

CHAPTER 75

STATE PAYROLL DEDUCTIONS — TUITION

H.F. 748

AN ACT providing for state employee payroll deductions for qualified tuition program contributions.

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

Section 1. NEW SECTION. 70A.17B PAYROLL DEDUCTION FOR ELIGIBLE QUALIFIED TUITION PROGRAM CONTRIBUTIONS.

1. The state officer in charge of any of the state payroll systems shall deduct from the wages or salaries of a state officer or employee an amount specified by the officer or employee for payment to an eligible qualified tuition program in a method consistent with current discretionary payroll deductions and on forms prescribed by the payroll administrator. For purposes of this section, an “eligible qualified tuition program” is a program that meets the requirements of a qualified tuition program under section 529 of the Internal Revenue Code and is a program in which at least five hundred state officers or employees request a payroll deduction and the request for the payroll deduction is made by the state officer or employee in writing to the officer in charge of the program.

2. The moneys deducted under this section shall be paid to the eligible qualified tuition program for the benefit of the officer’s or employee’s account no later than thirty days following the payroll deduction from the wages of the officer or employee. The deduction may be made even though the compensation paid to an officer or employee is reduced to an amount below the minimum prescribed by law. Payment to an officer or employee of compensation less the deduction shall constitute a full discharge of claims and demands for services rendered by the officer or employee during the period covered by the payment. The request for the deduction may be withdrawn at any time by filing a written notification of withdrawal with the state officer in charge of any of the state payroll systems.

Approved April 28, 2005

CHAPTER 76

REGULATION OF GOVERNMENT ETHICS AND LOBBYING

H.F. 253

AN ACT relating to governmental ethics and the duties of the Iowa ethics and campaign disclosure board.

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

Section 1. Section 68B.1, Code 2005, is amended to read as follows:

68B.1 TITLE OF ACT.

This chapter shall be known as the “~~Iowa Public Officials~~ Government Ethics and Lobbying Act”.

Sec. 2. Section 68B.2, subsections 1 and 2, Code 2005, are amended to read as follows:

1. “Agency” means a department, division, board, commission, bureau, authority, or office

of the executive or legislative branch of state government, the office of attorney general, the state board of regents, community colleges, and the office of the governor, including a regulatory agency, or any department, division, board, commission, bureau, or office of a political subdivision of the state, but does not include any agricultural commodity promotional board, which is subject to a producer referendum.

2. "Agency of state government" or "state agency" means a department, division, board, commission, bureau, authority, or office of the executive or legislative branch of state government, the office of attorney general, the state board of regents, community colleges, and the office of the governor, including a regulatory agency, but does not include any agricultural commodity promotional board, which is subject to a producer referendum.

Sec. 3. Section 68B.4, unnumbered paragraph 2, Code 2005, is amended to read as follows:

The board shall adopt rules specifying the method by which employees may obtain agency consent under this section. ~~Each regulatory agency~~ The board shall adopt rules specifying the method by which officials may obtain agency consent under this section. A regulatory agency granting consent under this section shall file a copy of the consent with the board within twenty days of the consent being granted.

Sec. 4. Section 68B.4B, unnumbered paragraph 1, Code 2005, is amended to read as follows:

A permanent full-time member of the office of the governor shall not sell, either directly or indirectly, any goods or services to ~~individuals, associations, or corporations which employ persons who are registered lobbyists~~ a registered lobbyist before the general assembly or the executive branch or to an individual, association, or corporation which employs a person who is a registered lobbyist before the general assembly or the executive branch, except when the member of the office of the governor has met all of the following conditions:

Sec. 5. Section 68B.22, subsection 4, paragraph r, Code 2005, is amended to read as follows:

r. Gifts of food, beverage, and entertainment received by public officials or public employees at a ~~reception function~~ where every member of the general assembly has been invited to attend, when the ~~reception function~~ takes place during a regular session of the general assembly. A sponsor of a ~~reception function~~ under this paragraph shall file a report disclosing the total amount expended, including in-kind expenditures, on food, beverage, and entertainment for the ~~reception function~~. The report shall be filed with the person or persons designated by the secretary of the senate, and the chief clerk of the house, and the board within five business days following the date of the ~~reception function~~. The person or persons designated by the secretary of the senate and the chief clerk of the house shall forward a copy of each report to the board.

Sec. 6. Section 68B.32A, subsections 3, 5, 11, and 12, Code 2005, are amended to read as follows:

3. Review the contents of all campaign finance disclosure reports and statements filed with the board and promptly advise each person or committee of errors found. The board may verify information contained in the reports with other parties to assure accurate disclosure. The board may also verify information by requesting that a candidate or committee produce copies of receipts, bills, logbooks, or other memoranda of reimbursements of expenses to a candidate for expenses incurred during a campaign. The board, upon its own motion, may initiate action and conduct a hearing relating to requirements under chapter 68A. ~~The board may require a county commissioner of elections to periodically file summary reports with the board.~~

5. Prepare and publish a manual setting forth examples of approved uniform systems of accounts and approved methods of disclosure for use by persons required to file statements and reports under this chapter and chapter 68A. The board shall also prepare and publish other

educational materials, and any other reports or materials deemed appropriate by the board. The board shall annually provide all officials and state employees with notification of the contents of this chapter and chapter 68A by distributing copies of educational materials to associations that represent the interests of the various governmental entities for dissemination to their membership each agency of state government under the board's jurisdiction.

11. Establish a procedure for requesting and issuing board advisory opinions to persons subject to the authority of the board under this chapter or chapter 68A. Local officials and local employees may also seek an advisory opinion concerning the application of the applicable provisions of this chapter. Advice contained in board advisory opinions shall, if followed, constitute a defense to a complaint filed with the board alleging a violation of this chapter, chapter 68A, or rules of the board that is based on the same facts and circumstances.

12. Establish rules relating to ethical conduct for ~~persons holding a state office in the executive branch of state government, including candidates, and for employees of the executive branch of state government~~ officials and state employees, including candidates for statewide office, and regulations governing the conduct of lobbyists of the executive branch of state government, including but not limited to conflicts of interest, abuse of office, misuse of public property, use of confidential information, participation in matters in which an official or state employee has a financial interest, and rejection of improper offers.

Approved April 29, 2005

CHAPTER 77

SALES AND USE TAX — INDUSTRIAL PROCESSING EXEMPTION STUDY

H.F. 313

AN ACT relating to the establishment of an industrial processing exemption study committee and including an effective date.

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

Section 1. INDUSTRIAL PROCESSING EXEMPTION STUDY COMMITTEE. Upon enactment of this Act, the department of revenue shall initiate and coordinate the establishment of an industrial processing exemption study committee and provide staffing assistance to the committee. It is the intent of the general assembly that the committee shall include representatives of the department of revenue, department of management, industrial producers including manufacturers, fabricators, printers and publishers, and an association that specifically represents business tax issues, and other stakeholders.

The industrial processing exemption under the sales and use tax is a significant exemption for business. The committee shall study and make legislative and administrative recommendations relating to Iowa's processing exemption to ensure maximum utilization by Iowa's industries.

The committee shall study and make recommendations regarding all of the following:

1. The current sales and use tax industrial processing exemption.
2. The corresponding administrative rules, including a review and recommendation of an administrative rules process relating to the industrial processing exemption prior to filing with the administrative rules review committee.
3. Other states' industrial processing exemptions.