

**CHAPTER 1256****CONFIDENTIALITY OF LIBRARY AND VIDEO RENTAL RECORDS***H.F. 2336*

**AN ACT** relating to the confidentiality of certain records and information concerning individual use of services provided by libraries and video rental businesses, and providing a penalty.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 22.7, subsection 13, Code Supplement 1987, is amended to read as follows:

13. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item or information from the library. The records shall be released to a criminal justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The records shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

Sec. 2. **NEW SECTION. 22A.1 DISCLOSURE OF INFORMATION CONCERNING USE OF VIDEOTAPES — PENALTY.**

1. A person engaged in the business of renting, leasing, loaning, or otherwise distributing for a fee videotapes or other like items to individuals for personal use shall not disclose any information which would reveal the identity of an individual renting, leasing, borrowing, or otherwise obtaining through the business a videotape or other like item, except to the extent permitted by the individual as evidenced by the individual's written consent or as otherwise provided in this section. In the absence of consent, the information may be released to a criminal justice agency only pursuant to an investigation of a particular person or organization suspected of committing a known crime. The information shall be released only upon a judicial determination that a rational connection exists between the requested release of information and a legitimate end and that the need for the information is cogent and compelling.

2. A person who violates this section commits a simple misdemeanor.

Approved May 15, 1988

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**CHAPTER 1257****ECONOMIC DEVELOPMENT ASSISTANCE GUIDELINES***H.F. 2386*

**AN ACT** relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and rise program.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 99E.32, subsection 2, unnumbered paragraph 2, Code Supplement 1987, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

The conditions, criteria, and limitations specified in section 99E.31, subsection 2, apply to the providing of moneys under this subsection. In addition to such conditions, criteria, and limitations, for applications submitted after July 1, 1988, the following factors and requirements shall be considered or applied:

(1) The impact of the proposed project on other businesses in competition with the business being considered for assistance. The department shall make a good faith effort to identify existing Iowa businesses within an industry in competition with the business being considered for assistance. The department shall make a good faith effort to determine the probability that the proposed financial assistance will displace employees of the existing businesses. In determining the impact on businesses in competition with the business being considered for assistance, jobs created as a result of other jobs being displaced elsewhere in the state shall not be considered direct jobs created.

(2) The economic impact to the state of the proposed project. In measuring the economic impact the department shall award more points for the following:

- (a) A project which has a greater consistency with the state strategic plan.
- (b) A business with a greater percentage of sales out-of-state or of import substitution.
- (c) A business with a higher proportion of in-state suppliers.
- (d) A project which would provide greater diversification of the state economy.
- (e) A business with fewer in-state competitors.
- (f) A potential for future job growth.
- (g) A project which is not a retail operation.

(3) The quality of jobs to be provided. Jobs that have a higher wage scale, have a lower turnover rate, are full-time, or are career-type positions are considered higher in quality. Businesses that have wage scales substantially below that of existing Iowa businesses in that area should be rated as providing the lowest quality of jobs and should therefore be given the lowest ranking for providing such assistance.

(4) If the business has a record of violations of the law over a period of time that tends to show a consistent pattern, the business shall be given the lowest ranking for providing assistance. The department shall make a good faith effort to compile this information.

(5) If a business has, within three years of application for assistance, acquired or merged with an Iowa corporation or company, the business shall make a good-faith effort to hire the workers of the merged or acquired company.

(6) To be eligible for assistance a business shall provide for a preference for hiring residents of the state or the economic development area, except for out-of-state employees offered a transfer to Iowa or the economic development area.

(7) All known required environmental permits must be granted and regulations met before moneys are released.

Sec. 2. Section 315.5, Code 1987, is amended to read as follows:

#### 315.5 ADMINISTRATION OF FUND.

Qualifying road and street projects shall be selected by the state transportation commission for full or partial financing from the fund after consultation with organizations representing interests of counties and cities. Counties and cities may make application for qualifying road and street projects with the department. In ranking applications for funds, the department shall, in addition to effects listed in section 315.3, subsection 1, consider the proportion of political subdivision matching funds to be provided, if any, the proportion of private contributions to be provided, if any, the total number of jobs to be created, the level of need, ~~and~~ the impact of the proposed project on the economy of the area affected, and the factors and requirements in section 315.11. The proportion of funding shall be determined by the department or, in the case of cooperative projects, by agreement between the department and the city councils of participating cities, or boards of supervisors of participating counties, or other participating public agencies or private parties.

Sec. 3. **NEW SECTION. 315.11 ADDITIONAL FACTORS AND REQUIREMENTS.**

In addition to other effects and factors to be considered under section 315.5, for applications submitted after July 1, 1988, the following factors and requirements shall be considered or applied:

1. The impact of the proposed project on other businesses in competition with the business being considered for assistance. The department shall make a good faith effort to identify existing Iowa businesses within an industry in competition with the business being considered for assistance. The department shall make a good faith effort to determine the probability that the proposed financial assistance will displace employees of the existing businesses. In determining the impact on businesses in competition with the business being considered for assistance, jobs created as a result of other jobs being displaced elsewhere in the state shall not be considered direct jobs created.

2. The economic impact to the state of the proposed project. In measuring the economic impact the department shall award more points for the following:

- a. A project which has a greater consistency with the state strategic plan.
- b. A business with a greater percentage of sales out-of-state or of import substitution.
- c. A business with a higher proportion of in-state suppliers.
- d. A project which would provide greater diversification of the state economy.
- e. A business with fewer in-state competitors.
- f. A potential for future job growth.
- g. A project which is not a retail operation.

3. The quality of jobs to be provided. Jobs that have a higher wage scale, have a lower turnover rate, are full-time, or are career-type positions are considered higher in quality. Businesses that have wage scales substantially below that of existing Iowa businesses in that area should be rated as providing the lowest quality of jobs and should therefore be given the lowest ranking for providing such assistance.

4. If the business has a record of violations of the law over a period of time that tends to show a consistent pattern, the business shall be given the lowest ranking for providing assistance. The department shall make a good faith effort to compile this information.

5. If a business has, within three years of application for assistance, acquired or merged with an Iowa corporation or company, the business shall make a good-faith effort to hire the workers of the merged or acquired company.

6. To be eligible for assistance a business shall provide for a preference for hiring residents of the state or the economic development area, except for out-of-state employees offered a transfer to Iowa or the economic development area.

7. All known required environmental permits must be granted and regulations met before moneys are released.

Approved May 15, 1988

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## CHAPTER 1258

### COURT FILING FEES

*H.F. 2428*

**AN ACT** increasing and establishing certain court filing fees.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 602.8105, subsection 1, paragraph a, Code Supplement 1987, is amended to read as follows: