

House Amendment 1352

PAG LIN

1 1 Amend Senate File 415, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. Section 6B.14, subsection 2, Code
1 6 2009, is amended to read as follows:
1 7 2. Prior to the meeting of the commission, the
1 8 commission or a commissioner shall not communicate
1 9 with the applicant, property owner, or tenant, or
1 10 their agents, regarding the condemnation proceedings.
1 11 The commissioners shall meet in open session to view
1 12 the property and to receive evidence, ~~but may and~~
1 13 shall deliberate and vote in closed open session.
~~1 14 When deliberating in closed session, the meeting is~~
~~1 15 closed to all persons who are not commissioners except~~
~~1 16 for personnel from the sheriff's office if such~~
~~1 17 personnel is requested by the commission. After~~
1 18 deliberations commence, the commission and each
1 19 commissioner is prohibited from communicating with any
1 20 party to the proceeding unless such communication
~~1 21 occurs in the presence of or with the consent of the~~
~~1 22 property owner and the other parties who appeared~~
~~1 23 before the commission or their agents. However, if~~
~~1 24 the commission is deliberating in closed session, and~~
~~1 25 after deliberations commence the commission requires~~
~~1 26 further information from a party or a witness, the~~
~~1 27 commission shall notify the property owner and the~~
~~1 28 acquiring agency that they are allowed to attend the~~
~~1 29 meeting at which such additional information shall be~~
~~1 30 provided but only for that period of time during which~~
~~1 31 the additional information is being provided. The~~
~~1 32 property owner and the acquiring agency shall be given~~
~~1 33 a reasonable opportunity to attend the meeting. The~~
1 34 commission shall keep minutes of all its meetings
1 35 showing the date, time, and place, the members
1 36 present, and the action taken at each meeting. The
1 37 minutes shall show the results of each vote taken and
1 38 information sufficient to indicate the vote of each
1 39 member present. ~~The vote of each member present shall~~
~~1 40 be made public at the open session. The minutes shall~~
1 41 be public records open to public inspection.>
1 42 #2. Page 1, line 4, by inserting after the figure
1 43 <657A.10A,> the following: <and notwithstanding
1 44 chapters 6A and 6B,>.
1 45 #3. Page 4, by inserting after line 14 the
1 46 following:
1 47 <Sec. _____. EFFECTIVE DATE. The section of this
1 48 Act amending section 6B.14, being deemed of immediate
1 49 importance, takes effect upon enactment.>
1 50 #4. Title page, line 2, by inserting after the
2 1 word <years> the following: <and to the deliberations
2 2 of a compensation commission during proceedings to
2 3 acquire property through condemnation, and including
2 4 an effective date provision>.
2 5 #5. By renumbering as necessary.
2 6
2 7
2 8
2 9 TYMESON of Madison
2 10 SF 415.705 83
2 11 md/sc/23427