

CHAPTER 77UNEMPLOYMENT INSURANCE INFORMATION —
CONFIDENTIALITY — PENALTIES

S.F. 448

AN ACT relating to confidential information regarding unemployment insurance benefits and providing penalties.

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

Section 1. Section 96.11, subsection 6, paragraph b, Code 2007, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (4) The department shall hold confidential unemployment insurance information received by the department from an unemployment insurance agency of another state.

Sec. 2. Section 96.11, subsection 6, paragraph f, Code 2007, is amended to read as follows:

f. ~~An employee of the department, an administrative law judge, or a member of the appeal board who violates this subsection is guilty, upon conviction, of a serious misdemeanor. A public official or an agent or contractor of a public official who receives information pursuant to this subsection or a third party other than an agent who acts on behalf of a claimant or employer and who violates this subsection is guilty, upon conviction, of a serious misdemeanor. For the purposes of this subsection, "public official" means an official or employee within the executive branch of federal, state, or local government, or an elected official of the federal or a state or local government.~~

Approved April 17, 2007

CHAPTER 78CONGRESSIONAL AND LEGISLATIVE
REDISTRICTING PROCESS AND PLANS

S.F. 479

AN ACT making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

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

Section 1. Section 42.2, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Upon each delivery by the legislative services agency to the general assembly of a bill embodying a plan, pursuant to section 42.3, the legislative services agency shall at the earliest feasible time make available to the public the following information:

- a. Copies of the bill delivered by the legislative services agency to the general assembly.
- b. Maps illustrating the plan.
- c. A summary of the standards prescribed by section 42.4 for development of the plan.
- d. A statement of the population of each district included in the plan, and the relative deviation of each district population from the ideal district population.

Sec. 2. Section 42.3, subsection 1, Code 2007, is amended to read as follows:

1. a. Not later than April 1 of each year ending in one, the legislative services agency shall deliver to the secretary of the senate and the chief clerk of the house of representatives identical bills embodying a plan of legislative and congressional districting prepared in accordance with section 42.4. It is the intent of this chapter that the general assembly shall bring the bill to a vote in either the senate or the house of representatives expeditiously, but not less than seven ~~three~~ days after the report of the commission required by section 42.6 is received and made available to the members of the general assembly, under a procedure or rule permitting no amendments except those of a purely corrective nature. It is further the intent of this chapter that if the bill is approved by the first house in which it is considered, it shall expeditiously be brought to a vote in the second house under a similar procedure or rule. If the bill embodying the plan submitted by the legislative services agency under this subsection fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall at once, but in no event later than seven days after the date the bill failed to be approved, transmit to the legislative services agency information which the senate or house may direct by resolution regarding reasons why the plan was not approved.

b. However, if the population data for legislative districting which the United States census bureau is required to provide this state under Pub. L. No. 94-171 and, if used by the legislative services agency, the corresponding topologically integrated geographic encoding and referencing data file for that population data are not available to the legislative services agency on or before February 15 of the year ending in one, the dates set forth in this subsection shall be extended by a number of days equal to the number of days after February 15 of the year ending in one that the federal census population data and the topologically integrated geographic encoding and referencing data file for legislative districting become available.

Sec. 3. Section 42.3, subsection 2, Code 2007, is amended to read as follows:

2. If the bill embodying the plan submitted by the legislative services agency under subsection 1 fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall at once transmit to the legislative services agency information which the senate or house may direct regarding reasons why the plan was not approved. The enacted, the legislative services agency shall prepare a bill embodying a second plan of legislative and congressional districting. The bill shall be prepared in accordance with section 42.4, and taking into account, insofar as it is possible to do so within the requirements of section 42.4, with the reasons cited by the senate or house of representatives by resolution, or the governor by veto message, for its the failure to approve the plan insofar as it is possible to do so within the requirements of section 42.4. If a second plan is required under this subsection, the bill embodying it shall be delivered to the secretary of the senate and the chief clerk of the house of representatives not later than May 1 of the year ending in one, or twenty-one ~~thirty-five~~ days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection 1, whichever date is later or the date the governor vetoes or fails to approve the bill. It is the intent of this chapter that, if If it is necessary to submit a bill under this subsection, the bill shall be brought to a vote not less than seven days after the bill is printed submitted and made available to the members of the general assembly, in the same manner as prescribed for the bill required under subsection 1 under a procedure or rule permitting no amendments except those of a purely corrective nature. It is further the intent of this chapter that if the bill is approved by the first house in which it is considered, it shall expeditiously be brought to a vote in the second house under a similar procedure or rule. If the bill embodying the plan submitted by the legislative services agency under this subsection fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall transmit to the legislative services agency information which the senate or house may direct by resolution regarding reasons why the plan was not approved in the same manner as described in subsection 1.

Sec. 4. Section 42.3, subsection 3, Code 2007, is amended to read as follows:

3. If the bill embodying the plan submitted by the legislative services agency under subsection 2 fails to be approved by a constitutional majority in either the senate or the house of representatives ~~enacted~~, the same procedure as prescribed by subsection 2 shall be followed. If a third plan is required under this subsection, the bill embodying it shall be delivered to the secretary of the senate and the chief clerk of the house of representatives not later than ~~June 1 of the year ending in one, or twenty-one~~ thirty-five days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection 2, ~~whichever date is later. It is the intent of this chapter that, if or the date the governor vetoes or fails to approve the bill. The legislative services agency shall submit a bill under this subsection sufficiently in advance of September 1 of the year ending in one to permit the general assembly to consider the plan prior to that date. If it is necessary to submit a bill under this subsection, the bill shall be brought to a vote within the same time period after its delivery to the secretary of the senate and the chief clerk of the house of representatives as is prescribed for the bill submitted under subsection 2, but shall be subject to amendment in the same manner as other bills.~~

Sec. 5. Section 42.3, subsection 4, Code 2007, is amended by striking the subsection.

Sec. 6. Section 42.4, subsection 4, Code 2007, is amended to read as follows:

4. ~~It is preferable that districts~~ Districts shall be reasonably compact in form, but to the extent consistent with the standards established by subsections 1, 2, and 3 take precedence over compactness where a conflict arises between compactness and these standards. In general, reasonably compact districts are those which are square, rectangular, or hexagonal in shape, and not irregularly shaped, to the extent permitted by natural or political boundaries. ~~When~~ If it is necessary to compare the relative compactness of two or more districts, or of two or more alternative districting plans, the tests prescribed by paragraphs "a" and "b" and "c" of this subsection shall be used. ~~Should the results of these two tests be contradictory, the standard referred to in paragraph "b" of this subsection shall be given greater weight than the standard referred to in paragraph "c" of this subsection.~~

a. As used in this subsection:

(1) "Population data unit" means a civil township, election precinct, census enumeration district, census city block group, or other unit of territory having clearly identified geographic boundaries and for which a total population figure is included in or can be derived directly from certified federal census data.

(2) The "geographic unit center" of a population data unit is that point approximately equidistant from the northern and southern extremities, and also approximately equidistant from the eastern and western extremities, of a population data unit. This point shall be determined by visual observation of a map of the population data unit, unless it is otherwise determined within the context of an appropriate coordinate system developed by the federal government or another qualified and objective source and obtained for use in this state with prior approval of the legislative council.

(3) The "x" co-ordinate of a point in this state refers to the relative location of that point along the east-west axis of the state. Unless otherwise measured within the context of an appropriate co-ordinate system obtained for use as permitted by subparagraph 2 of this paragraph, the "x" co-ordinate shall be measured along a line drawn due east from a due north and south line running through the point which is the northwestern extremity of the state of Iowa, to the point to be located.

(4) The "y" co-ordinate of a point in this state refers to the relative location of that point along the north-south axis of the state. Unless otherwise measured within the context of an appropriate co-ordinate system obtained for use as permitted by subparagraph (2) of this paragraph, the "y" co-ordinate shall be measured along a line drawn due south from the northern boundary of the state or the eastward extension of that boundary, to the point to be located.

b. a. LENGTH-WIDTH COMPACTNESS. The compactness of a district is greatest when

the length of the district and the width of the district are equal. The measure of a district's compactness is the absolute value of the difference between the length and the width of the district.

(1) ~~In measuring the length and the width of a district by means of electronic data processing, the difference between the "x" co-ordinates of the easternmost and the westernmost geographic unit centers included in the district shall be compared to the difference between the "y" co-ordinates of the northernmost and southernmost geographic unit centers included in the district.~~

(2) ~~To determine the length and width of a district by manual measurement, In general, the length-width compactness of a district is calculated by measuring the distance from the northernmost point or portion of the boundary of a district to the southernmost point or portion of the boundary of the same district and the distance from the westernmost point or portion of the boundary of the district to the easternmost point or portion of the boundary of the same district shall each be measured. If the northernmost or southernmost portion of the boundary, or each of these points, is a part of the boundary running due east and west, the line used to make the measurement required by this paragraph shall either be drawn due north and south or as nearly so as the configuration of the district permits. If the easternmost or westernmost portion of the boundary, or each of these points, is a part of the boundary running due north and south, a similar procedure shall be followed. The lines to be measured for the purpose of this paragraph shall each be drawn as required by this paragraph, even if some part of either or both lines lies outside the boundaries of the district which is being tested for compactness.~~

(3) ~~The absolute values computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state. However, it is not valid to cumulate or compare absolute values computed under subparagraph (1) with those computed under subparagraph (2) of this paragraph.~~

~~e. b. PERIMETER COMPACTNESS. The compactness of a district is greatest when the ratio of the dispersion of population about the population center of the district to the dispersion of population about the geographic center of the district is one to one, the nature of this ratio being such that it is always greater than zero and can never be greater than one to one.~~

(1) ~~The population dispersion about the population center of a district, and about the geographic center of a district, is computed as the sum of the products of the population of each population data unit included in the district multiplied by the square of the distance from that geographic unit center to the population center or the geographic center of the district, as the case may be. The geographic center of the district is defined by averaging the locations of all geographic unit centers which are included in the district. The population center of the district is defined by computing the population-weighted average of the "x" co-ordinates and "y" co-ordinates of each geographic unit center assigned to the district, it being assumed for the purpose of this calculation that each population data unit possesses uniform density of population.~~

(2) ~~The ratios computed for individual districts under this paragraph may be averaged for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state distance needed to traverse the perimeter boundary of a district is as short as possible. The total perimeter distance computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state.~~

Sec. 7. Section 42.4, subsection 8, Code 2007, is amended to read as follows:

8. Each bill embodying a plan drawn under this section shall include provisions for election of senators to the general assemblies which take office in the years ending in three and five, which shall be in conformity with Article III, section 6, of the Constitution of the State of Iowa. With respect to any plan drawn for consideration in ~~the a year 2001 ending in one,~~ those provisions shall be substantially as follows:

a. Each ~~odd-numbered senatorial district~~ in the plan which is not a holdover senatorial dis-

~~trict shall elect a senator in 2002 the year ending in two for a four-year term commencing in January 2003 of the year ending in three. If an incumbent senator who was elected to a four-year term which commenced in January 2001 of the year ending in one, or was subsequently elected to fill a vacancy in such a term, is residing in an odd-numbered a senatorial district in the plan which is not a holdover senatorial district on the first Wednesday in February 1, 2002 of the year ending in two, that senator's term of office shall be terminated on January 1, 2003 of the year ending in three.~~

~~b. Each even-numbered holdover senatorial district in the plan shall elect a senator in 2004 the year ending in four for a four-year term commencing in January 2005 of the year ending in five.~~

~~(1) If one and only one incumbent state senator is residing in an even-numbered a holdover senatorial district in the plan on the first Wednesday in February 1, 2002 of the year ending in two, and that senator meets all of the following requirements, the senator shall represent the district in the senate for the Eightieth General Assembly general assembly commencing in January of the year ending in three:~~

~~(a) The senator was elected to a four-year term which commenced in January 2001 of the year ending in one or was subsequently elected to fill a vacancy in such a term.~~

~~(b) The senatorial district in the plan which includes the place of residence of the state senator on the date of the senator's last election to the senate is the same as the even-numbered holdover senatorial district in which the senator resides on the first Wednesday in February 1, 2002 of the year ending in two, or is contiguous to such even-numbered holdover senatorial district and the senator's declared residence as of February 1, 2002, was within the district from which the senator was last elected. Areas which meet only at the points of adjoining corners are not contiguous.~~

~~The secretary of state shall prescribe a form to be completed by all senators to declare their residences as of February 1, 2002. The form shall be filed with the secretary of state no later than five p.m. on February 1, 2002.~~

~~(2) Each even-numbered holdover senatorial district to which subparagraph (1) of this paragraph is not applicable shall elect a senator in 2002 the year ending in two for a two-year term commencing in January 2003 of the year ending in three. However, if more than one incumbent state senator is residing in an even-numbered a holdover senatorial district on the first Wednesday in February 1, 2002 of the year ending in two, and, on or before the first Wednesday in February 15, 2002 of the year ending in two, all but one of the incumbent senators resigns from office effective no later than January 1, 2003 of the year ending in three, the remaining incumbent senator shall represent the district in the senate for the Eightieth General Assembly general assembly commencing in January of the year ending in three. A copy of the resignation must be filed in the office of the secretary of state no later than five p.m. on the third Wednesday in February 15, 2002 of the year ending in two.~~

~~c. For purposes of this subsection:~~

~~(1) "Holdover senatorial district" means a senatorial district in the plan which is numbered with an even or odd number in the same manner as senatorial districts, which were required to elect a senator in the year ending in zero, were numbered.~~

~~(2) "Incumbent state senator" means a state senator who holds the office of state senator on the first Wednesday in February of the year ending in two, and whose declared residence on that day is within the district from which the senator was last elected.~~

~~d. The secretary of state shall prescribe a form to be completed by all senators to declare their residences as of the first Wednesday in February of the year ending in two. The form shall be filed with the secretary of state no later than five p.m. on the first Wednesday in February of the year ending in two.~~

Sec. 8. Section 42.6, subsection 3, Code 2007, is amended by striking the subsection.

Sec. 9. Section 42.6, subsection 4, paragraph b, Code 2007, is amended to read as follows:
b. Following the hearings, promptly prepare and submit to the secretary of the senate and

the chief clerk of the house a report summarizing information and testimony received by the commission in the course of the hearings. The commission's report shall include any comments and conclusions which its members deem appropriate on the information and testimony received at the hearings, or otherwise presented to the commission. The report shall be submitted no later than fourteen days after the date the bill embodying an initial plan of congressional and legislative redistricting is delivered to the general assembly.

Approved April 17, 2007

CHAPTER 79

BLOOD LEAD TESTING OF YOUNG CHILDREN

H.F. 158

†**AN ACT** relating to a requirement that children receive a blood lead test by age six or prior to enrollment in an elementary school.

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

Section 1. Section 135.102, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Implementation of a requirement that children receive a blood lead test prior to the age of six and before enrolling in any elementary school in Iowa in accordance with section 135.105D.

Sec. 2. Section 135.105D, Code 2007, is amended by adding the following new subsections:

NEW SUBSECTION. 1A. a. A parent or guardian of a child under the age of two is strongly encouraged to have the child tested for elevated blood lead levels by the age of two. Except as provided in paragraph "b" and subsection 1C, a parent or guardian shall provide evidence to the school district elementary attendance center or the accredited nonpublic elementary school in which the parent's or guardian's child is enrolled that the child was tested for elevated blood lead levels by the age of six according to recommendations provided by the department.

b. A child of compulsory attendance age may be provisionally enrolled in an elementary school if the child's parent or guardian consents to have the child receive a blood lead test as rapidly as is feasible but not later than sixty days after the school calendar commences. The department shall adopt rules relating to the provisional enrollment of children to an elementary school in accordance with this paragraph.

c. The board of directors of each school district and the authorities in charge of each nonpublic school shall give notice of the blood lead test requirement to parents of students enrolled or to be enrolled in the school at least ninety days before the start of the school year in the manner prescribed by the department.¹

NEW SUBSECTION. 1B. The board of directors of each school district and the authorities in charge of each nonpublic school shall furnish the department, within sixty days after the first official day of school, evidence that each child enrolled in any elementary school has either been tested as required in subsection 1A or received a waiver under subsection 1C.

NEW SUBSECTION. 1C. The department may waive the requirements of subsection 1A if the department determines that a child is of very low risk for elevated blood lead levels, or if

† Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State

¹ See chapter 215, §88 herein