

House Amendment 2139

PAG LIN

1 1 Amend Senate File 601, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 3, line 11, by striking the figure
1 4 <157,868,964> and inserting the following:
1 5 <131,868,964>.
1 6 #2. Page 3, line 24, by striking the figure
1 7 <2,000,000> and inserting the following:
1 8 <28,000,000>.
1 9 #3. Page 4, by striking line 1 the inserting the
1 10 following:
1 11 <..... \$ 99,254,781>
1 12 #4. Page 4, by striking line 10 and inserting the
1 13 following:
1 14 <..... \$ 23,204,000>
1 15 #5. Page 5, by inserting after line 5 the
1 16 following:
1 17 <Sec. _____. UNDERGROUND STORAGE TANK FUND.
1 18 Notwithstanding section 455G.3, subsection 1, there is
1 19 transferred from the Iowa comprehensive petroleum
1 20 underground storage tank fund created in section
1 21 455G.3, subsection 1, to the general fund of the state
1 22 during the fiscal year beginning July 1, 2007, and
1 23 ending June 30, 2008, the following amount:
1 24 \$ 3,000,000>
1 25 #6. By striking page 6, line 23, through page 7,
1 26 line 10, and inserting the following:
1 27 <a. Chief justice of the supreme court:
1 28 \$ 153,109
1 29 b. Each justice of the supreme court:
1 30 \$ 146,890
1 31 c. Chief judge of the court of appeals:
1 32 \$ 141,731
1 33 d. Each associate judge of the court of appeals:
1 34 \$ 136,739
1 35 e. Each chief judge of a judicial district:
1 36 \$ 133,619
1 37 f. Each district judge except the chief judge of a
1 38 judicial district:
1 39 \$ 128,544
1 40 g. Each district associate judge:
1 41 \$ 113,214
1 42 h. Each associate juvenile judge:
1 43 \$ 113,214
1 44 i. Each associate probate judge:
1 45 \$ 113,214
1 46 j. Each judicial magistrate:
1 47 \$ 34,882
1 48 k. Each senior judge:
1 49 \$ 7,238>
1 50 #7. Page 10, line 31, by striking the figure
2 1 <108,598,094> and inserting the following:
2 2 <106,848,094>.
2 3 #8. Page 12, line 10, by striking the figure
2 4 <8,171,248> and inserting the following: <6,771,248>.
2 5 #9. Page 15, line 27, by striking the figure
2 6 <750,000> and inserting the following: <400,000>.
2 7 #10. Page 16, by striking lines 15 through 23.
2 8 #11. Page 19, by striking lines 4 through 12.
2 9 #12. Page 21, line 1, by striking the figure
2 10 <75,000> and inserting the following: <50,000>.
2 11 #13. Page 21, by striking lines 21 through 31.
2 12 #14. Page 22, line 10, by striking the figure
2 13 <2,000,000> and inserting the following: <500,000>.
2 14 #15. Page 23, line 9, by striking the figure
2 15 <500,000> and inserting the following: <200,000>.
2 16 #16. By striking page 25, line 29, through page
2 17 26, line 2.
2 18 #17. By striking page 26, line 35, through page
2 19 27, line 13.
2 20 #18. Page 27, by inserting after line 25 the
2 21 following:
2 22 <Sec. _____. 2007 Iowa Acts, House File 874, section
2 23 7, subsection 4, paragraph a, if enacted, is amended
2 24 to read as follows:

2 25 a. For salaries, support, maintenance, and
 2 26 miscellaneous purposes, and for not more than the
 2 27 following full-time equivalent positions:
 2 28 \$ 4,655,809
 2 29 FTEs ~~100.50~~
 2 30 101.00

2 31 Sec. ____ OFFICE OF ENERGY INDEPENDENCE. If 2007
 2 32 Iowa Acts, House File 927, is enacted and provides for
 2 33 an appropriation from the general fund of the state to
 2 34 the office of energy independence for the fiscal year
 2 35 beginning July 1, 2006, and ending June 30, 2007,
 2 36 allocations from that appropriation for administrative
 2 37 costs shall be for not more than the following
 2 38 full-time equivalent positions:
 2 39 FTEs 4.00>
 2 40 #19. By striking page 30, line 21, through page
 2 41 31, line 17.
 2 42 #20. Page 33, by inserting after line 6 the
 2 43 following:
 2 44 <Sec. ____ Section 469.10, subsection 2, if
 2 45 enacted by 2007 Iowa Acts, House File 927, is amended
 2 46 to read as follows:
 2 47 2. Of the moneys appropriated to the office and
 2 48 deposited in the fund, the office shall utilize up to
 2 49 one and five-tenths percent of the amount appropriated
 2 50 from the fund for a fiscal year for administrative
 3 1 costs. From the funds available for administrative
 3 2 costs, the office shall not employ more than four
 3 3 full-time equivalent positions.>
 3 4 #21. Page 35, by inserting after line 11 the
 3 5 following:
 3 6 <DIVISION ____
 3 7 APPROPRIATION ADJUSTMENTS
 3 8 Sec. ____ VETERANS HOME OWNERSHIP ASSISTANCE
 3 9 PROGRAM.
 3 10 1. There is appropriated from the rebuild Iowa
 3 11 infrastructure fund to the department of veterans
 3 12 affairs for the fiscal year beginning July 1, 2007,
 3 13 and ending June 30, 2008, the following amount, or so
 3 14 much thereof as is necessary, to be used for the
 3 15 purpose designated:
 3 16 For transfer to the Iowa finance authority to be
 3 17 used for continuation of the home ownership assistance
 3 18 program for persons who are or were eligible members
 3 19 of the armed forces of the United States, in
 3 20 accordance with section 35A.15, as enacted by 2007
 3 21 Iowa Acts, Senate File 407, notwithstanding section
 3 22 8.57, subsection 6, paragraph "c":
 3 23 \$ 1,000,000
 3 24 2. Of the funds transferred pursuant to this
 3 25 section, the Iowa finance authority may retain not
 3 26 more than \$20,000 for administrative purposes.
 3 27 3. Of the amount transferred to the Iowa finance
 3 28 authority pursuant to this section, not more than
 3 29 \$50,000 shall be transferred to the department of
 3 30 public defense to be used for the enduring families
 3 31 program.
 3 32 4. Notwithstanding section 8.33, moneys
 3 33 appropriated or transferred in this section that
 3 34 remain unencumbered or unobligated at the close of the
 3 35 fiscal year shall not revert but shall remain
 3 36 available for expenditure for the purposes designated
 3 37 until the close of the succeeding fiscal year.
 3 38 Sec. ____ 2007 Iowa Acts, Senate File 562, section
 3 39 3, subsection 3, paragraphs a and d, if enacted, are
 3 40 amended to read as follows:
 3 41 a. Community development programs
 3 42 For salaries, support, maintenance, miscellaneous
 3 43 purposes, community economic development programs,
 3 44 tourism operations, community assistance, the
 3 45 mainstreet and rural mainstreet programs, the
 3 46 school-to-career program, the community development
 3 47 block grant, and housing and shelter-related programs
 3 48 and for not more than the following full-time
 3 49 equivalent positions:
 3 50 \$ ~~6,422,654~~
 4 1 6,322,654
 4 2 FTEs 58.26
 4 3 d. From the moneys appropriated in this
 4 4 subsection, the department shall use at least
 4 5 ~~\$1,046,000~~ \$946,000 for purposes of the mainstreet and

4 6 rural mainstreet programs.

4 7 Sec. _____. 2007 Iowa Acts, Senate File 562, section

4 8 3, subsection 4, unnumbered paragraph 1, if enacted,

4 9 is amended to read as follows:

4 10 For allocating moneys for the world food prize:

4 11 \$ ~~650,000~~

4 12 450,000

4 13 Sec. _____. 2007 Iowa Acts, Senate File 562, section

4 14 14, subsections 1 and 3, if enacted, are amended to

4 15 read as follows:

4 16 1. There is appropriated from the general fund of

4 17 the state to the university of northern Iowa for the

4 18 fiscal year beginning July 1, 2007, and ending June

4 19 30, 2008, the following amount, or so much thereof as

4 20 is necessary, to be used for the metal casting

4 21 institute, for the myentrenet internet application,

4 22 and for the institute of decision making, including

4 23 salaries, support, maintenance, miscellaneous

4 24 purposes, and for not more than the following

4 25 full-time equivalent positions:

4 26 \$ ~~661,291~~

4 27 561,291

4 28 FTEs 6.75

4 29 3. From the moneys appropriated in this section,

4 30 the university of northern Iowa shall use at least

4 31 ~~\$300,000~~ \$200,000 for purposes of expanding the

4 32 service area of the myentrenet internet application.

4 33 Sec. _____. 2007 Iowa Acts, Senate File 575, section

4 34 4, subsection 1, paragraph b, unnumbered paragraph 1,

4 35 if enacted, is amended to read as follows:

4 36 For educational programs for inmates at state penal

4 37 institutions:

4 38 \$ ~~2,070,358~~

4 39 1,570,350

4 40 Sec. _____. 2007 Iowa Acts, Senate File 575, section

4 41 5, subsection 1, paragraph f, unnumbered paragraph 1,

4 42 if enacted, is amended to read as follows:

4 43 For the sixth judicial district department of

4 44 correctional services:

4 45 \$ ~~12,203,009~~

4 46 12,003,009

4 47 Sec. _____. 2007 Iowa Acts, House File 874, section

4 48 19, subsection 1, if enacted, is amended to read as

4 49 follows:

4 50 1. ADMINISTRATION AND ELECTIONS

5 1 For salaries, support, maintenance, and

5 2 miscellaneous purposes, and for not more than the

5 3 following full-time equivalent positions:

5 4 \$ ~~1,431,015~~

5 5 1,331,015

5 6 FTEs 17.00

5 7 The state department or state agency which provides

5 8 data processing services to support voter registration

5 9 file maintenance and storage shall provide those

5 10 services without charge.>

5 11 #22. By striking page 35, line 26, through page

5 12 36, line 20, and inserting the following:

5 13 <NEW SUBSECTION. 21. a. The director may

5 14 authorize the procurement of goods and services in

5 15 which a contractual limitation of vendor liability is

5 16 provided for and set forth in the documents initiating

5 17 the procurement. The director, in consultation with

5 18 the department of management, shall adopt rules

5 19 setting forth the circumstances in which such

5 20 procurement will be permitted and what types of

5 21 contractual limitations of liability are permitted.

5 22 Rules adopted by the director shall establish criteria

5 23 to be considered in making a determination of whether

5 24 to permit a contractual limitation of vendor liability

5 25 with regard to any procurement of goods and services.

5 26 The criteria, at a minimum, shall include all of the

5 27 following:

5 28 (1) Whether authorizing a contractual limitation

5 29 of vendor liability is necessary to prevent harm to

5 30 the state from a failure to obtain the goods or

5 31 services sought, or from obtaining the goods or

5 32 services at a higher price if the state refuses to

5 33 allow a contractual limitation of vendor liability.

5 34 (2) Whether the contractual limitation of vendor

5 35 liability is commercially reasonable when taking into

5 36 account any risk to the state created by the goods or

5 37 services to be procured and the purpose for which they
5 38 will be used.

5 39 b. Notwithstanding paragraph "a", a contractual
5 40 limitation of vendor liability shall not include any
5 41 limitation on the liability of any vendor for
5 42 intentional torts, criminal acts, or fraudulent
5 43 conduct.

5 44 c. The rules shall provide for the negotiation of
5 45 a contractual limitation of vendor liability
5 46 consistent with the requirements of this section and
5 47 any other requirements of the department as provided
5 48 in any related documents associated with a procurement
5 49 of goods and services.>

5 50 #23. Page 39, by striking lines 18 through 23.

6 1 #24. Page 40, by inserting after line 3 the
6 2 following:

6 3 <Sec. _____. Section 135.105D, subsection 1A, as
6 4 enacted by 2007 Iowa Acts, House File 158, section 2,
6 5 is amended by adding the following new paragraph:

6 6 NEW PARAGRAPH. d. Notwithstanding any other
6 7 provision to the contrary, nothing in this section
6 8 shall subject a parent, guardian, or legal custodian
6 9 of a child of compulsory attendance age to any
6 10 penalties under chapter 299.>

6 11 #25. By striking page 47, line 19, through page
6 12 48, line 2.

6 13 #26. Page 48, by striking lines 3 through 12.

6 14 #27. Page 52, by striking lines 5 through 12.

6 15 #28. Page 55, by inserting after line 22 the
6 16 following:

6 17 <Sec. _____. Section 505.8, Code 2007, is amended by
6 18 adding the following new subsection:

6 19 NEW SUBSECTION. 8. The commissioner may, after a
6 20 hearing conducted pursuant to chapter 17A, assess
6 21 fines or penalties, order restitution, or take other
6 22 corrective action as the commissioner deems necessary
6 23 and appropriate to accomplish compliance with the laws
6 24 of the state relating to all insurance business
6 25 transacted in the state.>

6 26 #29. Page 55, by striking lines 23 through 30.

6 27 #30. By striking page 56, line 13, through page
6 28 57, line 6.

6 29 #31. Page 57, by inserting after line 35 the
6 30 following:

6 31 <Sec. _____. LEGISLATIVE PROPERTY TAX STUDY
6 32 COMMITTEE.

6 33 1. A legislative property tax study committee is
6 34 established. The study committee shall conduct a
6 35 comprehensive review of property taxation in Iowa
6 36 including but not limited to the continued use of
6 37 property taxes as a major funding source for local
6 38 governments and for local school districts in Iowa,
6 39 the classification and assessment of property for
6 40 property tax purposes and the impact of the tie
6 41 between residential and agricultural property
6 42 assessments, the level of consistency employed in
6 43 classifying and assessing property for property tax
6 44 purposes, the various exemptions and credits currently
6 45 available to property taxpayers and the impact on
6 46 local government and state budgets and on other
6 47 taxpayers of providing those credits and exemptions,
6 48 and the use of property taxes as an economic
6 49 development tool and the impact on local and state
6 50 government budgets and on other taxpayers of such use.

7 1 In its study, the committee shall address the goals of
7 2 property tax simplification and equity.

7 3 2. a. The committee shall be comprised of the
7 4 following voting members:

7 5 (1) Five members who are members of the senate,
7 6 three of whom shall be appointed by the majority
7 7 leader of the senate and two of whom shall be
7 8 appointed by the minority leader of the senate.

7 9 (2) Five members who are members of the house of
7 10 representatives, three of whom shall be appointed by
7 11 the speaker of the house of representatives and two of
7 12 whom shall be appointed by the minority leader of the
7 13 house of representatives.

7 14 b. The committee shall be comprised of the
7 15 following nonvoting members who shall be appointed by
7 16 the majority leader of the senate and the speaker of
7 17 the house of representatives in consultation with the

7 18 minority leaders of the senate and the house of
7 19 representatives:
7 20 (1) One member from an association representing
7 21 Iowa counties.
7 22 (2) One member from an association representing
7 23 Iowa cities.
7 24 (3) One member from an association representing
7 25 Iowa school boards.
7 26 (4) One member from an association representing
7 27 agricultural property taxpayers.
7 28 (5) One member from an association representing
7 29 Iowa commercial property taxpayers.
7 30 (6) One member from an association representing
7 31 Iowa industrial taxpayers.
7 32 (7) One member representing residential taxpayers.
7 33 (8) One member from an association representing
7 34 Iowa telecommunications property taxpayers.
7 35 (9) Representatives of other interests as
7 36 designated by the legislative council.
7 37 c. The committee shall be comprised of the
7 38 following nonvoting members who shall be appointed by
7 39 the governor:
7 40 (1) A representative employed by the department of
7 41 management.
7 42 (2) A representative employed by the department of
7 43 revenue.
7 44 (3) A representative employed by the department of
7 45 economic development.
7 46 3. The property tax study committee shall meet
7 47 during the 2007 and 2008 legislative interims at the
7 48 call of the chairperson. The committee is authorized
7 49 to hold as many meetings as the committee deems
7 50 necessary.
8 1 4. The property tax study committee may contract
8 2 with one or more tax consultants or experts familiar
8 3 with the Iowa property tax system. The legislative
8 4 council, pursuant to its authority in section 2.42,
8 5 may allocate to the study committee funding from
8 6 moneys available to it in section 2.12 for the purpose
8 7 of contracting with the consultant or expert.
8 8 5. The property tax study committee shall submit a
8 9 final report to the general assembly on or before
8 10 January 5, 2009. The final report shall include but
8 11 not be limited to findings, analyses, and
8 12 recommendations by the committee.>
8 13 #32. By renumbering, relettering, or redesignating
8 14 and correcting internal references as necessary.
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8 17
8 18 OLDSON of Polk
8 19 SF 601.738 82
8 20 mg/gg/10070