

the assessor in whose jurisdiction the property is located, in accordance with chapter 441, but the municipality, the lessee on behalf of the municipality, and such other persons as are authorized by chapter 441 shall be entitled to protest any assessment and take appeals in the same manner as any taxpayer. Such valuations shall be included in any summation of valuations in the taxing district for all purposes known to the law. Income from this source shall be considered under the provisions of section 384.16, subsection 1, paragraph “~~b~~” “a”, subparagraph (2).

Sec. 146. Section 809A.3, subsection 4, paragraph b, Code 2009, is amended to read as follows:

b. A second or subsequent violation of section 321J.4B, subsection 2, paragraph “~~b~~” “a”, subparagraph (2).

#### DIVISION IV EFFECTIVE DATE

Sec. 147. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY.

1. The section of this Act repealing section 294A.22, being deemed of immediate importance, takes effect upon enactment and applies retroactively to July 1, 2009.

2. The section of this Act amending section 435.2, being deemed of immediate importance, takes effect upon enactment and applies retroactively to July 1, 2009.

3. The section of this Act adding a section to 2009 Iowa Acts, chapter 133, takes effect upon enactment and applies retroactively to July 1, 2009.

Approved March 19, 2010

## CHAPTER 1070

### ECONOMIC DEVELOPMENT AND TARGETED INDUSTRIES — INNOVATION COUNCIL

*H.F. 2076*

**AN ACT** relating to economic development by establishing an Iowa innovation council in the department of economic development and by providing for certain reports on innovation and commercialization within certain targeted industries.

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

Section 1. Section 15.102, Code Supplement 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 6A. “*Targeted industries*” means the same as defined in section 15.411, subsection 1.

Sec. 2. Section 15.104, subsection 8, paragraph 1, Code Supplement 2009, is amended to read as follows:

1. *Targeted industries development — ~~financial—assistance~~ innovation and commercialization.* A report of the expenditures of moneys appropriated and allocated to the department for certain programs authorized pursuant to ~~section~~ sections 15.411 and 15.412 relating to the development and commercialization of businesses in the targeted industry areas of advanced manufacturing, bioscience, and information technology, including a summary of the activities of the technology commercialization committee created pursuant to section 15.116 and the Iowa innovation council established pursuant to section 15.117A and including copies of any documents, reports, or plans produced by the council.

Sec. 3. Section 15.117, Code 2009, is amended to read as follows:

**15.117 Chief technology officer.**

The governor shall appoint a chief technology officer for the state. The chief technology officer shall serve a ~~four-year~~ two-year term and shall have national or international stature as a senior executive at a technology business in one of the targeted industries. ~~The chief technology officer shall coordinate the activities of the technology commercialization specialist employed pursuant to section 15.115. The chief technology officer shall serve as a spokesperson for the department for purposes of promoting to private sector businesses the technology commercialization efforts of the department and the research and technology capabilities of institutions of higher learning in the state.~~

Sec. 4. NEW SECTION. **15.117A Iowa innovation council.**

1. An Iowa innovation council is established within the department. The department shall provide the council with staff and administrative support. The department may expend moneys allocated to the innovation and commercialization division in order to provide such support. The department may adopt rules for the implementation of this section.

2. The council shall consist of the following members:

a. Twenty-nine voting members as follows:

(1) Twenty members selected by the board to serve staggered, two-year terms beginning and ending as provided in section 69.19. Of the members selected by the board, seven shall be representatives from businesses in the targeted industries and thirteen shall be individuals who serve on the technology commercialization committee created in section 15.116, or other committees of the board, and who have expertise with the targeted industries. At least ten of the members selected pursuant to this subparagraph shall be executives actively engaged in the management of a business in a targeted industry. The members selected pursuant to this paragraph shall reflect the size and diversity of businesses in the targeted industries and of the various geographic areas of the state.

(2) One member, selected by the governor, who also serves on the Iowa capital investment board created in section 15E.63.

(3) The director of the department, or the director's designee.

(4) The chief technology officer appointed pursuant to section 15.117.

(5) The person designated as the chief information officer pursuant to section 8A.104, subsection 12, or, if no person has been so designated, the director of the department of administrative services, or the director's designee.

(6) The president of the state university of Iowa, or the president's designee.

(7) The president of Iowa state university of science and technology, or the president's designee.

(8) The president of the university of northern Iowa, or the president's designee.

(9) Two community college presidents from geographically diverse areas of the state, selected by the Iowa association of community college trustees.

b. Four members of the general assembly serving two-year terms in a nonvoting, ex officio capacity, with two from the senate and two from the house of representatives and not more than one member from each chamber being from the same political party. The two senators shall be designated one member each by the president of the senate after consultation with the majority leader of the senate, and by the minority leader of the senate. The two representatives shall be designated one member each by the speaker of the house of representatives after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives.

3. To be eligible to serve as a designee pursuant to subsection 2, a person must have sufficient authority to make decisions on behalf of the organization being represented. A person named as a designee pursuant to subsection 2 shall not name a designee nor permit a substitute to attend council meetings.

4. The chief technology officer appointed pursuant to section 15.117 shall be the chairperson of the council and shall be responsible for convening meetings of the council and coordinating its activities and shall convene the council at least annually. The council shall annually elect one of the voting members to serve as vice chairperson. A majority of the members of the council constitutes a quorum. However, the chief technology officer

shall not convene a meeting of the council unless the director of the department, or the director's designee, is present at the meeting.

5. The purpose of the council is to advise the department on the development and implementation of public policies that enhance innovation and entrepreneurship in the targeted industries, with a particular focus on the information, technology, and skills that increasingly dominate the twenty-first century economy. Such advice may include evaluating Iowa's competitive position in the global economy, reviewing the technology typically utilized in the state's manufacturing sector, assessing the state's overall scientific research capacity, keeping abreast of the latest scientific research and technological breakthroughs and offering guidance as to their impact on public policy, recommending strategies that foster innovation, increase new business formation, and otherwise promote economic growth in the targeted industries, and offering guidance about future developments in the targeted industries.

6. The council shall do all of the following:

a. Create a comprehensive strategic plan for implementing specific policies that further the purpose of the council as described in subsection 5.

b. Review annually all the economic development programs administered by the department and the board that relate to the targeted industries and make recommendations for adjustments that enhance efficiency and effectiveness. In reviewing the programs, the council shall, to the greatest extent possible, utilize economic development data and research in order to make objective, fact-based recommendations.

c. Act as a forum where issues affecting the research community, the targeted industries, and policymakers can be discussed and addressed and where collaborative relationships can be formed.

d. Coordinate state government applications for federal funds relating to research and economic development affecting the targeted industries.

e. Conduct industry research and draft documents that provide background information for use in decision making by the general assembly, the governor, the department, and other policymaking bodies within state government.

Approved March 19, 2010

## CHAPTER 1071

### ALCOHOL-RELATED OFFENSES — EXPUNGING OF CONVICTIONS

H.F. 2233

**AN ACT** relating to expunging the conviction for certain alcohol-related offenses.

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

Section 1. Section 123.46, subsection 5, Code 2009, is amended to read as follows:

5. Upon the expiration of two years following conviction for a violation of this section, a person may petition the court to ~~exonerate the person of~~ expunge the conviction, and if the person has had no other criminal convictions, other than simple misdemeanor violations of chapter 321 during the two-year period, ~~the person shall be deemed exonerated of the offense~~ conviction shall be expunged as a matter of law. The court shall enter an order ~~exonerating the person of the conviction, and ordering~~ that the record of the conviction be expunged by the clerk of the district court. Notwithstanding section 692.2, after receipt of notice from the clerk of the district court that a record of conviction has been expunged, the record of conviction shall be removed from the criminal history data files maintained by the department of public safety.