is repealed.

Sec. 15. EFFECTIVE UPON ENACTMENT. The section of this division of this Act amending 2011 Iowa Acts, chapter 132, section 7, subsection 1, paragraph a, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

WORKER TRAINING PROGRAMS IN COMMUNITY COLLEGES

Sec. 16. Section 84A.6, Code Supplement 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The department of workforce development, in consultation with the college student aid

commission, shall issue a quarterly report identifying industries in which the department finds a shortage of skilled workers in this state for the purposes of the skilled workforce shortage tuition grant program established in section 261.130.

Sec. 17. Section 260C.18A, subsection 2, Code Supplement 2011, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. Development and implementation of the national career readiness certificate and the skills certification system endorsed by the national association of manufacturers.

Sec. 18. Section 260I.2, Code Supplement 2011, is amended to read as follows:

260I.2 Gap tuition assistance program --- fund.

1. A gap tuition assistance program is established to provide funding to community colleges for need-based tuition assistance to applicants to enable completion of continuing education certificate training programs for in-demand occupations.

2. 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. The funds in the gap tuition assistance fund are appropriated to the department of education for the gap tuition assistance program.

b. The aggregate total of grants awarded from the gap tuition assistance fund during a fiscal year shall not be more than two million dollars.

c. Moneys in the fund shall be allocated pursuant to the formula established in section 260C.18C. Notwithstanding section 8.33, moneys in the fund at the close of the fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for the purpose designated for subsequent fiscal years. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

Sec. 19. Section 260I.7, Code Supplement 2011, is amended to read as follows:

260I.7 Initial assessment.

An applicant for tuition assistance under this chapter shall complete an initial assessment administered by the community college receiving the application to determine the applicant's readiness to complete an eligible certificate program. The assessment shall include assessments for completion of a national career readiness certificate, including the areas of reading for information, applied mathematics, and locating information. ~~An applicant must achieve a bronze-level certificate or the minimum score required for an eligible certificate program, whichever is higher, in order to be approved for tuition assistance.~~ An applicant shall complete any additional assessments and occupational research required by an eligible certificate program.

Sec. 20. NEW SECTION. 261.130 Skilled workforce shortage

tuition grant program.

1. A skilled workforce shortage tuition grant may be awarded to any resident of Iowa who is admitted and in attendance as a full-time or part-time student in a career-technical or career option program to pursue an associate's degree or other training at a community college in the state, and who establishes financial need.

2. Skilled workforce shortage tuition grants shall be awarded only to students pursuing a career-technical or career option program in an industry identified as having a shortage of skilled workers by a community college after conducting a regional skills gap analysis or by the department of workforce development in the department's most recent quarterly report pursuant to section 84A.6, subsection 4.

3. The amount of a skilled workforce shortage tuition grant shall not exceed the lesser of one-half of a student's tuition and fees for an approved career-technical or career option program or the amount of the student's established financial need.

4. All classes identified by the community college as required for completion of the student's approved career-technical or career option program shall be considered a part of the student's career-technical or career option program for the purpose of determining the student's eligibility for a grant. Notwithstanding subsection 5, if a student is making satisfactory academic progress but the student cannot complete a career-technical or career option program in the time frame allowed for a student to receive a skilled workforce shortage tuition grant as provided in subsection 5 because additional classes are required to complete the program, the student may continue to receive a skilled workforce shortage tuition grant for not more than one additional enrollment period.

5. a. A qualified full-time student may receive skilled workforce shortage tuition grants for not more than four semesters or the trimester or quarter equivalent of two full years of study. A qualified part-time student enrolled in a course of study including at least three semester hours but fewer than twelve semester hours or the trimester or quarter equivalent may receive skilled workforce shortage tuition grants for not more than eight semesters or the trimester or quarter equivalent of two full years of full-time study.

b. However, if a student resumes study after at least a two-year absence, the student may again be eligible for the specified amount of time, except that the student shall not receive assistance for courses for which credit was previously received.

6. A skilled workforce shortage tuition grant shall be awarded on an annual basis, requiring reapplication by the student for each year. Payments under the grant shall be allocated equally among the semesters or quarters of the year upon certification by the community college that the student is in full-time or part-time attendance in a career-technical

or career option program consistent with the requirements of this section. If the student discontinues attendance before the end of any term after receiving payment of the grant, the entire amount of any refund due that student, up to the amount of any payments made under the annual grant, shall be paid by the community college to the state.

7. If a student receives financial aid under any other program, the full amount of that financial aid shall be considered part of the student's financial resources available in determining the amount of the student's financial need for that period.

8. The commission shall administer this program and shall:

- a. Provide application forms for distribution to students by Iowa high schools and community colleges.
- b. Adopt rules for approving career-technical or career option programs in industries identified by the department of workforce development pursuant to section 84A.6, subsection 4; determining financial need; defining residence for the purposes of this section; processing and approving applications for grants; and determining priority for grants.
- c. Approve and award grants on an annual basis.
- d. Make an annual report to the governor and general assembly. The report shall include the number of students receiving assistance and the industries identified by the community colleges and by the department of workforce development pursuant to section 84A.6, subsection 4, for which students were admitted to a career-technical or career option program.

9. Each applicant, in accordance with the rules established by the commission, shall:

- a. Complete and file an application for a skilled workforce shortage tuition grant.
- b. Be responsible for the submission of the financial information required for evaluation of the applicant's need for a grant, on forms determined by the commission.
- c. Report promptly to the commission any information requested.
- d. Submit a new application for reevaluation of the applicant's eligibility to receive a second-year renewal of the grant."

ON THE PART OF THE HOUSE:

CECIL DOLECHECK, Chair
 PETER COWNIE
 RON JORGENSEN
 NATE WILLEMS
 CINDY WINCKLER

ON THE PART OF THE SENATE:

BRIAN SCHOENJAHN, Chair
 WALLY E. HORN
 HERMAN C. QUIRMBACH

SENATE FILE 2336

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 2336, a bill for an Act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions, respectfully make the following report:

- 1. That the House recedes from its amendment, S-5221.
- 2. That Senate File 2336, as amended, passed, and reprinted by the Senate, is amended to read as follows:

- 1. By striking everything after the enacting clause and inserting the following:

"DIVISION I

DEPARTMENT ON AGING

Section 1. 2011 Iowa Acts, chapter 129, section 113, is amended to read as follows:

SEC. 113. 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, 2012, and ending June 30, 2013, 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:

.....	\$	5,151,288
		<u>10,342,086</u>
.....	FTEs	35.00 <u>36.00</u>

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. The amount appropriated in this section includes additional funding of \$225,000 for delivery of long-term care services to seniors with low or moderate incomes.~~

3. Of the funds appropriated in this section, ~~\$89,973~~ \$179,946 shall be transferred to the ~~department of economic development~~ authority for the Iowa commission on volunteer services to be used for the retired and senior volunteer program.

4. 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.

5. Of the funds appropriated in this section, \$100,000 shall be used to provide an additional local long-term care resident's advocate to administer the certified volunteer long-term care resident's advocate program pursuant to section 231.45 as enacted in this 2012 Act.

6. The department shall develop recommendations for an implementation schedule, including funding projections, for the substitute decision maker program created pursuant to chapter 231E, and shall submit the recommendations to the individuals identified in this Act for submission of reports by December 15, 2012.

7. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under the purview of the department.

DIVISION II

DEPARTMENT OF PUBLIC HEALTH

Sec. 2. 2011 Iowa Acts, chapter 129, section 114, is amended to read as follows:

SEC. 114. 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, 2012, and ending June 30, 2013, 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:

.....	\$ 11,751,595
	<u>23,863,690</u>
.....	FTEs 13.00

a. (1) Of the funds appropriated in this subsection, ~~\$1,626,915~~ \$3,653,830 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. Of the funds allocated in this subparagraph (1), \$750,000 shall be used for support of Quitline Iowa.

(2) (a) Of the funds allocated in this paragraph "a", ~~\$226,915~~ \$453,830 shall be transferred to the alcoholic beverages division of the department of commerce for enforcement of tobacco laws, regulations, and ordinances in accordance with 2011 Iowa Acts, House File 467, as enacted chapter 63.

(b) For the fiscal year beginning July 1, 2012, and ending June 30, 2013, the terms of a chapter 28D agreement, 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, ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and substance abuse 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", ~~\$8,566,254~~ \$17,132,508 shall be used for substance abuse prevention and treatment.

(a) Of the funds allocated in this subparagraph (1), ~~\$449,650~~ \$899,300 shall be used for the public purpose of a grant program to provide substance abuse prevention programming

for children.

(i) Of the funds allocated in this subparagraph division (a), ~~\$213,769~~ \$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), ~~\$213,419~~ \$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 abuse 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~~ \$44,922 may be used to administer substance abuse prevention grants and for program evaluations.

(b) Of the funds allocated in this subparagraph (1), ~~\$136,531~~ \$273,062 shall be used for culturally competent substance abuse 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 abuse 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 ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling prevention, treatment, and recovery services.

(a) Of the funds allocated in this subparagraph (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling prevention and treatment.

(b) Of the funds allocated in this subparagraph (2), up to ~~\$218,926~~ \$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 ~~\$50,000~~ \$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 abuse and gambling addictions 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 abuse 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 abuse 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 abuse and problem gambling treatment shall include problem gambling prevention.

(2) The system for delivery of substance abuse and problem gambling treatment shall include substance abuse prevention by July 1, 2014.

(3) Of the funds allocated in paragraph "b", the department may use up to ~~\$50,000~~ \$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 abuse treatment and addictive disorders for the fiscal year beginning July 1, 2012.

e. The department of public health shall work with all other departments that fund substance abuse 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 abuse services as required under the federal substance abuse prevention and treatment block grant.

f. The department shall amend or otherwise revise departmental policies and contract provisions in order to eliminate free t-shirt distribution, banner production, and other unnecessary promotional expenditures.

g. The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this subsection.

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:

.....	\$	1,297,135
		<u>2,603,559</u>
.....	FTEs	10.00

a. Of the funds appropriated in this subsection, not more than ~~\$369,659~~ \$739,318 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, 2012.

Ob. (1) 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 as follows:

(a) By July 1, 2013, 25 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(b) By July 1, 2014, 50 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(c) By July 1, 2015, 75 percent of state funds expended for home visiting programs are for evidence-based or promising program models.

(d) By July 1, 2016, 90 percent of state funds expended for home visiting programs are for evidence-based or promising program models. The remaining 10 percent of funds may be used for innovative program models that do not yet meet the definition of evidence-based or promising programs.

(2) For the purposes of this lettered paragraph, unless the context otherwise requires:

(a) "Evidence-based program" means a program that is based on scientific evidence demonstrating that the program model is effective. An evidence-based program shall be reviewed onsite and compared to program model standards by the model developer or the developer's designee at least every five years to ensure that the program continues to maintain fidelity with the program model. The program model shall have had demonstrated significant and sustained positive outcomes in an evaluation utilizing a well-designed and rigorous randomized controlled research design or a quasi-experimental research design, and the evaluation results shall have been published in a peer-reviewed journal.

(b) "Family support programs" includes group-based parent education or home visiting programs that are designed to strengthen protective factors, including parenting skills, increasing parental knowledge of child development, and increasing family functioning and problem solving skills. A family support program may be used as an early intervention strategy to improve birth outcomes, parental knowledge, family economic success, the home learning environment, family and child involvement with others, and coordination with other community resources. A family support program may have a specific focus on preventing child maltreatment or ensuring

children are safe, healthy, and ready to succeed in school.

(c) "Promising program" means a program that meets all of the following requirements:

(i) The program conforms to a clear, consistent family support model that has been in existence for at least three years.

(ii) The program is grounded in relevant empirically-based knowledge.

(iii) The program is linked to program-determined outcomes.

(iv) The program is associated with a national or state organization that either has comprehensive program standards that ensure high-quality service delivery and continuous program quality improvement or the program model has demonstrated through the program's benchmark outcomes that the program has achieved significant positive outcomes equivalent to those achieved by program models with published significant and sustained results in a peer-reviewed journal.

(v) The program has been awarded the Iowa family support credential and has been reviewed onsite at least every five years to ensure the program's adherence to the Iowa family support standards approved by the early childhood Iowa state board created in section 256L.3 or a comparable set of standards. The onsite review is completed by an independent review team that is not associated with the program or the organization administering the program.

(3) (a) The data reporting requirements applicable to the HOPES-HFI program services shall include the requirements adopted by the early childhood Iowa state board pursuant to section 256L.4 for the family support programs targeted to families expecting a child or with newborn and infant children through age five and funded through the state board. The department of public health may specify additional data reporting requirements for the HOPES-HFI program services. The HOPES-HFI program services shall be required to participate in a state administered internet-based data collection system by July 1, 2013. The annual reporting concerning the HOPES-HFI program services shall include program outcomes beginning with the 2015 report.

(b) The data on families served that is collected by the HOPES-HFI program shall include but is not limited to basic demographic information, services received, funding utilized, and program outcomes for the children and families served.

(c) The HOPES-HFI program shall work with the early childhood Iowa state board in the state board's efforts to identify minimum competency standards for the employees and supervisors of family support programs funded. The HOPES-HFI program, along with the state board, shall submit recommendations concerning the standards to the governor and general assembly on or before January 1, 2014.

(d) On or before January 1, 2013, the HOPES-HFI program shall adopt criminal and child abuse record check requirements for the employees and supervisors of family support programs

..... FTEs 4.00

a. Of the funds appropriated in this subsection, ~~\$80,291~~ \$160,582 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, ~~\$241,800~~ \$483,600 is allocated for continuation of the contracts for resource facilitator services in accordance with section 135.22B, subsection 9, and for brain injury training services and recruiting of service providers to increase the capacity within this state to address the needs of individuals with brain injuries and such individuals' families.

c. Of the funds appropriated in this subsection, ~~\$249,437~~ \$550,000 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, ~~\$15,627~~ \$50,000 shall be used for the public purpose of providing a grant to 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, ~~\$394,151~~ \$788,303 shall be used for child health specialty clinics.

f. Of the funds appropriated in this subsection, ~~\$248,533~~ \$497,065 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~~ \$150,000 shall be used to support a melanoma research symposium, a melanoma biorepository and registry, basic and translational melanoma research, and clinical trials.

g. Of the funds appropriated in this subsection, ~~\$63,225~~ \$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.

h. Of the funds appropriated in this subsection, ~~\$264,417~~ \$528,834 shall be used for the center for congenital and inherited disorders.

i. Of the funds appropriated in this subsection, ~~\$64,968~~ \$129,937 shall be used for the prescription drug donation repository program created in chapter 135M.

j. No later than December 15, 2012, the department of public health, in collaboration with the department of education and other interested parties, shall develop guidelines for the management of chronic conditions that affect children to be made available to public schools and accredited nonpublic schools throughout the state.

k. The amount appropriated in this subsection reflects

a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this subsection.

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:

.....	\$	<u>2,117,583</u>
.....		<u>4,869,980</u>
.....	FTEs	14.00

a. Of the funds appropriated in this subsection, ~~\$50,000~~ \$100,000 is allocated for a 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 year of the program's implementation 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, ~~\$55,654~~ \$111,308 is allocated for continuation of an initiative implemented at the university of Iowa and ~~\$50,246~~ \$100,493 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, ~~\$585,745~~ \$1,171,491 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, ~~\$60,908~~ \$100,000 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, ~~\$72,271~~ \$144,542 shall be used for the mental health professional shortage area program implemented pursuant to section ~~135.80~~ 135.180.

f. Of the funds appropriated in this subsection, ~~\$19,131~~ \$38,263 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 ~~135.80~~ 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:

..... \$ ~~66,290~~
146,563

(1A) For distribution to the Iowa primary care association to be used to establish a grant program for training sexual assault response team (SART) members, including representatives of law enforcement, victim advocates, prosecutors, and certified medical personnel:

..... \$ 50,000

(1B) For distribution to federally qualified health centers for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in determining an appropriate medical home:

..... \$ 75,000

(2) For distribution to the local boards of health that provide direct services for pilot programs in three counties to assist patients in determining an appropriate medical home:

..... \$ ~~38,804~~
77,609

(3) For distribution to maternal and child health centers for pilot programs in three counties to assist patients in determining an appropriate medical home:

..... \$ ~~38,804~~
95,582

(4) For distribution to free clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in determining an appropriate medical home:

..... \$ ~~62,025~~
274,050

(5) For distribution to rural health clinics for necessary infrastructure, statewide coordination, provider recruitment, service delivery, and provision of assistance to patients in determining an appropriate medical home:

..... \$ ~~55,215~~
142,192

(6) For continuation of the safety net provider patient access to specialty health care initiative as described in 2007 Iowa Acts, chapter 218, section 109:

..... \$ 130,000

310,000

(7) For continuation of the pharmaceutical infrastructure for safety net providers as described in 2007 Iowa Acts, chapter 218, section 108:

..... \$ ~~135,000~~
320,000

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. (1) Of the funds appropriated in this subsection, ~~\$74,500~~ \$149,000 shall be used for ~~continued implementation of the recommendations of the direct care worker task force established pursuant to 2005 Iowa Acts, chapter 88, based upon the report submitted to the governor and the general assembly in December 2006~~ 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. The department may use a portion of the funds allocated in this lettered paragraph ~~subparagraph (1)~~ for an additional position to assist in the continued implementation.

i. (1) Of the funds appropriated in this subsection, ~~\$65,050~~ \$150,000 shall be used for allocation to an independent statewide direct care worker association under a continuation of the contract in effect during the fiscal year ending June 30, 2012, 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, ~~\$29,000~~ \$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 ~~\$29,259~~ \$58,518 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, ~~\$25,000~~ \$50,000 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 shall be transferred to the college student aid commission for deposit in the rural Iowa primary care trust fund created in section 261.115, as enacted by 2012 Iowa Acts, House File 2458, to be used for the purposes of the fund.

m. Of the funds appropriated in this subsection, \$50,000 shall be used for the purposes of the Iowa donor registry as

equivalent positions:

..... \$ ~~672,923~~
1,335,155
 FTEs 4.00

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this subsection.

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:

..... \$ ~~1,388,116~~
2,779,127
 FTEs 125.00

a. Of the funds appropriated in this subsection, not more than ~~\$235,845~~ \$471,690 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, ~~\$105,309~~ \$210,619 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, not more than ~~\$218,291~~ \$539,477 shall be used for the state poison control center.

d. The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this subsection.

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:

..... \$ ~~409,777~~
804,054
 FTEs 7.00

a. The department shall review the operations of boards including professional licensing boards, commissions, committees, councils and other entities within the departmental organization and under the purview of the department and shall submit recommendations to increase efficiencies and reduce duplication of their operations to the individuals specified in this Act for submission of reports by December 15, 2012.

b. The amount appropriated in this subsection reflects

a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this subsection.

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 III

DEPARTMENT OF VETERANS AFFAIRS

Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended to read as follows:

SEC. 115. 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, 2012, and ending June 30, 2013, 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, including the war orphans educational assistance fund created in section 35.8, and for not more than the following full-time equivalent positions:

.....	\$	499,416
		<u>1,025,819</u>
.....	FTEs	16.34

The treasurer of state shall review the return on investment of the moneys in the veterans trust fund and shall submit findings and recommendations for improving the return to the individuals specified in this Act for submission of reports by December 17, 2012.

2. IOWA VETERANS HOME

For salaries, support, maintenance, and miscellaneous purposes:

.....	\$	4,476,075
		<u>8,025,714</u>

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.

e. The amount appropriated in this subsection reflects

a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this subsection.

3. STATE EDUCATIONAL ASSISTANCE ---- CHILDREN OF DECEASED VETERANS

For provision of educational assistance pursuant to section 35.9:

..... \$ ~~6,208~~
12,416

4. 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

Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended to read as follows:

SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the standing appropriation in the following designated section for the fiscal year beginning July 1, 2012, and ending June 30, 2013, 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 veterans affairs fund under section 35A.16:

..... \$ ~~495,000~~
990,000

DIVISION IV

DEPARTMENT OF HUMAN SERVICES

Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended to read as follows:

SEC. 117. 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, 2012, and ending June 30, 2013, 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, and from moneys received under the emergency contingency fund for temporary assistance for needy families state program established pursuant to the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 { 2101, 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:

..... \$ ~~10,750,369~~
19,790,365

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:

..... \$ 6,205,764
12,411,528

3. To be used for the family development and self-sufficiency grant program in accordance with section 216A.107:

..... \$ 1,449,490
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, 2013, the moneys shall revert.

4. For field operations:

..... \$ 15,648,116
31,296,232

5. For general administration:

..... \$ 1,872,000
3,744,000

6. For state child care assistance:

..... \$ 8,191,343
16,382,687

The funds appropriated in this subsection shall be transferred to the child care and development block grant appropriation made pursuant to 2011 Iowa Acts, chapter 126, section 32, by the Eighty-fourth General Assembly, 2012 2011 Session, for the federal fiscal year beginning October 1, 2012, and ending September 30, 2013. Of this amount, \$100,000 \$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 for state case services for persons with mental health and illness, an intellectual disability, or a developmental disabilities community services disability in accordance with section 331.440:

..... \$ 2,447,026
4,894,052

8. For child and family services:

..... \$ 16,042,215
32,084,430

9. For child abuse prevention grants:

..... \$ 62,500
125,000

10. For pregnancy prevention grants on the condition that family planning services are funded:

..... \$ 965,033
1,930,067

Pregnancy prevention grants shall be awarded to programs in existence on or before July 1, 2012, if the programs have demonstrated positive outcomes. Grants shall be awarded to pregnancy prevention programs which are developed after July 1, 2012, 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
1,037,186

12. To be credited to the state child care assistance appropriation made in this section to be used for funding of community-based early childhood programs targeted to children from birth through five years of age developed by early childhood Iowa areas as provided in section 256I.11:

..... \$ 3,175,000
6,350,000

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.

13. a. Notwithstanding any provision to the contrary, including but not limited to requirements in section 8.41 or provisions in 2011 or 2012 Iowa Acts regarding the receipt and appropriation of federal block grants, federal funds from the ~~emergency contingency fund~~ for temporary assistance for needy families ~~state program established pursuant to the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (2101),~~ block grant received by the state ~~during the fiscal year beginning July 1, 2011, and ending June 30, 2012,~~ not otherwise appropriated in this section and remaining available ~~as of for the fiscal year beginning July 1, 2012, and received by the state during the fiscal year beginning July 1, 2012, and ending June 30, 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 the fiscal year and for state child care

assistance program payments for individuals enrolled in the family investment program who are employed. 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 under chapter 239B 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 \$12,962,008 for the fiscal year beginning July 1, 2012, shall be transferred to the appropriation of the federal social services block grant made for that fiscal year.

15. For continuation of the program allowing the department to maintain categorical eligibility for the food assistance program as required under the section of this division relating to the family investment account:

..... \$ 73,036
25,000

16. The department may transfer funds allocated in this section to the appropriations made in this division of this Act 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 family investment program from the general fund of the state.

Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended to read as follows:

SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

1. Moneys credited to the family investment program (FIP) account for the fiscal year beginning July 1, 2012, and ending June 30, 2013, 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 in this division of this Act 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 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, 2012, and ending June 30, 2013, 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 the FIP program and other shared clients and to meet federal reporting requirements under the federal temporary assistance for needy families block

grant:

..... \$ 10,000
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:

..... \$ 2,671,417
5,542,834

(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 2012-2013.

c. For the diversion subaccount of the FIP account:

..... \$ 849,200
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.

d. For the food stamp employment and training program:

..... \$ 33,294
66,588

(1) The department shall amend the food stamp employment and training state plan in order to maximize to the fullest extent permitted by federal law the use of the 50-50 match provisions for the claiming of allowable federal matching funds from the United States department of agriculture pursuant to the federal food stamp 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:

..... \$ 10,117,952
20,235,905

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

- b. For child care assistance.
- c. For child and family services.
- d. For field operations.
- e. For general administration.
- f. ~~MH/MR/DD/BI community services (local purchase).~~

For distribution to counties for state case services for persons with mental illness, an intellectual disability, or a developmental disability in accordance with section 331.440.

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~~ \$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, \$500,000 shall be used for distribution to a nonprofit, tax-exempt association that receives donations under section 170 of the Internal Revenue Code and whose members include Iowa food banks and their affiliates that together serve all counties in the state, to be used to purchase food for distribution to food-insecure Iowans.

6. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this section.

7. 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. 8. 2011 Iowa Acts, chapter 129, section 120, is amended to read as follows:

SEC. 120. 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, 2012, and ending June 30, 2013, 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:

.....	\$	6,559,627
		<u>13,149,541</u>
.....	FTEs	475.00

1. The department shall expend up to ~~\$12,164~~ \$24,329, including federal financial participation, for the fiscal year beginning July 1, 2012, 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, 2012, and ending June 30, 2013. Notwithstanding 441 IAC 100.8, providing for termination of rules relating to the pilot projects, the rules shall remain in effect until June 30, 2013.

5. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this section.

MEDICAL ASSISTANCE ---- DISPROPORTIONATE SHARE HOSPITAL

Sec. 9. 2011 Iowa Acts, chapter 129, section 122, subsection 11, paragraph a, unnumbered paragraph 1, is amended to read as follows:

Of the funds appropriated in this section, ~~\$7,425,684~~ ~~\$7,678,245~~ 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.

MEDICAL ASSISTANCE ---- IOWACARE TRANSFER

Sec. 10. 2011 Iowa Acts, chapter 129, section 122, subsection 13, is amended to read as follows:

13. Of the funds appropriated in this section, up to ~~\$4,480,204~~ ~~\$8,684,329~~ may be transferred to the IowaCare account created in section 249J.24.

MEDICAL ASSISTANCE ---- COST CONTAINMENT STRATEGIES

Sec. 11. 2011 Iowa Acts, chapter 129, section 122, subsection 20, paragraphs a and d, are amended to read as follows:

a. The department may continue to implement cost containment strategies recommended by the governor, ~~and for the fiscal year beginning July 1, 2011, and shall implement new strategies for the fiscal year beginning July 1, 2012, as specified in this division of this 2012 Act. It is the intent of the general assembly that the cost containment strategies are implemented only to the extent necessary to achieve projected savings.~~ The department may adopt emergency rules for such implementation.

d. If the savings to the medical assistance program for the fiscal year beginning July 1, 2012, exceed the cost, the department may transfer any savings generated for the fiscal year due to medical assistance program cost containment efforts initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive Order No. 20, issued December 16, 2009, or cost containment strategies initiated pursuant to this subsection, 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.

Sec. 12. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsections:

NEW SUBSECTION. 23. The department shall provide reimbursement for physician-administered drugs at the rates in effect on June 30, 2012, less 2 percent, in order to approximate payment at the average wholesale price, less 12 percent.

NEW SUBSECTION. 24. The department shall implement a hospital inpatient reimbursement policy to provide for the combining of an original claim for an inpatient stay with a claim for a subsequent inpatient stay when the patient is admitted within seven days of discharge from the original hospital stay for the same condition.

NEW SUBSECTION. 25. The department shall transition payment for and administration of services provided by psychiatric medical institutions for children to the Iowa plan.

NEW SUBSECTION. 26. The department shall adjust medical assistance reimbursement rates for physician services by applying a site-of-service differential to reflect the difference between the cost of physician services when provided in a health facility setting and the cost of physician services when provided in a physician's office. The adjustment shall be applied in a manner that does not exceed \$1 million in medical assistance program cost savings annually.

NEW SUBSECTION. 27. The department shall apply any edits to Medicare claims submitted for reimbursement under the medical assistance program as necessary to ensure claims payment accuracy and to avoid overpayments, consistent with the existing medical assistance program reimbursement policy for such Medicare claims.

NEW SUBSECTION. 28. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this section.

MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH DISABILITIES

Sec. 13. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsection:

NEW SUBSECTION. 29. The department of human services shall adopt rules for the Medicaid for employed people with disabilities program to provide that until such time as the department adopts rules, annually, to implement the most recently revised poverty guidelines published by the United States department of health and human services, the calculation of gross income eligibility and premium amounts shall not include any increase in unearned income attributable to a social security cost-of-living adjustment for an individual or member of the individual's family whose unearned income is included in such calculation.

STATE BALANCING INCENTIVE PAYMENTS PROGRAM

Sec. 14. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsection:

NEW SUBSECTION. 30. a. The funds received through participation in the medical assistance state balancing incentive payments program created pursuant to section 10202 of the federal Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148 (2010), as amended by the federal Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152, shall be used by the department of human services to comply with the requirements of the program including developing a no wrong door single entry point system; providing a conflict-free case management system; providing core standardized assessment instruments; complying with data collection requirements relating to services, quality, and outcomes; meeting the applicable target spending percentage required under the program to rebalance long-term care spending under the medical assistance program between home and community-based services and institution-based services; and for new or expanded medical assistance program non-institutionally based long-term care services and supports.

b. The department shall convene stakeholders to provide an ongoing advisory process to ensure that implementation is accomplished in a coordinated and integrated manner and without duplication. The department shall submit periodic progress reports regarding implementation to the individuals identified in this Act for submission of reports.

IOWACARE LODGING

Sec. 15. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsection:

NEW SUBSECTION. 31. Of the funds appropriated in this section, \$250,000 shall be used for lodging expenses associated with patient care provided at the university of Iowa hospitals

and clinics under chapter 249J. 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 under this subsection shall not be used as nonfederal share matching funds.

OUTPATIENT CLINICAL SERVICE FOR CHILDREN

Sec. 16. 2011 Iowa Acts, chapter 129, section 122, is amended by adding the following new subsection:

NEW SUBSECTION. 32. a. Of the funds appropriated in this section, not more than \$37,000 shall be used to provide cost-based reimbursement for 100 percent of the reasonable costs for provision of outpatient clinical services for children who are recipients of medical assistance. In order to be eligible for reimbursement under this subsection, a provider shall be an accredited, nonprofit agency that meets all of the following criteria on or before January 1, 2012:

- (1) Provides clinical outpatient services to children of whom at least 60 percent are recipients of medical assistance.
- (2) Provides inpatient services licensed under chapter 135H, outpatient services, psychiatric and psychological services, and behavioral health intervention services for children.
- (3) Directly employs a full-time psychiatrist, psychologist, and licensed therapist.

b. The department of human services shall seek federal approval to amend the medical assistance program state plan and shall amend the contract with the department's managed care contractor for behavioral health services under the medical assistance program to provide reimbursement as specified in this subsection. Implementation of this subsection is contingent upon receipt of such federal approval and total reimbursements are limited to the funding allocated under this subsection.

c. For the purposes of this subsection, "outpatient services" means psychiatric care, psychological care, and treatment services, but does not include behavioral health intervention services or child welfare services as defined for existing providers under the department's managed care contract for behavioral health services.

Sec. 17. 2011 Iowa Acts, chapter 129, section 123, is amended to read as follows:

SEC. 123. 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, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For medical contracts:

	\$ 5,453,728
	5,791,994

- 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 \$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. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this section.

Sec. 18. 2011 Iowa Acts, chapter 129, section 124, is amended to read as follows:

SEC. 124. 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, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the state supplementary assistance program:
 \$ ~~8,425,373~~
 15,450,747

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, 2012, 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. 19. 2011 Iowa Acts, chapter 129, section 125, is amended to read as follows:

SEC. 125. 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, 2012, and ending June 30, 2013, 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:

..... \$ ~~16,403,051~~
36,806,102

2. Of the funds appropriated in this section, ~~\$64,475~~ \$141,450 is allocated for continuation of the contract for outreach with the department of public health.

Sec. 20. 2011 Iowa Acts, chapter 129, section 126, is amended to read as follows:

SEC. 126. 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, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child care programs:

..... \$ ~~26,618,831~~
62,264,342

1. Of the funds appropriated in this section, ~~\$25,948,041~~ \$60,894,915 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, ~~\$216,226~~ \$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, ~~\$468,487~~ \$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. 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.

6. 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.

7. 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.

8. Notwithstanding section 8.33, moneys ~~appropriated in this section or 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.

9. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases

of equipment, office equipment, printing and binding, and marketing, that shall be applied equitably to the programs under this section.

Sec. 21. 2011 Iowa Acts, chapter 129, section 127, is amended to read as follows:

SEC. 127. 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, 2012, and ending June 30, 2013, 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:

..... \$ ~~4,129,125~~
8,297,765
..... FTEs 114.00

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this subsection.

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:

..... \$ ~~5,319,338~~
10,680,143
..... FTEs 164.30

a. Of the funds appropriated in this subsection, ~~\$45,575~~ \$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.

b. The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this subsection.

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, 2012.

Sec. 22. 2011 Iowa Acts, chapter 129, section 128, is amended to read as follows:

SEC. 128. 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, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For child and family services:
..... \$ ~~41,415,081~~

81,231,561

2. In order to address a reduction of \$5,200,000 from the amount allocated under the appropriation made for the purposes of this section in prior years for purposes of juvenile delinquent graduated sanction services, up to ~~\$2,600,000~~ \$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. The department may transfer funds appropriated in this section to the appropriation made in this division of this Act for adoption subsidy to support the adjustment in reimbursement rates for specified child welfare providers as provided in this 2012 Act.

4. a. Of the funds appropriated in this section, up to ~~\$15,084,564~~ \$30,837,098 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, 2012, 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 2012-2013. Of

the funds appropriated in this section, ~~\$858,876~~ \$1,717,753 is allocated specifically for expenditure for fiscal year 2012-2013 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 ~~\$3,585,058~~ \$6,870,116. The department may continue or execute contracts that result from the department's request for proposal, bid number ACFS-11-114, to provide the range of child welfare emergency services described in the request for proposals, and any subsequent amendments to the request for proposals.

8. Federal funds received by the state during the fiscal year beginning July 1, 2012, 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. Of the funds appropriated in this section, at least \$1,848,142 shall be used for protective child care assistance.~~

10. a. Of the funds appropriated in this section, up to ~~\$1,031,244~~ \$2,062,488 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 ~~\$778,143~~ \$1,556,287 shall be made available to provide school-based supervision of children adjudicated under chapter 232, of which not more than ~~\$7,500~~ \$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 ~~\$374,492~~ \$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, 2012.

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~~ \$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, ~~\$8,500~~ \$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.

11. Of the funds appropriated in this section, ~~\$2,961,301~~ \$6,022,602 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.

12. Of the funds appropriated in this section, ~~\$494,142~~ \$1,288,285 shall be transferred to the department of public health to be used for the child protection center grant program in accordance with section 135.118. Of the amount allocated in this subsection, \$100,000 shall be used for a center for the Black Hawk county area.

13. 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, children who participate in the waiver shall be considered to be placed in foster care.

14. Of the funds appropriated in this section, ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation for adult living program pursuant to section 234.46.

15. Of the funds appropriated in this section, ~~\$260,075~~ \$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:
..... \$ ~~31,354~~ 62,708
- b. Woodbury county:
..... \$ ~~62,841~~ 125,682
- c. Polk county:
..... \$ ~~97,946~~ 195,892
- d. The third judicial district:
..... \$ ~~33,967~~ 67,934
- e. The eighth judicial district:
..... \$ ~~33,967~~ 67,934

16. Of the funds appropriated in this section, ~~\$113,668~~ \$227,337 shall be used for the public purpose of ~~providing~~ 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.

17. Of the funds appropriated in this section, ~~\$62,795~~ \$200,590 is allocated for the ~~elevate~~ foster care youth council approach of providing a support network to children placed in foster care.

18. Of the funds appropriated in this section, ~~\$101,000~~ \$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.

19. Of the funds appropriated in this section, ~~\$315,120~~ \$630,240 is allocated for the community partnership for child protection sites.

20. Of the funds appropriated in this section, ~~\$185,625~~ \$371,250 is allocated for the department's minority youth and family projects under the redesign of the child welfare system.

21. Of the funds appropriated in this section, ~~\$600,247~~ \$1,436,595 is allocated for funding of the ~~state match for~~

community circle of care collaboration for children and youth in northeast Iowa, formerly referred to as the federal substance abuse and mental health services administration (SAMHSA) system of care grant.

22. Of the funds appropriated in this section, at least ~~\$73,579~~ \$147,158 shall be used for the child welfare training academy.

23. Of the funds appropriated in this section, ~~\$12,500~~ \$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.

23A. Of the funds appropriated in this section, \$25,000 shall be used for the public purpose of providing 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 implement a 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, 2012.

24. Of the funds appropriated in this section ~~\$125,000~~ \$327,947 shall be used for continuation of the central Iowa system of care program grant through June 30, 2013.

25. Of the funds appropriated in this section, ~~\$80,000~~ \$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 in accordance with this Act in FY 2011-2012.

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.

27. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing, and shall be applied equitably to the programs under this section.

Sec. 23. 2011 Iowa Acts, chapter 129, section 129, is

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. 25. 2011 Iowa Acts, chapter 129, section 132, is amended to read as follows:

SEC. 132. 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, 2012, and ending June 30, 2013, 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
33,622

Sec. 26. 2011 Iowa Acts, chapter 129, section 133, is amended to read as follows:

SEC. 133. 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, 2012, and ending June 30, 2013, 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:

..... \$ 2,938,654
5,535,738

..... FTEs 168.50

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the mental health institute.

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:

..... \$ 3,205,867
6,442,688

..... FTEs 86.10

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the mental health institute.

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:

..... \$ 5,137,842
9,738,520

..... FTEs 233.00

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases

of equipment, office equipment, printing and binding, and marketing under the purview of the mental health institute.

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:

.....	\$	<u>472,161</u>
.....		<u>885,459</u>
.....	FTEs	97.72

The amount appropriated in this subsection reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the mental health institute.

Sec. 27. 2011 Iowa Acts, chapter 129, section 134, is amended to read as follows:

SEC. 134. 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, 2012, and ending June 30, 2013, 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:

.....	\$	<u>9,253,900</u>
		<u>18,866,116</u>

The amount appropriated in this paragraph "a" reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the state resource center.

b. For the state resource center at Woodward for salaries, support, maintenance, and miscellaneous purposes:

.....	\$	<u>6,392,829</u>
		<u>13,033,115</u>

The amount appropriated in this paragraph "b" reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the state resource center.

2. The department may continue to bill for state resource center services utilizing a scope of services approach used for private providers of ICFMR 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 2012-2013.

Sec. 28. 2011 Iowa Acts, chapter 129, section 137, is amended to read as follows:

SEC. 137. 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, 2012, and ending June 30, 2013, 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:

.....	\$	<u>3,775,363</u>
		<u>8,899,686</u>
.....	FTEs	<u>89.50</u>
		<u>115.50</u>

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.

3. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing budgeted for under this section.

Sec. 29. 2011 Iowa Acts, chapter 129, section 138, is amended to read as follows:

SEC. 138. 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, 2012, and ending June 30, 2013, 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:

.....	\$	27,394,960
		<u>61,636,313</u>
.....	FTEs	1,781.00

1. 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.

2. The amount appropriated in this section reflects a reduction in expenditures for office supplies, purchases of equipment, office equipment, printing and binding, and marketing under the purview of the department.

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 for expenditure for the purposes designated until the close of the succeeding fiscal year.

Sec. 30. 2011 Iowa Acts, chapter 129, section 139, is amended to read as follows:

SEC. 139. 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, 2012, and ending June 30, 2013, 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:

.....	\$	7,298,372
		<u>16,100,684</u>
.....	FTEs	285.00
		<u>295.00</u>

1. Of the funds appropriated in this section, ~~\$19,271~~ \$38,543 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~~ \$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, ~~\$88,200~~ \$176,400 shall be used to continue the contract to expand the provision of nationally accredited and recognized internet-based training to include mental health and disability

services providers.

5. ~~Of the funds appropriated in this section, \$250,000 shall be used for continuation of child protection system improvements addressed in 2011 Iowa Acts, House File 562, as enacted.~~

6. Of the funds appropriated in this section, not more than \$463,000 shall be used by the department of human services to pay the costs for appropriate placement of any individual who is placed in a transitional release program under chapter 229A or is discharged from commitment as a sexually violent predator under chapter 229A because the individual is in need of medical treatment. The department of human services shall implement this subsection in cooperation with the department of corrections and any judicial district department of correctional services involved with such an individual. The requirements of this subsection apply in lieu of the requirements of the judicial district departments of correctional services under 2011 Iowa Acts, chapter 134, section 34, subsection 1A, if enacted by 2012 Iowa Acts, House File 2335.

7. Of the funds appropriated in this section, \$50,000 shall be 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.

8. Of the funds appropriated in this section, \$653,940 shall be distributed equitably among the state mental health institutes, state juvenile institutions, the unit located at the state mental health institute at Cherokee for the commitment and treatment of sexually violent predators, and the state resource centers for salary adjustment.

9. 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. 31. 2011 Iowa Acts, chapter 129, section 140, is amended to read as follows:

SEC. 140. VOLUNTEERS. 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 development and coordination of volunteer services:
..... \$ 42,330
84,660

PROVIDER REIMBURSEMENT ---- NURSING FACILITIES

Sec. 32. 2011 Iowa Acts, chapter 129, section 141, subsection 1, paragraph a, subparagraph (1), 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 ~~\$225,457,724~~ \$237,226,901.

PROVIDER REIMBURSEMENT ---- PHARMACY, HOME HEALTH AGENCIES,
PMICS, HCBS WAIVER

Sec. 33. 2011 Iowa Acts, chapter 129, section 141, subsection 1, paragraphs b, f, i, and q, are amended to read as follows:

b. (1) For the fiscal year beginning July 1, 2012, the department shall reimburse pharmacy dispensing fees using a single rate of range between \$4.34 and \$11.10 per prescription or the pharmacy's usual and customary fee, whichever is lower. The actual dispensing fee set within the range 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. However, the department shall adjust the dispensing fee specified in this paragraph to distribute an additional \$2,981,980 in reimbursements for pharmacy dispensing fees under this paragraph for the fiscal year.

(2) The department shall implement an average acquisition cost reimbursement methodology for all drugs covered under the medical assistance program. The methodology shall utilize a survey of pharmacy invoices in determining the average acquisition cost component of pharmacy reimbursement. Pharmacies and providers that are enrolled in the medical assistance program shall make available drug acquisition cost invoice information, product availability information if known, and other information deemed necessary by the department to assist the department in monitoring and revising the reimbursement rates and for efficient operation of the pharmacy benefit. The department shall provide a process for pharmacies to address average acquisition cost prices that are not reflective of the actual cost of a drug. With regard to speciality pharmacy products as defined by the department, the department shall consider the population served, the current delivery system, and the standard of care relative to these products, and may adjust the product reimbursement rate or dispensing fee to prevent problems with access to these products and their associated speciality services.

(a) A pharmacy or provider shall produce and submit the requested information in the manner and format requested by the department or its designee at no cost to the department or its designee.

(b) A pharmacy or provider shall submit information to the department or its designee within the time frame indicated following receipt of a request for information unless the department or its designee grants an extension upon written request of the pharmacy or provider.

(3) Any dispensing fee expenses or acquisition cost information required to be submitted to the department under this paragraph "b" that specifically identifies a pharmacy's or provider's individual costs shall remain strictly confidential.

(4) No later than December 15, 2012, the department shall report to the individuals specified in this Act for submission of reports, providing recommendations for adjusting pharmacy dispensing fees between completion of surveys to ensure fair and adequate reimbursement for pharmacies.

f. For the fiscal year beginning July 1, 2012, reimbursement rates for home health agencies shall ~~remain at~~ be increased by 2 percent over the rates in effect on June 30, 2012, not to exceed a home health agency's actual allowable cost.

i. (1) For the fiscal year beginning July 1, 2012, 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.

q. For the fiscal year beginning July 1, 2012, the ~~department shall adjust the rates in effect on June 30, 2012,~~ reimbursement rates for providers of home and community-based services waiver services ~~to distribute an additional \$1,500,000 in reimbursements to such providers for the fiscal year~~ shall be increased beginning January 1, 2013, by 2 percent over the rates in effect on June 30, 2012.

PROVIDER REIMBURSEMENT ---- SPECIFIED CHILD WELFARE PROVIDERS

Sec. 34. 2011 Iowa Acts, chapter 129, section 141, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. For the fiscal year beginning July 1, 2012, the department shall adjust the foster family basic daily maintenance rate, the maximum adoption subsidy rates for children, the family-centered service providers rate, the family foster care service providers rate, the group foster care service providers rate, and the resource family recruitment and retention contractor rate, as such rates are identified in this section and were in effect on June 30, 2012, in order to distribute an additional \$1,535,256 in state reimbursements equitably to such providers for the fiscal year.

PROVIDER REIMBURSEMENT ---- CHILD CARE

Sec. 35. 2011 Iowa Acts, chapter 129, section 141, subsection 10, is amended to read as follows:

10. For the fiscal year beginning July 1, 2012, 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, 2012, the child care provider

reimbursement rates shall ~~remain at~~ be increased beginning January 1, 2013, by 2 percent over the rates in effect on June 30, 2012. 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.

REBASING STUDY ---- MEDICAID HOME HEALTH AND HCBS WAIVER
SERVICE PROVIDERS

Sec. 36. 2011 Iowa Acts, chapter 129, section 141, is amended by adding the following new subsection:

NEW SUBSECTION. 10A. The department of human services, Iowa Medicaid enterprise, shall review reimbursement of home health agency and home and community-based services waiver services providers and shall submit a recommendation for a rebasing methodology applicable to such providers to the individuals identified in this Act for receipt of reports by December 31, 2012.

ELDERLY WAIVER

Sec. 37. 2011 Iowa Acts, chapter 129, section 141, is amended by adding the following new subsection:

NEW SUBSECTION. 10B. The department shall increase the monthly reimbursement cap for the medical assistance home and community-based services waiver services for the elderly to \$1,300 per month.

REPORTS

Sec. 38. 2011 Iowa Acts, chapter 129, section 143, is amended to read as follows:

SEC. 143. REPORTS. Any reports or other information required to be compiled and submitted under this Act 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 V

HEALTH CARE ACCOUNTS AND FUNDS
PHARMACEUTICAL SETTLEMENT ACCOUNT

Sec. 39. 2011 Iowa Acts, chapter 129, section 145, is amended to read as follows:

SEC. 145. 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, 2012, and ending June 30, 2013, 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, 2012, and ending June 30, 2013:

..... \$ 2,716,807
4,805,804

IOWACARE ACCOUNT APPROPRIATIONS ---- UNIVERSITY OF IOWA
HOSPITALS AND CLINICS

Sec. 40. 2011 Iowa Acts, chapter 129, section 146,
subsection 1, paragraph c, 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
~~\$20,000,000~~ \$32,000,000.

Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
subsection 2, unnumbered paragraph 2, 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:

..... \$ ~~44,226,279~~

45,654,133

IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE TEACHING
HOSPITAL

Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
subsection 4, unnumbered paragraph 2, is amended to read as
follows:

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:

..... \$ ~~65,000,000~~

71,000,000

IOWACARE ACCOUNT ---- PUBLICLY OWNED ACUTE CARE HOSPITAL
ALLOCATIONS

Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
subsection 4, paragraphs a and b, are amended to read as
follows:

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 ~~\$60,000,000~~ \$65,000,000 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 ~~\$60,000,000~~
\$65,000,000. The amount paid in excess of ~~\$60,000,000~~
\$65,000,000 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 ~~\$60,000,000~~
\$65,000,000 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 \$4,000,000 shall be distributed for prescription drugs, and 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, and 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 \$4,000,000.

IOWACARE ACCOUNT ---- REGIONAL PROVIDER NETWORK

Sec. 44. 2011 Iowa Acts, chapter 129, section 146, subsection 5, unnumbered paragraph 2, is amended to read as follows:

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:

..... \$ ~~3,472,176~~
4,986,366

ACCOUNT FOR HEALTH CARE TRANSFORMATION

Sec. 45. 2011 Iowa Acts, chapter 129, section 148, is amended to read as follows:

SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE TRANSFORMATION ---- DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to the contrary, there is appropriated from the account for health care transformation created in section 249J.23 to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For the provision of an IowaCare nurse helpline for the expansion population as provided in section 249J.6:

..... \$ ~~50,000~~
100,000

2. For other health promotion partnership activities pursuant to section 249J.14:

..... \$ ~~300,000~~
600,000

3. For the costs related to audits, performance evaluations, and studies required pursuant to chapter 249J:

..... \$ ~~62,500~~
125,000

4. For administrative costs associated with chapter 249J:

..... \$ ~~566,206~~
1,132,412

5. For planning and development, in cooperation with the department of public health, of a phased-in program to provide a dental home for children in accordance with section 249J.14:

..... \$ ~~500,000~~
1,000,000

6. For continuation of the establishment of the tuition assistance for individuals serving individuals with disabilities pilot program, as enacted in 2008 Iowa Acts, chapter 1187, section 130:

..... \$ 25,000
50,000

7. For medical contracts:

..... \$ 1,000,000
2,400,000

8. 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:

..... \$ 145,000
540,000

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 appropriated in this subsection to the persons specified in this Act to receive reports.

9. For transfer to the department of public health to be used for the costs of medical home system advisory council established pursuant to section 135.159:

..... \$ 116,679
233,357

10. For continued implementation of a uniform cost report:

..... \$ 75,000
150,000

11. For continued implementation of an electronic medical records system:

..... \$ 50,000
100,000

Notwithstanding section 8.33, funds allocated in this subsection that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available in succeeding fiscal years to be used for the purposes designated.

12. For transfer to the department of public health to support the department's activities relating to health and long-term care access as specified pursuant to chapter 135, division XXIV:

..... \$ 67,107
134,214

13. For continuation of an accountable care organization pilot project:

..... \$ 50,000
100,000

15. For transfer to the department of public health to be used as state matching funds for the health information technology system network developed by the department of public health:

..... \$ 181,993
363,987

16. To supplement the appropriation for medical assistance:

..... \$ ~~1,956,245~~

Any funds remaining in the health care transformation account at the close of the fiscal year beginning July 1, 2012, and ending June 30, 2013, are appropriated to the department of human services to supplement the medical assistance program appropriation made in this Act.

Notwithstanding section 8.39, subsection 1, without the prior written consent and approval of the governor and the director of the department of management, the director of human services may transfer funds among the appropriations made in this section as necessary to carry out the purposes of the account for health care transformation. The department shall report any transfers made pursuant to this section to the legislative services agency.

QUALITY ASSURANCE TRUST FUND

Sec. 46. 2011 Iowa Acts, chapter 129, section 151, is amended to read as follows:

SEC. 151. 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, 2012, and ending June 30, 2013, 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:

..... \$ ~~29,000,000~~

26,500,000

HOSPITAL HEALTH CARE ACCESS TRUST FUND

Sec. 47. 2011 Iowa Acts, chapter 129, section 152, is amended to read as follows:

SEC. 152. 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, 2012, and ending June 30, 2013, 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:

..... \$ ~~39,223,800~~

33,898,400

2. For deposit in the nonparticipating provider reimbursement fund created in section 249J.24A to be used for the purposes of the fund:

..... \$ ~~776,200~~

801,600

MISCELLANEOUS PROVISIONS

Sec. 48. REPEAL. 2011 Iowa Acts, chapter 129, sections 149 and 150, are repealed.

DIVISION VI

CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT CONTINGENCY FUND

Sec. 49. CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE OF FUNDS ---- FY 2011-2012.

1. Moneys received from the federal government through the child enrollment contingency fund established pursuant to section 103 of the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, are appropriated to the department of human services for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to be used in addition to any other amounts appropriated for the same purposes for the fiscal year as follows:

- a. For adoption subsidy payments and services:
..... \$ 2,177,355
- b. For child care programs:
..... \$ 1,212,432
- c. For transfer to the department of public health to be used for tobacco use prevention, cessation, and treatment through support of Quitline Iowa:
..... \$ 275,000

2. Notwithstanding section 8.39, and to the extent that funds appropriated in this section are unexpended or unobligated for the purposes specified in subsection 1, the department of human services may transfer funds within or between any of the appropriations made in this section for the following purposes:

- a. For adoption subsidy payments and services.
- b. For child care assistance.

Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM ---- CHILD ENROLLMENT CONTINGENCY FUND ---- DIRECTIVES FOR USE OF FUNDS ----

FY 2012-2013. Moneys received from the federal government through the child enrollment contingency fund established pursuant to section 103 of the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3, are appropriated to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, to be used in addition to any other amounts appropriated for the same purposes for the fiscal year as follows:

- 1. For mental health and disability services redesign technical assistance services:
..... \$ 500,000
- 2. For the field operations integrity claims unit:
..... \$ 961,100
- 3. For the child welfare resources fund created pursuant to this subsection:
..... \$ 1,000,000

A child welfare resources fund is created under the control

of the department of human services. Notwithstanding section 8.33, moneys credited to the fund shall not revert to any other fund and are appropriated to the department to be used as provided in this subsection. The department shall distribute the moneys credited to the fund as grants to child welfare service providers to support infrastructure projects, supplies, equipment, renovations, and other one-time expenses in connection with publicly funded child welfare services.

Sec. 51. EFFECTIVE DATE PROVISIONS. The section of this division of this Act appropriating moneys received through the federal Child Enrollment Contingency Fund for the fiscal year beginning July 1, 2011, and ending June 30, 2012, being deemed of immediate importance, takes effect upon enactment.

Sec. 52. RETROACTIVE APPLICABILITY. The section of this division of this Act appropriating moneys received through the federal Child Enrollment Contingency Fund for the fiscal year beginning July 1, 2011, and ending June 30, 2012, applies retroactively to July 1, 2011.

DIVISION VII

MENTAL HEALTH AND DISABILITY SERVICES REDESIGN FUNDING FOR FY 2012-2013

Sec. 53. RISK POOL APPROPRIATION FOR MEDICAL ASSISTANCE PROGRAM. All moneys remaining in the risk pool of the property tax relief fund on June 30, 2012, following the distributions made pursuant to 2012 Iowa Acts, Senate File 2071, are appropriated to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, to be used for the purpose designated:

To be credited to the appropriation made for the medical assistance program in 2011 Iowa Acts, chapter 129, section 122.

Sec. 54. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN. 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 purposes designated:

To be credited to the mental health and disability services redesign fund created in this division of this Act:

..... \$ 40,000,000

Sec. 55. REPLACEMENT GENERATION TAX REVENUES ---- LEVY RATES FOR FY 2012-2013.

1. a. 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. 56. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN FUND ---- FY 2012-2013.

1. A mental health and disability services redesign fund is created in the state treasury on the effective date of this section to be used as provided in this section for the fiscal year beginning July 1, 2012, and ending June 30, 2013. The redesign fund is under the control of the department of human services. Moneys remaining in the redesign fund at the close of the fiscal year beginning July 1, 2012, shall be transferred to the mental health and disability regional services fund created in section 225C.7A, if enacted by 2012 Iowa Acts, Senate File 2315.

2. Moneys available in the mental health and disability services redesign fund created in this section are appropriated to the department of human services for the fiscal year beginning July 1, 2012, and ending June 30, 2013, to be used as provided in this section.

3. Moneys appropriated in this section shall be used to pay the nonfederal share of medical assistance program services costs that would be billed to counties, if the amendments to sections 249A.12 and 249A.26 were not enacted by this division of this Act, for the following services provided in the fiscal year beginning July 1, 2012:

- a. Habilitation.
- b. Targeted case management.
- c. Home-based and community-based services waiver services for persons with intellectual disabilities and brain injury.
- d. Community-based intermediate care facilities for persons with mental retardation (ICF/MR).
- e. The state resource centers.

4. The nonfederal share of the medical assistance services costs for the services specified in subsection 3 provided for the fiscal year beginning July 1, 2012, shall be paid from the mental health and disability services redesign fund and shall not be billed to counties.

5. Of the funds appropriated in this section, for the fiscal year beginning July 1, 2012, \$500,000 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 to the department for the 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 fiscal year, to be assigned to implementing the project.

6. Of the funds appropriated in this section, up to \$400,000 may be transferred by the department to the appropriation made to the department for the fiscal year for general administration to support redesign and balancing incentive 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 fiscal year.

7. 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 for the 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.

8. Moneys credited to the redesign fund are not subject to section 8.33.

Sec. 57. SERVICES FUND CASH FLOW TRANSFER. Notwithstanding section 331.424A, subsection 5, and section 331.432, subsection 3, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, a county may temporarily transfer moneys from other funds of the county to the county's services fund created in section 331.424A, for cash flow purposes. Moneys transferred pursuant to this section shall be returned to the fund from which the transfer was made by the close of the fiscal year.

Sec. 58. Section 249A.12, Code 2011, is amended to read as follows:

249A.12 Assistance to persons with mental retardation --- state cases.

1. Assistance may be furnished under this chapter to an otherwise eligible recipient who is a resident of a health care facility licensed under chapter 135C and certified as an intermediate care facility for persons with mental retardation.

~~2. A county shall reimburse the department on a monthly basis for that portion of the cost of assistance provided under this section to a recipient with legal settlement in the county, which is not paid from federal funds, if the recipient's placement has been approved by the appropriate review organization as medically necessary and appropriate. The department's goal for the maximum time period for~~

submission of a claim to a county is not more than sixty days following the submission of the claim by the provider of the service to the department. The department's goal for completion and crediting of a county for cost settlement for the actual costs of a service under a home and community-based services waiver is within two hundred seventy days of the close of a fiscal year for which cost reports are due from providers. The department shall place all reimbursements from counties in the appropriation for medical assistance, and may use the reimbursed funds in the same manner and for any purpose for which the appropriation for medical assistance may be used.

~~3.~~ 2. If a county reimburses the department for medical assistance provided under this section, Code 2011, and the amount of medical assistance is subsequently repaid through a medical assistance income trust or a medical assistance special needs trust as defined in section 633C.1, the department shall reimburse the county on a proportionate basis. The department shall adopt rules to implement this subsection.

~~4.~~ 3. a. Effective July 1, 1995, the state shall be responsible for all of the nonfederal share of the costs of intermediate care facility for persons with mental retardation services provided under medical assistance to minors. Notwithstanding ~~subsection 2 and~~ contrary provisions of section 222.73, Code 2011, effective July 1, 1995, a county is not required to reimburse the department and shall not be billed for the nonfederal share of the costs of such services provided to minors.

b. The state shall be responsible for all of the nonfederal share of medical assistance home and community-based services waivers for persons with intellectual disabilities services provided to minors, and a county is not required to reimburse the department and shall not be billed for the nonfederal share of the costs of the services.

c. Effective February 1, 2002, the state shall be responsible for all of the nonfederal share of the costs of intermediate care facility for persons with mental retardation services provided under medical assistance attributable to the assessment fee for intermediate care facilities for individuals with mental retardation imposed pursuant to section 249A.21. ~~Notwithstanding subsection 2, effective~~ Effective February 1, 2003, a county is not required to reimburse the department and shall not be billed for the nonfederal share of the costs of such services attributable to the assessment fee.

~~5.~~ 4. a. The mental health and disability services commission shall recommend to the department the actions necessary to assist in the transition of individuals being served in an intermediate care facility for persons with mental retardation, who are appropriate for the transition, to services funded under a medical assistance home and community-based services waiver for persons with intellectual disabilities in a manner which maximizes the use of existing public and private facilities. The actions may include but are

not limited to submitting any of the following or a combination of any of the following as a request for a revision of the medical assistance home and community-based services waiver for persons with intellectual disabilities:

(1) Allow for the transition of intermediate care facilities for persons with mental retardation licensed under chapter 135C, to services funded under the medical assistance home and community-based services waiver for persons with intellectual disabilities. The request shall be for inclusion of additional persons under the waiver associated with the transition.

(2) Allow for reimbursement under the waiver for day program or other service costs.

(3) Allow for exception provisions in which an intermediate care facility for persons with mental retardation which does not meet size and other facility-related requirements under the waiver in effect on June 30, 1996, may convert to a waiver service for a set period of time such as five years. Following the set period of time, the facility would be subject to the waiver requirements applicable to services which were not operating under the exception provisions.

b. In implementing the provisions of this subsection, the mental health and disability services commission shall consult with other states. The waiver revision request or other action necessary to assist in the transition of service provision from intermediate care facilities for persons with mental retardation to alternative programs shall be implemented by the department in a manner that can appropriately meet the needs of individuals at an overall lower cost to counties, the federal government, and the state. In addition, the department shall take into consideration significant federal changes to the medical assistance program in formulating the department's actions under this subsection. The department shall consult with the mental health and disability services commission in adopting rules for oversight of facilities converted pursuant to this subsection. A transition approach described in paragraph "a" may be modified as necessary to obtain federal waiver approval.

~~6.~~ 5. a. The provisions of the home and community-based services waiver for persons with intellectual disabilities shall include adult day care, prevocational, and transportation services. Transportation shall be included as a separately payable service.

b. The department of human services shall seek federal approval to amend the home and community-based services waiver for persons with intellectual disabilities to include day habilitation services. Inclusion of day habilitation services in the waiver shall take effect upon receipt of federal approval.

~~c. The person's county of legal settlement shall pay for the nonfederal share of the cost of services provided under the waiver, and the state shall pay for the nonfederal share~~

of such costs if the person has no legal settlement or the legal settlement is unknown so that the person is deemed to be a state case.

~~d. The county of legal settlement shall pay for one hundred percent of the nonfederal share of the costs of care provided for adults which is reimbursed under a home and community-based services waiver that would otherwise be approved for provision in an intermediate care facility for persons with mental retardation provided under the medical assistance program.~~

~~7. 6. When paying the necessary and legal expenses for intermediate care facility for persons with mental retardation services, the cost requirements of section 222.60 shall be considered fulfilled when payment is made in accordance with the medical assistance payment rates established by the department for intermediate care facilities for persons with mental retardation, and the state or a county of legal settlement shall not be obligated for any amount in excess of the rates.~~

~~8. 7. If a person with mental retardation has no legal settlement or the legal settlement is unknown so that the person is deemed to be a state case and services associated with the mental retardation can be covered under a medical assistance home and community-based services waiver or other medical assistance program provision, the nonfederal share of the medical assistance program costs for such coverage shall be paid from the appropriation made for the medical assistance program.~~

Sec. 59. Section 249A.26, subsection 2, Code 2011, is amended to read as follows:

2. a. Except as provided for disallowed costs in section 249A.27, ~~the county of legal settlement shall pay for fifty percent of the nonfederal share of the cost and the state shall have responsibility for the remaining fifty~~ pay one hundred percent of the nonfederal share of the cost of case management provided to adults, day treatment, and partial hospitalization provided under the medical assistance program for persons with mental retardation, a developmental disability, or chronic mental illness. For purposes of this section, persons with mental disorders resulting from Alzheimer's disease or ~~substance abuse a substance-related disorder shall not be considered chronically mentally ill to be persons with chronic mental illness. To the maximum extent allowed under federal law and regulations, the department shall consult with and inform a county of legal settlement's central point of coordination process, as defined in section 331.440, regarding the necessity for and the provision of any service for which the county is required to provide reimbursement under this subsection.~~

b. The state shall pay for one hundred percent of the nonfederal share of the costs of case management provided for adults, day treatment, partial hospitalization, and the home and community-based services waiver services for persons who

have no legal settlement residence in this state or the legal settlement whose residence is unknown so that the persons are deemed to be state cases.

c. The case management services specified in this subsection shall be paid for by a county only if the services are provided outside of a managed care contract.

Sec. 60. Section 249A.26, subsections 3, 4, 7, and 8, Code 2011, are amended to read as follows:

~~3. To the maximum extent allowed under federal law and regulations, a person with mental illness or mental retardation shall not be eligible for any service which is funded in whole or in part by a county share of the nonfederal portion of medical assistance funds unless the person is referred through the central point of coordination process, as defined in section 331.440. However, to the extent federal law allows referral of a medical assistance recipient to a service without approval of the central point of coordination process, the county of legal settlement shall be billed for the nonfederal share of costs for any adult person for whom the county would otherwise be responsible.~~

~~4. The county of legal settlement state shall pay for one hundred percent of the nonfederal share of the cost of services provided to adult persons with chronic mental illness who qualify for habilitation services in accordance with the rules adopted for the services. The state shall pay for one hundred percent of the nonfederal share of the cost of such services provided to such persons who have no legal settlement or the legal settlement is unknown so that the persons are deemed to be state cases.~~

~~7. Unless a county has paid or is paying for the nonfederal share of the costs of a person's home and community-based waiver services or placement in an intermediate care facility for persons with mental retardation under the county's mental health, mental retardation, and developmental disabilities services fund, or unless a county of legal settlement would become liable for the costs of services for a person at the level of care provided in an intermediate care facility for persons with mental retardation due to the person reaching the age of majority, the The state shall pay for the nonfederal share of the costs of an eligible person's services under the home and community-based services waiver for persons with brain injury.~~

8. If a dispute arises between different counties or between the department and a county as to the legal settlement of a person who ~~receives~~ received medical assistance for which the nonfederal share is was payable in whole or in part by a county of legal settlement in accordance with Code 2011, and cannot be resolved by the parties, the dispute shall be resolved as provided in section 225C.8, Code 2011.

Sec. 61. Section 445.5, subsection 1, paragraph h, Code Supplement 2011, is amended by striking the paragraph.

Sec. 62. 2011 Iowa Acts, chapter 129, section 43, subsection

2, paragraphs d and e, are amended to read as follows:

d. If moneys from a distribution made under this subsection are not expended by a county by ~~November 1, 2012~~ June 30, 2013, for services provided ~~prior to July 1, 2012~~ by that date, the county shall reimburse the unexpended moneys to the department by ~~November 30, 2012~~ August 30, 2013, and the moneys reimbursed shall be credited to the risk pool in the property tax relief fund.

e. The risk pool board shall submit ~~a report~~ reports to the governor and general assembly on or before December 31, 2012 and 2013, regarding the expenditure of funds distributed under this subsection.

Sec. 63. 2011 Iowa Acts, chapter 129, section 135, is amended to read as follows:

SEC. 135. MI/MR/DD STATE CASES.

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 distribution to counties for state case services for persons with mental illness, mental retardation, and developmental disabilities in accordance with section 331.440 To be credited to the mental health and disability services redesign fund created by this division of this 2012 Act:~~

..... \$ ~~6,084,741~~
11,150,820

2. For the fiscal year beginning July 1, 2012, and ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case services from the amounts appropriated from the fund created in section 8.41 to the department of human services from the funds received from the federal government under 42 U.S.C. ch. 6A, subch. XVII, relating to the community mental health center block grant, for the federal fiscal years beginning October 1, 2010, and ending September 30, 2011, beginning October 1, 2011, and ending September 30, 2012, and beginning October 1, 2012, and ending September 30, 2013. The allocation made in this subsection shall be made prior to any other distribution allocation of the appropriated federal funds.

~~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 for expenditure for the purposes designated until the close of the succeeding fiscal year.~~

Sec. 64. 2011 Iowa Acts, chapter 129, section 136, is amended to read as follows:

SEC. 136. MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

---- COMMUNITY SERVICES FUND. There is appropriated from the general fund of the state to the ~~mental health and developmental disabilities community services fund created in section 225C.7~~ 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 mental health and developmental disabilities community services in accordance with this division of this Act To be credited to the mental health and disability services redesign fund created by this division of this 2012 Act:~~

~~..... \$ 14,211,100~~

~~1. Of the funds appropriated in this section, \$14,187,556 shall be allocated to counties for funding of community-based mental health and developmental disabilities services. The moneys shall be allocated to a county as follows:~~

~~a. Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.~~

~~b. Fifty percent based upon the county's proportion of the state's general population.~~

~~2. a. A county shall utilize the funding the county receives pursuant to subsection 1 for services provided to persons with a disability, as defined in section 225C.2. However, no more than 50 percent of the funding shall be used for services provided to any one of the service populations.~~

~~b. A county shall use at least 50 percent of the funding the county receives under subsection 1 for contemporary services provided to persons with a disability, as described in rules adopted by the department.~~

~~3. Of the funds appropriated in this section, \$23,544 shall be used to support the Iowa compass program providing computerized information and referral services for Iowans with disabilities and their families.~~

~~4. a. Funding appropriated for purposes of the federal social services block grant is allocated for distribution to counties for local purchase of services for persons with mental illness or mental retardation or other developmental disability.~~

~~b. The funds allocated in this subsection shall be expended by counties in accordance with the county's county management plan approved by the board of supervisors. A county without an approved county management plan shall not receive allocated funds until the county's management plan is approved.~~

~~e. The funds provided by this subsection shall be allocated to each county as follows:~~

~~(1) Fifty percent based upon the county's proportion of the state's population of persons with an annual income which is equal to or less than the poverty guideline established by the federal office of management and budget.~~

~~(2) Fifty percent based upon the amount provided to the county for local purchase of services in the preceding fiscal year.~~

~~5. A county is eligible for funds under this section if the county qualifies for a state payment as described in section 331.439.~~

6. ~~The most recent population estimates issued by the United States bureau of the census shall be applied for the population factors utilized in this section.~~

Sec. 65. 2011 Iowa Acts, chapter 129, section 154, is amended to read as follows:

SEC. 154. MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES SERVICES PROPERTY TAX RELIEF. ~~Notwithstanding~~ In lieu of the standing appropriation in section 426B.1, subsection 2, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, ~~the amount there is appropriated from the general fund of the state pursuant to that provision shall not exceed to the department of human services~~ the following amount or so much thereof as is necessary to be used for the purposes designated:

To be credited to the mental health and disability services redesign fund created by this division of this 2012 Act:
..... \$ 81,199,911

Sec. 66. 2011 Iowa Acts, chapter 129, section 155, is amended to read as follows:

SEC. 155. ADULT MH/MR/DD SERVICES ALLOWED GROWTH FUNDING ---- FY 2012-2013.

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 distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment for fiscal year 2012-2013 as provided in this section in lieu of the allowed growth factor provisions of section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B~~ To be credited to the mental health and disability services services redesign fund created by this division of this 2012 Act:
..... \$ 74,697,893

2. ~~Of the amount appropriated in this section, \$38,000,000 shall be distributed as provided in this subsection.~~

a. ~~To be eligible to receive a distribution under this subsection, a county must meet the following requirements:~~

(1) ~~The county is levying for the maximum amount allowed for the county's mental health, mental retardation, and developmental disabilities services fund under section 331.424A for taxes due and payable in the fiscal year beginning July 1, 2012, or the county is levying for at least 90 percent of the maximum amount allowed for the county's services fund and that levy rate is more than \$2 per \$1,000 of the assessed value of all taxable property in the county.~~

(2) ~~In the fiscal year beginning July 1, 2010, the county's mental health, mental retardation, and developmental disabilities services fund ending balance under generally accepted accounting principles was equal to or less than 15 percent of the county's actual gross expenditures for that~~

fiscal year.

b. The amount of a county's distribution from the allocation made in this subsection shall be determined based upon the county's proportion of the general population of the counties eligible to receive a distribution under this subsection. The most recent population estimates issued by the United States bureau of the census shall be applied in determining population for the purposes of this paragraph.

c. The distributions made pursuant to this subsection are subject to the distribution provisions and withholding requirements established in this section for the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment for the fiscal year beginning July 1, 2012.

3. The following amount of the funding appropriated in this section is the allowed growth factor adjustment for fiscal year 2012-2013, and shall be credited to the allowed growth funding pool created in the property tax relief fund and for distribution in accordance with section 426B.5, subsection 1:
..... \$ 36,697,893

4. The following formula amounts shall be utilized only to calculate preliminary distribution amounts for the allowed growth factor adjustment for fiscal year 2012-2013 under this section by applying the indicated formula provisions to the formula amounts and producing a preliminary distribution total for each county:

a. For calculation of a distribution amount for eligible counties from the allowed growth funding pool created in the property tax relief fund in accordance with the requirements in section 426B.5, subsection 1:
..... \$ 49,773,346

b. For calculation of a distribution amount for counties from the mental health and developmental disabilities (MH/DD) community services fund in accordance with the formula provided in the appropriation made for the MH/DD community services fund for the fiscal year beginning July 1, 2012:
..... \$ 14,187,556

5. a. After applying the applicable statutory distribution formulas to the amounts indicated in subsection 4 for purposes of producing preliminary distribution totals, the department of human services shall apply a withholding factor to adjust an eligible individual county's preliminary distribution total. In order to be eligible for a distribution under this section, a county must be levying 90 percent or more of the maximum amount allowed for the county's mental health, mental retardation, and developmental disabilities services fund under section 331.424A for taxes due and payable in the fiscal year for which the distribution is payable.

b. An ending balance percentage for each county shall be determined by expressing the county's ending balance on a modified accrual basis under generally accepted accounting principles for the fiscal year beginning July 1, 2010, in the

county's mental health, mental retardation, and developmental disabilities services fund created under section 331.424A, as a percentage of the county's gross expenditures from that fund for that fiscal year. If a county borrowed moneys for purposes of providing services from the county's services fund on or before July 1, 2010, and the county's services fund ending balance for that fiscal year includes the loan proceeds or an amount designated in the county budget to service the loan for the borrowed moneys, those amounts shall not be considered to be part of the county's ending balance for purposes of calculating an ending balance percentage under this subsection.

e. For purposes of calculating withholding factors and for ending balance amounts used for other purposes under law, the county ending balances shall be adjusted, using forms developed for this purpose by the county finance committee, to disregard the temporary funding increase provided to the counties for the fiscal year through the federal American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5. In addition, a county may adjust the ending balance amount by rebating to the department all or a portion of the allowed growth and MH/DD services fund moneys the county received for the fiscal year beginning July 1, 2011, in accordance with this Act, or from any other services fund moneys available to the county. The rebate must be remitted to the department on or before June 1, 2012, in order to be counted. The amount rebated by a county shall be subtracted dollar for dollar from the county's ending balance amount for the fiscal year beginning July 1, 2010, for purposes of calculating the withholding factor and for other ending balance purposes for the fiscal year beginning July 1, 2012. The rebates received by the department shall be credited to the property tax relief fund and distributed as additional funding for the fiscal year beginning July 1, 2012, in accordance with the formula provisions in this section.

d. The withholding factor for a county shall be the following applicable percent:

(1) For an ending balance percentage of less than 5 percent, a withholding factor of 0 percent. In addition, a county that is subject to this lettered paragraph shall receive an inflation adjustment equal to 3 percent of the gross expenditures reported for the county's services fund for the fiscal year.

(2) For an ending balance percentage of 5 percent or more but less than 10 percent, a withholding factor of 0 percent. In addition, a county that is subject to this lettered paragraph shall receive an inflation adjustment equal to 2 percent of the gross expenditures reported for the county's services fund for the fiscal year.

(3) For an ending balance percentage of 10 percent or more but less than 25 percent, a withholding factor of 25 percent. However, for counties with an ending balance of 10 percent or more but less than 15 percent, the amount withheld shall be limited to the amount by which the county's ending balance was

in excess of the ending balance percentage of 10 percent.

(4) For an ending balance percentage of 25 percent or more, a withholding percentage of 100 percent.

6. The total withholding amounts applied pursuant to subsection 5 shall be equal to a withholding target amount of \$13,075,453. If the department of human services determines that the amount appropriated is insufficient or the amount to be withheld in accordance with subsection 5 is not equal to the target withholding amount, the department shall adjust the withholding factors listed in subsection 5 as necessary to achieve the target withholding amount. However, in making such adjustments to the withholding factors, the department shall strive to minimize changes to the withholding factors for those ending balance percentage ranges that are lower than others and shall only adjust the zero withholding factor or the inflation adjustment percentages specified in subsection 5, paragraph "d", when the amount appropriated is insufficient.

Sec. 67. 2012 Iowa Acts, Senate File 2071, section 6, subsections 5 and 6, are amended to read as follows:

5. If moneys from a distribution made under this section are not expended by a county by ~~November 1, 2012~~ June 30, 2013, for services provided ~~prior to July 1, 2012~~ by that date, the county shall reimburse the unexpended moneys to the department by ~~November 30, 2012~~ August 30, 2013, and the moneys reimbursed shall be credited to the risk pool in the property tax relief fund.

6. The risk pool board shall submit ~~a report~~ reports to the governor and general assembly on or before December 31, 2012 and 2013, regarding the expenditure of funds distributed under this section.

Sec. 68. 2012 Iowa Acts, Senate File 2071, section 7, is amended to read as follows:

SEC. 7. PROPERTY TAX RELIEF ---- FY 2012-2013. There is appropriated from the Iowa economic emergency fund to the department of human services for the fiscal year beginning July 1, 2011, and ending June 30, 2012, notwithstanding section 8.55, subsection 1, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

To be credited to the ~~property tax relief~~ mental health and disability services redesign fund to be used to restore the amount of the standing appropriation made from the general fund of the state in section 426B.1, subsection 1, for the fiscal year beginning July 1, 2012, in the amount of the reduction applied pursuant to 2011 Iowa Acts, chapter 129, section 154 created by this division of this 2012 Act:

..... \$ 7,200,089

Sec. 69. REPEAL. The sections of 2012 Iowa Acts, Senate File 2315, if enacted, amending sections 249A.12 and 249A.26 are repealed.

Sec. 70. EFFECTIVE DATE. The following provision or provisions of this division of this Act take effect July 1, 2013, if the amendments to chapter 426B in 2012 Iowa Acts,

Senate File 2315, are enacted:

1. The section of this Act amending section 445.5.

Sec. 71. EFFECTIVE UPON ENACTMENT. The following provisions of this division of this Act, being deemed of immediate importance, take effect upon enactment:

1. The section of this Act relating to replacement generation tax revenues and county levy rates for the fiscal year beginning July 1, 2012.

2. The section of this Act creating the mental health and disability services redesign fund.

3. The section of this Act amending 2012 Iowa Acts, Senate File 2071, section 7.

DIVISION VIII

PRIOR APPROPRIATIONS AND RELATED CHANGES
INJURED VETERANS GRANT PROGRAM

Sec. 72. 2008 Iowa Acts, chapter 1187, section 69, unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter 182, section 83, 2010 Iowa Acts, chapter 1192, section 56, and 2011 Iowa Acts, chapter 129, section 53, is amended to read as follows:

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 beginning July 1, ~~2011~~ 2012.

CHILD WELFARE DECATEGORIZATION
FY 2009-2010 NONREVERSION

Sec. 73. 2009 Iowa Acts, chapter 182, section 14, subsection 5, unnumbered paragraph 2, as enacted by 2011 Iowa Acts, chapter 129, section 55, is amended to read as follows:

Notwithstanding section 232.188, subsection 5, moneys from the allocations made in this subsection or made from any other source for the decategorization of child welfare and juvenile justice funding initiative under section 232.188 for the fiscal year beginning July 1, 2009, that are designated as carryover funding that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2010, shall not revert but shall be transferred in the amount of \$1,000,000 to the supportive and residential services competitive grant program fund created in section 16.185A, as enacted in this 2012 Act, and the remainder shall be transferred to the community housing and services for persons with disabilities revolving loan program fund created in section 16.185, as enacted by this division of this Act.

IOWA VETERANS HOME

Sec. 74. 2011 Iowa Acts, chapter 129, section 3, subsection 2, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. The funds appropriated in this subsection to the Iowa veterans home that remain available for expenditure for the succeeding fiscal year pursuant to section 35D.18, subsection 5, shall be distributed to be used in the succeeding fiscal year in accordance with this lettered paragraph. The

first \$500,000 shall remain available to be used for the purposes of the Iowa veterans home. Any remaining balance shall be credited to the appropriation in this Act for the fiscal year beginning July 1, 2012, for medical assistance.

FAMILY INVESTMENT PROGRAM ---- GENERAL FUND

Sec. 75. 2011 Iowa Acts, chapter 129, section 7, 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.

MEDICAL ASSISTANCE

Sec. 76. 2011 Iowa Acts, chapter 129, section 10, subsection 20, paragraph d, is amended to read as follows:

d. If the savings to the medical assistance program exceed the cost, the department may transfer any savings generated for the fiscal year due to medical assistance program cost containment efforts initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive Order No. 20, issued December 16, 2009, or cost containment strategies initiated pursuant to this subsection, to the ~~appropriation~~ appropriations made in this division of this Act for medical contracts or general administration to defray the increased contract costs associated with implementing such efforts.

BEHAVIORAL HEALTH SERVICES ACCOUNT ---- MEDICAL ASSISTANCE

Sec. 77. 2011 Iowa Acts, chapter 129, section 10, is amended by adding the following new subsection:

NEW SUBSECTION. 26. Notwithstanding 2009 Iowa Acts, chapter 182, section 9, subsection 16, paragraph "b", as amended by 2010 Iowa Acts, chapter 1192, section 63, as amended by 2011 Iowa Acts, chapter 129, section 54, funds in the account that remain unencumbered or unobligated at the end of the fiscal year beginning July 1, 2011, are appropriated to the department of human services to be used for the medical assistance program for the succeeding fiscal year.

STATE SUPPLEMENTARY ASSISTANCE

Sec. 78. 2011 Iowa Acts, chapter 129, section 11, is amended by adding the following new subsection:

NEW SUBSECTION. 4. 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.

JUVENILE INSTITUTIONS

Sec. 79. 2011 Iowa Acts, chapter 129, section 14, is amended by adding the following new subsection:

NEW SUBSECTION. 4. 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.

MENTAL HEALTH INSTITUTES

Sec. 80. 2011 Iowa Acts, chapter 129, section 20, is amended by adding the following new unnumbered paragraph 2:
NEW UNNUMBERED PARAGRAPH 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.

STATE RESOURCE CENTERS

Sec. 81. 2011 Iowa Acts, chapter 129, section 21, is amended by adding the following new subsection:

NEW SUBSECTION. 6. 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.

SEXUALLY VIOLENT PREDATORS

Sec. 82. 2011 Iowa Acts, chapter 129, section 24, is amended by adding the following new subsection:

NEW SUBSECTION. 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 for expenditure for the purposes designated until the close of the succeeding fiscal year.

FIELD OPERATIONS

Sec. 83. 2011 Iowa Acts, chapter 129, section 25, is amended by adding the following new unnumbered paragraph:
NEW UNNUMBERED PARAGRAPH 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.

CHILD PROTECTION SYSTEM IMPROVEMENTS

Sec. 84. 2011 Iowa Acts, chapter 129, section 26, subsection 5, is amended to read as follows:

5. Of the funds appropriated in this section, \$500,000 shall be used for implementation of child protection system improvements addressed in 2011 Iowa Acts, ~~House File 562, as enacted chapter 28.~~ 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.

GENERAL ADMINISTRATION

Sec. 85. 2011 Iowa Acts, chapter 129, section 26, is amended by adding the following new subsection:

NEW SUBSECTION. 6. 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.

IOWACARE DISTRIBUTIONS

Sec. 86. 2011 Iowa Acts, chapter 129, section 35, subsection 2, unnumbered paragraph 2, 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:

..... \$ ~~44,226,279~~
56,226,279

Sec. 87. 2011 Iowa Acts, chapter 129, section 35, subsection 4, paragraph a, is amended to read as follows:

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 ~~\$60,000,000~~ \$57,000,000 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 ~~\$60,000,000~~ \$57,000,000. The amount paid in excess of ~~\$60,000,000~~ \$57,000,000 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 ~~\$60,000,000~~ \$57,000,000 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 \$4,000,000 shall be distributed for prescription drugs and podiatry services.

Sec. 88. 2011 Iowa Acts, chapter 129, section 35, subsection 4, paragraph d, subparagraph (2), is amended to read as follows:

(2) Notwithstanding the amount collected and distributed for deposit in the IowaCare account pursuant to section 249J.24, subsection 4, paragraph "a", subparagraph (2), the first \$19,000,000 in collections pursuant to section 347.7 between January 1, 2012, and June 30, 2012, 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 subparagraph (2), \$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 July 2012, following the January 1 through June 30, 2012, period.~~

Sec. 89. IMMEDIATE EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 90. RETROACTIVE APPLICABILITY. The following sections of this division of this Act apply retroactively to July 1, 2011:

1. The section relating to the transfer of funds from costs savings under the medical assistance program to appropriations for medical contracts or general administration for the fiscal year beginning July 1, 2011, and ending June 30, 2012.

2. The section relating to the nonreversion of decategorization of child welfare and juvenile justice funds.

3. The section relating to the distribution of IowaCare program funds.

DIVISION IX MISCELLANEOUS

Sec. 91. Section 8A.512A, subsection 3, Code Supplement 2011, is amended to read as follows:

3. a. For purposes of this section, "executive branch employee" means an employee of the executive branch as defined in section 7E.2, other than a member or employee of the state board of regents and institutions under the control of the state board of regents.

b. For purposes of this section, "out-of-state travel" does not include out-of-state travel incidental to travel between a travel departure point in this state and a travel destination point in the city of Carter Lake.

Sec. 92. NEW SECTION. 16.185A Supportive and residential services for individuals who meet the psychiatric medical institution for children level of care ---- competitive grant program fund.

1. A supportive and residential services competitive grant program fund is created within the authority to further the availability of supportive and residential services for individuals who meet the psychiatric medical institution for children level of care under the medical assistance program. The moneys in the fund are appropriated to the authority to be used for the development and operation of a competitive grant program to provide financing to construct supportive housing or develop the infrastructure in which to provide supportive services, including through new construction, acquisition and rehabilitation of existing housing or infrastructure, or conversion or adaptive reuse.

2. Moneys transferred by the authority for deposit in the competitive grant program fund, moneys appropriated to the competitive grant program, and any other moneys available to and obtained or accepted by the authority for placement in the fund shall be credited to the fund. Additionally, payment of interest, recaptures of awards, and other repayments to the fund shall be credited to the fund. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund. Notwithstanding section 8.33, moneys credited to the fund from any other fund that remain unencumbered or unobligated at the close of the fiscal year shall not revert to the other fund.

3. The authority shall allocate moneys in the fund to the extent available for the development of supportive housing or the infrastructure in which to provide supportive services for individuals who meet the psychiatric medical institution for children level of care under the medical assistance program. Moneys allocated to such projects shall be in the form of competitive grants. An application submitted shall contain a commitment of at least a dollar-for-dollar match of the grant assistance.

4. a. A project shall demonstrate written approval of the project by the department of human services to the authority prior to application for funding under this section.

b. In order to be approved by the department of human services for application for funding under this section, a project shall include all of the following components:

(1) Provision of services to individuals who meet the psychiatric medical institution for children level of care under the medical assistance program.

(2) Policies and procedures that prohibit discharge of the individual from the services provided by the project provider unless an alternative placement that is acceptable to the client or the client's guardian is identified.

5. Housing provided through a project under this section is exempt from the requirements of chapter 135O.

6. The authority, in collaboration with the department of human services, shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 93. Section 97B.39, Code 2011, is amended to read as follows:

97B.39 Rights not transferable or subject to legal process
---- exceptions.

The right of any person to any future payment under this chapter is not transferable or assignable, at law or in equity, and the moneys paid or payable or rights existing under this chapter are not subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law except for the purposes of enforcing child, spousal, or medical support obligations or marital property orders, or for recovery of medical assistance payments pursuant to section 249A.5. For the purposes of enforcing child, spousal, or medical support obligations, the garnishment or attachment of or the execution against compensation due a person under this chapter shall not exceed the amount specified in 15 U.S.C. { 1673(b). The system shall comply with the provisions of a marital property order requiring the selection of a particular benefit option, designated beneficiary, or contingent annuitant if the selection is otherwise authorized by this chapter and the member has not received payment of the member's first retirement allowance. However, a marital property order shall not require the payment of benefits to an alternative payee prior to the member's retirement, prior to the date the member

elects to receive a lump sum distribution of accumulated contributions pursuant to section 97B.53, or in an amount that exceeds the benefits the member would otherwise be eligible to receive pursuant to this chapter.

Sec. 94. Section 135H.10, subsection 3, Code 2011, is amended by striking the subsection.

Sec. 95. Section 144D.4, as enacted by 2012 Iowa Acts, House File 2165, section 5, is amended by adding the following new subsection:

NEW SUBSECTION. 10. A POST form executed between July 1, 2008, and June 30, 2012, as part of the patient autonomy in health care decisions pilot project created pursuant to 2008 Iowa Acts, chapter 1188, section 36, as amended by 2010 Iowa Acts, chapter 1192, section 58, shall remain effective until revoked or until a new POST form is executed pursuant to this chapter.

Sec. 96. Section 225B.8, Code Supplement 2011, is amended to read as follows:

225B.8 Repeal.

This chapter is repealed July 1, ~~2012~~ 2015.

Sec. 97. **NEW SECTION.** 231.45 Certified volunteer long-term care resident's advocate program.

1. The department shall establish a certified volunteer long-term care resident's advocate program in accordance with the federal Act to provide assistance to the state and local long-term care resident's advocates.

2. The department shall develop and implement a certification process for volunteer long-term care resident's advocates including but not limited to an application process, provision for background checks, classroom or on-site training, orientation, and continuing education.

3. The provisions of section 231.42 relating to local long-term care resident's advocates shall apply to certified volunteer long-term care resident's advocates.

4. The department shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 98. **NEW SECTION.** 239B.2C Absence from home ---- incarceration.

An individual family member who is absent from the home for more than three months because the individual is incarcerated in jail or a correctional facility shall not be included in the family unit for purposes of assistance.

Sec. 99. Section 384.22, subsection 2, paragraph b, unnumbered paragraph 1, if enacted in 2012 Iowa Acts, House File 2460, is amended to read as follows:

The report required under this subsection shall include all of the following as of June 30 of the most recently ended fiscal year or the information for such fiscal year, as applicable:

Sec. 100. SPECIAL EDUCATION INSTRUCTIONAL PROGRAMS -- PRIVATE AGENCY RESIDENTIAL TREATMENT SERVICES. For the school year beginning July 1, 2012, the department of

education shall administer the costs of special education instructional programs funded under section 256B.9, subsection 7, when contracted with a private agency that provides residential treatment services to include the costs of general administration, health services, attendance officers, plant operation, and plant maintenance, regular and special instructional costs, overhead costs, and the costs of purchase of equipment, transportation, and insurance to meet the special needs of children requiring special education.

Sec. 101. SPECIAL EDUCATION COSTS ---- LEGISLATIVE STUDY. The legislative council is requested to establish an interim study committee during the 2012 interim to examine the payment of special education costs associated with student services provided in residential treatment facilities 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.

Sec. 102. CIVIL MONETARY PENALTIES ---- NURSING FACILITY TRAINING. Of the funds received by the department of human services through civil monetary penalties from nursing facilities, during the fiscal year beginning July 1, 2012, and ending June 30, 2013, \$250,000 shall be used for initial training of nursing facility staff for the care of individuals who were placed in a nursing facility from a commitment as a sexually violent predator under chapter 229A, residents of nursing facilities who have difficult to manage behaviors, and individuals who are difficult for a nursing facility to accept for placement."

ON THE PART OF THE HOUSE:

DAVE HEATON, Chair
LINDA MILLER
MATT WINDSCHITL

ON THE PART OF THE SENATE:

JACK HATCH, Chair
JOE BOLKCOM
AMANDA RAGAN

RESOLUTIONS ADOPTED

(Not otherwise printed in the House Journal)

HOUSE CONCURRENT RESOLUTION 105

BY S. OLSON, L. MILLER, PAUSTIAN, LYKAM, MOORE,
THEDE, and WINCKLER

1 A concurrent resolution urging the President of the
2 United States and the United States Congress to
3 protect the Rock Island Arsenal from future budget
4 reductions.
5 WHEREAS, from the 19th century to the present, the
6 Rock Island Arsenal has been a part of the economic and
7 government service history of the Quad Cities; and
8 WHEREAS, from an employment peak of 18,467 during
9 the height of World War II, the arsenal workforce has
10 shrunk to less than half that number; and
11 WHEREAS, the arsenal remains a major economic engine
12 in the region with more than 8,500 employees and more
13 than 70 federal and commercial tenants, adding some
14 one billion dollars to the local economy and impacting
15 14,000 community jobs; and
16 WHEREAS, the Joint Manufacturing and Technology
17 Center at the arsenal is one of the world's largest
18 weapons manufacturing facilities; and has repeatedly
19 proven that, for small-quantity orders and specialty
20 jobs, it has the expertise, equipment, and dedication
21 to the defense of the United States that cannot be
22 equaled in private industry; and
23 WHEREAS, a reduction at the Rock Island Arsenal
24 would not only threaten the local economy, but would
25 also jeopardize the readiness of United States forces
26 to quickly respond in the war on terror or in any
27 future conflict; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
2 THE SENATE CONCURRING, That the General Assembly of
3 the State of Iowa urges the President of the United
4 States, the United States Congress, and the Secretary
5 of the Department of Defense to protect the Rock Island
6 Arsenal from any future reductions or other budget
7 cuts; and
8 BE IT FURTHER RESOLVED, That an official copy of
9 this Resolution be transmitted to the President of
10 the United States, the Secretary of the United States
11 Department of Defense, and to members of the Iowa
12 congressional delegation.

H.C.R. 105 filed on February 10, 2012; adopted February 22, 2012.

HOUSE CONCURRENT RESOLUTION 106
BY COMMITTEE ON AGRICULTURE

1 A concurrent resolution recognizing National
2 Agriculture Day.
3 WHEREAS, March 8, 2012, is National Agriculture
4 Day, dedicated to increasing the public awareness of
5 agriculture's vital role in our society and recognizing
6 America's unique role in producing food and fiber for a
7 growing world population; and
8 WHEREAS, National Agriculture Day, first
9 celebrated in 1973, is a day set aside when producers,
10 agricultural associations, corporations, universities,
11 government agencies, and countless others across
12 America gather to recognize and celebrate the abundance
13 of food and fiber produced by American agriculture; and
14 WHEREAS, National Agriculture Day is an opportunity
15 to encourage persons to understand how food, fuel,
16 fiber, and pharmaceuticals are produced, to appreciate
17 the function of farmers and ranchers in producing
18 abundant and affordable supplies of food, fuel, fiber,
19 and pharmaceuticals, to acknowledge the essential
20 role of agriculture in maintaining a vibrant economy,
21 and to allow the next generation to consider career
22 opportunities in agriculture; and
23 WHEREAS, this year's theme for National Agriculture
24 Day is "American Agriculture: Abundant — Affordable
25 — Amazing"; and
26 WHEREAS, National Agriculture Day is associated
27 with a national essay contest, and a number of events,
28 including events conducted on Capitol Hill and at the

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1 United States Department of Agriculture in the Whitten
2 Building in Washington, D.C.; NOW THEREFORE,
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
4 THE SENATE CONCURRING, That the Iowa General Assembly
5 recognizes March 8, 2012, as National Agriculture
6 Day, and encourages all Iowans as residents of one
7 of the leading agricultural states in the nation, to
8 commemorate and celebrate that date and the invaluable
9 contributions made by Iowa's farmers; and
10 BE IT FURTHER RESOLVED, That a copy of this
11 resolution be sent to the Agriculture Council of
12 America.

H.C.R. 106 filed on March 2, 2012; adopted March 8, 2012.

HOUSE RESOLUTION 103

BY ANDERSON, DRAKE, ARNOLD, BERRY, MASCHER, S. OLSON,
and PETERSEN

1 A resolution congratulating the Republic of China on
2 Taiwan on its twentieth anniversary of participating
3 in the Asia-Pacific Economic Cooperation forum and
4 supporting the Republic of China on Taiwan as a part
5 of the global community.
6 WHEREAS, the Republic of China on Taiwan in 2012
7 is celebrating 20 years of Taiwan's participation in
8 the Asia-Pacific Economic Cooperation (APEC) forum and
9 its active role in promoting economic cooperation in
10 the Asia-Pacific region, particularly in the areas of
11 broadening opportunities for digital computing, green
12 technologies, and renewable energy, improving crisis
13 management for small and medium-size enterprises,
14 and establishing a research center for typhoon and
15 society; and
16 WHEREAS, Taiwan in 2010 ranked as the United States'
17 ninth largest trading partner in the world, serving as
18 the United States' thirteenth largest export market and
19 ninth largest source of imports; and
20 WHEREAS, Taiwan is the world's sixth largest market
21 for United States agricultural goods, as well as the
22 fifteenth-largest market for Iowa goods, worth \$106
23 million in 2010, an increase of 12.9 percent above
24 Iowa's exports to Taiwan in 2009, which exports could
25 increase further in coming years with the expected
26 purchases of soybeans and corn following the September
27 2011 visit of the Taiwan Agricultural Goodwill Mission
28 to Iowa and the Midwest, thus contributing to the

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1 region's economy; and
2 WHEREAS, Taiwan seeks greater regional integration
3 in the Asian-Pacific and welcomes the opportunity
4 presented by the United States announcement at the
5 2011 APEC leaders' meeting of its intent to not only
6 join the Trans-Pacific Partnership (TPP), the proposed
7 twenty-first century trade agreement between the United
8 States and eight other Asia-Pacific Rim countries, but
9 to expand TPP membership in the future to include other
10 countries, such as Taiwan; and
11 WHEREAS, Taiwan's absence from international
12 organizations has impeded Taiwan's ability to
13 participate in global climate initiatives and to
14 respond to natural disasters like Typhoon Morakot,
15 which struck Taiwan in the summer of 2009, an unusually
16 destructive typhoon season in the Pacific; and
17 WHEREAS, aviation safety has become a major global
18 concern since 2001, with Taiwan being a key air

19 transport hub in the Asia-Pacific region, with more
 20 than 1 million flights passing through the Taipei
 21 Flight Information Region, and with one of the world's
 22 largest airports by cargo volume, Taoyuan International
 23 Airport; NOW THEREFORE,
 24 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 25 That the Iowa House of Representatives congratulates
 26 the Republic of China on Taiwan in 2012 on the
 27 one-hundredth anniversary of its Founding Day
 28 of January 1, and separately, on its 20 years of
 29 participation in the APEC forum; supports Taiwan's
 30 efforts to secure entry to the TPP, along with

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1 the United States and other friendly Asia-Pacific
 2 Rim countries; and reaffirms its support for the
 3 participation of Taiwan in the United Nations
 4 Framework Convention on Climate Change (UNFCCC) and
 5 the International Civil Aviation Organization (ICAO)
 6 to increase Taiwan's international stature in and
 7 contribution to the global community; and
 8 BE IT FURTHER RESOLVED, That the Chief Clerk of the
 9 House of Representatives is hereby directed to send
 10 a copy of this Resolution to United States Secretary
 11 of State Hillary Rodham Clinton; Executive Secretary
 12 Christiana Figueres of the UNFCCC; Secretary General
 13 Raymond Benjamin of the ICAO; President Ma Ying-jeou of
 14 the Republic of China (Taiwan); and the Taipei Economic
 15 and Cultural Office in Chicago, Illinois.

H.R. 103 filed on January 17, 2012; adopted January 18, 2012.

HOUSE RESOLUTION 105

BY ABDUL-SAMAD, GAINES, COWNIE, KRESSIG, HUNTER,
 T. TAYLOR, WILLEMS, GASKILL, PETTENGILL, KAUFMANN,
 KOESTER, RUNNING-MARQUARDT, VANDER LINDEN, HEATON,
 WESSEL-KROESCHELL, H. MILLER, PETERSEN, SCHULTE,
 HUSEMAN, KELLEY, JACOBY, HEIN, ARNOLD, BERRY, WATTS,
 KEARNS, LENSING, ISENHART, ALONS, HALL, DE BOEF,
 STECKMAN, LYKAM, MUHLBAUER, MASCHER, M. SMITH, COHOON,
 WITTNEBEN, WINCKLER, THEDE, HANSON, KAJTAZOVIC,
 HEDDENS, and DEYOE

1 A resolution remembering and honoring the Tuskegee
 2 Airmen.
 3 WHEREAS, at a time when the United States is again
 4 combating terrorism, it is good to remember an earlier
 5 time when bloodshed and terror surrounded the globe,
 6 and Americans stepped forward and put themselves in
 7 harm's way -among them were the Tuskegee Airmen; and
 8 WHEREAS, at the dawn of World War II the 66th

9 Air Force Flying School at Tuskegee Institute was
 10 established to train African-American pilots for the
 11 war; and
 12 WHEREAS, almost 1,000 African-Americans trained at
 13 the Tuskegee Army Air Field in Tuskegee, Alabama, and
 14 450 of the men were sent overseas for combat duty; and
 15 WHEREAS, these pilots were known as "Tuskegee
 16 Airmen" and were nicknamed "Red-Tail Angels" after the
 17 red tail markings on their aircraft; and
 18 WHEREAS, the 99th Fighter Squadron was sent to
 19 North Africa in the spring of 1943 for combat duty and
 20 in 1944, they were joined by other African-American
 21 squadrons to form the 332nd Fighter Squadron, which
 22 flew missions over Sicily, the Mediterranean, and North
 23 Africa; and
 24 WHEREAS, the Tuskegee Airmen compiled an outstanding
 25 record, completing more than 1,500 missions, destroying
 26 260 enemy aircraft, sinking an enemy destroyer, and
 27 demolishing other enemy installations; and
 28 WHEREAS, during the war, 66 Tuskegee Airmen were

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1 killed in action and 32 were held as prisoners of
 2 war; and
 3 WHEREAS, through their exploits the Tuskegee Airmen
 4 helped end segregation in the military; and
 5 WHEREAS, the Tuskegee Airmen were awarded numerous
 6 honors, including the Congressional Gold Medal, awarded
 7 during a ceremony with President George W. Bush in
 8 2007; NOW THEREFORE,
 9 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 10 the House of Representatives honors the brave service
 11 of the Tuskegee Airmen and thanks them for their
 12 service to the cause of freedom.

H.R. 105 filed January 26, 2012; adopted February 29, 2012.

HOUSE RESOLUTION 107

BY HAGER, SWEENEY, KLEIN, PAUSTIAN, PEARSON, MASSIE,
 SANDS, SODERBERG, COWNIE, GRASSLEY, WORTHAN, MOORE,
 ARNOLD, HORBACH, VAN ENGELENHOVEN, RASMUSSEN,
 WINDSCHITL, JORGENSEN, BAUDLER, WATTS, HUSEMAN,
 LOFGREN, DE BOEF, PETTENGILL, TJEKES, HELLAND,
 UPMEYER, MUHLBAUER, ALONS, VANDER LINDEN, BRANDENBURG,
 LUKAN, HEATON, WITTNEBEN, IVERSON, SHAW, and HEIN

1 A resolution opposing proposed federal regulations for
 2 agricultural child labor.
 3 WHEREAS, on September 2, 2011, the United States
 4 Department of Labor published new proposed regulations
 5 which would severely restrict the ability of youth to

6 engage in agricultural work; and
7 WHEREAS, working on a farm has long been a way of
8 life for thousands of youth across rural America; and
9 WHEREAS, the proposed regulations will adversely
10 impact the long-standing tradition of youth working on
11 farms to gain valuable skills and lessons in hard work,
12 character, and leadership; and
13 WHEREAS, the proposed regulations would be
14 detrimental to the opportunity for youth to find
15 educational, gainful, and hands-on work experience; and
16 WHEREAS, all farms depend on the contributions of
17 youth for their successful operation; and
18 WHEREAS, the proposed regulations would limit
19 opportunities to recruit young farmers to agriculture
20 at a time when the average age of farmers continues to
21 rise; and

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1 WHEREAS, a strong, enduring agricultural sector
2 is vital to this country's long-term economic
3 security; and
4 WHEREAS, the proposed regulations demonstrate
5 a profound lack of understanding of agricultural
6 traditions and practices in this country; and
7 WHEREAS, the Department of Labor has received
8 significant, compelling, detailed public comment from a
9 wide variety of knowledgeable persons and organizations
10 opposing the proposed regulations; NOW THEREFORE,
11 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
12 That the House of Representatives urges the United
13 States Department of Labor to withdraw the proposed
14 regulations; and
15 BE IT FURTHER RESOLVED, That the House of
16 Representatives urges President Barack Obama to
17 rescind the proposed regulations if they should become
18 effective; and
19 BE IT FURTHER RESOLVED, That the House of
20 Representatives urges Congress to overturn the proposed
21 regulations if they should become effective; and
22 BE IT FURTHER RESOLVED, That the Chief Clerk of the
23 House of Representatives is directed to forward a copy
24 of this resolution to President Barack Obama; United
25 States Secretary of Labor Hilda L. Solis; United States
26 Secretary of Agriculture Tom Vilsack; Representative
27 John Boehner, Speaker of the United States House of
28 Representatives; Senator Harry Reid, Senate Majority
29 Leader; Representative Eric Cantor, House Majority
30 Leader; Senator Mitch McConnell, Senate Minority

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- 1 Leader; Representative Nancy Pelosi, House Minority
- 2 Leader; and Iowa's Congressional delegation.

H.R. 107 filed on January 26, 2012; adopted February 8, 2012.

HOUSE RESOLUTION 108

BY KAUFMANN, BAUDLER, PETTENGILL, ALONS, HAGENOW,
 BYRNES, HEIN, SWEENEY, JORGENSEN, WORTHAN, ROGERS,
 HAGER, LOFGREN, UPMEYER, J. TAYLOR, HANUSA, KEARNS,
 COHOON, RUNNING-MARQUARDT, WILLEMS, MUHLBAUER, BERRY,
 HEDDENS, THOMAS, WITTNEBEN, T. TAYLOR, ISENHART,
 LYKAM, MURPHY, LENSING, WESSEL-KROESCHELL,
 ABDUL-SAMAD, GAINES, HALL, JACOBY, STECKMAN, HUNTER,
 WINCKLER, M. SMITH, MASCHER, GASKILL, KRESSIG,
 KAJTAZOVIC, HANSON, H. MILLER, OLDSON, PETERSEN,
 WOLFE, R. OLSON, KELLEY, THEDE, T. OLSON, McCARTHY,
 VANDER LINDEN, SCHULTZ, J. SMITH, SHAW, PEARSON, FRY,
 PAULSEN, DEYOE, ANDERSON, DE BOEF, HUSEMAN, CHAMBERS,
 DRAKE, WATTS, RAYHONS, L. MILLER, FORRISTALL, GARRETT,
 BRANDENBURG, HEATON, HELLAND, WAGNER, SANDS,
 SODERBERG, GRASSLEY, COWNIE, MOORE, KLEIN, S. OLSON,
 PAUSTIAN, and MASSIE

- 1 A resolution honoring the Iowans who were killed in or
- 2 survived the attack on the USS Indianapolis on July
- 3 30, 1945.
- 4 WHEREAS, on November 15, 1932, the USS Indianapolis
- 5 was accepted and commissioned in the United States
- 6 Navy; and
- 7 WHEREAS, the USS Indianapolis served as the flagship
- 8 of the Fifth Fleet through much of World War II, under
- 9 the command of Admiral Raymond A. Spruance; and
- 10 WHEREAS, all who served aboard the USS Indianapolis
- 11 distinguished themselves and their ship in the Pacific
- 12 during World War II, with the ship earning a total

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- 1 of 10 battle stars in the Pacific between 1942 and
- 2 1945; and
- 3 WHEREAS, the USS Indianapolis was struck by a
- 4 kamikaze plane in March 1945 at Okinawa, during
- 5 the Okinawa Gunto Operation, resulting in 38
- 6 casualties; and
- 7 WHEREAS, on July 26, 1945, the USS Indianapolis
- 8 delivered the first operational atomic bomb to the
- 9 island of Tinian, which less than two weeks later was
- 10 flown by a B-29 bomber, the Enola Gay, and dropped
- 11 on Hiroshima to bring an early end to the war with
- 12 Imperial Japan; and

13 WHEREAS, on July 30, 1945, the USS Indianapolis,
 14 while transiting unescorted from Guam to the Leyte
 15 Gulf, was struck by two torpedoes fired by a Japanese
 16 submarine, the first torpedo striking the bow and the
 17 second striking near midship on the starboard side; and
 18 WHEREAS, the resulting explosion split the ship to
 19 the keel and knocked out electrical power, causing the
 20 USS Indianapolis to sink rapidly; and
 21 WHEREAS, of the 1,196 aboard, some 900 made it to
 22 the water in the 12 minutes before the ship sank; and
 23 WHEREAS, few life rafts were released and most
 24 survivors wore standard life jackets as shark attacks
 25 began at sunrise that day and continued until nearly
 26 five days later when 317 survivors were removed from
 27 the water, after their accidental discovery during a
 28 routine antisubmarine patrol; and
 29 WHEREAS, there were 30 Iowans on board the USS
 30 Indianapolis in the early morning of July 30, 1945; and

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1 WHEREAS, only three of the Iowans on board that
 2 morning, Seaman First Class Charles O. Wells of
 3 Camanche, Seaman Second Class Glen Laverne Milbrodt
 4 of Akron, and Electrician's Mate Second Class Edward
 5 Chris Koche of Denison, survived the attack on the USS
 6 Indianapolis; NOW THEREFORE,
 7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 8 That the House of Representatives honors the lives and
 9 service of each of the Iowans who were killed in or
 10 survived the attack on the USS Indianapolis on July 30,
 11 1945.

H.R. 108 filed on January 30, 2012; adopted March 5, 2012.

HOUSE RESOLUTION 111

BY PAULSEN, UPMEYER, and McCARTHY

1 A resolution welcoming His Excellency Xi Jinping, Vice
 2 President of the People's Republic of China on his
 3 visit to the State of Iowa.
 4 WHEREAS, in 1983, Iowa Governor Terry E. Branstad
 5 signed the Hebei Province, People's Republic of China
 6 and State of Iowa Iowa Sister State agreement resulting
 7 in the exchange of visitors; and
 8 WHEREAS, in 1985, Iowa Sister States, State of Iowa
 9 officials, and citizens of Iowa welcomed and hosted an
 10 agricultural delegation from Hebei Province, People's
 11 Republic of China, led by His Excellency Vice President
 12 Xi Jinping, then Party Secretary; and
 13 WHEREAS, the resulting goodwill, cooperation,
 14 and understanding on the part of Iowans and the

15 Hebei Province have helped to expand economic
 16 cooperation; and
 17 WHEREAS, the relationship enjoyed by His Excellency
 18 Xi Jinping, Vice President of the People's Republic
 19 of China and the citizens of the State of Iowa has
 20 encouraged China to become Iowa's fourth largest export
 21 market and to become Iowa's partner in agriculture; and
 22 WHEREAS, the relationship enjoyed by His Excellency
 23 Xi Jinping, Vice President of the People's Republic
 24 of China and the citizens of the State of Iowa will
 25 encourage opportunities to further strengthen and
 26 enhance the lives of citizens in both the United States
 27 of America and the People's Republic of China; NOW
 28 THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 2 That on behalf of the citizens of Iowa, the House of
 3 Representatives welcomes His Excellency Xi Jinping,
 4 Vice President of the People's Republic of China to our
 5 state.

H.R. 111 filed February 14, 2012; adopted February 15, 2012.

HOUSE RESOLUTION 113

BY UPMEYER, RAYHONS, and BYRNES

1 A resolution to recognize Iowa Mold Tooling on its 50th
 2 anniversary.
 3 WHEREAS, Iowa Mold Tooling, widely known as simply
 4 IMT, was founded in 1961 as a business creating new
 5 tire tread designs for recapping tires; and
 6 WHEREAS, IMT immediately began to innovate and
 7 diversify, soon offering a line of work vehicles; and
 8 WHEREAS, IMT developed a line of lubrication and
 9 mechanics trucks that would allow their customers to
 10 service their equipment on site; and
 11 WHEREAS, constant development and expansion required
 12 even more plant floor space, by 1990 reaching 300,000
 13 square feet; and
 14 WHEREAS, today IMT offers a broad and growing
 15 spectrum of specialty vehicles and equipment;
 16 WHEREAS, as IMT continues to grow, diversify, and
 17 prosper, it continues to maintain its small-town roots
 18 and can-do work ethic; NOW THEREFORE,
 19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 20 That the House of Representatives congratulates Iowa
 21 Mold Tooling for half a century of innovation and
 22 excellence.

H.R. 113 filed on February 15, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 114

BY DEYOE, BALTIMORE, HEDDENS, and WESSEL-KROESCHELL

1 A resolution honoring Dr. Gregory L. Geoffroy's
2 remarkable achievements as President of Iowa State
3 University.
4 WHEREAS, Iowa State University, one of America's
5 greatest land-grant universities, has become even more
6 preeminent under the leadership of President Gregory
7 L. Geoffroy; and
8 WHEREAS, in 2001, Dr. Geoffroy capped an already
9 distinguished academic career as a professor of
10 chemistry, department head, and college dean,
11 by assuming the post of President of Iowa State
12 University; and
13 WHEREAS, in the following decade, President
14 Geoffroy has led Iowa State in its quest to be the best
15 university in the nation by advancing the land-grant
16 values of education, research, and service, and putting
17 science and technology to work; and
18 WHEREAS, in only ten years, President Geoffroy has
19 led the university to some incredible achievements
20 including:
21 1. Record enrollments including an all-time high of
22 29,887 in 2011.
23 2. Record sponsored funding with \$388.1 million in
24 2010.
25 3. The largest comprehensive fundraising campaign
26 in university history, totalling \$867 million.
27 4. A renewal of the campus infrastructure with
28 more than two dozen building projects completed or in

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1 progress.
2 5. More than doubling the number of endowed faculty
3 positions to 158.
4 6. Iowa State University being named "a technology
5 powerhouse" in a report to the National Science
6 Foundation.
7 7. Reducing campus energy consumption by 10 percent
8 through the Live Green! sustainability initiative.
9 8. The highest graduation rate for student-athletes
10 in the Big 12 conference.
11 9. A truly remarkable record of achievement by the
12 university's faculty, staff, and students; and
13 WHEREAS, in his tenure at Iowa State University,
14 President Geoffroy has ushered the university into the
15 21st century and positioned the university for an even
16 brighter future; NOW THEREFORE,
17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
18 the House of Representatives thanks Dr. Gregory L.
19 Geoffroy for a decade of service to the people of Iowa,

20 and honors his tireless efforts to make Iowa State
21 University a world-class institution.

H.R. 114 filed on February 16, 2012; adopted March 13, 2012.

HOUSE RESOLUTION 115

BY HORBACH

1 A resolution to recognize March 30, 2012, as Vietnam
2 Veterans Day.
3 WHEREAS, the Vietnam Conflict was fought in Vietnam
4 from 1961 to 1975; and
5 WHEREAS, United States Armed Forces members began
6 serving in an advisory role to the South Vietnamese in
7 1961 because it was believed that if South Vietnam fell
8 to a Communist government then Communism would spread
9 throughout the rest of Southeast Asia; and
10 WHEREAS, in 1965, United States Armed Forces ground
11 combat units arrived in Vietnam, and by the end of that
12 year there were 80,000 United States troops in Vietnam,
13 peaking with approximately 543,000 troops in 1969; and
14 WHEREAS, on January 27, 1973, the Treaty of Paris
15 was signed, requiring the release of all United
16 States prisoners of war held in North Vietnam and the
17 withdrawal of all United States Armed Forces from South
18 Vietnam; and
19 WHEREAS, the withdrawal of United States Armed
20 Forces from Vietnam was completed on March 30,
21 1973; and
22 WHEREAS, America's military involvement in Vietnam
23 became unpopular, so that the men and women who
24 survived, along with the more than 58,000 brave men and
25 women who fought and died, were caught in a crossfire
26 of public debate and denied the proper respect and
27 gratitude they deserved for serving our country; and
28 WHEREAS, these noble veterans endured harsh

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1 conditions and inhumane treatment and should be
2 remembered for their selfless service, having fulfilled
3 their duty with the highest degree of valor and giving
4 of themselves in the name of freedom and for the rights
5 of all Americans; and
6 WHEREAS, their sacrifice has been integral to
7 preserving our cherished way of life; and
8 WHEREAS, it is fitting that we extend our admiration
9 and heartfelt gratitude to those servicemen and
10 servicewomen who served on the battlefields of Vietnam
11 and returned safely, to those who returned home scarred
12 of body and mind, and to those who were killed or are
13 still missing; NOW THEREFORE,

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 15 the House of Representative recognizes March 30, 2012,
 16 as Vietnam Veterans Day and urges all Iowans to take
 17 time on that date to honor those members of the United
 18 States Armed Forces who served in Vietnam.

H.R. 115 filed on February 16, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 116

BY DEYOE, BALTIMORE, HEDDENS, and WESSEL-KROESCHELL

1 A resolution congratulating Dan Shechtman of the Iowa
 2 State University College of Engineering, the United
 3 States Department of Energy's Ames Laboratory, and
 4 Technion-Israel Institute of Technology on his
 5 receipt of the 2011 Nobel Prize in Chemistry.

6 WHEREAS, Dr. Shechtman serves as a professor
 7 of materials science and engineering at Iowa State
 8 University; research scientist at the United
 9 States Department of Energy's Ames Laboratory; and
 10 distinguished professor at Technion-Israel Institute of
 11 Technology in Haifa, Israel; and

12 WHEREAS, on the morning of April 8, 1982, Dr.
 13 Shechtman discovered the existence of quasicrystals, a
 14 new atomic structure for solid materials; and

15 WHEREAS, this structure was previously thought
 16 to be impossible by the scientific and engineering
 17 community; and

18 WHEREAS, Dr. Shechtman endured significant
 19 skepticism and criticism from professional peers but
 20 stood firm in his convictions and in the accuracy and
 21 import of this discovery; and

22 WHEREAS, Dr. Shechtman's findings were independently
 23 confirmed by other researchers around the world,
 24 including scientists at the United States Department of
 25 Energy's Ames Laboratory and Iowa State University; and

26 WHEREAS, the discovery of quasicrystals resulted in
 27 textbooks being rewritten; and

28 WHEREAS, the discovery of quasicrystals has

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1 increased knowledge and the fundamental understanding
 2 of solid materials; and

3 WHEREAS, in 2004, Dr. Shechtman joined Iowa State
 4 University as a professor of materials science and
 5 engineering in the College of Engineering and the
 6 United States Department of Energy's Ames Laboratory,
 7 as a research scientist; and

8 WHEREAS, he continues to teach students and conduct
 9 research in Iowa; and

10 WHEREAS, in recognition of his groundbreaking

11 scientific achievements, the Royal Swedish Academy of
12 Sciences awarded Dr. Shechtman the 2011 Nobel Prize in
13 Chemistry; NOW THEREFORE,
14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
15 the House or Representatives honors Dr. Dan Shechtman
16 for his groundbreaking discovery of quasicrystals,
17 his perseverance, and his contributions to teaching
18 and research at Iowa State University and the Ames
19 Laboratory, which culminated in his receipt of the 2011
20 Nobel Prize in Chemistry.

H.R. 116 filed on February 16, 2012; adopted February 21, 2012.

HOUSE RESOLUTION 120

BY L. MILLER

1 A resolution recognizing November 2012 as COPD
2 Awareness Month.
3 WHEREAS, chronic obstructive pulmonary disease
4 (COPD) is a term used to describe airflow obstruction
5 that is associated mainly with emphysema and chronic
6 bronchitis; and
7 WHEREAS, COPD affects an estimated 24 million people
8 and kills more than 120,000 Americans every year, with
9 an average of one person dying from COPD every four
10 minutes, an alarming statistic for a disease many have
11 never heard of; and
12 WHEREAS, in 2008 COPD became the third leading cause
13 of death in the United States; and
14 WHEREAS, pulmonary experts predict that by the year
15 2020, COPD will become the leading cause of death
16 worldwide; and
17 WHEREAS, COPD currently accounts for 1.5 million
18 emergency department visits, 726,000 hospitalizations,
19 and 8 million physician office and hospital outpatient
20 visits, all of which are a detriment to the U.S.
21 economy, costing the nation an estimated \$49.9 billion
22 in direct and indirect medical costs annually; and
23 WHEREAS, in 2007 and 2008, 3,452 Iowans 45 years of
24 age and older died from COPD; and
25 WHEREAS, between 2006 and 2008, COPD
26 hospitalizations in Iowa rose from a rate of 4.4
27 per 1,000 to 4.9 per 1,000, with the average
28 hospitalization for COPD costing \$12,938, excluding

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1 professional fees, in 2008; and
2 WHEREAS, the American Lung Association in Iowa is
3 implementing the Iowa COPD Strategic Plan, a statewide
4 effort to increase early detection, improve care and
5 treatment, and prevent and reduce the prevalence of the

6 disease; and
 7 WHEREAS, research has identified a hereditary
 8 protein deficiency called Alpha-1 Antitrypsin which
 9 predisposes people to developing COPD, even without
 10 exposure to smoking or environmental triggers; and
 11 WHEREAS, recently the death rate for women with COPD
 12 has surpassed the death rate of men with COPD, with
 13 women over the age of 40 being the fastest-growing
 14 segment of the population developing this irreversible
 15 disease, due in large part to the equalization of
 16 opportunities for men and women to smoke over the past
 17 several generations; and
 18 WHEREAS, spirometry testing and medical treatments
 19 exist to address symptom relief and possibly slow the
 20 progression of the disease, but there is currently no
 21 cure for COPD; and
 22 WHEREAS, until there is a cure, the best approaches
 23 to preventing COPD and its considerable health,
 24 societal, and mortality impacts lie with education,
 25 awareness, and expanded delivery of detection and
 26 management protocols; NOW THEREFORE,
 27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 28 That the House of Representatives recognizes the month
 29 of November 2012 as COPD Awareness Month in the State
 30 of Iowa in recognition of this deadly disease and its

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1 effects on the citizens of Iowa.

H.R. 120 filed on February 22, 2012; adopted April 12, 2012.

HOUSE RESOLUTION 122

BY ALONS, MUHLBAUER, WENTHE, H. MILLER, WOLFE, THEDE,
 KEARNS, THOMAS, GASKILL, HANSON, ABDUL-SAMAD, MASCHER,
 M. SMITH, ISENHART, BERRY, WILLEMS, T. OLSON, KELLEY,
 WITTEBEN, GAINES, SHAW, MASSIE, WORTHAN, IVERSON,
 J. SMITH, HEIN, DE BOEF, LOFGREN, CHAMBERS, HUSEMAN,
 WATTS, BAUDLER, RAYHONS, FORRISTALL, GARRETT,
 BRANDENBURG, DRAKE, SANDS, SODERBERG, GRASSLEY, KLEIN,
 S. OLSON, PAUSTIAN, MOORE, SWEENEY, DOLECHECK,
 SCHULTE, HORBACH, HANUSA, RASMUSSEN, VAN ENGELENHOVEN,
 JORGENSEN, HAGENOW, ROGERS, FRY, KAUFMANN, DEYOE,
 KOESTER, VANDER LINDEN, HAGER, BALTIMORE, and BYRNES

1 A resolution recognizing the year 2012 as the Year of
 2 the Farmer Cooperative.
 3 WHEREAS, over 3,000 farmer cooperatives are
 4 currently serving America, from corner groceries, to
 5 superstores, to school lunch programs; and
 6 WHEREAS, farmer co-ops give the country a safe,
 7 affordable, and abundant food supply; and

8 WHEREAS, co-ops also help their producer-owners
 9 compete in a global marketplace, engage in value-added
 10 processing, and supply just about any input, from feed,
 11 seed, and fertilizer to fuel, tires, and tools needed
 12 to run a successful farm or ranch; and
 13 WHEREAS, the cooperatively owned Farm Credit System
 14 makes sure that farmers, ranchers, and their co-ops
 15 have a dependable and competitive way to finance their
 16 operations — in both good times and bad; and
 17 WHEREAS, across America farmer co-ops are the

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1 economic lifeblood of many rural communities, providing
 2 jobs to over a quarter of a million Americans, with
 3 payrolls in excess of \$8 billion a year; and
 4 WHEREAS, all across rural America farmer co-ops are
 5 an important part of the social fabric, doing things as
 6 simple as sponsoring the local little league team to
 7 things as difficult as helping their neighbors recover
 8 from natural disasters; and
 9 WHEREAS, in July 2011, the United States Senate
 10 passed a resolution declaring 2012 to be the Year of
 11 Cooperatives to recognize and celebrate the benefits
 12 cooperatives of all types deliver to the communities
 13 they serve; NOW THEREFORE,
 14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 15 That the House of Representatives recognizes the year
 16 2012 as the Year of the Farmer Cooperative and urges
 17 all Iowans to recognize and support the vital role
 18 of co-ops in the economic and social well-being of
 19 communities across Iowa and America.

H.R. 122 filed on March 2, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 126

BY THEDE, GARRETT, SWEENEY, DE BOEF, BERRY, HEDDENS,
 MASCHER, GASKILL, WESSEL-KROESCHELL, GAINES, WINCKLER,
 LENSING, LYKAM, KEARNS, WITTNEBEN, H. MILLER,
 ABDUL-SAMAD, STECKMAN, M. SMITH, SCHULTE, HUNTER,
 MURPHY, COHOON, UPMEYER, THOMAS, J. TAYLOR, HEATON,
 QUIRK, PETERSEN, SWAIM, DRAKE, RAYHONS, RAECKER,
 WORTHAN, JORGENSEN, HANUSA, HAGER, LUKAN, PETTENGILL,
 L. MILLER, ALONS, and KOESTER

1 A resolution recognizing March 2012 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; and
 12 WHEREAS, Iowa women were particularly important in
 13 the establishment of early charitable, philanthropic,
 14 and cultural institutions in our state and nation; and
 15 WHEREAS, Iowa women and men amended the Iowa
 16 Constitution to read that "All men and women are, by
 17 nature, free and equal, and have certain inalienable
 18 rights..."; and
 19 WHEREAS, Iowa women have been leaders in
 20 agriculture, business, and industry as well as the

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1 abolitionist movement, the emancipation movement, the
 2 labor movement, the civil rights movement, and the
 3 women's suffrage movement, which create a more fair and
 4 just society for all; and
 5 WHEREAS, despite these contributions, and those of
 6 women throughout the world, the role of women has been
 7 undervalued, in the literature, teaching, and study of
 8 history; NOW THEREFORE,
 9 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 10 the House of Representatives recognizes the month of
 11 March 2012 as Iowa Women's History Month and invites
 12 the citizens of Iowa to continue to uncover the roles
 13 women have played throughout history.

H.R. 126 filed on March 12, 2012; adopted March 13, 2012.

HOUSE RESOLUTION 132

BY RAECKER, M. SMITH, KAUFMANN, HORBACH, and SWEENEY

1 A resolution recognizing the Hoover Uncommon Public
 2 Service Award.
 3 WHEREAS, Herbert Hoover was both a visionary and
 4 dedicated public servant and through his tireless
 5 efforts millions of lives were saved in the years after
 6 World War I; and
 7 WHEREAS, to honor that spirit of public service the
 8 Herbert Hoover Presidential Library Association has
 9 created the Hoover Uncommon Public Service Award; and
 10 WHEREAS, the association annually presents
 11 the Hoover Uncommon Public Service Award to Iowa
 12 legislators who exemplify President Hoover's
 13 humanitarian efforts and have gone above and beyond
 14 the call of duty to demonstrate uncommon service and
 15 commitment to the people of Iowa; and
 16 WHEREAS, in 2012, the association awarded the
 17 sixth annual Hoover Uncommon Public Service Award to

18 Representative Royd Chambers; and
 19 WHEREAS, Royd Chambers has lived a life dedicated to
 20 public service, as a community leader, as an educator,
 21 as a legislator, and as a soldier; and
 22 WHEREAS, Royd Chambers embodies the spirit of the
 23 Hoover Uncommon Public Service Award; NOW THEREFORE,
 24 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 25 That the House of Representatives thanks the Herbert
 26 Hoover Presidential Library Association for the
 27 creation of the Hoover Uncommon Public Service Award
 28 and congratulates Representative Chambers on receiving

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1 the 2012 award.

H.R. 132 filed on March 26, 2012; adopted March 26, 2012.

HOUSE RESOLUTION 133

BY HALL, R. OLSON, GAINES, ABDUL-SAMAD, M. SMITH,
 HUNTER, COWNIE, KOESTER, WENTHE, OLDSON, and PETERSEN

1 A resolution to honor Music Circuit Presentations for
 2 four decades of service to Iowa's live music scene.
 3 WHEREAS, In 1972, Richard Nixon was reelected
 4 President of the United States, the TV series "MASH"
 5 premiered on CBS TV, the Dallas Cowboys crushed
 6 Miami 24 to 3 in Super Bowl VI, "Grease" opened on
 7 Broadway, White House "plumbers" broke into Democratic
 8 headquarters at Watergate, and Steve White created a
 9 new concert promotions company, named Music Circuit
 10 Presentations; and
 11 WHEREAS, Music Circuit Presentations had its roots
 12 in a small record store that Steve White opened the
 13 previous year in Des Moines, near Drake University; and
 14 WHEREAS, in that first year, Music Circuit
 15 Presentations booked a show for the Surf Ballroom
 16 featuring REO Speedwagon and Enoch Smoky, and in 1973
 17 Music Circuit Presentations brought the Grateful Dead
 18 to Des Moines; and
 19 WHEREAS, in 1974, Music Circuit Presentations
 20 introduced the Iowa Jam festival, hosting over the
 21 years during that Memorial Day weekend event such
 22 performers as ZZ Top, the J. Geils Band, the Eagles,
 23 Santana, Fleetwood Mac, Bob Seger, and Ted Nugent; and
 24 WHEREAS, for more than 40 years Music Circuit
 25 Presentations has promoted over 1,200 shows throughout
 26 the Midwest, and in 2008, Music Circuit Presentations

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1 was inducted into the Iowa Rock'n Roll Music

2 Association Hall of Fame; NOW THEREFORE,
 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 4 That on the occasion of his retirement, the House of
 5 Representatives honors Steve White and all those who
 6 were a part of Music Circuit Presentations, for their
 7 contributions to the arts and for their work in making
 8 Iowa a prime venue for live music.

H.R. 133 filed on March 27, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 134

BY UPMEYER, SCHULTE, HELLAND, LYKAM, and JACOBY

1 A resolution encouraging parents to cook with their
 2 children.
 3 WHEREAS, our children are Iowa's most precious and
 4 joyful responsibility, and we are obligated to do all
 5 we can to make the good health of our children our
 6 number one goal; and
 7 WHEREAS, childhood obesity is considered by many to
 8 be an epidemic in western countries, particularly in
 9 the United States where over 15 percent of children are
 10 currently considered obese and where that number is
 11 increasing; and
 12 WHEREAS, overweight children can develop serious
 13 health problems, such as diabetes and heart disease,
 14 often carrying these conditions into adulthood as an
 15 obese adult; and
 16 WHEREAS, overweight children are at higher risk for
 17 developing Type 2 diabetes, metabolic syndrome, high
 18 blood pressure, asthma and other respiratory problems,
 19 sleep disorders, liver disease, eating disorders, and
 20 skin infections; and
 21 WHEREAS, research shows that children are more open
 22 to tasting new foods they help prepare; and
 23 WHEREAS, children who help their parents shop
 24 for groceries and help prepare the food they buy are
 25 empowered to make decisions about what they eat and are
 26 more likely to choose healthier foods; and
 27 WHEREAS, when buying groceries, parents can share
 28 with children the benefits of healthy snacks and the

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1 importance of choosing fruits and vegetables over
 2 convenience foods that are high in sugar and fat; and
 3 WHEREAS, studies show that parents' presence at
 4 mealtime leads to kids eating healthier meals and,
 5 in terms of preventing obesity, it is important to
 6 understand that the example parents give their children
 7 will influence what they eat; and
 8 WHEREAS, parents and children should select recipes

9 and preparation methods that are lower in fat, put
 10 colorful food on the table, such as green and yellow
 11 vegetables, fruits of various colors, and whole-grain
 12 breads, and refrain from eating in front of the
 13 television or computer; and
 14 WHEREAS, experts say that if families gathered
 15 around the dinner table more often and made sharing
 16 news and telling stories an event, it would provide
 17 benefits to children, such as improved academic
 18 performance and higher self-esteem; and
 19 WHEREAS, celebrity chef Guy Fieri, and other chefs,
 20 have helped to make cooking with kids a fun and healthy
 21 family activity; NOW THEREFORE,
 22 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 23 That the House of Representatives encourages parents
 24 and children to spend time in the kitchen together and
 25 prepare a healthy meal; and
 26 BE IT FURTHER RESOLVED, That parents are encouraged
 27 to cook with their children at least once per week,
 28 spend quality time and make healthy food choices with
 29 their children, commit to new healthy habits, and set
 30 achievable goals for their families; and

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1 BE IT FURTHER RESOLVED, That the Chief Clerk of the
 2 House of Representatives shall transmit copies of this
 3 resolution to the sponsor for appropriate distribution.

H.R. 134 filed on March 28, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 135
 BY UPMEYER

1 A resolution honoring Dr. James F. Holsinger.
 2 WHEREAS, Dr. James F. Holsinger was honored to
 3 receive the 2011 Nicholas E. Davies Ambulatory Award
 4 of Excellence from the Healthcare Information and
 5 Management Systems Society (HIMSS); and
 6 WHEREAS, since 1994, the HIMSS Nicholas E. Davies
 7 Award of Excellence has recognized outstanding
 8 achievement in the implementation of and value from
 9 health information technology, specifically electronic
 10 health records (EHR); and
 11 WHEREAS, the Davies Award program promotes EHR
 12 adoption through sharing information and lessons
 13 learned on implementation strategies, financial return
 14 on investment, and value of the EHR to improve patient
 15 care and outcomes; and
 16 WHEREAS, James F. Holsinger, M.D., P.C., opened his
 17 solo family medicine practice in 2003 in Keokuk, Iowa,
 18 in a rural community of 20,000 in a county with the

19 highest unemployment rate in the state; and
 20 WHEREAS, the practice that started in 2003 with no
 21 patients and two part-time visiting specialists renting
 22 space in the same building has grown to 1,400 active
 23 patients and is the first fully automated clinic in
 24 the area that implemented, and uses in its day-to-day
 25 operation, nearly every EHR function and interface
 26 available; and
 27 WHEREAS, Dr. James F. Holsinger's experience is
 28 invaluable in helping clinicians take the necessary

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1 steps to transform from paper-based practices to
 2 electronically-enabled systems; and
 3 WHEREAS, Dr. Holsinger has been at the forefront of
 4 EHR implementation as an example to encourage other
 5 clinicians to follow in his footsteps; and
 6 WHEREAS, this cycle of evaluating medical practices
 7 for the prestigious Davies Award for excellence in
 8 implementation of electronic records has resulted
 9 in the recognition of an outstanding example of how
 10 computerization is leading to improved patient care and
 11 outcomes; NOW THEREFORE,
 12 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 13 the House of Representatives commends Dr. James F.
 14 Holsinger on his receipt of the 2011 Nicholas E. Davies
 15 Ambulatory Award of Excellence from the Healthcare
 16 Information and Management Systems Society; and
 17 BE IT FURTHER RESOLVED, That the Clerk of the
 18 House of Representatives shall prepare a copy of this
 19 resolution for presentation to Dr. James F. Holsinger
 20 as an expression of the House of Representatives'
 21 congratulations and admiration for his proactive
 22 approach to improving health care for the citizens of
 23 Iowa.

H.R. 135 filed on March 28, 2012; adopted March 30, 2012.

HOUSE RESOLUTION 136
 BY UPMEYER and KAUFMANN

1 A resolution honoring the courage, determination, and
 2 dedication of Cheyanne Boddicker in swimming the
 3 English Channel.
 4 WHEREAS, the English Channel is a cold, unforgiving
 5 body of water and is one of the busiest shipping lanes
 6 in the world; and
 7 WHEREAS, undaunted by this challenge Iowa native
 8 Cheyanne Boddicker swam the channel, not for fame
 9 or glory, but to raise donations for the Holden
 10 Comprehensive Cancer Center at the University of

11 Iowa; and
12 WHEREAS, her dedication was in part motivated by
13 the passing of her grandfather, who was one of almost
14 600,000 people in the United States to die from cancer
15 in 2010; and
16 WHEREAS, Miss Boddicker trained intensively for over
17 a year, guided by her brother, Staff Sergeant Michael
18 Boddicker, and assisted by family and friends; and
19 WHEREAS, that intensive training included a grueling
20 regimen of weight training, aerobic conditioning, and
21 endless swimming, including trips to Lake Michigan to
22 become acclimated to cold water; and
23 WHEREAS, Miss Boddicker, recognized by the Channel
24 Swimming Association as the 877th person to officially
25 swim the channel, made the 21-nautical-mile crossing
26 in a straight swim with an official time of 15 hours
27 and 39 minutes, not taking a break or wearing a wetsuit
28 in the 61-degree water; and

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1 WHEREAS, Miss Boddicker is believed to be the first
2 female Iowan to swim the channel; and
3 WHEREAS, her ultimate goal, well over halfway met,
4 is to raise \$25,000 for the center; NOW THEREFORE,
5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
6 the House of Representatives congratulates Cheyanne
7 Boddicker for her courage in swimming the English
8 Channel, and honors her humanitarian efforts in the
9 fight against cancer.

H.R. 136 filed on March 29, 2012; adopted April 2, 2012.

HOUSE RESOLUTION 137

BY PETERSEN, THOMAS, and VANDER LINDEN

1 A resolution recognizing April 2012 as Window Safety
2 Awareness Month for Iowa's children and families.
3 WHEREAS, spring is the season when Iowans begin to
4 open their windows; and
5 WHEREAS, insect screens are designed to keep bugs
6 out, not to withstand the weight of a child or an adult
7 or to prevent a fall from a window; and
8 WHEREAS, it is important for adults to supervise and
9 educate children to keep their play safely away from
10 windows and to help prevent accidental falls; and
11 WHEREAS, falls can be a cause of injuries to
12 children that can result in serious injuries or
13 death; and
14 WHEREAS, a number of children were injured in falls
15 from windows in the Des Moines area in 2011, with one
16 fall that resulted in a fatality; NOW THEREFORE,

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 18 That the House of Representatives recognizes the month
 19 of April 2012 as Window Safety Awareness Month in
 20 Iowa; and
 21 BE IT FURTHER RESOLVED, That the House of
 22 Representatives joins concerned members of the
 23 community to promote window safety awareness and
 24 education to help prevent window falls and their
 25 devastating effects; and
 26 BE IT FURTHER RESOLVED, That the House of
 27 Representatives commends the Hannah Geneser Foundation,
 28 Blank Children's Hospital, Iowa Health Systems, Safe

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1 Kids of Iowa, the Iowa Department of Public Health,
 2 Orchard Place, the Iowa Donor Network, the Iowa
 3 Lions Eye Bank, My Angel Foundation, and Iowa window
 4 manufacturing companies for their work protecting
 5 Iowa's children from childhood injuries from potential
 6 window falls in the home through a state window safety
 7 outreach program called "Hannah's Hope".

H.R. 137 filed on April 2, 2012; adopted April 3, 2012.

HOUSE RESOLUTION 139

BY PAULSEN, SCHULTE, and T. TAYLOR

1 A resolution honoring the Cedar Rapids Kennedy High
 2 School's show choir, Happiness, Inc., for winning
 3 the Show Choir Nationals 2012 championships.
 4 WHEREAS, over the decades high school glee clubs
 5 have evolved into sophisticated show choirs featuring
 6 both song and choreographed dance numbers, and
 7 the competition is fierce among these talented and
 8 dedicated troupes; and
 9 WHEREAS, this talent and dedication is evident in
 10 Happiness, Inc., the Cedar Rapids Kennedy High School's
 11 show choir, which was first formed in the fall of
 12 1967; and
 13 WHEREAS, extraordinary talent is a common element
 14 in Happiness, Inc., which was named America's favorite
 15 show choir of 2011 by Parade magazine; and
 16 WHEREAS, In March 2012, the young performers took
 17 their skills and dedication to Nashville, Tennessee,
 18 competing in the Show Choir Nationals 2012; and
 19 WHEREAS, the choir performed in the Grand Ole Opry
 20 House, winning first place in Mixed Group, as well as
 21 High Vocal, High Show Design, and Outstanding Combo
 22 honors; NOW THEREFORE,
 23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 24 the House of Representatives honors the young men and

25 women of Happiness, Inc. for winning the national show
 26 choir championships, and thanks them for the honor they
 27 have brought to themselves, their school, and their
 28 state.

H.R. 139 filed on April 10, 2012; adopted April 17, 2012.

HOUSE RESOLUTION 142

BY KRESSIG, KELLEY, WENTHE, BERRY, T. OLSON,
 WINCKLER, JACOBY, PETERSEN, GASKILL, KEARNS, MURPHY,
 KAJTAZOVIC, THOMAS, MASCHER, ABDUL-SAMAD, T. TAYLOR,
 STECKMAN, RUNNING-MARQUARDT, ISENHART, WOLFE, THEDE,
 H. MILLER, HUNTER, WESSEL-KROESCHELL, LENSING, LYKAM,
 COHOON, M. SMITH, QUIRK, OLDSOON, WILLEMS, MUHLBAUER,
 GAINES, WITTNEBEN, R. OLSON, RASMUSSEN, LOFGREN,
 SCHULTZ, ROGERS, and HUSEMAN

1 A resolution to honor the University of Northern Iowa's
 2 Women's Rugby Club.
 3 WHEREAS, there are over 300 women's college
 4 rugby teams in the United States, and the University
 5 of Northern Iowa's (UNI) Women's Rugby Club has
 6 consistently been one of the best; and
 7 WHEREAS, the club was formed in 1994, and is the
 8 premier club in Iowa, nationally recognized for the
 9 numerous accomplishments and achievements of the
 10 players and volunteer coaching staff; and
 11 WHEREAS, for nine years the club has played in
 12 Division I competition, moving up in 2004 from Division
 13 II, where the club won two national titles; and
 14 WHEREAS, the club has qualified for the Division I
 15 National Sweet Sixteen for eight consecutive years and
 16 will be competing in the event again this year on April
 17 20-22 in Ohio; and
 18 WHEREAS, UNI won the Division I Midwest Championship
 19 in 2006, 2008, 2010, and 2011, compiling an overall
 20 record of 315 wins and 50 losses over 18 years; and
 21 WHEREAS, UNI has had three players participate in

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1 the World Cup; two alumni play for the USA Senior
 2 Women's Eagles, with one currently playing; and nine
 3 women play for the USA U23 Women's Eagles team; and
 4 WHEREAS, several UNI players have advanced to the
 5 regional and national levels, with over 30 players from
 6 the UNI club participating on the Midwest U23 All-Star
 7 team, five players being a part of the USA U19 Women's
 8 Eagles, over 100 players participating in the Iowa
 9 Select Side Program, and six players representing UNI
 10 on the collegiate All-American First Team; and
 11 WHEREAS, the UNI club regularly competes against

12 much larger schools including Ohio State, the
13 University of Minnesota, the University of Illinois,
14 and Iowa State University in the Division I arena,
15 while the national competition includes Penn State,
16 Stanford, Texas A & M, and the Air Force; and
17 WHEREAS, Steve Murra has been the only head coach
18 since the club's inception, with Jennifer Murra acting
19 as assistant coach, manager, and advisor to the club
20 since its inception; NOW THEREFORE,
21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
22 the House of Representatives honors the young women of
23 the University of Northern Iowa's Women's Rugby Club,
24 and coaches Steve Murra and Jennifer Murra, for the
25 remarkable and ongoing success of the UNI women's rugby
26 program.

H.R. 142 filed on April 16, 2012; adopted May 7, 2012.

HOUSE RESOLUTION 144
BY GARRETT

1 A resolution recognizing September 23, 2012, as
2 Angelman Syndrome Day in Iowa.
3 WHEREAS, Angelman syndrome (AS) is a neuro-genetic
4 disorder characterized by developmental delay,
5 lack of speech, seizures, and walking and balance
6 disorders; and
7 WHEREAS, AS is a rare disorder that affects an
8 estimated one out of 10,000 to 15,000 people and
9 individuals with AS will require life-long care; and
10 WHEREAS, AS is difficult to diagnose and the
11 unique clinical features of AS often do not manifest
12 themselves until after one year of age, and it can
13 take several years before a correct clinical diagnosis
14 becomes obvious; and
15 WHEREAS, a clinical diagnosis of AS shares
16 similarities with clinical diagnoses of other
17 disorders, without genetic confirmation, and AS may be
18 confused with Rett syndrome or other disorders; NOW
19 THEREFORE,
20 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
21 That the House of Representatives recognizes September
22 23, 2012, as Angelman Syndrome Day in Iowa, with the
23 hope that this resolution will raise awareness of
24 this syndrome and thus increase early detection and
25 treatment.

H.R. 144 filed on April 19, 2012; adopted April 23, 2012.

HOUSE RESOLUTION 145

BY SANDS

1 A resolution honoring the memory of the six Littleton
2 brothers who died during the Civil War.
3 WHEREAS, as Iowa commemorates the sesquicentennial
4 of the Civil War, we honor and remember those who gave
5 the last full measure of devotion to save the union and
6 bring an end to slavery; and
7 WHEREAS, the six Littleton brothers of Louisa
8 County all answered President Abraham Lincoln's call
9 for volunteers — and by 1864 all were dead, without
10 knowing the ultimate victory their sacrifice made
11 possible; and
12 WHEREAS, in 1861, Thomas, 25, enlisted on July 16
13 into Company C of the 5th Iowa Infantry, was captured
14 during the Battle of Missionary Ridge and died in
15 Andersonville Prison; and
16 WHEREAS, William, 24, followed into Company K
17 of the 8th Iowa Infantry on September 21, fought at
18 Shiloh, Jackson, and Vicksburg, and died of disease in
19 1863; and
20 WHEREAS, George, the oldest at 33, enlisted in
21 1862, and returned home later that year and died of
22 disease; and
23 WHEREAS, the other three brothers, John, 31,
24 Kendall, 19, and Noah, 16, enlisted together into
25 Company F of the 19th Iowa Infantry on August 21,
26 1862, and fought in the Battle of Prairie Grove, with
27 Kendall being killed and his two brothers dying soon
28 thereafter; and

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1 WHEREAS, the war had ripped the Littleton family
2 asunder, leaving only three orphaned sisters to mourn
3 their loss and keep the memory of their brothers
4 alive; NOW THEREFORE,
5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
6 the House of Representatives honors the whole Littleton
7 family, brothers and sisters alike, who put themselves
8 in harm's way and paid the ultimate price, all to save
9 the union and to make America a land of the free.

H.R. 145 filed on April 19, 2012; adopted April 25, 2012.

HOUSE RESOLUTION 146

BY PETERSEN, OLDSON, and KAUFMANN

1 A resolution recognizing Mike Glover for over three
2 decades of journalistic service to the people of
3 Iowa.
4 WHEREAS, following military service in Vietnam,

5 Mike Glover returned to the Midwest to complete his
 6 education and become a journalist; and
 7 WHEREAS, Mike settled in Iowa and for 36 years has
 8 covered the Statehouse and Iowa politics and has been a
 9 skilled and dedicated chronicler of the Iowa political
 10 scene; and
 11 WHEREAS, Mike's reporting assignments often extended
 12 beyond Iowa, and he traveled with the presidential
 13 campaigns for the Associated Press for the 2000, 2004,
 14 and 2008 general election campaigns; and
 15 WHEREAS, Mike also served as a panelist on the Iowa
 16 Public Television show, Iowa Press, proving that great
 17 television news necessarily requires many and varied
 18 faces; and
 19 WHEREAS, always fair, Mike was known for meticulous
 20 reporting and insightful news analysis that made his
 21 stories a must-read for everyone in the Statehouse; and
 22 WHEREAS, in recognition of his services, Mike has
 23 been inducted as a member of the Pioneer Lawmakers
 24 Association; and
 25 WHEREAS, now, as a new political campaign season
 26 begins, Mike takes his leave, and someone else must
 27 take up the impossible task of explaining Iowa's ever
 28 changing political landscape; NOW THEREFORE,

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1 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
 2 the House of Representatives honors Mike Glover on his
 3 retirement as a reporter, a pundit, and a keen observer
 4 of the political scene, a true public servant who may
 5 be replaced, but never equalled.

H.R. 146 filed on April 24, 2012; adopted April 24, 2012.

HOUSE RESOLUTION 148

BY ARNOLD

1 A resolution commemorating the 75th anniversary of a
 2 sports legend — Melrose High School's winning of
 3 the 1937 State Boys' Basketball Championship.
 4 WHEREAS, on March 20, 1937, the Melrose High School
 5 Boys' Basketball Team won the single-class State Boys'
 6 Basketball Championship by defeating Marshalltown High
 7 School 35-17; and
 8 WHEREAS, with 66 students in the entire high school,
 9 Melrose is the smallest school to ever win an Iowa
 10 basketball championship; and
 11 WHEREAS, the Melrose team was the first team in
 12 Iowa to go undefeated throughout an entire basketball
 13 season, and its 33-0 record represents the most
 14 victories by an Iowa high school boys' basketball

15 team; and

16 WHEREAS, Melrose used an innovative form of zone
17 defense that was hard for other schools to handle; and

18 WHEREAS, the Melrose team became known as the
19 "iron men" after playing two games in the state
20 tournament with no substitutions for the five starting
21 players; and

22 WHEREAS, two players from the team, Walter O'Connor
23 and James Thynne, have been inducted into the Iowa High
24 School Athletic Association Hall of Fame; and

25 WHEREAS, Melrose Coach Adolph Hlubek was inducted
26 into the Iowa High School Athletic Association Hall of
27 Fame in 2012; and

28 WHEREAS, the Melrose team along with the 1933

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1 Dunkerton team and the 1938 Diagonal team have been
2 called the "giant killers" because they were small
3 schools that defeated much larger schools in the
4 single-class tournament to win a state basketball
5 championship; and

6 WHEREAS, even though Melrose High School has closed,
7 its legacy continues to be celebrated at Albia High
8 School, where a 1937 championship banner hangs in the
9 gym; and

10 WHEREAS, over the past 75 years, the members of
11 the Melrose team have inspired people throughout Iowa
12 by demonstrating that the Iowa values of teamwork,
13 determination, perseverance, innovation, and hard work,
14 when coupled with a little luck, can allow people to
15 accomplish great deeds that others thought would be
16 unattainable or impossible; NOW THEREFORE,

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
18 That the House of Representatives congratulates the
19 1937 Melrose High School Boys' Basketball Team on
20 the 75th anniversary of its state championship and
21 encourages all Iowans to follow its example in striving
22 to accomplish goals that seem impossible.

H.R. 148 filed on May 1, 2012; adopted May 2, 2012.

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BYRNES, JOSH—Representative

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COHOON, DENNIS M.—Representative

Amendments filed—521, 648, 671, 673, 771, 782, 786, 844, 852

Amendments offered—673, 675

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Committee appointments—13, 14, 15, 17, 804

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COWNIE, PETER—Representative

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DE BOEF, BETTY R.—Representative

Amendment filed—844
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Amendment filed—845
Amendment offered—480
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Amendments filed—365, 845
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- Appointed—12, 15
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FORRISTALL, GREG—Representative

Amendments filed—519, 520, 714, 757, 845

Amendments offered—255, 775

Amendment withdrawn—740

Bills introduced—167, 190, 214
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 Leaves of absence—350, 613, 770, 805
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 Resolutions filed—164, 205, 410, 562, 862
 Subcommittee assignments—36, 89, 137, 149, 160, 169, 198, 217, 267, 338, 398, 476, 561, 807, 811

FRY, JOEL—Representative

Amendments filed—234, 370, 371, 563, 583, 699, 733, 844, 867
 Amendments offered—237, 370, 566, 699, 867
 Bills introduced—104, 108, 125, 145, 146, 147, 153, 167, 179, 190, 207, 214, 282
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 Leaves of absence—190, 253, 669, 692
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GAINES, RUTH ANN—Representative

Amendments filed—521, 648, 650, 652, 670, 671, 771, 782, 786, 844, 852
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GARRETT, JULIAN B.—Representative

Amendment filed—845
 Bills introduced—104, 121, 131, 145, 146, 167, 189, 190, 214, 230
 Committee appointments—15, 16, 17, 62
 Resolutions filed—165, 205, 410, 518, 562, 862
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GASKILL, MARY—Representative

Amendments filed—339, 464, 510, 644, 648, 650, 707, 714, 771, 782, 786, 844, 852, 854
 Amendments offered—464, 510, 725, 854
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Amendment filed—844
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Committee appointments—15, 17
Resolutions filed—152, 165, 410, 563, 862
Subcommittee assignments—149, 160, 197, 216, 491, 630

HAGENOW, CHRIS—Representative

Amendments filed—339, 377, 444, 489, 490, 497, 519, 578, 844
Amendments offered—489, 509, 596, 661
Amendments withdrawn—490, 596
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Amendments filed—478, 563, 671, 698, 844, 928
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Amendments offered—262, 352, 369, 648, 848
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Amendments filed—339, 496, 520, 521, 648, 650, 653, 771, 782, 786, 844, 852
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Resolutions filed—151, 164, 410, 562, 862, 942
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HANUSA, MARY ANN—Representative

Amendment filed—844
Bills introduced—122, 156, 179, 190, 214
Committee appointments—15, 16, 17, 42
Explanation of vote—149
Leaves of absence—92, 142, 253
Resolutions filed—164, 205, 410, 519, 563, 862
Subcommittee assignments—89, 112, 113, 160, 197, 249, 256, 279, 458, 569

HEATON, DAVID E.—Representative

Amendments filed—330, 614, 733, 770, 807, 831, 837, 847, 848
Amendments offered—835, 837, 847, 848
Bills introduced—121, 125, 207, 214, 241, 282
Committee appointments—15, 16, 866
Leaves of absence—472, 482, 669, 731, 805

Report—1935-2004

Resolutions filed—151, 152, 165, 302, 519, 562, 862

Subcommittee assignments—71, 72, 79, 89, 113, 118, 137, 138, 162, 170, 198, 216, 243, 266, 278, 302, 376, 406, 414, 476, 492, 517, 562, 613, 630, 636

HEDDENS, LISA K.—Representative

Amendments filed—258, 339, 496, 578, 648, 650, 652, 733, 770, 771, 782, 786, 807, 838, 841, 844, 846, 847, 849, 850, 851, 852

Amendments offered—275, 783, 838, 841, 846, 847, 849, 850, 851

Amendment withdrawn—850

Bills introduced—117, 124, 154, 206, 207, 324

Committee appointments—13, 15, 16, 17, 866, 941

Leave of absence—88

Resolutions filed—151, 164, 295, 518, 562, 814, 942

Subcommittee assignments—112, 138, 217, 288, 376, 414, 517, 562, 613, 630, 636

HEIN, LEE—Representative

Amendments filed—688, 757, 845

Amendment offered—688

Bills introduced—104, 148, 153, 160, 161, 214, 309

Committee appointments—14, 15, 17, 804

Explanation of vote—755

Report—1906-1912

Resolutions filed—151, 152, 164, 205, 410, 862

Subcommittee assignments—88, 126, 137, 160, 161, 210, 243, 338, 405, 406, 458, 477, 629, 793

HELLAND, ERIK—Representative, Majority Whip

Amendments filed—631, 845, 862

Amendment offered—869

Bills introduced—111, 122, 125, 145, 146, 147, 148, 156, 167, 190, 214, 734

Bill referred to committee (as acting Speaker)—409

Committee appointments—14, 16, 17

Leaves of absence—142, 453, 479, 572, 704, 754, 761, 793

Presided—408

Resolutions filed—152, 165, 694, 757

Subcommittee assignments—79, 80, 125, 126, 138, 182, 210, 217, 243, 278, 288, 289, 338, 398, 405, 491, 629, 630, 693, 761, 793

HORBACH, LANCE J.—Representative

Amendments filed—221, 339, 377, 461, 583, 733, 812

Amendments offered—390, 422, 586, 750

Amendment withdrawn—586

Bills introduced—77, 166, 168, 214

Committee appointments—1, 15, 16, 806, 807, 906

Leaves of absence—272, 463, 560, 613, 628, 669, 692, 704, 805, 831, 856

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Resolutions filed—152, 205, 295, 410, 642

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 Amendment offered—679
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HUNTER, BRUCE L.—Representative

- Amendments filed—172, 399, 411, 460, 598, 599, 600, 601, 605, 648, 650, 671, 771, 782, 786, 844, 852
- Amendments offered—174, 454, 510, 598, 599, 600, 601, 605, 844
- Bills introduced—104, 110, 116, 117, 118, 124, 148, 154, 155, 189, 206, 207, 208, 209, 240, 241, 251
- Committee appointments—16, 17, 803
- Resolutions filed—151, 164, 519, 562, 670, 818, 862, 942
- Subcommittee assignments—118, 125, 126, 161, 162, 169, 182, 197, 210, 249, 256, 406, 477, 561, 569

HUSEMAN, DANIEL ADAIR—Representative

- Amendment filed—844
- Amendment offered—672
- Bills introduced—104, 121, 124, 145, 146, 147, 167, 179, 189, 190, 214, 230
- Committee appointments—14, 15, 17, 804
- Leave of absence—38
- Report—1906-1912
- Resolutions filed—151, 152, 164, 205, 410, 562, 818, 862
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- Amendments filed—340, 377, 414, 415, 496, 528, 564, 570, 583, 641, 648, 650, 652, 670, 671, 672, 695, 707, 771, 782, 786, 842, 844, 852, 856, 880, 885, 886
- Amendments offered—356, 528, 546, 672, 679, 718, 726, 787, 842, 885, 886
- Amendments withdrawn—426, 675, 842, 888
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- Committee appointments—12, 14, 15, 17
- Resolutions filed—151, 164, 410, 562, 818, 862, 942
- Subcommittee assignments—126, 160, 210, 217, 231, 278, 288, 289, 338, 629, 693

IVERSON, STEWART, JR.—Representative

- Amendments filed—377, 415, 460, 570, 794
- Amendments offered—439, 504
- Amendment withdrawn—663
- Bills introduced—78, 104, 108, 122, 124, 167, 190, 195, 214
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JACOBY, DAVE J.—Representative

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 Amendments offered—261, 353, 354
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JORGENSEN, RON—Representative

Amendments filed—303, 339, 377, 563, 780, 845
 Amendments offered—429, 431, 679, 780
 Bills introduced—104, 121, 145, 146, 147, 167, 190, 214, 230
 Committee appointments—1, 15, 16, 17, 804
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 Amendments offered—442, 661
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KAJTAZOVIC, ANESA—Representative

Amendments filed—339, 564, 648, 650, 671, 771, 782, 786, 842, 844, 848, 852
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Presentation—Honorable Bill Witt—616
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KAUFMANN, JEFF—Representative, Speaker Pro Tempore

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KEARNS, JERRY A.—Representative

Amendments filed—478, 614, 648, 650, 771, 782, 786, 844, 847, 852, 928
Amendment offered—847
Amendment withdrawn—690
Bills introduced—104, 116, 117, 124, 154, 155, 188, 189, 206, 207, 230, 240
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KELLEY, DAN—Representative

Amendments filed—521, 583, 603, 648, 771, 781, 782, 786, 844, 852
Amendment offered—603
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241, 252, 261, 301, 324, 332, 378, 691
Committee appointments—12, 13, 14, 15, 16, 41, 803
Resolutions filed—151, 164, 302, 410, 562, 818, 862, 942
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KLEIN, JARAD—Representative

Amendments filed—493, 519, 844
Amendment offered—502
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Committee appointments—15, 16, 17
Leave of absence—761

Resolutions filed—152, 165, 410, 562, 757
Subcommittee assignments—54, 73, 79, 80, 88, 118, 169, 217, 561

KOESTER, KEVIN—Representative

Amendments filed—415, 460, 493, 496, 671, 706, 845
Amendments offered—468, 716, 741
Amendments withdrawn—537, 541, 544, 741
Bills introduced—104, 121, 122, 124, 130, 145, 167, 189, 190, 207, 209, 214, 230, 332
Committee appointments—15, 16, 17
Explanations of vote—181, 628-629, 872
Leaves of absence—103, 174, 628, 872, 890
Presided—579, 763
Resolutions filed—151, 205, 410, 519, 563, 670, 862
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KRESSIG, BOB M.—Representative

Amendments filed—339, 399, 460, 648, 650, 671, 771, 782, 786, 837, 844, 848, 852
Amendments offered—673, 837, 848
Bills introduced—78, 117, 124, 131, 154, 168, 178, 180, 206, 207, 215, 230, 635, 691
Committee appointments—15, 16, 17
Explanation of vote—458
Leave of absence—613
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LENSING, VICKI S.—Representative

Amendments filed—303, 414, 497, 614, 644, 648, 650, 653, 671, 771, 782, 786, 844, 852
Amendment offered—571
Amendment withdrawn—829
Bills introduced—117, 124, 154, 188, 189, 206, 207, 208, 324
Committee appointments—15, 16, 17
Explanation of vote—397
Leaves of absence—704, 890
Resolutions filed—151, 164, 518, 818, 862, 942
Subcommittee assignments—71, 79, 88, 126, 170, 198, 243, 244, 405, 492

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- Amendment offered—657
- Appointed—14, 16
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- Recommendations—128, 185, 246, 293-294, 315, 321-322, 329, 577
- Subcommittee assignments—79, 80, 137, 181, 231, 243, 458

LOFGREN, MARK S.—Representative

- Amendments filed—583, 844
- Amendment offered—591
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- Committee appointments—15, 16, 41, 905
- Leaves of absence—692, 860
- Presided—124
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- Resolutions filed—152, 164, 205, 410, 562, 818, 862
- Subcommittee assignments—113, 118, 161, 279, 406, 574

LUKAN, STEVEN F.—Representative, Assistant Majority Leader

- Amendments filed—415, 639, 695, 845
- Amendment offered—684
- Amendment withdrawn—482
- Bills introduced—39, 77, 78, 145, 146, 147, 148, 156, 167, 178, 189, 208, 213, 214, 297, 309, 326, 380, 522, 530
- Bills referred to committee (as acting Speaker)—85
- Committee appointments—2, 14, 15, 16, 17
- Leaves of absence—255, 351, 383, 474, 560, 692, 856, 872, 878
- Presided—84, 159, 248, 708, 893
- Resigned from office—972
- Resolutions filed—152, 205, 410, 519, 563
- Subcommittee assignments—105, 112, 113, 119, 138, 210, 243, 310, 517, 562, 630, 636

LYKAM, JIM—Representative

- Amendments filed—339, 631, 648, 707, 733, 771, 782, 786, 844, 852
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MASCHER, MARY—Representative, Assistant Minority Leader

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- Amendments offered—537, 542, 543, 552, 652, 653, 852
- Amendments withdrawn—549, 552, 775
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Subcommittee assignments—71, 89, 126, 137, 161, 162, 170, 198, 211, 217, 278, 289, 376, 405, 406, 414, 458, 476

MASSIE, GLEN H.—Representative

Amendments filed—785, 844

Amendment offered—442

Bills introduced—84, 104, 108, 121, 145, 146, 147, 153, 167, 190, 214

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Petition filed—491

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MCCARTHY, KEVIN M.—Representative, Minority Leader

Amendments filed—648, 650, 852

Bills introduced—117, 206, 207

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MILLER, HELEN—Representative

Amendments filed—648, 727, 771, 782, 786, 844, 852

Amendment offered—727

Bills introduced—116, 117, 154, 189, 207, 208, 230, 252, 635, 691

Committee appointments—14, 15, 16
Explanation of vote—927
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MILLER, LINDA J.—Representative

Amendments filed—493, 563, 707, 733, 845, 853
Amendments offered—723, 853
Bills introduced—121, 145, 147, 148, 167, 190, 214, 282
Committee appointments—15, 16, 866
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Presided—546
Report—1935-2004
Resolutions filed—164, 205, 250, 302, 322, 410, 519, 862
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MINORITY LEADER, Kevin M. McCarthy—(See MCCARTHY, KEVIN M.)

MOORE, BRIAN—Representative

Amendment filed—563
Amendment offered—607
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Committee appointments—2, 14, 15, 16, 17
Leaves of absence—307, 560, 669, 856
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MUHLBAUER, DAN—Representative

Amendments filed—339, 340, 587, 648, 650, 786, 844, 852
Amendments offered—365, 366, 587
Bills introduced—117, 122, 146, 188, 189, 209, 229, 691
Committee appointments—13, 14, 15, 17, 62, 807, 906
Explanation of vote—856
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Resolutions filed—151, 152, 164, 410, 562, 757, 818, 862, 942
Subcommittee assignments—72, 149, 197, 216, 288, 338, 629, 693, 811, 879

MURPHY, PATRICK J.—Representative

Amendments filed—460, 644, 648, 650, 653, 771, 790, 844, 852
Amendments offered—653, 725, 790
Bills introduced—109, 110, 116, 117, 155, 156, 179, 189, 206, 207, 240, 324, 332

Committee appointments—15, 16, 17
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 Resolutions filed—151, 164, 519, 562, 818, 862, 942
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 Amendment offered—674
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 Resolutions filed—164, 562, 670, 818, 862, 873, 942
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OLSON, RICK—Representative

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Resolutions filed—164, 410, 519, 562, 713, 818, 862, 942
Sponsor added—704
Subcommittee assignments—105, 160, 199, 229, 231, 243, 288, 289, 338, 477, 491, 561, 629, 630

TJEPKES, DAVID A.—Representative

Amendments filed—460, 707, 733, 844
Amendment offered—657
Bills introduced—124, 156, 167, 190, 214
Committee appointments—16, 17, 63
Leaves of absence—224, 692
Resolutions filed—152, 205, 410, 563, 862
Subcommittee assignments—52, 53, 54, 71, 72, 73, 74, 79, 80, 89, 105, 170, 182, 216, 243, 266, 267, 278, 279, 302, 310, 333, 492

TRANSPORTATION, COMMITTEE ON—

Appointed—17
Bills introduced—196, 209, 301, 331, 402

Recommendations—202, 294, 316, 460, 577
 Subcommittee assignments—72, 73, 74, 106, 112, 137, 161, 170, 198, 266, 267, 398,
 406, 476, 477

UNFINISHED BUSINESS CALENDAR—

Bills placed on—573, 627, 635, 640

UPMEYER, LINDA L.—Representative, Majority Leader

Amendment filed—845
 Bills introduced—145, 207, 214, 858
 Committee appointments—14, 941
 Petitions filed—111, 197, 817
 Presentation—Honorable Dan Boddicker—710
 Remarks by—6-9, 951-954
 Report—1901-1906
 Resolutions filed—152, 164, 269, 281, 519, 563, 694, 706, 873
 Resolutions offered—4, 5, 272, 307, 319, 383, 412, 479, 524, 555, 642, 710, 715, 808,
 819, 873, 898, 905, 960
 Special presentation—House Pages—327, 773; retiring members and leaders—945-946

VAN ENGELLENHOVEN, JAMES—Representative

Amendment filed—844
 Bills introduced—39, 84, 104, 154, 155, 167, 190, 214
 Committee appointments—15, 16, 17
 Leaves of absence—56, 130, 516, 692, 731, 805, 890
 Presentation—Queen of the 2012 Pella Tulip Festival—616, Honorable Harold
 Van Maanen—697
 Resolutions filed—152, 205, 410, 563, 862
 Subcommittee assignments—73, 74, 161, 210, 243

VANDER LINDEN, GUY—Representative

Amendments filed—478, 546, 845, 856
 Amendments offered—482, 546, 858
 Bills introduced—84, 104, 108, 145, 146, 147, 214
 Committee appointments—16, 17, 95
 Leave of absence—103
 Resolutions filed—151, 152, 164, 205, 410, 713, 862
 Subcommittee assignments—119, 126, 149, 161, 199, 210, 217, 338, 405, 409, 492,
 629, 811, 879

VETERANS—

Resolutions relating to:
 House Concurrent Resolution 103—joint convention, condition of the Iowa National
 Guard message—4, 5, 41
 House Resolution 105—Tuskegee Airmen—151, 383
 House Resolution 108—Iowans on USS Indianapolis, July 30, 1945—164, 412
 House Resolution 115—March 30, 2012 as Vietnam Veterans Day—295, 709
 House Resolution 128—Iowa's Air National Guard—563
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VETERANS AFFAIRS, COMMITTEE ON—

Appointed—17

Bills introduced—123, 240, 270, 301, 325, 326, 347

Recommendations—115, 128-129, 220-221, 246, 294, 316-317, 577-578

Subcommittee assignments—54, 105, 118, 119, 136, 199, 243, 279, 310, 409, 458

VOTES—

Non-record—487, 528, 550, 553, 586, 653, 718, 745, 775, 790, 803, 834, 854, 880

Quorum call—259, 369, 383, 474, 499, 530, 540, 555, 616, 648, 735, 743, 796, 865, 873, 917, 930

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WAGNER, NICK—Representative

Amendments filed—269, 281, 519, 563, 583, 607, 782, 788, 790, 791

Amendments offered—274, 607, 657, 788, 790, 791

Amendment withdrawn—606

Bills introduced—121, 145, 146, 147, 156, 190, 214, 270

Committee appointments—15, 16, 904, 905, 941

Leave of absence—190

Reports—1866-1878, 1859-1862, 1901-1906

Resolutions filed—165, 205

Subcommittee assignments—74, 79, 125, 126, 138, 199, 216, 231, 266, 278, 375, 376, 398, 517, 562, 630, 636, 756

WATTS, RALPH C.—Representative

Amendments filed—317, 519, 570, 785, 845

Amendments offered—598, 603, 663

Bills introduced—104, 121, 145, 147, 148, 156, 167, 179, 189, 190, 214

Committee appointments—15, 16, 17, 803

Leaves of absence—236, 251, 261, 272, 453, 568, 669, 704, 805, 856, 878

Report—1899-1901

Resolutions filed—151, 152, 164, 205, 410, 562, 862

Subcommittee assignments—72, 74, 106, 112, 138, 161, 169, 216, 231, 266, 319, 406, 517, 561, 562, 613, 630, 636

WAYS AND MEANS, COMMITTEE ON—

Amendment filed—631

Amendment offered—829

Appointed—17

Bills introduced—160, 168, 173, 194, 242, 522, 523, 568, 615-616, 632, 640, 642, 708, 711, 734, 758, 763, 808, 813, 889, 904

Recommendations—140, 164, 185-186, 247, 493, 518, 613-614, 631, 638, 670, 694, 706, 713, 757, 794, 811, 814, 831, 879, 883, 912, 927-928

Subcommittee assignments—79, 80, 149, 288, 289, 338, 398, 491, 492, 561, 628, 629, 693, 761, 793, 811, 879

WENTHE, ANDREW J.—Representative

- Amendments filed—563, 707, 771, 782, 786
- Amendment offered—725
- Bills introduced—117, 146, 187, 206, 207, 209, 691
- Committee appointments—13, 14, 15, 17
- Explanation of vote—755
- Presided—588
- Resolutions filed—410, 562, 670, 818, 942
- Subcommittee assignments—73, 126, 137, 138, 161, 231, 243, 406, 517, 561, 562, 630, 636

WESSEL-KROESCHELL, BETH—Representative

- Amendments filed—648, 650, 652, 714, 771, 782, 786, 844, 852
- Amendment offered—650
- Amendments withdrawn—652, 782
- Bills introduced—117, 124, 154, 166, 188, 189, 195, 206, 207, 208, 298, 324, 691
- Committee appointments—15, 16, 866
- Explanation of vote—856
- Resolutions filed—151, 164, 295, 518, 814, 818, 862, 942
- Subcommittee assignments—71, 72, 88, 89, 118, 137, 170, 182, 198, 232, 243, 278, 289, 302, 407, 414, 492

WILLEMS, NATHAN—Representative

- Amendments filed—415, 460, 496, 520, 521, 650, 771, 782, 786, 844
- Amendments offered—487, 546, 549
- Amendment withdrawn—487
- Bills introduced—2, 3, 39, 117, 118, 124, 146, 155, 188, 189, 195, 206, 207, 209, 222, 691
- Committee appointments—12, 15, 16, 17, 816
- Explanation of vote—693
- Leave of absence—251
- Report—1912-1934
- Resolutions filed—151, 164, 410, 818, 942
- Subcommittee assignments—36, 118, 149, 160, 217, 288, 338, 561, 629

WINCKLER, CINDY L.—Representative

- Amendments filed—247, 339, 415, 493, 519, 520, 521, 543, 552, 648, 650, 652, 653, 733, 771, 782, 786, 791, 844, 852
- Amendments offered—468, 533, 538, 541, 542, 543, 653, 786, 789, 791
- Amendments withdrawn—543, 552, 787
- Bills introduced—117, 124, 130, 154, 188, 189, 206, 207, 208, 209, 324
- Committee appointments—15, 16, 804
- Report—1912-1934
- Resolutions filed—151, 164, 250, 518, 562, 818, 862, 942
- Subcommittee assignments—113, 137, 138, 160, 161, 198, 406, 476, 517, 562, 613, 630, 636

WINDSCHITL, MATT W.—Representative, Assistant Majority Leader

- Amendments filed—330, 339, 707, 733, 845
- Amendments offered—389, 737, 738
- Amendment withdrawn—737
- Bills introduced—40, 84, 104, 145, 146, 147, 148, 153, 167, 168, 179, 189, 190, 214, 251, 252, 283, 309

Committee appointments—14, 15, 17, 42, 866
Leave of absence—307
Presided—540, 652, 673, 727, 775, 854, 900
Report—1935-2004
Resolutions filed—152, 205, 563
Rulings made (as acting Speaker)—653, 776
Subcommittee assignments—53, 72, 73, 160, 161, 169, 170, 197, 198, 216, 231, 319, 477

WITTNEBEN, JOHN—Representative

Amendments filed—649, 650, 695, 771, 782, 786, 844, 852
Amendment offered—717
Bills introduced—117, 124, 146, 154, 156, 188, 189, 206, 207, 209, 252, 301, 332, 691
Committee appointments—12, 15, 16, 17, 42
Resolutions filed—151, 152, 164, 410, 519, 562, 818, 862, 942
Subcommittee assignments—79, 105, 112, 113, 137, 210, 243, 409, 458

WOLFE, MARY—Representative

Amendments filed—186, 340, 415, 478, 493, 649, 650, 653, 727, 771, 782, 844, 852
Amendments offered—364, 489, 653
Amendment withdrawn—191
Bills introduced—117, 131, 146, 156, 167, 206, 207, 209, 691
Committee appointments—12, 16, 17, 63, 806
Leave of absence—142
Report—1866
Resolutions filed—164, 281, 410, 562, 818, 862, 942
Subcommittee assignments—53, 71, 72, 73, 79, 80, 118, 137, 160, 161, 162, 169, 170, 181, 182, 198, 217, 243, 266, 278, 310, 406, 407, 476, 492

WORTHAN, GARY—Representative

Amendments filed—339, 494, 514, 583, 844
Amendments offered—349, 372, 513, 514, 700
Amendment withdrawn—514
Bills introduced—121, 167, 190, 217, 252
Committee appointments—15, 17, 806
Leave of absence—628
Reports—1866, 1857-1859
Resolutions filed—152, 164, 205, 410, 519, 563
Subcommittee assignments—53, 73, 126, 138, 199, 243, 267, 375, 398, 406, 517, 561, 562, 630, 636