EIGHTY-FIFTH GENERAL ASSEMBLY
2013 REGULAR SESSION
DAILY

HOUSE CLIP SHEET

MAY 6, 2013

HOUSE FILE 640

H-1432

Amend House File 640 as follows:

1. Page 1, before line 1 by inserting:

<DIVISION I

LEGISLATIVE INTENT

Section 1. USE OF RENEWABLE FUELS. The general assembly finds and declares all of the following:

1. This state and the United States have demonstrated a commitment to a long term policy of increasing the production, distribution, and use of clean renewable fuels according to a renewable fuel standard, sometimes referred to as "RFS2", by encouraging the increased domestic production and utilization of renewable fuels, which includes total renewable biofuels such as ethanol, advanced biofuels, cellulosic and agricultural waste-based biofuels, and biomass-based biodiesel.

2. Renewable fuels have become increasingly important to this state and its economy including by providing jobs and strengthening rural communities, and have proven to be economically viable for consumers in this state and throughout the midwest.>

2. Page 1, line 29, by striking <for use in an engine>

3. By striking page 1, line 31, through page 2, line 6.

4. Page 2, before line 7 by inserting:

<Sec. ___. Section 323.1, Code 2013, is amended by adding the following new subsections:

NEW SUBSECTION. 01. "Blender pump" means a motor fuel blender pump as defined in section 214.1 that dispenses motor fuel or special fuel in a manner required pursuant to chapters 214 and 214A.

NEW SUBSECTION. 7A. "Motor fuel pump" means the same as defined in section 214.1 that dispenses motor fuel or special fuel in a manner that complies with standards set forth in chapters 214 and 214A.

NEW SUBSECTION. 7B. "Refiner" means a person engaged in the refining of crude oil to produce motor fuel or special fuel, and includes any affiliate of such person.

NEW SUBSECTION. 7C. "Renewable fuel" means the same as defined in section 214A.1 that complies with standards set forth in section 214A.2.

NEW SUBSECTION. 11. "Storage tank" means a motor fuel storage tank as defined in section 214.1, including an underground storage tank subject to regulation under chapter 455G.

NEW SUBSECTION. 12. "Supplier" means the same as defined in section 452A.2.

Sec. ___. NEW SECTION. 323.4A Use of renewable

fuel.

1. A supply agreement or other document executed by a distributor or dealer and a refiner or supplier on or after the effective date of this Act shall not contain a provision restricting the distributor or dealer from doing any of the following:

a. Installing, converting, or operating a storage tank, a motor fuel pump, or a blender pump located on the distributor's or dealer's retail premises for use in storing or dispensing renewable fuel. However, this paragraph does not apply to a dealer whose retail premises are leased from the distributor or franchiser.

b. Using a motor fuel pump to dispense ethanol blended gasoline, including gasoline with a specified blend or a range of blends under chapter 214A, if the motor fuel pump meets all applicable federal and state requirements and is approved as required by the state fire marshal for dispensing the specified blend or range of blends, including as provided in section 455G.31.

c. Purchasing, selling, or dispensing motor fuel or special fuel that is a renewable fuel from a source other than the refiner or supplier if the refiner or supplier does not provide motor fuel or special fuel that is a renewable fuel for sale by the distributor or dealer.

2. This section does not apply to any activity that constitutes mislabeling, misbranding, willful adulteration, or other trademark violation by the dealer.>

5. Page 3, line 5, after <fuel> by inserting <that is>

6. By renumbering, redesignating, and correcting internal references as necessary.

By KLEIN of Washington

H-1432 FILED MAY 2, 2013

HOUSE FILE 640

H-1433

1 Amend House File 640 as follows:
2 1. Page 5, after line 33 by inserting:
3 <DIVISION ___
4 FUEL TAX
5 Sec. ___. Section 452A.3, subsection 1, unnumbered
6 paragraph 1, Code 2013, is amended to read as follows:
7 Except as otherwise provided in this section and
8 in this division, until June 30, ~~2013~~ 2014, this
9 subsection shall apply to the excise tax imposed on
10 each gallon of motor fuel used for any purpose for the
11 privilege of operating motor vehicles in this state.
12 Sec. ___. Section 452A.3, subsection 1A, Code 2013,
13 is amended to read as follows:
14 1A. Except as otherwise provided in this section
15 and in this division, after June 30, ~~2013~~ 2014, an
16 excise tax of twenty cents is imposed on each gallon of
17 motor fuel used for any purpose for the privilege of
18 operating motor vehicles in this state.
19 Sec. ___. EFFECTIVE UPON ENACTMENT. This division
20 of this Act, being deemed of immediate importance,
21 takes effect upon enactment.>
22 2. Title page, by striking line 7 and inserting
23 <liability, extending the period for determining the
24 rates of the motor fuel tax based on calculating the
25 distribution of ethanol blended gasoline and other
26 motor fuel, including fees and penalties, and including
27 effective date provisions.>
28 3. By renumbering as necessary.

By KLEIN of Washington

H-1433 FILED MAY 2, 2013

HOUSE FILE 640

H-1436

1 Amend the amendment, H-1432, to House File 640 as
2 follows:
3 1. Page 2, after line 26 by inserting:
4 <___. Marketing the sale of any renewable
5 fuel, including but not limited to advertising its
6 availability or price on a sign, on a motor fuel pump,
7 on a blender pump, or by media.
8 ___. Selling or dispensing renewable fuel in any
9 specified area located on the dealer's retail premises,
10 including but not limited to any area in which a name
11 or logo of a franchiser or any other entity appears.
12 ___. Using a payment form for the sale of a
13 renewable fuel by the retail dealer that is the same
14 type as the payment form used for the sale of another
15 type of motor fuel or special fuel by the dealer on the
16 dealer's retail premises.>
17 2. By renumbering, redesignating, and correcting
18 internal references as necessary.

By MUHLBAUER of Crawford
KELLEY of Jasper
THOMAS of Clayton

H-1436 FILED MAY 2, 2013

HOUSE FILE 644

H-1419

1 Amend House File 644 as follows:
2 1. Page 3, line 14, by striking <The> and inserting
3 <For the three-year period beginning July 1, 2013, and
4 ending June 30, 2016, the>
5 2. Page 5, by striking line 17 and inserting
6 <EFFICIENCIES STUDIES.
7 1. The homeland security and emergency>
8 3. Page 5, after line 23 by inserting:
9 <2. The homeland security and emergency management
10 division of the department of public defense shall
11 conduct a study to review the administration of the
12 enhanced E911 emergency telephone communication system
13 and expenditures associated with maintaining and
14 operating the system commencing July 1, 2013. The
15 study shall include an assessment of the adequacy
16 of and necessity for the one dollar wire-line E911
17 service surcharge imposed pursuant to section 34A.7
18 and the one dollar emergency communications service
19 surcharge imposed pursuant to section 34A.7A, and a
20 recommendation regarding continuation of the surcharges
21 at those levels or at a reduced level. The division
22 shall submit a report containing the results of the
23 study to the general assembly by January 1, 2016.>

By VANDER LINDEN of Mahaska
WINDSCHITL of Harrison

H-1419 FILED MAY 2, 2013

SENATE FILE 452

H-1420

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, after line 39 by inserting:

<Sec. ___. RENEWABLE ENERGY TRAINING AND EDUCATION. There is appropriated from the general fund of the state to the department of workforce development for the following fiscal years, the following amounts, or so much thereof as is necessary, to distribute for a public purpose to an entity with a mission of educating workers and the public in the various aspects of renewable energy, its usage, and related occupational opportunities:

1. FY 2013-2014 ..... $ 150,000

2. FY 2014-2015 ..... $ 150,000>

2. By renumbering as necessary.

By KELLEY of Jasper

H-1420 FILED MAY 2, 2013

SENATE FILE 452

H-1421

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 45, after line 25 by inserting:
5 <DIVISION ___
6 SCHOOL EMPLOYEES ---- BACKGROUND INVESTIGATIONS
7 Sec. ___. NEW SECTION. 279.69 School employees ----
8 background investigations.
9 1. Prior to hiring an applicant for a school
10 employee position, a school district shall have access
11 to and shall review the information in the Iowa court
12 information system available to the general public,
13 the sex offender registry information under section
14 692A.121 available to the general public, the central
15 registry for child abuse information established under
16 section 235A.14, and the central registry for dependent
17 adult abuse information established under section
18 235B.5 for information regarding the applicant. A
19 school district shall implement a consistent policy
20 to follow the same procedure for each school employee
21 employed by the school district on or after July
22 1, 2013, at least every five years after the school
23 employee's date of hire. A school district shall
24 not charge an employee for the cost of the registry
25 checks conducted pursuant to this subsection. A school
26 district shall maintain documentation demonstrating
27 compliance with this subsection.
28 2. Being listed in the sex offender registry
29 established under chapter 692A, the central registry
30 for child abuse information established under section
31 235A.14, or the central registry for dependent adult
32 abuse information established under section 235B.5
33 shall constitute grounds for the immediate suspension
34 from duties of a school employee, pending a termination
35 hearing by the board of directors of a school district.
36 A termination hearing conducted pursuant to this
37 subsection shall be limited to the question of whether
38 the school employee was incorrectly listed in the
39 registry.
40 3. For purposes of this section, "school employee"
41 means an individual employed by a school district,
42 including a part-time, substitute, or contract
43 employee. "School employee" does not include an
44 individual subject to a background investigation
45 pursuant to section 272.2, subsection 17, section
46 279.13, subsection 1, paragraph "b", or section
47 321.375, subsection 2.
48 Sec. ___. STATE MANDATE FUNDING SPECIFIED. In
49 accordance with section 25B.2, subsection 3, the state
50 cost of requiring compliance with any state mandate

1 included in this division of this Act shall be paid
2 by a school district from state school foundation
3 aid received by the school district under section
4 257.16. This specification of the payment of the
5 state cost shall be deemed to meet all of the state
6 funding-related requirements of section 25B.2,
7 subsection 3, and no additional state funding shall be
8 necessary for the full implementation of this division
9 of this Act by and enforcement of this division of this
10 Act against all affected school districts.>

By PRICHARD of Floyd
RUFF of Clayton

H-1421 FILED MAY 2, 2013

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 46, after line 5 by inserting:
5 <DIVISION ___
6 MH/DS SYSTEM REDESIGN ---- IMPLEMENTATION
7 REGIONAL FORMATION REQUIREMENTS
8 Sec. ___. Section 331.389, subsection 3, paragraph
9 a, Code 2013, is amended to read as follows:
10 a. The counties comprising the region are
11 contiguous except that a region may include a county
12 that is not contiguous with any of the other counties
13 in the region, if the county that is not contiguous has
14 had a formal relationship for two years or longer with
15 one or more of the other counties in the region for the
16 provision of mental health and disability services.
17 ELIGIBILITY MAINTENANCE
18 Sec. ___. Section 331.396, subsection 1, Code 2013,
19 is amended by adding the following new paragraph:
20 NEW PARAGRAPH. 0d. Notwithstanding paragraphs
21 "a" through "c", the person is an adult or child who
22 received mental health services from a county in
23 accordance with the county's service management plan
24 approved under section 331.439, Code 2013.
25 Sec. ___. Section 331.396, subsection 2, Code 2013,
26 is amended by adding the following new paragraph:
27 NEW PARAGRAPH. 0d. Notwithstanding paragraphs
28 "a" through "c", the person is an adult or child who
29 received intellectual disability services from a county
30 in accordance with the county's service management plan
31 approved in accordance with section 331.439, Code 2013.
32 Sec. ___. Section 331.397, subsection 2, paragraph
33 b, Code 2013, is amended to read as follows:
34 b. Until funding is designated for other service
35 populations, eligibility for the service domains
36 listed in this section shall be limited to such persons
37 who are in need of mental health or intellectual
38 disability services. However, if a county in a region
39 was providing services to an individual child or to an
40 individual adult person with a developmental disability
41 other than intellectual disability or a brain injury
42 prior to formation of the region, the individual child
43 or adult person shall remain eligible for the services
44 provided when the region is formed, provided that funds
45 are available to continue such services.
46 STATE PAYMENTS TO REGION
47 Sec. ___. Section 426B.3, subsection 4, as enacted
48 by 2012 Iowa Acts, chapter 1120, section 137, is
49 amended to read as follows:
50 4. a. For the fiscal years beginning July 1, 2013,

1 and July 1, 2014, a county with a county population
2 expenditure target amount that exceeds the amount of
3 the county's base year expenditures for mental health
4 and disabilities services shall receive an equalization
5 payment for the difference.
6 b. The equalization payments determined in
7 accordance with this subsection shall be made by the
8 department of human services for each fiscal year as
9 provided in appropriations made from the property tax
10 relief fund for this purpose. If the county is part of
11 a region that has been approved by the department in
12 accordance with section 331.389, to commence partial
13 or full operations, the county's equalization payment
14 shall be remitted to the region for expenditure as
15 approved by the region's governing board. The payment
16 for a county that has been approved by the department
17 to operate as an individual county region shall be
18 remitted to the county for expenditure as approved by
19 the county board of supervisors. For the fiscal year
20 beginning July 1, 2013, and succeeding fiscal years,
21 the payment shall be remitted on or before December
22 31 only for those counties approved to operate as an
23 individual county region or to be part of a region.
24 Remittance of the payment for a county without such
25 approval shall be deferred until such approval is
26 granted.
27 STRATEGIC PLAN REQUIREMENT FOR FY 2013-2014
28 Sec. ___. 2012 Iowa Acts, chapter 1128, section 8,
29 is amended to read as follows:
30 SEC. 8. COUNTY MENTAL HEALTH, ~~MENTAL RETARDATION~~
31 INTELLECTUAL DISABILITY, AND DEVELOPMENTAL
32 DISABILITIES SERVICES MANAGEMENT PLAN ---- STRATEGIC
33 PLAN. Notwithstanding section 331.439, subsection
34 1, paragraph "b", subparagraph (3), counties are not
35 required to submit a three-year strategic plan by
36 April 1, 2012, to the department of human services. A
37 county's strategic plan in effect as of the effective
38 date of this section shall remain in effect until the
39 regional service system management plan for the region
40 to which the county belongs is approved in accordance
41 with section 331.393, subject to modification before
42 that date as necessary to conform with statutory
43 changes affecting the plan and any amendments to the
44 plan that are adopted in accordance with law.
45 TRANSITION FUNDS -- FY 2012-2013
46 Sec. ___. 2013 Iowa Acts, House File 160, section
47 1, is amended by adding the following new subsection:
48 NEW SUBSECTION. 4. A county receiving an
49 allocation under this section may use the allocation
50 to pay for non-Medicaid mental health and disability

1 services provided during the state fiscal year
2 beginning July 1, 2012, and for the county's unpaid
3 obligation for non-Medicaid bills for services provided
4 in prior state fiscal years. Moneys allocated in this
5 section shall not be used for services provided in
6 the state fiscal year beginning July 1, 2013. Moneys
7 allocated to a county under this section that remain
8 unencumbered or unobligated at the close of the state
9 fiscal year beginning July 1, 2012, shall be remitted
10 to the department on or before December 15, 2013.
11 TRANSITION FUND ---- SERVICES MAINTENANCE
12 Sec. ___. TRANSITION FUND ---- SERVICES
13 MAINTENANCE. A county receiving an allocation of
14 funding from the mental health and disability services
15 redesign transition fund created in 2012 Iowa Acts,
16 chapter 1120, section 23, shall utilize the allocation
17 so that the services available to an individual child
18 or other individual person in accordance with the
19 county's approved service management plan in effect as
20 of June 30, 2012, remain in place provided the child or
21 other person continues to comply with the eligibility
22 requirements applicable under the plan as of that date.
23 REDESIGN EQUALIZATION PAYMENT APPROPRIATION
24 Sec. ___. MENTAL HEALTH AND DISABILITY SERVICES ----
25 EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.
26 1. There is transferred from the general fund of
27 the state to the department of human services for the
28 fiscal year beginning July 1, 2013, and ending June 30,
29 2014, the following amount, or so much thereof as is
30 necessary, to be used for the purposes designated:
31 For deposit in the property tax relief fund created
32 in section 426B.1, for distribution as provided in this
33 section:
34 ..... $ 29,820,478
35 2. The moneys credited to the property tax relief
36 fund in accordance with this section are appropriated
37 to the department of human services for distribution
38 of equalization payments for counties in the amounts
39 specified in section 426B.3, subsection 4, as enacted
40 by 2012 Iowa Acts, chapter 1120, section 137, for the
41 fiscal year beginning July 1, 2013. If the county
42 is part of a region that has been approved by the
43 department in accordance with section 331.389, to
44 commence partial or full operations, the county's
45 equalization payment shall be remitted to the region
46 for expenditure as approved by the region's governing
47 board.
48 3. a. For the purposes of this subsection,
49 "payment obligation" means an outstanding obligation
50 for payment to the department of human services for the

1 undisputed cost of services provided under the medical
2 assistance program prior to July 1, 2012, or for the
3 undisputed cost of non-Medicaid services provided prior
4 to July 1, 2013.
5 b. (1) If a county with a payment obligation
6 has not either satisfied the payment obligation on
7 or before June 28, 2013, or received approval by the
8 director of human services for a repayment plan for
9 the obligation in accordance with subparagraph (2),
10 the department shall offset up to the amount of the
11 obligation any amount otherwise payable to or for the
12 county under this section or under the mental health
13 and disability regional services fund created in 2012
14 Iowa Acts, chapter 1120, section 9. Any offset amount
15 shall be transferred to the appropriation made for
16 the medical assistance program for the fiscal year
17 beginning July 1, 2012, in 2011 Iowa Acts, chapter
18 1133, section 122. The department shall credit a
19 county's payment obligation with any amount owed by
20 the department to the county for mental health or
21 disability services provided through June 30, 2013.
22 (2) A county with a payment obligation may submit
23 a request to the department to enter into a repayment
24 plan to satisfy the payment obligation during the
25 fiscal year beginning July 1, 2013. The request must
26 be submitted to the department on or before June 15,
27 2013. The terms of a repayment plan shall require
28 the payment obligation to be paid in full by the
29 close of the fiscal year beginning July 1, 2013, and
30 provide, after county payments for the fiscal year are
31 made in accordance with the plan, that the projected
32 ending balance of the county's services fund under
33 section 331.424A be equal to at least 15 percent of
34 the projected gross revenue for the services fund
35 for the fiscal year. The terms may also allow for
36 the department to authorize remittance of all or a
37 portion of the amount otherwise payable to or for the
38 county under this section or under the mental health
39 and disability regional services fund created in 2012
40 Iowa Acts, chapter 1120, section 9, during or upon
41 completion of the repayment plan. A payment plan
42 entered into under this subparagraph and its terms and
43 conditions are subject to approval of the director of
44 human services. The director's approval process shall
45 be completed on or before July 30, 2013.
46 c. The equalization payment under this section for
47 a county that is not subject to paragraph "b" shall be
48 remitted on or before July 15, 2013.
49 MEDICAID OBLIGATION COST SETTLEMENT
50 Sec. ___. COUNTY MEDICAL ASSISTANCE NONFEDERAL

1 SHARE ---- COST SETTLEMENT. Any county obligation for
2 payment to the department of human services of the
3 nonfederal share of the cost of services provided under
4 the medical assistance program prior to July 1, 2012,
5 pursuant to sections 249A.12 and 249A.26, shall remain
6 at the amount billed through the period ending June 30,
7 2013. The final monthly billings for the obligations
8 shall be remitted to counties on or before August 1,
9 2013. Any adjustments to the final amounts billed for
10 such services that occur on or after July 1, 2013,
11 shall be applied to the appropriation made to the
12 department of human services from the general fund of
13 the state for the medical assistance program for the
14 fiscal year beginning July 1, 2013.
15 TRANSITION FROM LEGAL SETTLEMENT TO RESIDENCY
16 Sec. ___. MENTAL HEALTH AND DISABILITY REGIONAL
17 SERVICES FUND ---- FY 2013-2014. Moneys credited to
18 the mental health and disability regional services
19 fund created in 2012 Iowa Acts, chapter 1120, section
20 9, for the fiscal year beginning July 1, 2013, are
21 appropriated to the department for distribution to
22 be used to pay the costs of county or regionally
23 administered non-Medicaid mental health and disability
24 services. The department of human services shall
25 determine the financial need of counties as necessary
26 to minimize the effects of the change in determining
27 the financial responsibility for such services based
28 on legal settlement to residency. If the county of
29 residence is part of a region that has been approved
30 by the department in accordance with section 331.389,
31 to commence partial or full operations, the moneys
32 appropriated by this section shall be remitted to the
33 region for expenditure as approved by the region's
34 governing board.
35 COUNTY MENTAL HEALTH AND DISABILITY
36 SERVICES FUND ---- FY 2013-2014
37 Sec. ___. SERVICES FUND ---- MANAGEMENT PLAN. For
38 the fiscal year beginning July 1, 2013, and ending
39 June 30, 2014, the appropriations made by the county
40 board of supervisors for payment for mental health
41 and disability services pursuant to section 331.424A,
42 subsection 3, as enacted by 2012 Iowa Acts, chapter
43 1120, section 132, shall be made in accordance with the
44 county's service management plan approved under section
45 331.439, Code 2013, until the county management plan is
46 replaced by a regional service system management plan
47 approved under section 331.393.
48 Sec. ___. EFFECTIVE UPON ENACTMENT. This division
49 of this Act, being deemed of immediate importance,
50 takes effect upon enactment.

DIVISION ___

DATA AND STATISTICAL INFORMATION AND OUTCOME AND PERFORMANCE MEASURES

Sec. ___. Section 225C.4, subsection 1, paragraph j, Code 2013, is amended to read as follows:

j. Establish and maintain a data collection and management information system oriented to the needs of patients, providers, the department, and other programs or facilities in accordance with section 225C.6A. The system shall be used to identify, collect, and analyze service outcome and performance measures data in order to assess the effects of the services on the persons utilizing the services. The administrator shall annually submit to the commission information collected by the department indicating the changes and trends in the disability services system. The administrator shall make the outcome data available to the public.

Sec. ___. Section 225C.6A, Code 2013, is amended to read as follows:

225C.6A Disability services system ~~redesign~~ central data repository.

1. The ~~commission~~ department shall do the following relating to ~~redesign of~~ data concerning the disability services system in the state:

~~1. Identify sources of revenue to support statewide delivery of core disability services to eligible disability populations.~~

~~2. Ensure there is a continuous improvement process for development and maintenance of the disability services system for adults and children. The process shall include but is not limited to data collection and reporting provisions.~~

~~3.~~ a. Plan, collect, and analyze data as necessary to issue cost estimates for serving additional populations and providing core disability services statewide. The department shall maintain compliance with applicable federal and state privacy laws to ensure the confidentiality and integrity of individually identifiable disability services data. The department ~~shall regularly~~ may periodically assess the status of the compliance in order to assure that data security is protected.

b. ~~In implementing~~ Implement a ~~system~~ central data repository under this ~~subsection~~ section for collecting and analyzing state, county and region, and private contractor data~~, the~~. The department shall establish a client identifier for the individuals receiving services. ~~The client identifier shall be used in lieu of the individual's name or social security number. The client identifier shall consist of the last four~~

~~digits of an individual's social security number, the first three letters of the individual's last name, the individual's date of birth, and the individual's gender in an order determined by the department.~~

c. Consult on an ongoing basis with regional administrators, service providers, and other stakeholders in implementing the central data repository and operations of the repository. The consultation shall focus on minimizing the state and local costs associated with operating the repository.

d. Engage with other state and local government and nongovernmental entities operating the Iowa health information network under chapter 135 and other data systems that maintain information relating to individuals with information in the central data repository in order to integrate data concerning individuals.

~~c.~~ 2. A county or region shall not be required to utilize a uniform data operational or transactional system. However, the system utilized shall have the capacity to exchange information with the department, counties and regions, contractors, and others involved with services to persons with a disability who have authorized access to the central data repository. The information exchanged shall be labeled consistently and share the same definitions. Each ~~county~~ regional administrator shall regularly report to the department ~~annually on or before December 1, for the preceding fiscal year~~ the following information for each individual served: demographic information, expenditure data, and data concerning the services and other support provided to each individual, as specified ~~in administrative rule adopted by the commission~~ by the department.

~~4. Work with county representatives and other qualified persons to develop an implementation plan for replacing the county of legal settlement approach to determining service system funding responsibilities with an approach based upon residency. The plan shall address a statewide standard for proof of residency, outline a plan for establishing a data system for identifying residency of eligible individuals, address residency issues for individuals who began residing in a county due to a court order or criminal sentence or to obtain services in that county, recommend an approach for contesting a residency determination, and address other implementation issues.~~

3. The outcome and performance measures applied to the regional disability services system shall utilize measurement domains. The department may

1 identify other measurement domains in consultation with
2 system stakeholders to be utilized in addition to the
3 following initial set of measurement domains:
4 a. Access to services.
5 b. Life in the community.
6 c. Person-centeredness.
7 d. Health and wellness.
8 e. Quality of life and safety.
9 f. Family and natural supports.
10 4. a. The processes used for collecting outcome
11 and performance measures data shall include but are
12 not limited to direct surveys of the individuals and
13 families receiving services and the providers of the
14 services. The department shall involve a workgroup of
15 persons who are knowledgeable about both the regional
16 service system and survey techniques to implement and
17 maintain the processes. The workgroup shall conduct
18 an ongoing evaluation for the purpose of eliminating
19 the collection of information that is not utilized.
20 The surveys shall be conducted with a conflict-free
21 approach in which someone other than a provider of
22 services surveys an individual receiving the services.
23 b. The outcome and performance measures data
24 shall encompass and provide a means to evaluate both
25 the regional services and the services funded by the
26 medical assistance program provided to the same service
27 populations.
28 c. The department shall develop and implement an
29 internet-based approach with graphical display of
30 information to provide outcome and performance measures
31 data to the public and those engaged with the regional
32 service system.
33 d. The department shall include any significant
34 costs for collecting and interpreting outcome and
35 performance measures and other data in the department's
36 operating budget.
37 Sec. ___. REPEAL. The amendment to section 225C.4,
38 subsection 1, paragraph j, in 2012 Iowa Acts, chapter
39 1120, section 2, is repealed.
40 Sec. ___. REPEAL. The amendments to section
41 225C.6A, in 2012 Iowa Acts, chapter 1120, sections 6,
42 7, and 95, are repealed.
43 DIVISION ___
44 CHILDREN'S CABINET
45 Sec. ___. NEW SECTION. 242.1 Findings.
46 The general assembly finds there is a need for a
47 state-level children's cabinet to provide guidance,
48 oversight, problem solving, long-term strategy
49 development, and collaboration among the state and
50 local efforts to build a comprehensive, coordinated

1 system to promote the well-being of the children in
2 this state and to address the needs of children for
3 mental health treatment and other specialized services.
4 Sec. ___. NEW SECTION. 242.2 Children's cabinet
5 established.
6 There is established within the department of human
7 services a children's cabinet.
8 1. The voting members of the children's cabinet
9 shall consist of the following:
10 a. The director of the department of education or
11 the director's designee.
12 b. The director of the department of human services
13 or the director's designee. This member shall be
14 chairperson of the cabinet.
15 c. The director of the department of public health
16 or the director's designee.
17 d. A parent of a child with a severe emotional
18 disturbance or a disability who is the primary
19 caregiver for that child, appointed by the governor.
20 e. A juvenile court judge or juvenile court officer
21 appointed by the chief justice of the supreme court.
22 f. A community-based provider of child welfare,
23 health, or juvenile justice services to children,
24 appointed by the director of human services.
25 g. A member of the early childhood Iowa state
26 board, appointed by the state board.
27 h. A community stakeholder who is not affiliated
28 with a provider of services, appointed by the governor.
29 i. Not more than three other members, including
30 a pediatrician, designated by the cabinet chairperson
31 to ensure adequate representation of the persons and
32 interests who may be affected by the recommendations
33 made by the cabinet.
34 2. In addition to the voting members, there
35 shall be four ex officio, nonvoting members of the
36 children's cabinet. These members shall be two state
37 representatives, one appointed by the speaker of
38 the house of representatives and one by the minority
39 leader of the house of representatives, and two state
40 senators, one appointed by the majority leader of the
41 senate and one by the minority leader of the senate.
42 3. a. The voting members, other than department
43 directors and their designees, shall be appointed for
44 four-year terms. The terms of such members begin on
45 May 1 in the year of appointment and expire on April 30
46 in the year of expiration.
47 b. Vacancies shall be filled in the same manner as
48 original appointments. A vacancy shall be filled for
49 the unexpired term.
50 c. The voting members shall receive actual and

1 necessary expenses incurred in the performance of their
2 duties and legislative members shall be compensated as
3 provided in section 2.32A.
4 4. Staffing services for the children's cabinet
5 shall be provided by the department of human services.
6 Sec. ___. NEW SECTION. 242.3 Duties.
7 The children's cabinet shall perform the following
8 duties to address the needs of children and families in
9 this state:
10 1. Recommend operating provisions for health homes
11 for children implemented by the department of human
12 services. The provisions shall include but are not
13 limited to all of the following:
14 a. Identification of quality expectations.
15 b. Identification of performance criteria.
16 c. Provisions for monitoring the implementation of
17 specialized health homes.
18 2. Gather information and improve the understanding
19 of policymakers and the public of how the various
20 service systems intended to meet the needs of children
21 and families operate at the local level.
22 3. Address areas of overlap, gaps, and conflict
23 between service systems.
24 4. Support the evolution of service systems in
25 implementing new services and enhancing existing
26 services to address the needs of children and families
27 through process improvement methodologies.
28 5. Assist policymakers and service system users in
29 understanding and effectively managing system costs.
30 6. Ensure services offered are evidence-based.
31 7. Issue guidelines to enable the services and
32 other support which is provided by or under the control
33 of state entities and delivered at the local level to
34 have sufficient flexibility to engage local resources
35 and meet unique needs of children and families.
36 8. Integrate efforts of policymakers and service
37 providers to improve the well-being of community
38 members in addition to children and families.
39 9. Implement strategies so that the children and
40 families engaged with the service systems avoid the
41 need for higher level services and other support.
42 10. Submit a report annually by December 15 to the
43 governor, general assembly, and supreme court providing
44 findings and recommendations and issue other reports as
45 deemed necessary by the cabinet. The reports submitted
46 or issued by the children's cabinet shall be posted on
47 the department's internet site.
48 Sec. ___. INITIAL TERMS. Notwithstanding section
49 242.2, subsection 3, paragraph "a", as enacted by
50 this division of this Act, the appointing authorities

for the members of the children's cabinet created by this division of this Act who are subject to terms of service shall be coordinated so that the initial terms of approximately half of such members are two years and the remainder are for four years and remain staggered thereafter.>

2. By renumbering as necessary.

By FRY of Clarke

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 46, after line 5 by inserting:

<DIVISION ___
IGNITION INTERLOCK

Sec. ___. Section 321J.2, subsection 3, paragraph c, unnumbered paragraph 1, Code 2013, is amended to read as follows:

Assessment of a fine of one thousand two hundred fifty dollars. However, ~~in the discretion of the court,~~ if no personal or property injury has resulted from the defendant's actions, the court ~~may~~ shall waive no less than four hundred fifty dollars and up to ~~six hundred twenty-five dollars~~ one-half of the amount of the fine when the defendant presents to the court at the end of the minimum period of ineligibility a temporary restricted license issued pursuant to section 321J.20.

Sec. ___. Section 321J.20, subsections 1 and 2, Code 2013, are amended to read as follows:

1. a. The department may, on application, issue a temporary restricted license to a person whose noncommercial driver's license is revoked under this chapter allowing the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by ~~the~~ any of the following:

(1) The person's full-time or part-time employment~~,~~.

(2) The person's continuing health care or the continuing health care of another who is dependent upon the person~~,~~.

(3) The person's continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion~~,~~.

(4) The person's substance abuse treatment~~,~~ and to attend groups whose purpose is to eliminate or reduce alcohol or other drug use.

(5) The person's court-ordered community service responsibilities~~, and appointments~~.

(6) Appointments with the person's parole or probation officer.

(7) Transport of the person's dependent minor child to and from school when public school transportation is not available for the child.

(8) Transport of the person's dependent minor child to and from child care when necessary for the person's

full-time or part-time employment.

b. The department may also issue a temporary restricted license under this subsection that allows the person to drive for work purposes within the scope of the person's full-time or part-time employment. Any vehicle operated within the scope of the person's full-time or part-time employment must be equipped at all times with an ignition interlock device of a type approved by the commissioner of public safety, notwithstanding any provision of section 321J.4, 321J.9, or 321J.12 to the contrary.

c. The department may issue a temporary restricted license under this subsection only if the person's driver's license has not been revoked previously under section 321J.4, 321J.9, or 321J.12 and if any of the following apply:

(1) The person's noncommercial driver's license is revoked under section 321J.4 and the minimum period of ineligibility for issuance of a temporary restricted license has expired. This subsection shall not apply to a revocation ordered under section 321J.4 resulting from a plea or verdict of guilty of a violation of section 321J.2 that involved a death.

(2) The person's noncommercial driver's license is revoked under section 321J.9 and the person has entered a plea of guilty on a charge of a violation of section 321J.2 which arose from the same set of circumstances which resulted in the person's driver's license revocation under section 321J.9 and the guilty plea is not withdrawn at the time of or after application for the temporary restricted license, and the minimum period of ineligibility for issuance of a temporary restricted license has expired.

(3) The person's noncommercial driver's license is revoked under section 321J.12, and the minimum period of ineligibility for issuance of a temporary restricted license has expired.

~~b.~~ d. A temporary restricted license may be issued under this subsection if the person's noncommercial driver's license is revoked for two years under section 321J.4, subsection 2, or section 321J.9, subsection 1, paragraph "b", and the first three hundred sixty-five days of the revocation have expired.

~~c.~~ e. This subsection does not apply to a person whose license was revoked under section 321J.2A or section 321J.4, subsection 4 or 6, or to a person whose license is suspended or revoked for another reason.

~~d.~~ f. Following the applicable minimum period of ineligibility, a temporary restricted license under this subsection shall not be issued until the

applicant installs an ignition interlock device of a type approved by the commissioner of public safety on all motor vehicles owned or operated by the applicant in accordance with section 321J.2, 321J.4, 321J.9, or 321J.12, or this subsection. Installation of an ignition interlock device under this subsection shall be required for the period of time for which the temporary restricted license is issued and for such additional period of time following reinstatement as is required under section 321J.17, subsection 3.

2. a. Notwithstanding section 321.560, the department may, on application, and upon the expiration of the minimum period of ineligibility for a temporary restricted license provided for under section 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary restricted license to a person whose noncommercial driver's license has either been revoked under this chapter, or revoked or suspended under chapter 321 solely for violations of this chapter, or who has been determined to be a habitual offender under chapter 321 based solely on violations of this chapter or on violations listed in section 321.560, subsection 1, paragraph "b", and who is not eligible for a temporary restricted license under subsection 1. However, the department may not issue a temporary restricted license under this subsection for a violation of section 321J.2A or to a person under the age of twenty-one whose license is revoked under section 321J.4, 321J.9, or 321J.12. ~~A~~

(1) If the person has no more than one previous revocation under this chapter, a temporary restricted license issued under this subsection may allow the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by any of the following:

(a) The person's full-time or part-time employment.

(b) The person's continuing health care or the continuing health care of another who is dependent upon the person.

(c) The person's continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion.

(d) The person's substance abuse treatment and to attend groups whose purpose is to eliminate or reduce alcohol or other drug use.

(e) The person's court-ordered community service responsibilities.

(f) Appointments with the person's parole or probation officer.

(g) Transport of the person's dependent minor child to and from child care when necessary for the person's full-time or part-time employment.

(2) If the person has more than one previous revocation under this chapter, a temporary restricted license issued under this subsection may allow the person to drive to and from the person's home and specified places at specified times which can be verified by the department and which are required by ~~the~~ any of the following:

(a) The person's full-time or part-time employment~~,~~.

(b) The person's continuing education while enrolled in an educational institution on a part-time or full-time basis and while pursuing a course of study leading to a diploma, degree, or other certification of successful educational completion~~, or~~.

(c) The person's substance abuse treatment and to attend groups whose purpose is to eliminate or reduce alcohol or other drug use.>

2. By renumbering as necessary.

By WOLFE of Clinton
R. OLSON of Polk

H-1423 FILED MAY 2, 2013

SENATE FILE 452

H-1424

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 4, after line 21 by inserting:

<Sec. ___. Section 91C.7, subsection 1, Code 2013, is amended to read as follows:

1. A contractor who is not registered with the labor commissioner as required by this chapter shall not be awarded a contract to perform work for the state ~~or~~, an agency of the state, or a political subdivision of the state.>

2. By renumbering as necessary.

By JACOBY of Johnson

H-1424 FILED MAY 2, 2013

SENATE FILE 452

H-1425

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, by striking lines 9 through 14.
5 2. Page 2, by striking lines 41 through 46.
6 3. Page 3, by striking lines 25 through 37.
7 4. By renumbering as necessary.

By WINCKLER of Scott
ABDUL-SAMAD of Polk
ANDERSON of Polk
BEARINGER of Fayette
BERRY of Black Hawk
COHOON of Des Moines
DUNKEL of Dubuque
FORBES of Polk
GAINES of Polk
GASKILL of Wapello
HALL of Woodbury
HANSON of Jefferson
HEDDENS of Story
HUNTER of Polk
JACOBY of Johnson
KAJTAZOVIC of Black Hawk
KEARNS of Lee
KRESSIG of Black Hawk
LENSING of Johnson
LUNDBY of Linn
LYKAM of Scott
MASCHER of Johnson
H. MILLER of Webster
MUHLBAUER of Crawford
MURPHY of Dubuque
OLDSON of Polk
T. OLSON of Linn
PRICHARD of Floyd
RIDING of Polk
RUFF of Clayton
M. SMITH of Marshall
STAED of Linn
STECKMAN of Cerro Gordo
STUTSMAN of Johnson
T. TAYLOR of Linn
THEDE of Scott
THOMAS of Clayton
WESSEL-KROESCHELL of Story
WOLFE of Clinton
WOOD of Scott

H-1425 FILED MAY 2, 2013

SENATE FILE 452

H-1426

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 46, after line 5 by inserting:
5 <DIVISION ___
6 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING
7 Sec. ___. NEW SECTION. 136A.5A Newborn critical
8 congenital heart disease screening.
9 1. Each newborn born in this state shall receive
10 a critical congenital heart disease screening by
11 pulse oximetry or other means as determined by rule,
12 in conjunction with the metabolic screening required
13 pursuant to section 136A.5.
14 2. An attending health care provider shall ensure
15 that every newborn under the provider's care receives
16 the critical congenital heart disease screening.
17 3. This section does not apply if a parent objects
18 to the screening. If a parent objects to the screening
19 of a newborn, the attending health care provider shall
20 document the refusal in the newborn's medical record
21 and shall obtain a written refusal from the parent and
22 report the refusal to the department.
23 4. Notwithstanding any provision to the contrary,
24 the results of each newborn's critical congenital
25 heart disease screening shall only be reported in a
26 manner consistent with the reporting of the results
27 of metabolic screenings pursuant to section 136A.5
28 if funding is available for implementation of the
29 reporting requirement.
30 5. This section shall be administered in accordance
31 with rules adopted pursuant to section 136A.8.
32 Sec. ___. NEWBORN CRITICAL CONGENITAL HEART
33 DISEASE SCREENING. Notwithstanding any provision
34 to the contrary relating to the newborn screening
35 policy pursuant to 641 IAC 4.3(1), critical congenital
36 heart disease screening shall be included in the
37 state's newborn screening panel as included in the
38 recommended uniform screening panel as approved by the
39 United States secretary of health and human services.
40 The center for congenital and inherited disorders
41 advisory committee shall make recommendations regarding
42 implementation of the screening and the center for
43 congenital and inherited disorders shall adopt rules
44 as necessary to implement the screening. However,
45 reporting of the results of each newborn's critical
46 congenital heart disease screening shall not be
47 required unless funding is available for implementation
48 of the reporting requirement.>
49 2. By renumbering as necessary.

By ISENHART of Dubuque
ABDUL-SAMAD of Polk
ANDERSON of Polk
BEARINGER of Fayette
BERRY of Black Hawk
COHOON of Des Moines
DUNKEL of Dubuque
FORBES of Polk
GASKILL of Wapello
HALL of Woodbury
HANSON of Jefferson
HEDDENS of Story
JACOBY of Johnson
KAJTAZOVIC of Black Hawk
KEARNS of Lee
KRESSIG of Black Hawk
LENSING of Johnson
LUNDBY of Linn
LYKAM of Scott
MASCHER of Johnson
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T. OLSON of Linn
PRICHARD of Floyd
RIDING of Polk
RUFF of Clayton
M. SMITH of Marshall
STAED of Linn
STECKMAN of Cerro Gordo
STUTSMAN of Johnson
T. TAYLOR of Linn
THEDE of Scott
THOMAS of Clayton
WESSEL-KROESCHELL of Story
WINCKLER of Scott
WOLFE of Clinton
WOOD of Scott

H-1426 FILED MAY 2, 2013

SENATE FILE 452

H-1427

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, before line 1 by inserting:
5 <Sec. ___. GENERAL ASSEMBLY ---- HEALTH
6 BENEFITS. The legislative council shall determine the
7 health benefits for members of the general assembly and
8 employees of the general assembly.>
9 2. By striking page 37, line 24, through page 40,
10 line 19.
11 3. By renumbering as necessary.

By HALL of Woodbury

H-1427 FILED MAY 2, 2013

SENATE FILE 452

H-1428

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 2, after line 8 by inserting:
5 <As a condition of the limitation of the
6 appropriation in this subsection, the director of
7 the economic development authority and employees
8 of the economic development authority shall not
9 receive bonus pay unless otherwise authorized by
10 law, required pursuant to a contract of employment
11 entered into before July 1, 2013, or required pursuant
12 to a collective bargaining agreement. For purposes
13 of this section, "bonus pay" means any additional
14 remuneration provided the director or an employee in
15 the form of a bonus, including but not limited to a
16 retention bonus, recruitment bonus, exceptional job
17 performance pay, extraordinary job performance pay,
18 exceptional performance pay, extraordinary duty pay,
19 or extraordinary or special duty pay, and any extra
20 benefit not otherwise provided to other similarly
21 situated employees.>
22 2. Page 2, after line 40 by inserting:
23 <As a condition of the limitation of the
24 appropriation in this subsection, the director of
25 the economic development authority and employees
26 of the economic development authority shall not
27 receive bonus pay unless otherwise authorized by
28 law, required pursuant to a contract of employment
29 entered into before July 1, 2013, or required pursuant
30 to a collective bargaining agreement. For purposes
31 of this section, "bonus pay" means any additional
32 remuneration provided the director or an employee in
33 the form of a bonus, including but not limited to a
34 retention bonus, recruitment bonus, exceptional job
35 performance pay, extraordinary job performance pay,
36 exceptional performance pay, extraordinary duty pay,
37 or extraordinary or special duty pay, and any extra
38 benefit not otherwise provided to other similarly
39 situated employees.>
40 3. By renumbering as necessary.

By KAJTAZOVIC of Black Hawk

H-1428 FILED MAY 2, 2013

SENATE FILE 452

H-1429

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 46, after line 5 by inserting:
5 <DIVISION ___
6 STATE BOARD OF REGENTS ---- TRANSPARENCY
7 Sec. ___. Section 262.8, Code 2013, is amended to
8 read as follows:
9 262.8 Meetings ---- public forums ---- public readings.
10 1. The board shall meet four times a year. Special
11 meetings may be called by the board, by the president
12 of the board, or by the executive director of the board
13 upon written request of any five members thereof.
14 2. Each regular meeting of the state board of
15 regents shall begin with at least thirty minutes for
16 public comment if requested by members of the public.
17 A member of the public shall be granted up to five
18 minutes to make comments and may be granted more time
19 by a member of the board.
20 3. At least two members of the state board of
21 regents shall hold public forums at which issues
22 relating to the activities of the board and the
23 institutions the board governs can be discussed and
24 addressed. The forums shall provide the community
25 with opportunities to pose questions, receive answers,
26 and make comments. The board shall divide the state
27 into at least six geographic regions, including but
28 not limited to northwest, southwest, north central,
29 south central, northeast, and southeast Iowa, and shall
30 hold a forum in accordance with this subsection in each
31 region at least quarterly. Notice of a forum shall
32 be prominently posted on the board's internet site at
33 least two weeks prior to the date of the forum.
34 4. The board shall hold public readings of a
35 proposal at two regular meetings of the board before
36 the board takes action on a proposal before the board
37 if the proposal affects an academic program at an
38 institution governed by the board, or if the estimated
39 cost of the proposal is one hundred thousand dollars or
40 more. A quorum of the board must be physically present
41 at any board meeting that includes a public reading
42 required by this subsection. The affirmative vote of
43 a majority of the membership of the board is necessary
44 for any action to be taken by the board on a proposal
45 subject to this subsection.
46 Sec. ___. Section 262.9, Code 2013, is amended by
47 adding the following new subsection:
48 NEW SUBSECTION. 38. The board is subject to
49 chapters 21 and 22.>
50 2. By renumbering as necessary.

By KAJTAZOVIC of Black Hawk
BEARINGER of Fayette
BERRY of Black Hawk
COHOON of Des Moines
FORBES of Polk
GAINES of Polk
GASKILL of Wapello
HANSON of Jefferson
HEDDENS of Story
HUNTER of Polk
JACOBY of Johnson
KEARNS of Lee
KELLEY of Jasper
KRESSIG of Black Hawk
LENSING of Johnson
MASCHER of Johnson
H. MILLER of Webster
MUHLBAUER of Crawford
MURPHY of Dubuque
PRICHARD of Floyd
RUFF of Clayton
M. SMITH of Marshall
STAED of Linn
STECKMAN of Cerro Gordo
STUTSMAN of Johnson
T. TAYLOR of Linn
THEDE of Scott
THOMAS of Clayton
WESSEL-KROESCHELL of Story
WINCKLER of Scott
WOOD of Scott

H-1429 FILED MAY 2, 2013

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 46, after line 5 by inserting:

<DIVISION ___

MENTAL HEALTH ADVOCATES

Sec. ___. Section 229.19, subsection 1, paragraphs a and b, Code 2013, are amended to read as follows:

a. In each county ~~with a population of three hundred thousand or more inhabitants~~ the ~~board of supervisors~~ chief judge of the judicial district encompassing the county shall appoint an individual who has demonstrated by prior activities an informed concern for the welfare and rehabilitation of persons with mental illness, and who is not an officer or employee of the department of human services nor of any agency or facility providing care or treatment to persons with mental illness, to act as an advocate representing the interests of patients involuntarily hospitalized by the court, in any matter relating to the patients' hospitalization or treatment under section 229.14 or 229.15. ~~In each county with a population of under three hundred thousand inhabitants, the chief judge of the judicial district encompassing the county shall appoint the advocate.~~

b. The court ~~or, if the advocate is appointed by the county board of supervisors, the board~~ shall assign the advocate appointed from a patient's county of ~~legal settlement~~ residence to represent the interests of the patient. If a patient ~~has no county of legal settlement~~ is committed by a court that is not located in the patient's county of residence, the court ~~or, if the advocate is appointed by the county board of supervisors, the board~~ shall assign the advocate appointed from the county where the hospital or facility is located to represent the interests of the patient.

Sec. ___. Section 229.19, subsection 3, Code 2013, is amended to read as follows:

3. The court ~~or, if the advocate is appointed by the county board of supervisors, the board~~ shall prescribe reasonable compensation for the services of the advocate. The compensation shall be based upon the reports filed by the advocate with the court. The advocate's compensation shall be paid by the ~~county in which the court is located, either~~ judicial branch on order of the court ~~or, if the advocate is appointed by the county board of supervisors, on the direction of the board~~. ~~If the advocate is appointed by the court, the~~ The advocate is an employee of the state for

purposes of chapter 669. ~~If the advocate is appointed by the county board of supervisors, the advocate is an employee of the county for purposes of chapter 670.~~ If the patient or the person who is legally liable for the patient's support is not indigent, the ~~board~~ court shall recover the costs of compensating the advocate from that person. If that person has an income level as determined pursuant to section 815.9 greater than one hundred percent but not more than one hundred fifty percent of the poverty guidelines, at least one hundred dollars of the advocate's compensation shall be recovered in the manner prescribed by the ~~county board of supervisors~~ supreme court. If that person has an income level as determined pursuant to section 815.9 greater than one hundred fifty percent of the poverty guidelines, at least two hundred dollars of the advocate's compensation shall be recovered in ~~substantially~~ the ~~same~~ manner prescribed by the ~~county board of supervisors as provided in section 815.9~~ supreme court.

Sec. ___. TRANSITION OF EMPLOYEE RIGHTS OF FORMER COUNTY ---- PAID ADVOCATES.

1. The full-time or part-time county employees or independent contractors paid for mental health advocate services under section 229.19 immediately prior to July 1, 2014, shall become judicial branch employees effective July 1, 2014, and the judicial branch shall assume all costs associated with the functions of the employees on that date. Persons who were paid by the counties immediately prior to becoming state employees as a result of this Act shall not forfeit accrued vacation, accrued sick leave, or benefits related to longevity of service, except as provided in this section.

2. The supreme court, after consulting with the department of administrative services, shall prescribe rules to provide for the following:

a. A person referred to in subsection 1 shall have to the person's credit as a state employee commencing on the date of becoming a state employee the number of accrued vacation days that was credited to the person as a county employee as of the end of the day prior to becoming a state employee.

b. Each person referred to in subsection 1 shall have to the person's credit as a state employee commencing on the date of becoming a state employee the number of accrued days of sick leave that was credited to the person as a county employee as of the end of the day prior to becoming a state employee. However, the number of days of sick leave credited to a person under

1 this subsection and eligible to be taken when sick
2 or eligible to be received upon retirement shall not
3 respectively exceed the maximum number of days, if any,
4 or the maximum dollar amount as provided in section
5 70A.23 that state employees generally are entitled to
6 accrue or receive according to rules in effect as of
7 the date the person becomes a state employee.
8 c. Commencing on the date of becoming a state
9 employee, each person referred to in subsection 1 is
10 entitled to claim the person's most recent continuous
11 period of service in county employment as state
12 employment for purposes of determining the number of
13 days of vacation which the person is entitled to earn
14 each year. The actual vacation benefit, including
15 the limitation on the maximum accumulated vacation
16 leave, shall be determined as provided in section 70A.1
17 according to rules in effect for state employees of
18 comparable longevity, irrespective of any greater or
19 lesser benefit as a county employee.
20 3. Persons referred to in subsection 1 who were
21 covered by county employee life insurance and accident
22 and health insurance plans prior to becoming state
23 employees in accordance with this section shall be
24 permitted to apply prior to becoming state employees
25 for life insurance and health and accident insurance
26 plans that are available to state employees so that
27 those persons do not suffer a lapse of insurance
28 coverage as a result of this section. The judicial
29 branch, after consulting with the department of
30 administrative services, shall prescribe rules and
31 distribute application forms and take other actions
32 as necessary to enable those persons to elect to
33 have insurance coverage that is in effect on the date
34 of becoming state employees. The actual insurance
35 coverage available to a person shall be determined
36 by the plans that are available to state employees,
37 irrespective of any greater or lesser benefits that may
38 have been available to the person as a county employee.
39 4. Commencing on the date of becoming a state
40 employee, each person referred to in subsection 1 is
41 entitled to claim the person's most recent continuous
42 period of service in county employment as state
43 employment for purposes of determining disability
44 benefits as provided in section 70A.20 according to
45 rules in effect for state employees of comparable
46 longevity, irrespective of any greater or lesser
47 benefit that may have been available to the person as a
48 county employee.
49 Sec. ___. EFFECTIVE DATE. This division of this
50 Act takes effect July 1, 2014.>

1 2. By renumbering as necessary.

By M. SMITH of Marshall
ANDERSON of Polk
BEARINGER of Fayette
BERRY of Black Hawk
COHOON of Des Moines
FORBES of Polk
HEDDENS of Story
KEARNS of Lee
LENSING of Johnson
MASCHER of Johnson
H. MILLER of Webster
STUTSMAN of Johnson
T. TAYLOR of Linn
THEDE of Scott
WESSEL-KROESCHELL of Story
WINCKLER of Scott

H-1430 FILED MAY 2, 2013

1 Amend the amendment, H-1404, to Senate File 452,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, after line 21 by inserting:
5 <Sec. ___. Section 49.77, subsection 1, Code 2013,
6 is amended by adding the following new paragraph:
7 NEW PARAGRAPH. c. At the discretion of the
8 commissioner, an electronic election register may
9 be used to produce the declaration required in this
10 subsection. The person desiring to vote shall sign
11 the declaration produced by the electronic election
12 register prior to receiving a ballot.
13 Sec. ___. Section 135C.7, Code 2013, is amended by
14 adding the following new unnumbered paragraph:
15 NEW UNNUMBERED PARAGRAPH In addition to the
16 license fees listed in this section, there shall be
17 an annual assessment assessed to each licensee in an
18 amount to cover the cost of independent reviewers
19 provided pursuant to section 135C.42. The department
20 shall, in consultation with licensees, establish
21 the assessment amount by rule based on the award of
22 a request for proposals. The assessment shall be
23 retained by the department as a repayment receipt as
24 defined in section 8.2 and used for the purpose of
25 paying the cost of the independent reviewers.>
26 2. Page 21, line 20, by striking <April 2011> and
27 inserting <March 2011>
28 3. Page 27, after line 31 by inserting:
29 <Sec. ___. GENERAL AND SPECIAL EDUCATION
30 INSTRUCTIONAL PROGRAMS ---- PRIVATE AGENCY RESIDENTIAL
31 SERVICES.
32 1. For purposes of this section, "private agency"
33 means a residential facility licensed under chapter
34 135H or 237. "Private agency" does not include an
35 institution listed in section 218.1.
36 2. If a private agency contracted with a school
37 district on or before July 1, 2010, to provide general
38 education or special education instructional programs,
39 for the school years beginning July 1, 2012, and
40 July 1, 2013, the private agency may bill the school
41 district for the subsequent costs of such programs, in
42 accordance with billing practices in place on July 1,
43 2010. Such school district may in turn bill a child's
44 school district of residence for such costs. Such
45 costs include, if necessary to meet the special needs
46 of children requiring general education or special
47 education, the costs of general administration, health
48 service, attendance officers, plant operation, and
49 plant maintenance, instructional costs, and the costs
50 of purchase of equipment, transportation, and property,

1 casualty, and liability insurance. Such costs do not
2 include the costs of services otherwise funded pursuant
3 to chapter 135H or 237.
4 3. An auditor conducting an annual audit of
5 a school district pursuant to section 11.6 shall
6 review and verify the information contained in any
7 cost reports submitted to the school district by a
8 private agency contracting with the school district as
9 described in this section.>
10 4. Page 27, after line 50 by inserting:
11 <Sec. ___. EFFECTIVE UPON ENACTMENT. The section
12 of this division of this Act relating to general and
13 special education instructional programs and private
14 agency residential services, being deemed of immediate
15 importance, takes effect upon enactment.>
16 5. Page 46, after line 5 by inserting:
17 <DIVISION ___
18 PRACTICE BY BUSINESS ENTITIES
19 Sec. ___. REPEAL. 2013 Iowa Acts, Senate File 181,
20 section 29, is repealed.
21 Sec. ___. RETROACTIVE APPLICABILITY. This division
22 of this Act applies retroactively to March 28, 2013.
23 Sec. ___. EFFECTIVE UPON ENACTMENT. This division
24 of this Act, being deemed of immediate importance,
25 takes effect upon enactment.
26 DIVISION ___
27 MANUFACTURED AND MOBILE HOMES
28 Sec. ___. Section 435.1, subsection 6, Code 2013,
29 is amended to read as follows:
30 6. "Mobile home park" means a site, lot, field,
31 or tract of land upon which three or more mobile
32 homes, ~~or~~ manufactured homes, modular homes, motor
33 homes, recreational park trailers, travel trailers,
34 or a combination of any of these homes or trailers,
35 are placed on developed spaces pursuant to a rental
36 agreement as defined in section 562B.7 and operated
37 as a for-profit enterprise with water, sewer or
38 septic, and electrical services available. The term
39 "mobile home park" shall not be construed to include
40 manufactured or mobile homes, buildings, tents,
41 or other structures temporarily maintained by any
42 individual, educational institution, or company on
43 their own premises and used exclusively to house their
44 own labor or students. The term "mobile home park"
45 shall not be construed to include a campground as
46 defined in section 557B.1.
47 Sec. ___. Section 435.1, Code 2013, is amended by
48 adding the following new subsections:
49 NEW SUBSECTION. 8. "Motor home" means the same as
50 defined in section 321.1, subsection 36C.

1 NEW SUBSECTION. 9. "Recreational park trailer"
2 means a recreational vehicle built on a single chassis,
3 mounted on wheels, which may be connected to utilities
4 necessary for operation of installed fixtures and
5 appliances, with a gross trailer area not exceeding
6 four hundred square feet when in the set-up mode, and
7 certified by the manufacturer as complying with the
8 American national standards institute construction
9 standard commonly referred to as "ANSI A 119.5".
10 Sec. ___. Section 562B.7, subsection 7, Code 2013,
11 is amended to read as follows:
12 7. "Mobile home park" ~~shall mean any~~ means a
13 site, lot, field, or tract of land upon which three
14 or more mobile homes, manufactured homes, ~~or~~ modular
15 homes, motor homes, recreational park trailers, travel
16 trailers, or a combination of any of these homes
17 or trailers are placed on developed spaces pursuant
18 to a rental agreement and operated as a for-profit
19 enterprise with water, sewer or septic, and electrical
20 services available. The term "mobile home park"
21 shall not be construed to include manufactured or
22 mobile homes, buildings, tents, or other structures
23 temporarily maintained by any individual, educational
24 institution, or company on their own premises and used
25 exclusively to house their own labor or students.
26 The term "mobile home park" shall not be construed to
27 include a campground as defined in section 557B.1.
28 Sec. ___. Section 562B.7, Code 2013, is amended by
29 adding the following new subsections:
30 NEW SUBSECTION. 8A. "Motor home" means the same as
31 defined in section 321.1, subsection 36C.
32 NEW SUBSECTION. 9A. "Recreational park trailer"
33 means a recreational vehicle built on a single chassis,
34 mounted on wheels, which may be connected to utilities
35 necessary for operation of installed fixtures and
36 appliances, with a gross trailer area not exceeding
37 four hundred square feet when in the set-up mode, and
38 certified by the manufacturer as complying with the
39 American national standards institute construction
40 standard commonly referred to as "ANSI A 119.5".>
41 6. Page 46, line 6, by striking <fees,> and
42 inserting <fees>
43 7. Page 46, line 8, by striking <taxation,> and
44 inserting <taxation>
45 8. By renumbering as necessary.

By LOFGREN of Muscatine
SODERBERG of Plymouth

H-1431 FILED MAY 2, 2013

SENATE FILE 452

H-1434

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, line 42, by striking <department of human rights> and inserting <credit union division of the department of commerce>

2. Page 46, after line 5 by inserting:

<DIVISION ___

INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM

Sec. ___. Section 541A.1, subsection 2, Code 2013, is amended by striking the subsection.

Sec. ___. Section 541A.1, subsections 5, 6, and 9, Code 2013, are amended to read as follows:

5. "Financial institution" means a financial institution approved by the ~~administrator~~ superintendent as an investment mechanism for individual development accounts.

6. "Household income" means the annual household income of an account holder or prospective account holder, as determined in accordance with rules adopted by the ~~administrator~~ superintendent.

9. "Operating organization" means an agency selected by the ~~administrator~~ superintendent for involvement in operating individual development accounts directed to a specific target population.

Sec. ___. Section 541A.1, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 11. "Superintendent" means the superintendent of credit unions appointed pursuant to section 533.104.

Sec. ___. Section 541A.2, subsection 1, paragraph a, Code 2013, is amended to read as follows:

a. To be eligible to open an account, a prospective account holder must have a household income that is equal to or less than ~~two~~ one hundred percent of the federal poverty level.

Sec. ___. Section 541A.3, subsection 1, paragraphs c and d, Code 2013, are amended to read as follows:

c. Payment of a state savings match either shall be made directly to the account holder or to an operating organization's central reserve account for later distribution to the account holder in the most appropriate manner as determined by the ~~administrator~~ superintendent.

d. Subject to the limitation in paragraph "a", the state savings match shall be equal to one hundred percent of the amount deposited by the account holder. However, the ~~administrator~~ superintendent may limit, reduce, delay, or otherwise revise state savings match payment provisions as necessary to restrict the

payments to the funding available.

Sec. ___. Section 541A.3, subsection 4, Code 2013, is amended to read as follows:

4. The ~~administrator~~ superintendent shall coordinate the filing of claims for a state savings match authorized under subsection 1, between account holders and operating organizations. Claims approved by the ~~administrator~~ superintendent may be paid to each account holder, for an aggregate amount for distribution to the holders of the accounts in a particular financial institution, or to an operating organization's central reserve account for later distribution to the account holders depending on the efficiency for issuing the state savings match payments. Claims shall be initially filed with the ~~administrator~~ superintendent on or before a date established by the ~~administrator~~ superintendent. Claims approved by the ~~administrator~~ superintendent shall be paid from the individual development account state savings match fund.

Sec. ___. Section 541A.5, subsection 2, paragraph a, Code 2013, is amended to read as follows:

a. The rules adopted by the commission shall include but are not limited to provision for transfer of an individual development account to a different financial institution than originally approved by the ~~administrator~~ superintendent, if the different financial institution has an agreement with the account's operating organization.

Sec. ___. Section 541A.5, subsection 3, Code 2013, is amended to read as follows:

3. The ~~administrator~~ superintendent shall utilize a request for proposals process for selection of operating organizations and approval of financial institutions.

Sec. ___. Section 541A.7, Code 2013, is amended to read as follows:

541A.7 Individual development account state match fund.

1. An individual development account state match fund is created in the state treasury under the authority of the ~~administrator~~ superintendent. Notwithstanding section 8.33, moneys appropriated to the fund shall not revert to any other fund. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

2. Moneys available in the fund for a fiscal year are appropriated to the ~~administrator~~ superintendent to be used to provide the state match for account holder

1 deposits in accordance with section 541A.3. ~~At least~~
2 ~~eighty five percent of the amount appropriated shall~~
3 ~~be used for state match payments and the remainder may~~
4 Moneys credited to the fund shall not be used for the
5 administrative costs of the operating organization.
6 Administrative costs include but are not limited to
7 accounting services, curriculum costs for financial
8 education or asset-specific training, and costs for
9 technical assistance contractors.>
10 3. By renumbering as necessary.

By SODERBERG of Plymouth

H-1434 FILED MAY 2, 2013

SENATE FILE 452

H-1435

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 46, after line 5 by inserting:

<DIVISION ___
HORSE RACING

Sec. ___. Section 99D.7, subsection 5, paragraph b, Code 2013, is amended to read as follows:

b. The commission shall, beginning January 1, 2012, regulate the purse structure for all horse racing so that seventy-six percent is designated for thoroughbred racing, fifteen and one-quarter percent is designated for quarter horse racing, and eight and ~~three quarter~~ three-quarters percent is designated for standardbred racing. The purse moneys designated for standardbred racing may only be used to support standardbred harness racing purses at the state fair, county fairs, or other harness racing tracks approved by the commission, or for the construction, maintenance, or repair of harness racing tracks located in Iowa and at the fairgrounds for such fairs or other harness racing tracks located in Iowa and approved by the commission. The horse racetrack in Polk county shall not provide funding to support standardbred racing at such county fairs that is not otherwise provided for in this paragraph.

Sec. ___. Section 99D.11, subsection 6, paragraph c, subparagraph (4), Code 2013, is amended to read as follows:

(4) An unlicensed advance deposit wagering operator or an individual taking or receiving wagers from residents of this state ~~on races conducted at the horse racetrack located in Polk county~~ is guilty of a class "D" felony.

Sec. ___. Section 99D.25A, subsection 2, Code 2013, is amended to read as follows:

2. Phenylbutazone shall not be administered to a horse in dosages which would result in concentrations of more than five micrograms of the substance or its metabolites per milliliter of blood. In races recognized as graded stakes thoroughbred races, the commission may establish restrictions on dosage amounts for phenylbutazone which would result in concentrations of less than five micrograms of the substance or its metabolites per milliliter of blood.>

2. By renumbering as necessary.

By ISENHART of Dubuque

H-1435 FILED MAY 2, 2013

SENATE FILE 452

H-1437

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 46, after line 5 by inserting:

<DIVISION ___

INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM

Sec. ___. Section 541A.2, subsection 1, paragraph a, Code 2013, is amended to read as follows:

a. To be eligible to open an account, a prospective account holder must have a household income that is equal to or less than ~~two~~ one hundred percent of the federal poverty level.

Sec. ___. Section 541A.7, subsection 2, Code 2013, is amended to read as follows:

2. Moneys available in the fund for a fiscal year are appropriated to the administrator to be used to provide the state match for account holder deposits in accordance with section 541A.3. ~~At least eighty five percent of the amount appropriated shall be used for state match payments and the remainder may~~ Moneys credited to the fund shall not be used for the administrative costs of the operating organization. Administrative costs include but are not limited to accounting services, curriculum costs for financial education or asset-specific training, and costs for technical assistance contractors.>

2. By renumbering as necessary.

By SODERBERG of Plymouth

H-1437 FILED MAY 2, 2013

SENATE FILE 452

H-1438

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. By striking page 4, line 33, through page 5, line 10.

2. By renumbering as necessary.

By L. MILLER of Scott

H-1438 FILED MAY 2, 2013

SENATE FILE 452

H-1439

Amend the amendment, H-1404, to Senate File 452, as amended, passed, and reprinted by the Senate, as follows:

1. Page 45, line 48, after <activities.> by inserting <Moneys in the fund shall not be used for administrative purposes.>

By SODERBERG of Plymouth

H-1439 FILED MAY 2, 2013