

**PROOF**

---

---

**STATE OF IOWA**

**House Journal**

**TUESDAY, MAY 2, 2006**

---

Printed daily by the State of Iowa during the sessions of the General Assembly.  
An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

---

---

## JOURNAL OF THE HOUSE

One Hundred Fourteenth Calendar Day - Seventy-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, May 2, 2006

The House met pursuant to adjournment at 8:48 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Reginald H. Merrill, pastor of Our Savior United Methodist Church, Manson. He was the guest of Representative Dave Tjepkes of Webster County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, May 1, 2006 was approved.

### ADOPTION OF [HOUSE RESOLUTION 131](#)

Smith of Marshall called up for consideration [House Resolution 131](#), a resolution to designate the month of June 2006 as Prostate Cancer Awareness Month and to encourage all health benefit plan providers to include annual screening for prostate cancer as part of their coverage, and moved its adoption.

The motion prevailed and the resolution was adopted.

### ADOPTION OF [HOUSE RESOLUTION 136](#)

Upmeyer of Hancock called up for consideration [House Resolution 136](#), a resolution recognizing the month of May 2006 as Iowa Heart Health Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 9:02 a.m., until the fall of the gavel.

The House resumed session at 10:35 a.m., Speaker pro tempore Carroll in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2095](#), a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lensing of Johnson and Miller of Webster, on request of Murphy of Dubuque.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-seven members present, thirty-three absent.

## INTRODUCTION OF BILL

[House File 2797](#), by committee on appropriations, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing, reducing, and transferring appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, providing tax exemptions, and providing for properly related matters, and including effective and retroactive applicability date provisions.

Read first time and placed on the **appropriations calendar**.

## CONSIDERATION OF BILLS

## Regular Calendar

[Senate File 2272](#), a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards and including effective and

applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Kaufmann of Cedar offered the following amendment [H-8379](#) filed by the committee on education and moved its adoption:

[H-8379](#)

1 Amend [Senate File 2272](#), as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 21 and 22 and  
4 inserting the following: "services, available to  
5 children attending nonpublic schools in the same  
6 manner and to the same extent that they".

7 2. Page 6, line 7, by inserting before the word  
8 "The" the following: "1."

9 3. Page 6, by inserting after line 25 the  
10 following:

11 "2. Beginning January 15, 2007, the department  
12 shall submit an annual report to the chairpersons and  
13 ranking members of the senate and house education  
14 committees that includes the ways school districts in  
15 the previous school year used modified allowable  
16 growth approved under subsection 1; identifies, by  
17 grade level, age, and district size, the students in  
18 the dropout and dropout prevention programs for which  
19 the department approves a request; describes school  
20 district progress toward increasing student  
21 achievement and attendance for the students in the  
22 programs; and describes how the school districts are  
23 using the revenues from the modified allowable growth  
24 to improve student achievement among minority  
25 subgroups."

26 4. Page 7, by striking lines 4 through 30.

27 5. By striking page 15, line 12 through page 16,  
28 line 23.

29 6. Page 17, by striking lines 7 through 14 and  
30 inserting the following: "receiving district is not  
31 subject to appeal."

32 7. Page 17, by striking line 16 and inserting the  
33 following: "Supplement 2005, is amended by striking  
34 the paragraph and inserting in lieu thereof the  
35 following:

36 c. If a resident district believes that a  
37 receiving district is violating this subsection, the  
38 resident district may, within fifteen days after board  
39 action by the receiving district, submit an appeal to  
40 the director of the department of education.

41 The director, or the director's designee, shall  
42 attempt to mediate the dispute to reach approval by

43 both boards as provided in section 282.18, subsection  
44 16. If approval is not reached under mediation, the  
45 director or the director's designee shall conduct a  
46 hearing and shall hear testimony from both boards.  
47 Within ten days following the hearing, the director  
48 shall render a decision upholding or reversing the  
49 decision by the board of the receiving district.  
50 Within five days of the director's decision, the board

Page 2

1 may appeal the decision of the director to the state  
2 board of education under the procedures set forth in  
3 chapter 290."

4 8. Page 17, by inserting before line 17 the  
5 following:

6 "Sec. \_\_. Section 282.18, subsection 9,  
7 unnumbered paragraph 2, Code Supplement 2005, is  
8 amended to read as follows:

9 If a request to transfer is due to a change in  
10 family residence, change in the state in which the  
11 family residence is located, a change in a child's  
12 parents' marital status, a guardianship proceeding,  
13 placement in foster care, adoption, participation in a  
14 foreign exchange program, or participation in a  
15 substance abuse or mental health treatment program,  
16 and the child, who is the subject of the request, is  
17 enrolled in any grade from kindergarten through grade  
18 twelve at the time of the request and is not currently  
19 using any provision of open enrollment, the parent or  
20 guardian of the child shall have the option to have  
21 the child remain in the child's original district of  
22 residence under open enrollment with no interruption  
23 in the child's kindergarten through grade twelve  
24 educational program. If a parent or guardian  
25 exercises this option, the child's new district of  
26 residence is not required to pay the amount calculated  
27 in subsection 7, until the start of the first full  
28 year of enrollment of the child."

29 9. Page 19, by inserting after line 2 the  
30 following:

31 "Sec. \_\_. NEW SECTION. 299A.11 STUDENT RECORDS  
32 CONFIDENTIAL.

33 Notwithstanding any provision of law or rule to the  
34 contrary, personal information in records regarding a  
35 child receiving competent private instruction pursuant  
36 to this chapter, which are maintained, created,  
37 collected, or assembled by or for a state agency,  
38 shall be kept confidential in the same manner as  
39 personal information in student records maintained,  
40 created, collected, or assembled by or for a school  
41 corporation or educational institution in accordance

42 with section 22.7, subsection 1."

43 10. By renumbering as necessary.

The committee amendment [H-8379](#) was adopted.

Speaker Rants in the chair at 10:43 a.m.

Tymeson of Madison offered amendment [H-8584](#) filed by her as follows:

[H-8584](#)

1 Amend [Senate File 2272](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by inserting before line 1 the  
 4 following:  
 5 "DIVISION I  
 6 PRACTITIONER, STUDENT, AND SCHOOL-RELATED MATTERS  
 7 Section 1. Section 235A.15, subsection 2,  
 8 paragraph e, subparagraph (9), Code Supplement 2005,  
 9 is amended to read as follows:  
 10 (9) To the board of educational examiners created  
 11 under chapter 272 for purposes of determining whether  
 12 a ~~practitioner's~~ license, ~~certificate, or~~  
 13 ~~authorization~~ should be ~~issued~~, denied, or revoked.  
 14 Sec. 2. Section 235B.6, subsection 2, paragraph e,  
 15 Code Supplement 2005, is amended by adding the  
 16 following new subparagraph:  
 17 NEW SUBPARAGRAPH. (12) To the board of  
 18 educational examiners created under chapter 272 for  
 19 purposes of determining whether a license,  
 20 certificate, or authorization should be issued,  
 21 denied, or revoked.  
 22 Sec. 3. Section 256.7, subsection 21, paragraph c,  
 23 Code Supplement 2005, is amended to read as follows:  
 24 c. A requirement that all school districts and  
 25 accredited nonpublic schools annually report to the  
 26 department and the local community the district-wide  
 27 progress made in attaining student achievement goals  
 28 on the academic and other core indicators and the  
 29 district-wide progress made in attaining locally  
 30 established student learning goals. The school  
 31 districts and accredited nonpublic schools shall  
 32 demonstrate the use of multiple assessment measures in  
 33 determining student achievement levels. The school  
 34 districts and accredited nonpublic schools shall also  
 35 report the number of students who ~~enter ninth grade~~  
 36 ~~but do not graduate from the school or school~~  
 37 ~~district, utilizing the definition of graduation rate~~  
 38 specified by the national governors association; the

39 number of students who drop out of school; the number  
40 of students pursuing a high school equivalency diploma  
41 pursuant to chapter 259A; the number of students who  
42 were enrolled in the district within the past five  
43 years and who received a high school equivalency  
44 diploma; the percentage of students who receive a high  
45 school diploma and who were not proficient in reading,  
46 mathematics, and science in grade eleven; the number  
47 of students in the prior year who were enrolled as  
48 high school juniors who are within four units or  
49 credits of meeting the district's graduation  
50 requirements; the number of students who are tested

Page 2

1 and the percentage of students who are so tested  
2 annually; and the percentage of students who graduated  
3 during the prior school year and who completed a core  
4 curriculum. The board shall develop and adopt uniform  
5 definitions consistent with the federal No Child Left  
6 Behind Act of 2001, Pub. L. No. 107-110 and any  
7 federal regulations adopted pursuant to the federal  
8 Act. The school districts and accredited nonpublic  
9 schools may report on other locally determined factors  
10 influencing student achievement. The school districts  
11 and accredited nonpublic schools shall also report to  
12 the local community their results by individual  
13 attendance center.  
14 Sec. 4. Section 256.7, subsection 26, Code  
15 Supplement 2005, is amended to read as follows:  
16 ~~26. Develop a model core curriculum, taking into~~  
17 ~~consideration the recommendations of the Adopt rules~~  
18 ~~requiring at a minimum that at least eighty percent of~~  
19 ~~all students enrolled in each school district~~  
20 ~~complete, as a condition of graduation from high~~  
21 ~~school, the core curriculum recommended by American~~  
22 ~~college testing program, inc., beginning with students~~  
23 ~~in the 2010-2011 school year graduating class. The~~  
24 ~~state board shall set a goal of increasing the number~~  
25 ~~of students graduating from secondary school who have~~  
26 ~~successfully completed a core curriculum, by July 1,~~  
27 ~~2009, to eighty percent of all students graduating~~  
28 ~~from secondary schools in this state, except that the~~  
29 ~~goal shall be exclusive of students~~ Students who have  
30 special or alternative means for satisfying graduation  
31 requirements under individualized educational plans  
32 developed for the students are exempt from the  
33 graduation requirements set forth in this subsection.  
34 For purposes of this section, "core curriculum" means  
35 the minimum number of specific high school courses  
36 that a student needs to take in preparation for  
37 advanced career and vocational purposes.

38 Sec. 5. Section 256D.1, subsection 1, paragraph b,  
39 subparagraph (1), Code 2005, is amended to read as  
40 follows:

41 (1) A school district shall at a minimum  
42 biannually inform parents of their individual child's  
43 performance on the diagnostic assessments in  
44 kindergarten through grade three. If intervention is  
45 appropriate, the school district shall inform the  
46 parents of the actions the school district intends to  
47 take to improve the child's reading skills and provide  
48 the parents with strategies to enable the parents to  
49 improve their child's skills. If the diagnostic  
50 assessments administered in accordance with this

Page 3

1 subsection indicate that a child is reading below  
2 grade level, the school district shall submit a report  
3 of the assessment results to the parent, which the  
4 parent shall sign and return to the school district.  
5 If the parent does not sign or return the report, the  
6 school district shall note in the student's record the  
7 inaction on the part of the parent. The board of  
8 directors of each school district shall adopt a policy  
9 indicating the methods the school district will use to  
10 inform parents of their individual child's  
11 performance.

12 Sec. 6. Section 256D.9, Code Supplement 2005, is  
13 amended to read as follows:

14 256D.9 FUTURE REPEAL.

15 This chapter is repealed effective July 1, ~~2006~~  
16 2007.

17 Sec. 7. Section 256F.1, subsection 2, Code 2005,  
18 is amended to read as follows:

19 2. A charter school may be established by creating  
20 a new school within an existing public school or  
21 converting an existing public school to charter status  
22 under section 256F.3, subsections 2 through 6, or by  
23 creating a charter magnet school under section 256F.3,  
24 subsection 6A.

25 Sec. 8. Section 256F.2, subsection 3, Code 2005,  
26 is amended to read as follows:

27 3. "Charter school" means a state public charter  
28 school operated as a pilot program. "Charter school"  
29 also means a charter magnet school as described in  
30 section 256F.3, subsection 6A.

31 Sec. 9. Section 256F.2, Code 2005, is amended by  
32 adding the following new subsection:

33 NEW SUBSECTION. 4B. "Public postsecondary  
34 institution" means a community college established  
35 under chapter 260C or an institution of higher  
36 education governed by the state board of regents.



37 Sec. 10. Section 256F.3, subsection 1, Code 2005,  
38 is amended to read as follows:  
39 1. The state board of education shall apply for a  
40 federal grant under Pub. L. No. 107-110, cited as the  
41 federal No Child Left Behind Act of 2001 (Title V,  
42 Part B, Subpart 1), for purposes of providing  
43 financial assistance for the planning, program design,  
44 and initial implementation of public charter schools.  
45 However, if federal funds are no longer available for  
46 purposes of this chapter, the state board may continue  
47 to approve charter school applications. The  
48 department shall initiate a pilot program to test the  
49 effectiveness of charter schools and shall implement  
50 the applicable provisions of this chapter. The state

Page 4

1 board shall monitor and review charter school progress  
2 on the comprehensive school improvement plan and  
3 student achievement goals established by a charter  
4 school pursuant to section 256F.4 and on the  
5 performance goals and objectives described pursuant to  
6 section 256F.5.

7 Sec. 11. Section 256F.3, subsection 6, Code 2005,  
8 is amended to read as follows:

9 6. Upon approval of an application for the  
10 proposed establishment of a charter school, the school  
11 board shall submit an application for approval to  
12 establish the charter school to the state board in  
13 accordance with section 256F.5. ~~The~~  
14 6A. A public postsecondary institution may apply  
15 to the state board for approval to establish a junior-  
16 senior high or a senior high charter magnet school.  
17 The application submitted by a public postsecondary  
18 institution shall meet the requirements of subsection  
19 6B. In addition to the purposes set forth in section  
20 256F.1, subsection 3, a charter magnet school shall  
21 provide students who are enrolled in the charter  
22 magnet school with a rigorous educational program with  
23 a specialized focus that will prepare students to  
24 attain a postsecondary degree. The specialized focus  
25 of the educational program shall include at least one  
26 or more of the following subject areas:

27 a. Science.

28 b. Mathematics.

29 c. Engineering.

30 d. Computer science.

31 e. Biotechnology.

32 f. International studies, emphasizing foreign  
33 languages, social sciences, and communications.

34 6B. An application submitted to the state board  
35 pursuant to this section shall set forth the manner in

36 which the charter school will provide special  
37 instruction, in accordance with section 280.4, to  
38 students who are limited English proficient. The  
39 application shall set forth the manner in which the  
40 charter school will comply with federal and state laws  
41 and regulations relating to the federal National  
42 School Lunch Act and the federal Child Nutrition Act  
43 of 1966, 42 U.S.C. §1751-1785, and chapter 283A. The  
44 state board shall approve only those applications that  
45 meet the requirements specified in section 256F.1,  
46 subsection 3, and sections 256F.4 and 256F.5. The  
47 state board may deny an application if the state board  
48 deems that approval of the application is not in the  
49 best interest of the affected students. The state  
50 board shall approve not more than ~~ten~~ twenty charter

Page 5

1 school applications. The state board shall approve  
2 not more than one charter school application per  
3 school district. ~~However, if the state board receives~~  
4 ~~ten or fewer applications as of June 30, 2003, and two~~  
5 ~~or more of the applications received by the state~~  
6 ~~board by that date are submitted by one school~~  
7 ~~district, the state board may approve any or all of~~  
8 ~~the applications submitted by the school district.~~  
9 The state board shall adopt rules in accordance with  
10 chapter 17A for the implementation of this chapter.  
11 Sec. 12. Section 256F.4, subsection 4, Code 2005,  
12 is amended to read as follows:  
13 4. A charter school shall enroll an eligible  
14 resident student who submits a timely application  
15 unless the number of applications exceeds the capacity  
16 of a program, class, grade level, or building. In  
17 this case, students must be accepted by lot. A  
18 charter school may enroll an eligible nonresident  
19 student who submits a timely application in accordance  
20 with the student admission policy established pursuant  
21 to section 256F.5, subsection 1.  
22 a. If the charter school enrolls an eligible  
23 nonresident student, the charter school shall notify  
24 the school district and, if applicable, the sending  
25 district not later than March 1 of the preceding  
26 school year. Transportation for the student shall be  
27 in accordance with section 282.18, subsection 10,  
28 except as provided in paragraph "b". The sending  
29 district shall make payments to the charter school in  
30 the manner required under section 282.18, subsection  
31 7.  
32 b. Transportation to and from a charter magnet  
33 school for a student attending the charter magnet  
34 school shall be provided by the parent or guardian

35 without reimbursement. However, if the student meets  
36 the economic eligibility requirements established by  
37 the department and state board of education, the  
38 charter magnet school is responsible for providing  
39 transportation or paying the pro rata cost of the  
40 transportation to a parent or guardian for  
41 transporting the pupil to and from the charter magnet  
42 school.

43 Sec. 13. Section 256F.4, subsection 7, Code 2005,  
44 is amended to read as follows:

45 7. A charter school shall be considered a part of  
46 the school district in which it is located for  
47 purposes of state school foundation aid pursuant to  
48 chapter 257. However, a student enrolled in a charter  
49 school established pursuant to section 256F.3,  
50 subsection 6A, shall be counted, for state school

Page 6

1 foundation aid purposes, in the pupil's district of  
2 residence. A pupil's residence, for purposes of this  
3 section, means a residence under section 282.1. The  
4 board of directors of the district of residence shall  
5 pay to the charter magnet school established pursuant  
6 to section 256F.3, subsection 6A, the state cost per  
7 pupil for the previous school year, plus any moneys  
8 received for the pupil as a result of the non-English  
9 speaking weighting under section 280.4, subsection 3,  
10 for the previous school year multiplied by the state  
11 cost per pupil for the previous year. If the student  
12 enrolled in the charter magnet school is also an  
13 eligible pupil under chapter 261C, the receiving  
14 district shall pay the tuition reimbursement amount to  
15 an eligible postsecondary institution as provided in  
16 section 261C.6.

17 Sec. 14. Section 256F.4, Code 2005, is amended by  
18 adding the following new subsection:

19 NEW SUBSECTION. 9. A charter magnet school  
20 established pursuant to section 256F.3, subsection 6A,  
21 shall establish graduation requirements and may award  
22 diplomas to students who meet the graduation  
23 requirements established.

24 Sec. 15. Section 256F.5, subsection 4, Code 2005,  
25 is amended to read as follows:

26 4. The method for appointing or forming an  
27 advisory council for the charter school. The  
28 membership of an advisory council appointed or formed  
29 in accordance with this chapter shall not include more  
30 than one member of the school board if the charter  
31 school is established pursuant to section 256F.3,  
32 subsections 2 through 6.

33 Sec. 16. Section 256F.6, subsections 1 and 3, Code

34 2005, are amended to read as follows:

35 1. An approved charter school application shall  
36 constitute an agreement, the terms of which shall, at  
37 a minimum, be the terms of a four-year enforceable,  
38 renewable contract between the school board or a  
39 public postsecondary institution and the state board.  
40 The contract shall include an operating agreement for  
41 the operation of the charter school. The terms of the  
42 contract may be revised at any time with the approval  
43 of both the state board and the school board or the  
44 public postsecondary institution, whether or not the  
45 stated provisions of the contract are being fulfilled.  
46 The charter school shall provide parents and guardians  
47 of students enrolled in the charter school with a copy  
48 of the charter school application approved pursuant to  
49 section 256F.5.

50 3. The state board of education shall provide by

Page 7

1 rule for the ongoing review of a school board's or  
2 public postsecondary institution's compliance with a  
3 contract entered into in accordance with this chapter.  
4 Sec. 17. Section 256F.7, subsections 2 and 3, Code  
5 2005, are amended to read as follows:

6 2. The school board, or the public postsecondary  
7 institution if the charter school is established  
8 pursuant to section 256F.3, subsection 6A, in  
9 consultation with the advisory council, shall decide  
10 matters related to the operation of the school,  
11 including budgeting, curriculum, and operating  
12 procedures.

13 3. Employees of a charter school shall be  
14 considered employees of the school district, or if the  
15 charter school is established pursuant to section  
16 256F.3, subsection 6A, the public postsecondary  
17 institution. However, sections 279.12 through 279.19  
18 and section 279.27 shall apply to employees of a  
19 charter school if the employees are licensed by the  
20 board of educational examiners under chapter 272 and  
21 the charter school is established pursuant to section  
22 256F.3, subsection 6A. In applying those sections in  
23 chapter 279, references to the board of directors of a  
24 school district shall be interpreted to apply to the  
25 public postsecondary institution.

26 Sec. 18. Section 256F.8, subsection 1, unnumbered  
27 paragraph 1, Code 2005, is amended to read as follows:

28 A contract for the establishment of a charter  
29 school may be revoked by the state board or the school  
30 board or public postsecondary institution that  
31 established the charter school if the appropriate  
32 board determines that one or more of the following

33 occurred:

34 Sec. 19. Section 256F.8, subsections 2, 3, 4, 6,  
35 and 7, Code 2005, are amended to read as follows:

36 2. The decision by a school board or public  
37 postsecondary institution to revoke or to fail to take  
38 action to renew a charter school contract is subject  
39 to appeal under procedures set forth in chapter 290.

40 3. A school board or public postsecondary  
41 institution considering revocation or nonrenewal of a  
42 charter school contract shall notify the advisory  
43 council, the parents or guardians of the students  
44 enrolled in the charter school, and the teachers and  
45 administrators employed by the charter school, sixty  
46 days prior to revoking or the date by which the  
47 contract must be renewed, but not later than the last  
48 day of classes in the school year.

49 4. If the state board determines that a charter  
50 school is in substantial violation of the terms of the

Page 8

1 contract, the state board shall notify the school  
2 board or the public postsecondary institution and the  
3 advisory council of its intention to revoke the  
4 contract at least sixty days prior to revoking a  
5 contract and the school board or the public  
6 postsecondary institution shall assume oversight  
7 authority, operational authority, or both oversight  
8 and operational authority. The notice shall state the  
9 grounds for the proposed action in writing and in  
10 reasonable detail. The school board or the public  
11 postsecondary institution may request in writing an  
12 informal hearing before the state board within  
13 fourteen days of receiving notice of revocation of the  
14 contract. Upon receiving a timely written request for  
15 a hearing, the state board shall give reasonable  
16 notice to the school board or the public postsecondary  
17 institution of the hearing date. The state board  
18 shall conduct an informal hearing before taking final  
19 action. Final action to revoke a contract shall be  
20 taken in a manner least disruptive to students  
21 enrolled in the charter school. The state board shall  
22 take final action to revoke or approve continuation of  
23 a contract by the last day of classes in the school  
24 year. If the final action to revoke a contract under  
25 this section occurs prior to the last day of classes  
26 in the school year, a charter school student may  
27 enroll in the resident district.

28 6. A school board or public postsecondary  
29 institution revoking a contract or a school board or  
30 public postsecondary institution or advisory council  
31 that fails to renew a contract under this chapter is

32 not liable for that action to the charter school, a  
33 student enrolled in the charter school or the  
34 student's parent or guardian, or any other person.  
35 7. In the case of a revocation or a nonrenewal of  
36 the charter, the school board or public postsecondary  
37 institution is exempt from the state board's "Barker  
38 guidelines", as provided in 1 D.P.I. App. Dec. 145  
39 (1977).  
40 Sec. 20. Section 256F.10, subsection 1, Code 2005,  
41 is amended to read as follows:  
42 1. A charter school shall report at least annually  
43 to the school board or the public postsecondary  
44 institution, as applicable, advisory council, and the  
45 state board the information required by the school  
46 board or the public postsecondary institution, as  
47 applicable, advisory council, or the state board. The  
48 reports are public records subject to chapter 22.  
49 Sec. 21. Section 260C.14, Code 2005, is amended by  
50 adding the following new subsection:

Page 9

1 NEW SUBSECTION. 21. Request that a student  
2 pursuing or receiving a high school equivalency  
3 diploma provide to the community college the student's  
4 school district of residence and the last year the  
5 student was enrolled in the school district of  
6 residence. The community college shall annually  
7 report the information available to the community  
8 college pursuant to this subsection to the school  
9 district of residence.  
10 Sec. 22. Section 272.2, Code 2005, is amended by  
11 adding the following new subsection:  
12 NEW SUBSECTION. 17. Adopt rules to require that a  
13 background investigation be conducted by the division  
14 of criminal investigation of the department of public  
15 safety on all initial applicants for licensure. The  
16 board shall also require all initial applicants to  
17 submit a completed fingerprint packet and shall use  
18 the packet to facilitate a national criminal history  
19 background check. The board shall have access to, and  
20 shall review the sex offender registry information  
21 under section 692A.13, the central registry for child  
22 abuse information established under chapter 235A, and  
23 the dependent adult abuse records maintained under  
24 chapter 235B for information regarding applicants for  
25 license renewal.  
26 Sec. 23. Section 272.3, unnumbered paragraph 1,  
27 Code 2005, is amended to read as follows:  
28 The board of educational examiners consists of  
29 eleven members. Two must be members of the general  
30 public and the remaining nine must be licensed

31 practitioners. One of the public members shall ~~also~~  
32 ~~be the director of the department of education, or the~~  
33 ~~director's designee have served on a school board.~~  
34 The ~~other public member~~ members shall be a person who  
35 ~~does not hold~~ never have held a practitioner's  
36 license, but ~~has~~ shall have a demonstrated interest in  
37 education. One of the licensed practitioners shall be  
38 the director of the department of education or the  
39 director's designee. The ~~nine~~ remaining eight  
40 practitioners shall be selected from the following  
41 areas and specialties of the teaching profession:  
42 Sec. 24. Section 272.3, unnumbered paragraph 2,  
43 Code 2005, is amended to read as follows:  
44 A majority of the licensed practitioner members  
45 shall be nonadministrative practitioners. Four of the  
46 members shall be administrators. Membership of the  
47 board shall comply with the requirements of sections  
48 69.16 and 69.16A. A quorum of the board shall consist  
49 of six members. ~~The director of the department of~~  
50 ~~education~~ Members shall serve as the elect a

Page 10

1 chairperson of the board. Members, except for the  
2 director of the department of education, shall be  
3 appointed by the governor ~~and the appointments are~~  
4 subject to confirmation by the senate.  
5 Sec. 25. Section 272.29, Code Supplement 2005, is  
6 amended to read as follows:  
7 272.29 ANNUAL ADMINISTRATIVE RULES REVIEW.  
8 The executive director shall annually review the  
9 administrative rules adopted pursuant to this chapter  
10 and related state laws. The executive director shall  
11 ~~annually~~ submit the executive director's findings and  
12 recommendations in a report every three years to the  
13 board and the chairpersons and ranking members of the  
14 senate and house standing committees on education and  
15 the joint appropriations subcommittee on education by  
16 January 15.  
17 Sec. 26. Section 279.61, Code Supplement 2005, is  
18 amended to read as follows:  
19 279.61 STUDENT PLAN FOR ~~PROGRESS TOWARD UNIVERSITY~~  
20 ~~ADMISSIONS CORE CURRICULUM COMPLETION~~ - REPORT.  
21 1. For the school year beginning July 1, 2006, and  
22 each succeeding school year, the board of directors of  
23 each school district shall cooperate with each student  
24 enrolled in grade eight to develop for the student a  
25 core curriculum plan to guide the student toward the  
26 goal of successfully completing, at a minimum, the  
27 ~~model core curriculum developed by the state board of~~  
28 ~~education pursuant to~~ referred to in section 256.7,  
29 subsection 26, by the time the student graduates from

30 high school.

31 2. For the school year beginning July 1, 2006, and  
32 each succeeding school year, the board of directors of  
33 each school district shall report annually to each  
34 student enrolled in grades nine through twelve in the  
35 school district, and to each student's parent or  
36 guardian, the student's progress toward meeting the  
37 goal of successfully completing the ~~model~~ core  
38 curriculum ~~developed by the state board of education~~  
39 ~~pursuant to~~ referred to in section 256.7, subsection  
40 26.

41 Sec. 27. NEW SECTION. 279.63 FINANCIAL REPORT.

42 1. The board of directors of each public school  
43 district shall develop, maintain, and distribute a  
44 financial report on an annual basis. The objective of  
45 the financial report shall be to facilitate public  
46 access to a variety of information and statistics  
47 relating to the education funding received by the  
48 school district, enrollment and employment figures,  
49 and additional information.

50 2. The financial report shall contain, at a

Page 11

1 minimum, information relating to the following:

2 a. All property tax levies, income surtaxes, and  
3 local option sales taxes in place in the school  
4 district, listed by type of levy, rate, amount,  
5 duration, and notification of the maximum rate and  
6 amount limitations permitted by statute.

7 b. The amount of funding received on a per pupil  
8 basis through the operation of the school finance  
9 formula, and from any other state appropriation or  
10 state funding source.

11 c. Federal funding received per student or teacher  
12 population targeted to receive the funds, and any  
13 other federal grants or funding received by the  
14 district.

15 d. Teacher and administrator minimum, maximum, and  
16 average salary paid by the district, and the  
17 percentage and dollar increase under teacher and  
18 administrator salary and benefits settlement  
19 agreements.

20 e. Teacher and administrator health insurance and  
21 other alternative health benefit information,  
22 including the monthly premium, the percentage of the  
23 premium paid by the district, and the percentage of  
24 the premium paid by a teacher or administrator for  
25 single and family insurance.

26 f. Teacher and administrator employment  
27 statistics, including the annual number of licensed  
28 full-time and part-time teachers and administrators



29 employed by the school district during the preceding  
30 five years, and including the number of teachers and  
31 administrators no longer employed by the district, and  
32 new hires.  
33 g. Student enrollment levels during the preceding  
34 five years, including regular enrollment, special  
35 education enrollment, and enrollment adjustments made  
36 pursuant to supplementary weighting.  
37 h. Such additional information as the school  
38 district may determine.  
39 3. Copies of a school district's financial report  
40 for the previous school year shall be posted on an  
41 internet website maintained by the school district at  
42 the beginning of the school year. If the school  
43 district does not maintain or develop a website, the  
44 school district shall either distribute or post  
45 written copies of the financial report at specified  
46 locations throughout the school district.  
47 Sec. 28. NEW SECTION. 298.6 PUBLIC DISCLOSURE OF  
48 OUTSTANDING LEVIES.  
49 The board of directors of a school district shall,  
50 prior to certifying any levy by board approval, or

Page 12

1 submitting a levy for voter approval, facilitate  
2 public access to a complete listing of all outstanding  
3 levies within the school district by rate, amount,  
4 duration, and the applicable maximum levy limitations.  
5 The information relating to outstanding levies shall  
6 be posted on an internet website maintained by the  
7 school district at the beginning of the school year,  
8 and updated prior to board approval or submission for  
9 voter approval of any levy during the school year. If  
10 the school district does not maintain or develop a  
11 website, the school district shall either distribute  
12 or post written copies of the listing at specified  
13 locations throughout the school district.  
14 Sec. 29. TRANSITIONAL PROVISION – MEMBERS' TERMS  
15 ON THE BOARD OF EDUCATIONAL EXAMINERS. The two public  
16 members serving on the board of educational examiners  
17 on the effective date of this Act shall continue to  
18 serve as public members of the board until April 30,  
19 2007. On May 1, 2007, the director of the department  
20 of education shall commence service on the board as a  
21 licensed practitioner.  
22 Sec. 30. EFFECTIVE DATE. The sections of this  
23 division of this Act amending sections 256F.1 through  
24 256F.8 and 256F.10, being deemed of immediate  
25 importance, take effect upon enactment.  
26 DIVISION II  
27 EDUCATION ADMINISTRATION"

- 28 2. Page 22, line 10, by inserting after the word  
29 "sections" the following: "of this division".  
30 3. Title page, line 2, by inserting before the  
31 word "and" the following: "the board of educational  
32 examiners,".  
33 4. By renumbering as necessary.

Tymeson of Madison offered the following amendment [H-8598](#), to amendment [H-8584](#), filed by her and Wendt of Woodbury from the floor and moved its adoption:

[H-8598](#)

- 1 Amend the amendment, [H-8584](#), to [Senate File 2272](#),  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, lines 48 and 49, by striking the words  
5 "or credits".  
6 2. By striking page 2, line 14, through page 2,  
7 line 37, and inserting the following:  
8 "Sec.\_\_\_\_. Section 256.7, subsection 26, Code  
9 Supplement 2005, is amended by striking the subsection  
10 and inserting in lieu thereof the following:  
11 26. Set a goal of increasing to eighty percent the  
12 number of students graduating from all secondary  
13 schools in school districts in this state who have  
14 successfully completed the core curriculum recommended  
15 by the college testing service whose college entrance  
16 examination is taken by the majority of Iowa's high  
17 school students. The state goal shall be exclusive of  
18 students who have special or alternative means for  
19 satisfying graduation requirements under  
20 individualized educational plans developed for the  
21 students. The state board shall require each school  
22 district to annually report, beginning with the  
23 2006-2007 school year, the percentage of students  
24 graduating from high school in the school district who  
25 complete the core curriculum. The school district  
26 shall report, in the comprehensive school improvement  
27 plan submitted in accordance with subsection 21, how  
28 the district plans to increase the number of students  
29 completing the recommended core curriculum. Taking  
30 into consideration the recommendations of the college  
31 testing service whose college entrance examination is  
32 taken by the majority of Iowa's high school students,  
33 beginning with the students in the 2010-2011 school  
34 year graduating class, the requirements for high  
35 school graduation for all students in school districts  
36 shall be four years of English and language arts,  
37 three years of mathematics, three years of science,  
38 and three years of social studies."

39 3. Page 10, by striking lines 19 through 40 and  
40 inserting the following:  
41 "279.61 STUDENT PLAN FOR PROGRESS TOWARD  
42 UNIVERSITY ADMISSIONS – REPORT.  
43 1. For the school year beginning July 1, 2006, and  
44 each succeeding school year, the board of directors of  
45 each school district shall cooperate with each student  
46 enrolled in grade eight to develop for the student a  
47 core curriculum plan to guide the student toward the  
48 goal of successfully completing, at a minimum, the  
49 model core curriculum developed by the state board of  
50 education pursuant to section 256.7, subsection 26, by

Page 2

1 the time the student graduates from high school. The  
2 plan shall include career options and shall identify  
3 the coursework needed in grades nine through twelve to  
4 support the student's postsecondary education and  
5 career options. If the pupil is under eighteen years  
6 of age, the pupil's parent or guardian shall sign the  
7 core curriculum plan developed with the student and  
8 the signed plan shall be included in the student's  
9 records.  
10 2. For the school year beginning July 1, 2006, and  
11 each succeeding school year, the board of directors of  
12 each school district shall report annually to each  
13 student enrolled in grades nine through twelve in the  
14 school district, and, if the student is under the age  
15 of eighteen, to each student's parent or guardian, the  
16 student's progress toward meeting the goal of  
17 successfully completing the model core curriculum  
18 developed by the state board of education pursuant to  
19 section 256.7, subsection 26."  
20 4. By renumbering as necessary.

Amendment [H-8598](#) was adopted.

On motion by Tymeson of Madison, amendment [H-8584](#), as amended, was adopted, placing out of order amendment [H-8604](#) filed by Ford of Polk from the floor.

Petersen of Polk asked and received unanimous consent to withdraw amendment [H-8380](#) filed by Petersen of Polk et al., on March 23, 2006.

Boal of Polk offered the following amendment [H-8414](#) filed by Boal of Polk et al., and moved its adoption:

[H-8414](#)

- 1 Amend [Senate File 2272](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by striking lines 4 through 17.
- 4 2. By striking page 10, line 29, through page 11,
- 5 line 22.
- 6 3. Page 22, by striking lines 10 through 12.
- 7 4. Title page, by striking line 3 and inserting
- 8 the following: "boards."
- 9 5. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 51, nays 38.

Amendment [H-8414](#) was adopted placing out of order the following amendments:

Amendment [H-8565](#) filed by Carroll of Poweshiek on April 24, 2006.

Amendment [H-8576](#) filed by Wilderdyke of Harrison on April 25, 2006.

Amendment [H-8408](#) filed by Raecker of Polk on March 28, 2006.

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2272](#) be deferred and that the bill retain its place on the calendar.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2006, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2332](#), a bill for an act relating to income withholding under the child support recovery program.

MICHAEL E. MARSHALL, Secretary

On motion by Gipp of Winneshiek, the House was recessed at 11:57 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:35 p.m., Speaker Rants in the chair.

The House resumed consideration of [Senate File 2272](#), a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards and including effective and applicability provisions, previously deferred.

Huser of Polk offered the following amendment [H-8589](#) filed by her and moved its adoption:

[H-8589](#)

1 Amend [Senate File 2272](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 21, by inserting after line 28 the  
4 following:  
5 "Sec. \_\_\_\_ Section 423E.1, subsection 3, Code  
6 2005, is amended to read as follows:  
7 3. Local sales and services tax moneys received by  
8 a county for school infrastructure purposes pursuant  
9 to this chapter shall be utilized for school  
10 infrastructure needs or property tax relief. For  
11 purposes of this chapter, "school infrastructure"  
12 means those activities for which a school district is  
13 authorized to contract indebtedness and issue general  
14 obligation bonds under section 296.1, except those  
15 activities related to a teacher's or superintendent's  
16 home or homes. These activities include the  
17 construction, reconstruction, repair, demolition work,  
18 purchasing, or remodeling of schoolhouses, stadiums,  
19 gyms, fieldhouses, and bus garages and the procurement  
20 of schoolhouse construction sites and the making of  
21 site improvements and those activities for which  
22 revenues under section 298.3 or 300.2 may be spent. A  
23 school district that uses local sales and services tax  
24 moneys for school infrastructure shall comply with the  
25 state building code in the absence of a local building  
26 code. Additionally, "school infrastructure" includes  
27 the payment or retirement of outstanding bonds  
28 previously issued for school infrastructure purposes  
29 as defined in this subsection, and the payment or  
30 retirement of bonds issued under section 423E.5."  
31 2. By renumbering as necessary.

Amendment [H-8589](#) was adopted.

Boal of Polk offered the following amendment [H-8593](#) filed by her and moved its adoption:

[H-8593](#)

1 Amend [Senate File 2272](#), as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 22, by inserting after line 6 the  
 4 following:  
 5 "Sec. \_\_. 2005 Iowa Acts, chapter 179, section  
 6 82, is amended to read as follows:  
 7 SEC. 82. 2005 Iowa Acts, [House File 739](#), if  
 8 enacted, is amended by adding the following new  
 9 section:  
 10 NEW SECTION. Sec. \_\_. EFFECTIVE DATE. The  
 11 section of this Act amending section 262.9 to  
 12 establish a research triangle and clearinghouse takes  
 13 effect July 1, ~~2006~~ 2007."  
 14 2. Page 22, by inserting after line 9 the  
 15 following:  
 16 "Sec. \_\_. EFFECTIVE DATE. The section of this  
 17 Act amending 2005 Iowa Acts, chapter 179, section 82,  
 18 being deemed of immediate importance, takes effect  
 19 upon enactment."  
 20 3. By renumbering as necessary.

Amendment [H-8593](#) was adopted.

Kaufmann of Cedar moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2272](#))

The ayes were, 91:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	May
McCarthy	Mertz	Murphy	Oldson

Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Wise	Mr. Speaker	
		Rants	

The nays were, 3:

Mascher                      Wessel-Kroeschell      Winckler

Absent or not voting, 6:

Berry                              Fallon                              Jones                              Lensing  
Miller                              Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2272](#) be immediately messaged to the Senate.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of [Senate File 2399](#).

#### Ways and Means Calendar

[Senate File 2399](#), a bill for an act relating to renewable energy including the renewable energy tax credit and the wind energy production tax credit and including an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Kurtenbach of Story offered amendment [H-8596](#) filed by the committee on ways and means as follows:

#### [H-8596](#)

- 1 Amend [Senate File 2399](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 24 the  
4 following:  
5 "Sec. \_\_\_. Section 476B.6, subsection 5, Code  
6 Supplement 2005, is amended by striking the subsection  
7 and inserting in lieu thereof the following:  
8 5. A tax credit certificate may be filed pursuant  
9 to any of the following, to the extent applicable:  
10 a. If the tax credit application is filed by a  
11 partnership, limited liability company, S corporation,  
12 estate, trust, or other reporting entity all of the  
13 income of which is taxed directly to its equity  
14 holders or beneficiaries, for the taxes imposed under  
15 chapter 422, division II or III, the tax credit  
16 certificate shall be issued directly to equity holders  
17 or beneficiaries of the applicant in proportion to  
18 their pro rata share of the income of such entity.  
19 The applicant shall, in the application made under  
20 this section, identify its equity holders or  
21 beneficiaries, and the percentage of such entity's  
22 income that is allocable to each equity holder or  
23 beneficiary.  
24 b. If the tax credit applicant under this section  
25 is eligible to receive renewable electricity  
26 production credits authorized under section 45 of the  
27 Internal Revenue Code, as amended, and the tax credit  
28 applicant is a partnership, limited liability company,  
29 S corporation, estate, trust, or other reporting  
30 entity all of the income of which is taxed directly to  
31 its equity holders or beneficiaries, for the taxes  
32 imposed under chapter 422, division II or III, the tax  
33 credit certificate may be issued to a partner if the  
34 business is a partnership, a shareholder if the  
35 business is an S corporation, or a member if the  
36 business is a limited liability company in the amounts  
37 designated by the eligible partnership, S corporation,  
38 or limited liability company. In absence of such  
39 designation, the credits under this section shall flow  
40 through to the partners, shareholders, or members in  
41 accordance with their pro rata share of the income of  
42 the entity.  
43 The applicant shall, in the application made under  
44 this section, identify the holders or beneficiaries  
45 that are to receive the tax credit certificates and  
46 the percentage of the tax credit that is allocable to  
47 each holder or beneficiary.  
48 c. If an applicant under this section is eligible  
49 to receive renewable electricity production credits  
50 authorized under section 45 of the Internal Revenue

Page 2

1 Code, as amended, and the tax credit applicant is a



2 partnership, limited liability company, S corporation,  
3 estate, trust, or other reporting entity all of the  
4 income of which is taxed directly to its equity  
5 holders or beneficiaries, for the taxes imposed under  
6 chapter 422, division II or III, the tax credit  
7 certificates and all future rights to the tax credit  
8 in this section may be distributed to an equity holder  
9 or beneficiary as a liquidating distribution or  
10 portion thereof, of a holder or beneficiary's interest  
11 in the applicant entity.

12 The applicant shall, in the application made under  
13 this section, designate the percentage of the tax  
14 credit allocable to the liquidating equity holder or  
15 beneficiary that is to receive the current and future  
16 tax credit certificates under this section.

17 d. If the tax credit application is filed by a  
18 partnership, limited liability company, S corporation,  
19 estate, trust, or other reporting entity, all of whose  
20 income is taxed directly to its equity holders or  
21 beneficiaries for the taxes imposed under chapter 422,  
22 division V, or under chapter 432, the tax credit  
23 certificate shall be issued directly to the  
24 partnership, limited liability company, S corporation,  
25 estate, trust, or other reporting entity."

Kurtenbach of Story offered the following amendment [H-8599](#), to the committee amendment [H-8596](#), filed by J.K. Van Fossen of Scott from the floor and moved its adoption:

[H-8599](#)

1 Amend the amendment, [H-8596](#), to [Senate File 2399](#),  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 2, by inserting after line 25 the  
5 following:  
6 "\_\_\_\_. Page 4, by inserting after line 8 the  
7 following:  
8 "Sec.\_\_\_\_. Section 476C.4, subsection 4, Code  
9 Supplement 2005, is amended by striking the subsection  
10 and inserting in lieu thereof the following:  
11 4. A tax credit certificate may be filed pursuant  
12 to any of the following, to the extent applicable:  
13 a. If the tax credit application is filed by a  
14 partnership, limited liability company, S corporation,  
15 estate, trust, or other reporting entity all of the  
16 income of which is taxed directly to its equity  
17 holders or beneficiaries, for the taxes imposed under  
18 chapter 422, division II or III, the tax credit  
19 certificate shall be issued directly to equity holders  
20 or beneficiaries of the applicant in proportion to

21 their pro rata share of the income of such entity.  
22 The applicant shall, in the application made under  
23 this section, identify its equity holders or  
24 beneficiaries, and the percentage of such entity's  
25 income that is allocable to each equity holder or  
26 beneficiary.  
27 b. If the tax credit applicant under this section  
28 is eligible to receive renewable electricity  
29 production credits authorized under section 45 of the  
30 Internal Revenue Code, as amended, and the tax credit  
31 applicant is a partnership, limited liability company,  
32 S corporation, estate, trust, or other reporting  
33 entity all of the income of which is taxed directly to  
34 its equity holders or beneficiaries, for the taxes  
35 imposed under chapter 422, division II or III, the tax  
36 credit certificate may be issued to a partner if the  
37 business is a partnership, a shareholder if the  
38 business is an S corporation, or a member if the  
39 business is a limited liability company in the amounts  
40 designated by the eligible partnership, S corporation,  
41 or limited liability company. In absence of such  
42 designation, the credits under this section shall flow  
43 through to the partners, shareholders, or members in  
44 accordance with their pro rata share of the income of  
45 the entity.  
46 The applicant shall, in the application made under  
47 this section, identify the holders or beneficiaries  
48 that are to receive the tax credit certificates and  
49 the percentage of the tax credit that is allocable to  
50 each holder or beneficiary.

Page 2

1 c. If an applicant under this section is eligible  
2 to receive renewable electricity production credits  
3 authorized under section 45 of the Internal Revenue  
4 Code, as amended, and the tax credit applicant is a  
5 partnership, limited liability company, S corporation,  
6 estate, trust, or other reporting entity all of the  
7 income of which is taxed directly to its equity  
8 holders or beneficiaries, for the taxes imposed under  
9 chapter 422, division II or III, the tax credit  
10 certificates and all future rights to the tax credit  
11 in this section may be distributed to an equity holder  
12 or beneficiary as a liquidating distribution or  
13 portion thereof, of a holder or beneficiary's interest  
14 in the applicant entity.  
15 The applicant shall, in the application made under  
16 this section, designate the percentage of the tax  
17 credit allocable to the liquidating equity holder or  
18 beneficiary that is to receive the current and future  
19 tax credit certificates under this section.

20 d. If the tax credit application is filed by a  
 21 partnership, limited liability company, S corporation,  
 22 estate, trust, or other reporting entity, all of whose  
 23 income is taxed directly to its equity holders or  
 24 beneficiaries for the taxes imposed under chapter 422,  
 25 division V, or under chapter 423, 432, or 437A, the  
 26 tax credit certificate shall be issued directly to the  
 27 partnership, limited liability company, S corporation,  
 28 estate, trust, or other reporting entity."  
 29 \_\_\_\_\_. Page 4, by striking lines 23 through 25 and  
 30 inserting the following:  
 31 "Sec. \_\_\_\_\_. EFFECTIVE DATES.  
 32 1. The sections of this Act amending section  
 33 476B.6, subsection 5, and section 476C.4, subsection  
 34 4, being deemed of immediate importance, take effect  
 35 upon enactment.  
 36 2. The section of this Act relating to a proposal  
 37 for a study on the transmission of electricity takes  
 38 effect July 1, 2006.  
 39 3. Except as otherwise provided in this section,  
 40 this Act takes effect January 1, 2007."  
 41 \_\_\_\_\_. Title page, line 3, by striking the words  
 42 "an effective date" and inserting the following:  
 43 "effective dates".  
 44 2. By renumbering as necessary.

Amendment [H-8599](#) was adopted.

On motion by Kurtenbach of Story the committee amendment [H-8596](#), as amended, was adopted.

Kurtenbach of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2399](#))

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevort	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann

Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 6:

Berry	Fallon	Jones	Lensing
Miller	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of [House File 2797](#).

#### Appropriations Calendar

[House File 2797](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing, reducing, and transferring appropriations, providing for salaries and compensation of state employees, providing for fees and penalties, providing tax exemptions, and providing for properly related matters, and including effective and retroactive applicability date provisions, was taken up for consideration.

Wise of Lee asked and received unanimous consent that amendment [H-8605](#) be deferred.

Huser of Polk asked and received unanimous consent that amendment [H-8601](#) be deferred.

Wise of Lee offered amendment [H-8603](#) filed by him from the floor as follows:

[H-8603](#)

1 Amend [House File 2797](#) as follows:

2 1. Page 36, by inserting after line 34 the

3 following:

4 "Sec. \_\_\_. NEW SECTION. 70A.29A REPRISALS  
5 PROHIBITED – EMPLOYEES – PENALTY – CIVIL REMEDIES.

6 1. DEFINITIONS. As used in this section, unless  
7 the context otherwise requires:

8 a. "Employee" means a person employed by the state  
9 including but not limited to a person employed by the  
10 general assembly and a person employed by the state  
11 board of regents, by a political subdivision of the  
12 state, or by a government-funded contractor.

13 "Employee" includes but is not limited to an  
14 accountant, administrative assistant, construction  
15 worker, day care worker, health care worker, social  
16 worker, teacher, and full-time or part-time  
17 legislative employee who are employed by the state, a  
18 political subdivision of the state, or a  
19 government-funded contractor.

20 b. "Government-funded contractor" means a person  
21 receiving state or federal funds under a service  
22 contract as provided in section 8.47.

23 2. An employee, who reasonably believes that a  
24 particular practice the employee has observed  
25 occurring at the employee's place of employment is a  
26 violation of laws or regulations applicable to the  
27 employee's employer, is a breach of public safety that  
28 may result in harm to consumers or citizens, or is in  
29 violation of employee professional standards of care  
30 or professional codes of ethics, may report the  
31 violation or breach to the employee's supervisor or  
32 employer so that corrective action may be taken. A  
33 report pursuant to this subsection shall be made  
34 within fourteen days of the occurrence of the  
35 violation or breach. An employee making a report  
36 shall be protected against reprisals or retaliatory or  
37 punitive action by the supervisor or employer  
38 receiving the report.

39 3. If, after a reasonable period of time for  
40 correction of the violation or breach reported  
41 pursuant to subsection 2 an employee continues to  
42 observe the particular practice that was the subject  
43 of the report occurring in the workplace, the employee  
44 may disclose information relating to the violation or  
45 breach, and the fact that a correction of the  
46 violation or breach has not been made, to the office

47 of citizens' aide, a licensing board, if applicable, a  
48 member or employee of the general assembly, the office  
49 of the attorney general, any other public official or  
50 law enforcement agency, a federal government agency or

Page 2

1 program, the governing board of the employee's  
2 employer, the employee's professional association or  
3 collective bargaining unit, or the media. The  
4 employee shall be protected against reprisals or  
5 retaliatory or punitive action by the supervisor or  
6 employer that received the report if disclosure of the  
7 information is not otherwise prohibited by law and  
8 informs state agencies or entities of a violation of  
9 state law or regulation, or is reasonably believed by  
10 the employee to be a violation of law or regulation or  
11 a breach of public safety that may lead to an adverse  
12 event to consumers or citizens, based upon employee  
13 professional standards of care or professional codes  
14 of ethics.

15 4. An employee disclosing information in good  
16 faith pursuant to subsection 2 or 3 is presumed to  
17 have established a prima facie case showing a  
18 violation of the protections against reprisals or  
19 retaliatory or punitive action by the employee's  
20 employer if the supervisor or employer knows or has  
21 reason to know of the disclosure, and if subsequent to  
22 and as a result of the disclosure, one or more of the  
23 following actions were initiated by the employer:

24 a. Discharge of the employee from employment.  
25 b. Failure by the employer to take action  
26 regarding an employee's appointment, promotion or  
27 proposed promotion, or receipt of any advantage or  
28 benefit in the employee's position of employment.  
29 c. An adverse change to the employee's terms or  
30 conditions of employment or any administrative, civil,  
31 or criminal action or other effort that diminishes the  
32 professional competence, reputation, stature, or  
33 marketability of the employee.

34 The employer has the burden to prove that actions  
35 taken pursuant to this subsection were for a  
36 legitimate business purpose.

37 5. If a supervisor or employer is determined to  
38 have violated state laws or regulations, or  
39 professional standards of care or professional codes  
40 of ethics after a disclosure pursuant to subsection 2  
41 or 3 results in an action as described in subsection  
42 4, such a determination shall create a presumption of  
43 retaliation or reprisal against the employee in  
44 violation of this section.

45 6. A person who violates this section commits a

46 simple misdemeanor and is subject to civil action, as  
47 follows:  
48 a. An employer who violates this section is liable  
49 to an aggrieved employee for affirmative relief,  
50 including reinstatement with or without pay, or any

Page 3

1 other equitable relief the court deems appropriate,  
2 including attorney fees and costs, punitive damages,  
3 and public notice of the retaliation or reprisal  
4 undertaken against the employee through publication in  
5 an official newspaper in the city or county.  
6 b. When a person commits, is committing, or  
7 proposes to commit an act in violation of this  
8 section, an injunction may be granted through an  
9 action in district court to prohibit the person from  
10 continuing such act. The action for injunctive relief  
11 may be brought by an aggrieved employee or by the  
12 county attorney.  
13 7. In addition to any other penalties applicable  
14 for violation of this section, an employer of an  
15 employee who violates this section with respect to  
16 another employee of the employer shall be subject to a  
17 civil penalty in the amount of one thousand dollars  
18 per violation.  
19 8. The provisions of this section are in addition  
20 to, and not in lieu of, any other provisions of law  
21 applicable to disclosures of information by  
22 employees."  
23 2. By renumbering as necessary.

Upmeyer of Hancock rose on a point of order that amendment [H-8603](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8603](#) not germane.

Wise of Lee moved to suspend the rules to consider amendment [H-8603](#).

Roll call was requested by Murphy of Dubuque and Hunter of Polk.

On the question "Shall the rules be suspended to consider amendment [H-8603](#)?" ([H.F. 2797](#))

The ayes were, 43:

Bell	Bukta	Cohoon	Dandekar
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lykam	Mascher
McCarthy	Mertz	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wise	

The nays were, 49:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Horbach	Huseman
Hutter	Jacobs	Jenkins	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox
May	Olson, S.	Paulsen	Quirk
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Mr. Speaker			
Rants			

Absent or not voting, 8:

Berry	Hoffman	Jones	Lensing
Miller	Tymeson	Winckler	Zirkelbach

The motion to suspend the rules lost.

Raecker of Polk offered the following amendment [H-8610](#) filed by him and Kuhn of Floyd from the floor and moved its adoption:

[H-8610](#)

- 1 Amend [House File 2797](#) as follows:
- 2 1. Page 39, by inserting after line 14 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 135H.3, Code 2005, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. A child who is diagnosed
- 7 with a biologically based mental illness, as defined
- 8 in section 514C.22, and meets the medical assistance



9 program criteria for admission to a psychiatric  
10 medical institution for children, shall be deemed to  
11 meet the acuity criteria for inpatient benefits under  
12 a group policy, contract, or plan providing for third-  
13 party payment or prepayment of health, medical, and  
14 surgical coverage benefits issued by a carrier, as  
15 defined in section 513B.2, or by an organized delivery  
16 system authorized under 1993 Iowa Acts, ch. 158, that  
17 is subject to section 514C.22. The treatment and  
18 other care provided in a psychiatric institution shall  
19 not be considered to be care that is substantially  
20 custodial in nature for purposes of section 514C.22."

21 2. Page 43, line 24, by striking the word  
22 "requirements" and inserting the following: "contract  
23 letting procedures".

24 3. By striking page 57, line 32, through page 59,  
25 line 20.

26 4. Page 62, by striking lines 26 through 30.

Amendment [H-8610](#) was adopted.

Hunter of Polk offered amendment [H-8602](#) filed by him from the floor as follows:

[H-8602](#)

1 Amend [House File 2797](#) as follows:

2 1. Page 42, by inserting before line 32 the  
3 following:

4 "Sec. \_\_\_. NEW SECTION. 303.91 IOWA ZOO FUND.

5 1. An Iowa zoo fund is created in the office of  
6 the treasurer of state. The fund is composed of  
7 moneys appropriated or available to and obtained or  
8 accepted by the treasurer of state for deposit in the  
9 fund. The fund shall include moneys transferred to  
10 the fund as provided in section 422.12G. All interest  
11 earned on moneys in the fund shall be credited to and  
12 remain in the fund. Section 8.33 does not apply to  
13 moneys in the fund.

14 2. Moneys in the fund that are authorized by the  
15 department of cultural affairs for expenditure are  
16 appropriated, and shall be used, to provide grants to  
17 qualified zoos located in the state. To be qualified  
18 to receive a grant from the Iowa zoo fund, a zoo must  
19 not be used primarily as a research institution and  
20 must be accredited by the American zoo and aquarium  
21 association.

22 3. The department may authorize payment of moneys  
23 from the fund upon approval of an application from a  
24 private or public organization that maintains and

25 operates a zoo in the state. The applicant shall show  
26 proof of accreditation by the American zoo and  
27 aquarium association. The applicant shall also  
28 indicate the annual attendance at the zoo in the  
29 calendar year preceding the calendar year in which the  
30 application is filed with the department.

31 4. Moneys distributed from the fund to qualified  
32 applicants shall be prorated among the qualified  
33 applicants in the proportion that annual attendance at  
34 each zoo that is the subject of an application bears  
35 to the total annual attendance at all zoos for which  
36 an application was received and approved for funding.

37 5. The department shall establish rules relating  
38 to the application process."

39 2. Page 44, by inserting after line 20 the  
40 following:

41 "Sec. \_\_\_. **NEW SECTION. 422.12G INCOME TAX**  
42 **REFUND CHECKOFF FOR IOWA ZOO FUND.**

43 1. A person who files an individual or a joint  
44 income tax return with the department of revenue under  
45 section 422.13 may designate one dollar or more to be  
46 paid to the Iowa zoo fund as created in section  
47 303.91. If the refund due on the return or the  
48 payment remitted with the return is insufficient to  
49 pay the additional amount designated by the taxpayer  
50 to the Iowa zoo fund, the amount designated shall be

Page 2

1 reduced to the remaining amount of refund or the  
2 remaining amount remitted with the return. The  
3 designation of a contribution to the Iowa zoo fund  
4 under this section is irrevocable.

5 2. The director of revenue shall draft the income  
6 tax form to allow the designation of contributions to  
7 the Iowa zoo fund on the tax return. The department  
8 of revenue, on or before January 31, shall transfer  
9 the total amount designated on the tax return forms  
10 due in the preceding calendar year to the Iowa zoo  
11 fund. However, before a checkoff pursuant to this  
12 section shall be permitted, all liabilities on the  
13 books of the department of revenue and accounts  
14 identified as owing under section 421.17 and the  
15 political contribution allowed under section 68A.601  
16 shall be satisfied.

17 3. The department of cultural affairs may  
18 authorize payment of moneys from the Iowa zoo fund, in  
19 accordance with section 303.91.

20 4. The department of revenue shall adopt rules to  
21 administer this section.

22 5. This section is subject to repeal under section  
23 422.12E."

24 3. Page 47, by inserting after line 5 the  
25 following:  
26 "\_\_\_\_. The sections of this division of this Act  
27 enacting sections 303.91 and 422.12G apply  
28 retroactively to January 1, 2006, for tax years  
29 beginning on or after that date."  
30 4. By renumbering, redesignating, and correcting  
31 internal references as necessary.

Raecker of Polk rose on a point of order that amendment [H-8602](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8602](#) not germane.

Reichert of Muscatine offered amendment [H-8609](#) filed by him from the floor as follows:

[H-8609](#)

1 Amend [House File 2797](#) as follows:  
2 1. Page 45, by inserting after line 31 the  
3 following:  
4 "Sec.\_\_\_\_. Section 483A.8, subsection 1, Code  
5 Supplement 2005, is amended to read as follows:  
6 1. A resident hunting deer who is required to have  
7 a hunting license must have a resident hunting license  
8 in addition to the deer hunting license and must pay  
9 the wildlife habitat fee. In addition, a resident who  
10 purchases a deer hunting license shall pay a one  
11 dollar fee that shall be used and is appropriated for  
12 the purpose of deer herd population management,  
13 including assisting with the cost of processing deer  
14 donated to the help us stop hunger program  
15 administered by the commission. The deer herd  
16 population management fees collected pursuant to this  
17 subsection shall not be used to assist with the cost  
18 of processing deer for use by the department of  
19 corrections.  
20 Sec.\_\_\_\_. Section 483A.8, subsection 3, paragraph  
21 a, Code Supplement 2005, is amended to read as  
22 follows:  
23 a. A nonresident hunting deer is required to have  
24 a nonresident hunting license and a nonresident deer  
25 license and must pay the wildlife habitat fee. In  
26 addition, a nonresident who purchases a deer hunting  
27 license shall pay a one dollar fee that shall be used  
28 and is appropriated for the purpose of deer herd  
29 population management, including assisting with the  
30 cost of processing deer donated to the help us stop

31 hunger program administered by the commission. The  
32 deer herd population management fees collected  
33 pursuant to this paragraph shall not be used to assist  
34 with the cost of processing deer for use by the  
35 department of corrections.

36 Sec. \_\_\_\_ Section 483A.24, subsection 2, paragraph  
37 c, Code Supplement 2005, is amended to read as  
38 follows:

39 c. Upon written application on forms furnished by  
40 the department, the department shall issue annually  
41 without fee two deer hunting licenses, one antlered or  
42 any sex deer hunting license and one antlerless deer  
43 only deer hunting license, to the owner of a farm unit  
44 or a member of the owner's family, but only a total of  
45 two licenses for both, and to the tenant of a farm  
46 unit or a member of the tenant's family, but only a  
47 total of two licenses for both. The deer hunting  
48 licenses issued shall be valid only for use on the  
49 farm unit for which the applicant applies pursuant to  
50 this paragraph. The owner or the tenant need not

Page 2

1 reside on the farm unit to qualify for the free deer  
2 hunting licenses to hunt on that farm unit. The free  
3 deer hunting licenses issued pursuant to this  
4 paragraph shall be valid and may be used during any  
5 shotgun deer season. The licenses may be used to  
6 harvest deer in two different seasons. In addition, a  
7 person who receives a free deer hunting license  
8 pursuant to this paragraph shall pay a one dollar fee  
9 for each license that shall be used and is  
10 appropriated for the purpose of deer herd population  
11 management, including assisting with the cost of  
12 processing deer donated to the help us stop hunger  
13 program administered by the commission. The deer herd  
14 population management fees collected pursuant to this  
15 paragraph shall not be used to assist with the cost of  
16 processing deer for use by the department of  
17 corrections."

18 2. By renumbering as necessary.

Raecker of Polk rose on a point of order that amendment [H-8609](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8609](#) not germane.

Huser of Polk asked and received unanimous consent that amendment [H-8613](#) be deferred.

D. Olson of Boone offered the following amendment [H-8614](#) filed by him from the floor and moved its adoption:

[H-8614](#)

- 1 Amend [House File 2797](#) as follows:
- 2 1. Page 43, by striking lines 25 through 35.
- 3 2. Page 44, by striking lines 21 through 28.

Amendment [H-8614](#) lost.

Wise of Lee offered amendment [H-8605](#), previously deferred, filed by him from the floor as follows:

[H-8605](#)

- 1 Amend [House File 2797](#) as follows:
- 2 1. Page 35, by inserting after line 12 the
- 3 following:
- 4 "Sec.     . **NEW SECTION.** 68A.407 DISCLOSURES
- 5 RELATED TO POLITICAL TELEPHONE CALLS.
- 6 1. A candidate, an authorized representative of a
- 7 candidate, a candidate's committee, a political
- 8 committee, or an individual who is acting on behalf of
- 9 any of the above and who engages in a telephone
- 10 communication that identifies by name a candidate
- 11 shall disclose all of the following by the end of the
- 12 telephone call:
- 13 a. The identity of the individual who is calling
- 14 and the entity with which the individual is
- 15 affiliated, if any.
- 16 b. The individual or entity that paid for the
- 17 telephone communication. If a candidate's committee
- 18 or political committee has paid for or authorized the
- 19 telephone communication, the name of the candidate's
- 20 committee or political committee shall be disclosed.
- 21 If any person other than a candidate's committee or
- 22 political committee has paid for or authorized the
- 23 telephone communication, the communication shall also
- 24 disclose whether or not the communication has been
- 25 authorized by any candidate and shall disclose whether
- 26 the communication is an independent expenditure.
- 27 c. The name, telephone number, and address of an
- 28 individual whom the call recipient can contact for
- 29 further information regarding the telephone
- 30 communication.
- 31 2. The board shall adopt rules pursuant to chapter
- 32 17A establishing procedures to administer this
- 33 section."
- 34 2. Title page, line 6, by inserting after the

35 word "matters," the following: "including provisions  
36 relating to the campaign finance and disclosure law,".  
37 3. By renumbering as necessary.

Wise of Lee offered the following amendment [H-8615](#), to amendment [H-8605](#), filed by him from the floor and moved its adoption:

[H-8615](#)

1 Amend the amendment, [H-8605](#), to [House File 2797](#) as  
2 follows:  
3 1. Page 1, line 33, by inserting after the word  
4 "section." the following: "This section shall not  
5 apply to a bona fide public opinion poll which does  
6 not attempt, in any way, to influence the recipient of  
7 the call.""

Amendment [H-8615](#) was adopted.

Raecker of Polk rose on a point of order that amendment [H-8605](#), as amended was not germane.

The Speaker ruled the point well taken and amendment [H-8605](#), as amended not germane.

Wise of Lee asked and received unanimous consent to withdraw amendment [H-8605](#), as amended.

Murphy of Dubuque asked and received unanimous consent that amendment [H-8601](#) be deferred.

Raecker of Polk offered the following amendment [H-8616](#) filed by him from the floor and moved its adoption:

[H-8616](#)

1 Amend [House File 2797](#) as follows:  
2 1. By striking page 38, line 15, through page 39,  
3 line 14.

Amendment [H-8616](#) was adopted.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8601](#), previously deferred, filed by her from the floor.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8613](#) filed by her from the floor.

Raecker of Polk asked and received unanimous consent to reconsider the vote by which amendment [H-8610](#) passed the House.

Division was requested as follows:

Lines 2 through 20, Division A.

Lines 21 through 26, Division B.

Raecker of Polk asked and received unanimous consent to withdraw amendment [H-8610A](#).

On motion by Raecker of Polk, amendment [H-8610B](#) was adopted.

Gipp of Winneshiek asked and received unanimous consent that [House File 2797](#) be deferred and that the bill retain its place on the calendar.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2006, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2743](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

Also: That the Senate has on May 2, 2006, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2789](#), a bill for an act relating to assessing court costs and modifying speeding fines, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

Also: That the Senate has on May 2, 2006, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2364](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation,

merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Also: That the Senate has on May 2, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2408](#), a bill for an act relating to elderly income tax relief by providing for an elderly taxpayer income tax exclusion and the phasing out of the income tax on social security benefits and including effective and applicability date provisions.

Also: That the Senate has on May 2, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2409](#), a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including effective and retroactive applicability date.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

[Senate File 2408](#), by committee on ways and means, a bill for an act relating to elderly income tax relief by providing for an elderly taxpayer income tax exclusion and the phasing out of the income tax on social security benefits and including effective and applicability date provisions.

Read first time and **passed on file**.

The House resumed consideration of [House File 2797](#), previously deferred.

Raecker of Polk offered the following amendment [H-8621](#) filed by him and Kuhn of Floyd from the floor and moved its adoption:

#### [H-8621](#)

- 1 Amend [House File 2797](#) as follows:
- 2 1. Page 7, by striking lines 11 through 15 and
- 3 inserting the following: "salaries provided for in
- 4 this section shall be paid from funds appropriated or
- 5 otherwise made available to the judicial branch
- 6 pursuant to other Acts of the general assembly."
- 7 2. Page 8, by inserting after line 11 the
- 8 following:
- 9 "4. The collective bargaining agreements
- 10 negotiated pursuant to chapter 20 for employees in the
- 11 judicial branch of government bargaining units and the
- 12 annual pay adjustments, related benefits, and expense
- 13 reimbursements of judicial branch employees not
- 14 covered by a collective bargaining agreement shall be



- 15 paid from funds appropriated or made available to the  
16 judicial branch as provided in subsection 1."  
17 3. Page 11, line 31, by inserting after the word  
18 "regents" the following: "and the judicial branch".  
19 4. Page 12, by striking lines 19 through 21.  
20 5. Page 14, line 28, by inserting after the word  
21 "regents" the following: "and the judicial branch".  
22 6. By renumbering as necessary.

Amendment [H-8621](#) was adopted.

Raecker of Polk offered the following amendment [H-8622](#) filed by him from the floor and moved its adoption:

[H-8622](#)

- 1 Amend [House File 2797](#) as follows:  
2 1. Page 41, by striking line 6 and inserting the  
3 following:  
4 "(2) The child's counsel or guardian ad litem."  
5 2. Page 41, by inserting after line 14 the  
6 following:  
7 "(7) The division of criminal and juvenile justice  
8 planning of the department of human rights."

Amendment [H-8622](#) was adopted.

Winckler of Scott offered amendment [H-8624](#) filed by her and Jochum of Dubuque from the floor as follows:

[H-8624](#)

- 1 Amend [House File 2797](#) as follows:  
2 1. Page 41, by inserting after line 18 the  
3 following:  
4 "Sec.     . NEW SECTION. 256.24 VOCATIONAL  
5 REHABILITATION APPROPRIATION.  
6 There is annually appropriated to the division of  
7 vocational rehabilitation services for each fiscal  
8 year an amount sufficient to provide the maximum funds  
9 needed to match the total federal vocational  
10 rehabilitation allocation available to the state as  
11 certified by the department of education."  
12 2. Page 43, by striking lines 25 through 35.  
13 3. Page 44, by striking lines 21 through 28.

Raecker of Polk rose on a point of order that amendment [H-8624](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8624](#) not germane.

Winckler of Scott asked and received unanimous consent to withdraw amendment [H-8624](#) filed by her and Jochum of Dubuque.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2797](#))

The ayes were, 91:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Elgin
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 3:

Dix	Eichhorn	Sands
-----	----------	-------

Absent or not voting, 6:

Berry	Fallon	Jones	Lensing
Miller	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2797](#) be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 5:15 p.m., until 6:00 p.m.

#### EVENING SESSION

The House reconvened at 6:20 p.m., Roberts of Carroll in the chair.

#### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-five members present, fifteen absent.

#### SENATE MESSAGE CONSIDERED

[Senate File 2409](#), by committee on ways and means, a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including effective and retroactive applicability date provisions.

Read first time and **passed on file.**

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of [House File 2795](#).

#### Ways and Means Calendar

[House File 2795](#), a bill for an act relating to individual income tax relief by providing for a senior taxpayer income tax exclusion and the phasing out of the income tax on social security benefits and including effective and applicability date provisions, was taken up for consideration.

Upmeyer of Hancock offered the following amendment [H-8626](#) filed by her from the floor and moved its adoption:

[H-8626](#)

- 1 Amend [House File 2795](#) as follows:
- 2 1. Title page, by striking lines 1 through 4 and
- 3 inserting the following: "An Act relating to elderly
- 4 income tax relief by providing for an elderly taxpayer
- 5 income tax exclusion and the phasing out of the income
- 6 tax on social security benefits and including
- 7 effective and applicability date provisions."

Amendment [H-8626](#) was adopted.

[SENATE FILE 2408](#) SUBSTITUTED FOR [HOUSE FILE 2795](#)

Upmeyer of Hancock asked and received unanimous consent to substitute [Senate File 2408](#) for [House File 2795](#).

[Senate File 2408](#), a bill for an act relating to elderly income tax relief by providing for an elderly taxpayer income tax exclusion and the phasing out of the income tax on social security benefits and including effective and applicability date provisions, was taken up for consideration.

Jenkins of Black Hawk in the chair at 6:47 p.m.

Upmeyer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2408](#))

The ayes were, 89:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cphoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jochum
Kaufmann	Kressig	Kuhn	Kurtenbach

Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Jenkins, Presiding			

The nays were, 6:

Heddens	Hunter	Mascher	Olson, R.
Taylor, D.	Wessel-Kroeschell		

Absent or not voting and 5:

Berry	Fallon	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2408](#) be immediately messaged to the Senate.

#### [HOUSE FILE 2795](#) WITHDRAWN

Upmeyer of Hancock asked and received unanimous consent to withdraw [House File 2795](#) from further consideration by the House.

#### Appropriations Calendar

[House File 2769](#), a bill for an act relating to the community empowerment initiative and making an appropriation, was taken up for consideration.

Speaker pro tempore Carroll in the chair at 7:41 p.m.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-8600](#) filed by Tymeson, Foege of Linn, Upmeyer of Hancock and Heaton of Henry from the floor.

Tymeson of Madison offered the following amendment [H-8623](#) filed by her, Foege of Linn, Upmeyer of Hancock, and Heaton of Henry from the floor and moved its adoption:

[H-8623](#)

1 Amend [House File 2769](#) as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "DIVISION I  
5 CODE CHANGES"

6 2. Page 3, by striking lines 13 through 17 and  
7 inserting the following: "shall include but are not  
8 limited to home visitation. After a community  
9 empowerment area board has committed the portion of  
10 school ready grant funding that is designated or  
11 authorized by law to be used or set aside for a  
12 particular purpose, the community board shall commit  
13 approximately sixty percent of the remainder to family  
14 support services and parent education programs  
15 targeted to families with children who are newborn  
16 through age five."

17 3. Page 5, by inserting after line 30 the  
18 following:

19 "DIVISION II  
20 APPROPRIATIONS – EARLY CARE, HEALTH, AND  
21 EDUCATION PROGRAMS

22 Sec. \_\_\_\_ FAMILY SUPPORT AND PARENT EDUCATION –  
23 FY 2006–2007 THROUGH FY 2008–2009. There is  
24 appropriated from the general fund of the state to the  
25 department of education for deposit in the school  
26 ready children grants account of the Iowa empowerment  
27 fund for each fiscal year of the period beginning July  
28 1, 2006, and ending June 30, 2009, the following  
29 amount, or so much thereof as is necessary, to be used  
30 for the purposes designated:

31 For family support services and parent education  
32 programs targeted to families expecting a child or  
33 with newborn and infant children through age three, in  
34 accordance with this section:

35 ..... \$ 5,000,000

36 The amount appropriated in this section shall be  
37 distributed in each of the fiscal years as part of the  
38 school ready children grant program funding using the  
39 distribution formula approved by the Iowa empowerment  
40 board and shall be used by a community empowerment  
41 area only for family support services and parent  
42 education programs targeted to families expecting a  
43 child or with newborn and infant children through age  
44 three.

45 Sec. \_\_\_\_ EARLY CARE, HEALTH, AND EDUCATION

46 PROGRAMS – FY 2006–2007.

47 1. There is appropriated from the general fund of  
48 the state to the school ready children grants account  
49 of the Iowa empowerment fund for the fiscal year  
50 beginning July 1, 2006, and ending June 30, 2007, the

Page 2

1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 For early care, health, and education programs, in  
4 accordance with this section:

5 ..... \$ 10,000,00

6 2. Of the amount appropriated in subsection 1,  
7 \$5,500,000 is allocated to increase the funding  
8 designated for distribution to community empowerment  
9 areas to assist low-income parents with tuition for  
10 preschool for children ages four and five who are not  
11 attending kindergarten in order to increase the basic  
12 family income eligibility requirement to not more than  
13 200 percent of the federal poverty level. In  
14 addition, if sufficient funding is available after  
15 addressing the needs of those who meet the basic  
16 income eligibility requirement, a community  
17 empowerment area board may provide for eligibility for  
18 those with a family income in excess of the basic  
19 income eligibility requirement through use of a  
20 sliding scale or other copayment provision.

21 3. Of the amount appropriated in subsection 1,  
22 \$3,500,000 is allocated for efforts to improve the  
23 quality of early care, health, and education programs.  
24 The Iowa empowerment board may reserve a portion of  
25 the allocation, not to exceed \$100,000 for the  
26 technical assistance expenses of the Iowa empowerment  
27 office and shall distribute the remainder to community  
28 empowerment areas for local quality improvement  
29 efforts through a methodology identified by the board  
30 to make the most productive use of the funding, which  
31 may include use of the distribution formula, grants,  
32 or other means.

33 4. a. Of the amount appropriated in subsection 1,  
34 \$1,000,000 shall be credited to the community  
35 empowerment gifts and grants account created in this  
36 Act within the Iowa empowerment fund. The amount  
37 credited shall be reserved for distribution to  
38 implement those recommendations of the business  
39 community investment advisory council created in this  
40 subsection that are approved for implementation by the  
41 Iowa empowerment board. Not more than 3 percent of  
42 the amount allocated in this subsection shall be used  
43 for the expenses of the advisory council created in  
44 this subsection.

45 b. A business community investment advisory  
46 council is created to advise the Iowa empowerment  
47 board. The membership of the advisory council shall  
48 be appointed by the governor in a manner to ensure  
49 there is representation for rural and urban interests,  
50 various geographic areas of the state, and different

Page 3

1 sizes of businesses. The membership shall be  
2 appointed as follows:  
3 (1) Two members from nominees provided by the Iowa  
4 business council.  
5 (2) Two members from nominees provided by the Iowa  
6 association of business and industry.  
7 (3) One member from nominees provided by the Iowa  
8 chamber alliance.  
9 (4) One member from nominees provided by the  
10 professional developers of Iowa.  
11 (5) Three members representing early care, health,  
12 and education services providers from nominees  
13 provided by the state child care advisory council so  
14 that representation is provided for for-profit child  
15 development home providers, for-profit child care  
16 center providers, and nonprofit child care center  
17 providers.  
18 (6) One member representing school administrators  
19 who have responsibilities involving a public preschool  
20 program from nominees provided by the school  
21 administrators of Iowa.  
22 (7) One member representing kindergarten teachers  
23 from nominees provided by the Iowa state education  
24 association, professional educators of Iowa, and  
25 nonpublic schools.  
26 (8) One parent of a child from birth through age  
27 five who is not attending kindergarten from nominees  
28 submitted by community empowerment area boards.  
29 (9) The directors of the state agencies  
30 represented on the Iowa empowerment board may serve as  
31 nonvoting, ex officio members of the advisory council.  
32 c. The advisory council shall advise the Iowa  
33 empowerment board on the best means to leverage  
34 private investment in early care, health, and  
35 education services and provide options for creating  
36 model projects for public-private partnerships to  
37 support quality early care, health, and education  
38 programming in communities. The advisory council  
39 shall complete its deliberations by submitting a  
40 report with recommendations and findings to the Iowa  
41 empowerment board on or before December 31, 2006. The  
42 report shall address all of the following in addition  
43 to other items identified by the advisory council:



44 (1) A strategy for blending funding for early  
 45 care, health, and education services from the public  
 46 sector and the private sector, including but not  
 47 limited to the funding provided by businesses and  
 48 individual families. The advisory council shall  
 49 consider an approach based on that used for the vision  
 50 Iowa program, the grow Iowa values fund, and other

Page 4

1 economic models.

2 (2) A strategy for community empowerment area  
 3 boards to develop and implement local public-private  
 4 partnership networks and apply for state and private  
 5 funding to implement innovative early care, health,  
 6 and education programming, or to be able to apply for  
 7 competitive grants to enhance such partnership  
 8 networks. The advisory council shall give  
 9 consideration to similar approaches that have been  
 10 successful in other states.

11 (3) A strategy for requiring local match funding  
 12 for a community empowerment area to access the funding  
 13 allocated in this subsection.

14 (4) Accountability and evaluation measures.

15 (5) Provisions to ensure efficiency.

16 Sec. \_\_\_\_ EARLY CARE, HEALTH, AND EDUCATION  
 17 PROGRAMS – FY 2007–2008 AND 2008–2009.

18 1. There is appropriated from the general fund of  
 19 the state to the department of education for deposit  
 20 in the school ready children grants account of the  
 21 Iowa empowerment fund for each fiscal year of the  
 22 fiscal period beginning July 1, 2007, and ending June  
 23 30, 2009, the following amount, or so much thereof as  
 24 is necessary, to be used for the purposes designated:  
 25 For early care, health, and education and preschool  
 26 programs, to continue programs and initiatives  
 27 developed pursuant to the appropriation made in this  
 28 division of this Act for this purpose for the fiscal  
 29 year beginning July 1, 2006:

30 ..... \$ 15,000,000

31 2. Expenditure of the amounts appropriated in this  
 32 section is subject to enactment of law specifying how  
 33 the amounts are to be distributed. It is the intent  
 34 of the general assembly that the increase in funding  
 35 provided by this section of \$5,000,000 over the amount  
 36 appropriated in this division of this Act for the same  
 37 purpose for the fiscal year beginning July 1, 2006,  
 38 will be designated for the expansion of the  
 39 initiatives implemented pursuant to the business  
 40 community investment advisory council recommendations  
 41 adopted pursuant to this Act."

42 4. Title page, line 2, by striking the words "an

43 appropriation" and inserting the following:  
44 "appropriations".  
45 5. By renumbering as necessary.

Amendment [H-8623](#) was adopted.

Tymeson of Madison asked and received unanimous consent to withdraw amendment [H-8558](#) filed by her on April 19, 2006, placing out of order amendment [H-8590](#) filed by Ford of Polk on May 1, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8437](#) filed by him on March 29, 2006.

Foege of Linn asked and received unanimous consent to withdraw amendment [H-8552](#) filed by Foege of Linn et al., on April 17, 2006, placing out of order amendment [H-8559](#) filed by Tymeson of Madison on April 19, 2006.

Heaton of Henry offered the following amendment [H-8608](#) filed by him, Foege of Linn and Tymeson of Madison from the floor and moved its adoption:

[H-8608](#)

1 Amend [House File 2769](#) as follows:  
2 1. Page 5, by inserting before line 31 the  
3 following:  
4 "Sec. \_\_\_\_ PROFESSIONAL DEVELOPMENT AND TRAINING  
5 ACTIVITIES. The amounts credited to the Iowa  
6 empowerment fund for purposes of professional  
7 development and training activities for the fiscal  
8 year beginning July 1, 2006, in 2006 Iowa Acts, House  
9 File 2527 and [House File 2734](#), if enacted, are  
10 appropriated to be used as provided in this section.  
11 For the fiscal year beginning July 1, 2006, the Iowa  
12 empowerment board shall phase out the professional  
13 development activities that began in the previous  
14 fiscal year through community empowerment area boards.  
15 The designated amounts shall be used for support of  
16 professional development and training activities for  
17 persons working in early care, health, and education  
18 by the Iowa empowerment board in collaboration with  
19 representation from Iowa state university of science  
20 and technology cooperative extension service in  
21 agriculture and home economics, area education  
22 agencies, community colleges, child care resource and  
23 referral services, and community empowerment area

24 boards. Expenditures shall be limited to professional  
 25 development and training activities agreed upon by the  
 26 parties participating in the collaboration."  
 27 2. By renumbering as necessary.

Amendment [H-8608](#) was adopted.

Tymeson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2769](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll, Presiding	

The nays were, none.

Absent or not voting, 5:

Berry	Fallon	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

[HOUSE FILE 2320](#) WITHDRAWN

Tymeson of Madison asked and received unanimous consent to withdraw [House File 2320](#) from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2769](#) be immediately messaged to the Senate.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of [House File 2796](#).

[House File 2796](#), a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including effective and retroactive applicability date provisions, was taken up for consideration.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment [H-8611](#) filed by him from the floor.

Boal of Polk offered the following amendment [H-8625](#) filed by her from the floor and moved its adoption:

[H-8625](#)

- 1 Amend [House File 2796](#) as follows:
- 2 1. Page 2, by striking lines 7 through 11 and
- 3 inserting the following: "this section does not
- 4 exceed an amount equal to three times the most
- 5 recently published federal poverty guidelines in the
- 6 federal register by the United States department of
- 7 health and human services."
- 8 2. Page 3, line 9, by inserting after the figure
- 9 "7." the following: "However, a school tuition
- 10 organization shall not be authorized to issue tax
- 11 credit certificates unless the organization is
- 12 controlled by a board of directors consisting of seven
- 13 members. The names and addresses of the members shall
- 14 be provided to the department and shall be made
- 15 available by the department to the public,
- 16 notwithstanding any state confidentiality

17 restrictions."  
18 3. Page 4, line 6, by inserting after the word  
19 "year." the following: "For the tax year beginning in  
20 the 2006 calendar year only, each school served by a  
21 school tuition organization shall submit a  
22 participation form to the department by August 1,  
23 2006, providing the certified enrollment as of the  
24 third Friday of September 2005, along with the school  
25 tuition organization that represents the school."  
26 4. Page 4, by striking line 22 and inserting the  
27 following:  
28 "a. The name and address of the members and the  
29 chairperson of the governing board of the school".

Amendment [H-8625](#) was adopted, placing out of order amendment [H-8612](#) filed by Jochum of Dubuque from the floor.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment [H-8619](#) filed by her from the floor.

[SENATE FILE 2409](#) SUBSTITUTED FOR [HOUSE FILE 2796](#)

Boal of Polk asked and received unanimous consent to substitute [Senate File 2409](#) for [House File 2796](#).

[Senate File 2409](#), a bill for an act allowing individual income tax credits for contributions made to certain school tuition organizations and including effective and retroactive applicability date provisions, was taken up for consideration.

Shoultz of Black Hawk offered the following amendment [H-8629](#) filed by him from the floor and moved its adoption:

[H-8629](#)

1 Amend [Senate File 2409](#), as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 5, by striking the word  
4 "sixty-five" and inserting the following:  
5 "thirty-five".

Amendment [H-8629](#) lost.

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2409](#) be deferred and that the bill retain its place on the calendar.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2006, refused to concur in the House amendment to the Senate amendment to the following bill in which the concurrence of the Senate was asked:

[House File 2540](#), A bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

Also: That the Senate has on May 2, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2731](#), A bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

MICHAEL E. MARSHALL, Secretary

#### HOUSE INSISTS

De Boef of Keokuk called up for consideration [House File 2540](#), a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees and moved that the House insist on its amendment, which motion prevailed.

#### CONFERENCE COMMITTEE APPOINTED

[\(House File 2540\)](#)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [House File 2540](#): De Boef of Keokuk, Chair; Raecker of Polk, Drake of Pottawattamie, D. Olson of Boone and Mertz of Kossuth.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2540](#) be immediately messaged to the Senate.

## SENATE AMENDMENT CONSIDERED

Horbach of Tama called up for consideration [House File 2789](#), a bill for an act relating to assessing court costs and modifying speeding fines, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8618](#):

[H-8618](#)

1 Amend [House File 2789](#), as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "Section 1. Section 321J.2, subsection 2,  
6 paragraph a, subparagraph (2), Code 2005, is amended  
7 to read as follows:  
8 (2) Assessment of a fine of one thousand ~~two~~  
9 hundred fifty dollars. However, in the discretion of  
10 the court, if no personal or property injury has  
11 resulted from the defendant's actions, the court may  
12 waive up to ~~five six~~ hundred ~~twenty-five~~ dollars of  
13 the fine when the defendant presents to the court at  
14 the end of the minimum period of ineligibility, a  
15 temporary restricted license issued pursuant to  
16 section 321J.20. As an alternative to a portion or  
17 all of the fine, the court may order the person to  
18 perform unpaid community service.  
19 Sec. 2. Section 321J.2, subsection 2, paragraph b,  
20 Code 2005, is amended to read as follows:  
21 b. An aggravated misdemeanor for a second offense,  
22 and shall be imprisoned in the county jail or  
23 community-based correctional facility not less than  
24 seven days, and assessed a fine of not less than one  
25 thousand ~~five eight~~ hundred ~~seventy-five~~ dollars nor  
26 more than ~~five six~~ thousand two hundred fifty dollars.  
27 Sec. 3. Section 321J.2, subsection 2, paragraph c,  
28 unnumbered paragraph 1, Code 2005, is amended to read  
29 as follows:  
30 A class "D" felony for a third offense and each  
31 subsequent offense, and shall be committed to the  
32 custody of the director of the department of  
33 corrections for an indeterminate term not to exceed  
34 five years, shall be confined for a mandatory minimum  
35 term of thirty days, and shall be assessed a fine of  
36 not less than ~~two three~~ thousand ~~five one~~ hundred  
37 twenty-five dollars nor more than ~~seven nine~~ thousand  
38 five three hundred ~~seventy-five~~ dollars."  
39 2. Page 1, line 18, by inserting after the figure

40 "8A." the following: "the office of attorney general  
 41 pursuant to section 602.8108, subsection 8B, the  
 42 department of corrections pursuant to section  
 43 602.8108, subsection 8C.".  
 44 3. Page 1, line 31, by inserting after the figure  
 45 "8A." the following: "the office of attorney general  
 46 pursuant to section 602.8108, subsection 8B, and the  
 47 department of corrections pursuant to section  
 48 602.8108, subsection 8C.".  
 49 4. Page 3, line 14, by inserting after the figure  
 50 "8A." the following: "8B, 8C.".

Page 2

1 5. Page 3, line 26, by striking the word  
 2 "thirteen" and inserting the following: "fourteen".  
 3 6. Page 4, line 6, by striking the word  
 4 "subsection" and inserting the following:  
 5 "subsections".  
 6 7. Page 4, line 11, by striking the words "two  
 7 million eight hundred thousand" and inserting the  
 8 following: "three million".  
 9 8. Page 4, by inserting after line 14 the  
 10 following:  
 11 "NEW SUBSECTION. 8B. The state court  
 12 administrator shall allocate to the office of attorney  
 13 general for the fiscal year beginning July 1, 2006,  
 14 and for each fiscal year thereafter, three hundred  
 15 thousand dollars of the moneys received annually under  
 16 subsection 2, to be used for legal services for  
 17 persons in poverty grants as provided in section  
 18 13.34.  
 19 NEW SUBSECTION. 8C. The state court administrator  
 20 shall allocate to the department of corrections for  
 21 the fiscal year beginning July 1, 2006, and for each  
 22 fiscal year thereafter, five hundred sixty thousand  
 23 dollars of the moneys received annually under  
 24 subsection 2, to be used for offenders transferred to  
 25 the department pursuant to section 229A.5, subsection  
 26 5."  
 27 9. By striking page 4, line 35, through page 5,  
 28 line 1, and inserting the following: "class "A"  
 29 felonies, sixty dollars per hour for all other  
 30 felonies, sixty dollars per hour for misdemeanors, and  
 31 fifty-five dollars per hour for all other cases."  
 32 10. Page 5, by inserting after line 11 the  
 33 following:  
 34 "Sec.\_\_\_\_. Section 903.1, subsection 1, paragraphs  
 35 a and b, Code 2005, are amended to read as follows:  
 36 a. For a simple misdemeanor, there shall be a fine  
 37 of at least  ~~fifty~~ sixty-five dollars but not to exceed  
 38  ~~five~~ six hundred  ~~twenty-five~~ twenty-five dollars. The court may



39 order imprisonment not to exceed thirty days in lieu  
 40 of a fine or in addition to a fine.  
 41 b. For a serious misdemeanor, there shall be a  
 42 fine of at least ~~two~~ three hundred ~~forty~~ fifteen  
 43 dollars but not to exceed one thousand ~~five~~ eight  
 44 hundred ~~seventy-five~~ dollars. In addition, the court  
 45 may also order imprisonment not to exceed one year.  
 46 Sec. \_\_\_\_ Section 903.1, subsection 2, Code 2005,  
 47 is amended to read as follows:  
 48 2. When a person is convicted of an aggravated  
 49 misdemeanor, and a specific penalty is not provided  
 50 for, the maximum penalty shall be imprisonment not to

Page 3

1 exceed two years. There shall be a fine of at least  
 2 ~~five~~ six hundred ~~twenty-five~~ dollars but not to exceed  
 3 ~~five~~ six thousand ~~two hundred~~ fifty dollars. Whe a  
 4 judgment of conviction of an aggravated misdemeanor is  
 5 entered against any person and the court imposes a  
 6 sentence of confinement for a period of more than one  
 7 year the term shall be an indeterminate term."  
 8 11. Title page, line 1, by inserting after the  
 9 word "costs" the following: "and modifying fines".  
 10 12. Title page, line 2, by inserting after the  
 11 word "branch" the following: ", attorney general,  
 12 department of corrections,".  
 13 13. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8618](#).

Horbach of Tama moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2789](#))

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Davitt	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser

Hutter	Jacobs	Jacoby	Jenkins
Jochum	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Carroll, Presiding

The nays were, 4:

Dandekar	Dix	Paulsen	Sands
----------	-----	---------	-------

Absent or not voting, 4:

Fallon	Jones	Lensing	Zirkelbach
--------	-------	---------	------------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2789](#) be immediately messaged to the Senate.

The House resumed consideration of [Senate File 2409](#), previously deferred and found on pages 1542-1543 of the House Journal.

Wessel-Kroeschell of Story offered amendment [H-8631](#) filed by her from the floor as follows:

#### [H-8631](#)

- 1 Amend [Senate File 2409](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 11, by inserting after the word
- 4 "means" the following: "a public elementary or
- 5 secondary school in this state or".

Amendment [H-8631](#) lost.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2409](#))

The ayes were, 75:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Chambers
Dandekar	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Ford
Freeman	Frevert	Gaskill	Gipp
Greiner	Heaton	Hoffman	Hogg
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	May
McCarthy	Mertz	Murphy	Olson, D.
Olson, S.	Paulsen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitead	Wilderdyke	Carroll, Presiding	

The nays were, 19:

Bukta	Cohoon	Davitt	Granzow
Heddens	Hunter	Jacoby	Mascher
Oldson	Olson, R.	Petersen	Reichert
Shoultz	Taylor, D.	Taylor, T.	Wessel-Kroeschell
Whitaker	Winckler	Wise	

Absent or not voting and 6:

Fallon	Foege	Jones	Lensing
Miller	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[HOUSE FILE 2796](#) WITHDRAWN

Boal of Polk asked and received unanimous consent to withdraw [House File 2796](#) from further consideration by the House.

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2409](#) be immediately messaged to the Senate.

## SENATE AMENDMENT CONSIDERED

Heaton of Henry called up for consideration [House File 2743](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, amended by the Senate amendment [H-8617](#) as follows:

[H-8617](#)

- 1 Amend [House File 2743](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 29, by striking the figure
- 4 "50,000" and inserting the following: "250,000".
- 5 2. Page 2, line 16, by striking the figure
- 6 "5,011,565" and inserting the following: "5,928,465".
- 7 3. Page 4, lines 5 and 6, by striking the words
- 8 "existing substance abuse treatment programs." and
- 9 inserting the following: "the maintenance and
- 10 enhancement of substance abuse treatment programs
- 11 currently funded by the department."
- 12 4. Page 4, line 33, by striking the figure
- 13 "250,000" and inserting the following: "350,000".
- 14 5. By striking page 4, line 34, through page 5,
- 15 line 5.
- 16 6. Page 5, line 11, by striking the figure
- 17 "850,000" and inserting the following: "1,050,000".
- 18 7. Page 5, line 13, by striking the figure
- 19 "400,000" and inserting the following: "500,000".
- 20 8. Page 5, line 15, by inserting after the word
- 21 "mentors." the following: "Of the amount specified in
- 22 this subparagraph (1), \$25,000 shall be utilized to
- 23 provide grants to small community-based organizations
- 24 that meet the requirements of this subparagraph (1)."
- 25 9. Page 5, line 21, by striking the figure
- 26 "400,000" and inserting the following: "500,000".
- 27 10. Page 5, line 24, by inserting after the word
- 28 "leadership." the following: "Of the amount specified
- 29 in this subparagraph (2), \$25,000 shall be utilized to
- 30 provide grants to small community-based organizations
- 31 that meet the requirements of this subparagraph (2)."
- 32 11. Page 5, line 35, by inserting after the word
- 33 "prevention" the following: "grants and for".
- 34 12. Page 6, line 5, by striking the figure
- 35 "60,000" and inserting the following: "100,000".

36 13. Page 6, line 11, by striking the figure  
 37 "3,782,999" and inserting the following: "4,046,474".  
 38 14. Page 6, line 12, by striking the figure  
 39 "164,741" and inserting the following: "228,216".  
 40 15. Page 6, line 15, by striking the figure  
 41 "64,741" and inserting the following: "128,216".  
 42 16. Page 6, line 21, by striking the figure  
 43 "296,217" and inserting the following: "306,217".  
 44 17. Page 7, line 20, by striking the figure  
 45 "100,000" and inserting the following: "300,000".  
 46 18. Page 7, by striking line 22 and inserting the  
 47 following: "correctional services. Of the funds  
 48 allocated, \$100,000 shall be used for community-based  
 49 corrections, and \$200,000 shall be used to implement  
 50 an adult drug court program."

Page 2

1 19. Page 8, by striking lines 3 through 18.  
 2 20. By striking page 9, line 17, through page 10,  
 3 line 15, and inserting the following:  
 4 "Sec. \_\_\_. DEPARTMENT OF EDUCATION. There is  
 5 appropriated from the healthy Iowans tobacco trust  
 6 created in section 12.65, to the department of  
 7 education for the fiscal year beginning July 1, 2006,  
 8 and ending June 30, 2007, the following amount, or so  
 9 much thereof as is necessary, to be used for the  
 10 purpose designated:  
 11 To establish a competitive grants program to expand  
 12 the availability of before and after school programs:  
 13 ..... \$ 150,000  
 14 School districts and other public and private  
 15 organizations shall be eligible to apply for a grant  
 16 from the program. Grant applications shall be  
 17 assessed by the department based on the targeted  
 18 student population and whether the application  
 19 demonstrates partnerships and collaboration with  
 20 not-for-profit community organizations, if  
 21 appropriate; indicates that the school district or  
 22 organization has access to training for the program;  
 23 provides for a safe and engaging environment; combines  
 24 academic, enrichment, cultural, and recreational  
 25 activities; provides for no less than a 20 percent  
 26 match; and demonstrates that the school district or  
 27 organization is able to sustain the program after the  
 28 grant is exhausted. The types of activities supported  
 29 by an applicant may include but are not limited to  
 30 tutoring and supplementing instruction in basic  
 31 skills, such as reading, math, and science; drug and  
 32 violence prevention curricula and counseling; youth  
 33 leadership activities; volunteer and service learning  
 34 opportunities; career and vocational awareness

35 preparation; courses and enrichment in arts and  
 36 culture; computer instruction; character development  
 37 and civic participation; language instruction,  
 38 including English as a second language; mentoring;  
 39 positive interaction with law enforcement; supervised  
 40 recreation programs; or health and nutrition programs.  
 41 The department shall make every attempt to leverage  
 42 additional funding from other public and private  
 43 sources to support the program provided under this  
 44 section."

45 21. Page 10, by inserting after line 15 the  
 46 following:  
 47 "Sec.\_\_\_\_. FARMERS WITH DISABILITIES – FEDERAL  
 48 REPLACEMENT FUNDS. There is appropriated from the  
 49 general fund of the state to the division of  
 50 vocational rehabilitation services of the department

Page 3

1 of education for the fiscal year beginning July 1,  
 2 2006, and ending June 30, 2007, the following amount,  
 3 or so much thereof as is necessary, to be used for the  
 4 purpose designated:  
 5 For a grant to a national nonprofit organization  
 6 with over 80 years of experience in assisting children  
 7 and adults with disabilities and special needs and  
 8 their families through services that include medical  
 9 rehabilitation, job training and employment services,  
 10 child care, adult day services, and camping and  
 11 recreation, in order to replace expired federal  
 12 funding for a nationally recognized program that has  
 13 been replicated in 30 other states but which is not  
 14 available through any other entity in this state that  
 15 provides assistance to farmers with disabilities in  
 16 all 99 counties to allow the farmers to remain in  
 17 their own homes and be gainfully engaged in farming  
 18 through provision of agricultural worksite and home  
 19 modification consultations, peer support services,  
 20 services to families, information and referral, and  
 21 equipment loan services:  
 22 ..... \$ 130,000  
 23 Sec.\_\_\_\_. Section 135.26, Code Supplement 2005, is  
 24 amended to read as follows:  
 25 135.26 AUTOMATED EXTERNAL DEFIBRILLATOR GRANT  
 26 PROGRAM.  
 27 The department shall establish and implement an  
 28 automated external defibrillator grant program which  
 29 provides matching funds to local boards of health,  
 30 community organizations, or cities for the program  
 31 after standards and requirements for the utilization  
 32 of automated external defibrillator equipment, and  
 33 training on the use of such equipment, are developed

34 at the local level. The objective of the program  
35 shall be to enhance the emergency response system in  
36 rural areas of the state where access to health care  
37 providers is often limited by providing increased  
38 access to automated external defibrillator equipment  
39 by rural emergency and community personnel. A local  
40 board of health, community organization, or city may  
41 submit an application to the department for review.  
42 The department shall establish criteria for the review  
43 and approval of grant applications by rule, and may  
44 accept gifts, grants, bequests, and other private  
45 contributions, as well as state or federal funds, for  
46 purposes of the program. The amount of a grant shall  
47 not exceed fifty percent of the cost of the automated  
48 external defibrillator equipment to be distributed to  
49 the applicant and the training program to be  
50 administered by the applicant at the local level.

Page 4

1 Each application shall include information  
2 demonstrating that the applicant will provide matching  
3 funds of fifty percent of the cost of the program.  
4 Grant recipients shall submit an annual report to the  
5 department indicating automated external defibrillator  
6 equipment usage levels, patient outcomes, and number  
7 of individuals trained. For the purposes of this  
8 section, "rural" means a geographic area outside an  
9 urban or suburban setting with a population of less  
10 than fifty thousand persons.  
11 Sec.\_\_\_\_. 2005 Iowa Acts, chapter 176, section 1,  
12 subsection 1, paragraph a, unnumbered paragraph 2, is  
13 amended to read as follows:  
14 Of the amount appropriated in this paragraph,  
15 ~~50,000~~ \$150,000 shall be used to continue the efforts  
16 of the Iowa chronic care consortium pursuant to 2003  
17 Iowa Acts, chapter 112, section 12, as amended by 2003  
18 Iowa Acts, chapter 179, sections 166 and 167."  
19 22. Page 10, line 19, by striking the figure  
20 "13,750,000" and inserting the following:  
21 "10,925,000".  
22 23. Page 10, by inserting after line 23 the  
23 following:  
24 "Sec.\_\_\_\_. EFFECTIVE DATE. The section of this  
25 Act amending 2005 Iowa Acts, chapter 176, section 1,  
26 being deemed of immediate importance, takes effect  
27 upon enactment."  
28 24. Title page, line 2, by inserting after the  
29 word "fund" the following: ", and providing an  
30 effective date".  
31 25. By renumbering as necessary.

Heaton of Henry offered the following amendment [H-8628](#), to the Senate amendment [H-8617](#), filed by him from the floor and moved its adoption:

[H-8628](#)

- 1 Amend the Senate amendment, [H-8617](#), to House File
- 2 2743, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by inserting after line 11, the
- 5 following:
- 6 "\_\_\_\_. Page 4, by striking line 32, and inserting
- 7 the following: "established pursuant to section
- 8 135.26 and for not more than the following full-time
- 9 equivalent position:"
- 10 2. Page 1, line 15, by inserting after the figure
- 11 "5" the following: "and inserting the following:
- 12 ..... FTEs 1.00"
- 13 3. Page 2, by striking line 1, and inserting the
- 14 following:
- 15 "\_\_\_\_. Page 8, by striking line 16."
- 16 4. Page 4, line 21, by striking the figure
- 17 "10,925,000" and inserting the following:
- 18 "13,975,375".
- 19 5. By renumbering as necessary.

Amendment [H-8628](#) was adopted.

On motion by Heaton of Henry the House concurred in the Senate amendment [H-8617](#), as amended.

Heaton of Henry moved that the bill, as amended by the Senate further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2743](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman



Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll, Presiding	

The nays were, none.

Absent or not voting, 5:

Fallon	Hunter	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2743](#) be immediately messaged to the Senate.

The House stood at ease at 8:41 p.m., until the fall of the gavel.

The House resumed session at 10:10 p.m., Speaker Rants in the chair.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 2, 2006, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2527](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the

blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

Also: That the Senate has on May 2, 2006, appointed the conference committee to [House File 2540](#), a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees. (Formerly [HSB 705](#)), and the members of the Conference Committee on the part of the Senate are: the senator from Union, Senator Angelo, and the senator from Scott, Senator Seng, Co-Chairs; the senator from Jasper, Senator Black; the senator from Johnson, Senator Dvorsky; the senator from Hancock, Senator Gaskill; the senator from Osceola, Senator Johnson.

Also: That the Senate has on May 2, 2006, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2780](#), a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

Also: That the Senate has on May 2, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2794](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of and tax exemptions under the income, sales, use, local option sales, and property taxes, updating the streamlined sales and use tax, and including effective and retroactive applicability date provisions.

MICHAEL E. MARSHALL, Secretary

#### SENATE AMENDMENT CONSIDERED

Chambers of O'Brien called up for consideration [House File 2527](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8632](#):

#### [H-8632](#)

- 1 Amend [House File 2527](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 13, by striking the figure

4 "400,000" and inserting the following: "285,000".  
5 2. Page 2, by striking lines 14 through 20.  
6 3. Page 4, line 29, by striking the figure  
7 "200,000" and inserting the following: "300,000".  
8 4. Page 5, by striking lines 11 and 12 and  
9 inserting the following:  
10 "..... \$ 5,643,607  
11 ..... FTEs 75.37  
12 From the funds appropriated in this subsection,  
13 \$225,000 shall be allocated for purposes of  
14 conducting, supporting, and managing the accreditation  
15 of school districts and for purposes of various other  
16 duties such as conducting reorganization feasibility  
17 studies."  
18 5. Page 6, line 2, by striking the figure  
19 "4,779,655" and inserting the following: "5,034,655".  
20 6. Page 7, line 17, by striking the figure  
21 "7,856,113" and inserting the following: "7,966,113".  
22 7. Page 10, by striking lines 3 through 7 and  
23 inserting the following: "Iowa empowerment fund,  
24 \$1,000,000 shall be used for professional development  
25 for the system of early care, health, and education.  
26 f. Of the amount appropriated in this subsection  
27 for deposit in the school ready children grants  
28 account of the Iowa empowerment fund, \$100,000 shall  
29 be allocated to the public broadcasting division of  
30 the department of education for support of community  
31 empowerment as a ready-to-learn-coordinator."  
32 8. Page 10, by striking lines 15 through 19.  
33 9. Page 10, line 25, by striking the figure  
34 "400,000" and inserting the following: "600,000".  
35 10. Page 10, by inserting after line 35 the  
36 following:  
37 "\_\_\_ READING INSTRUCTION PILOT PROJECT GRANT  
38 PROGRAM  
39 For the implementation of the reading instruction  
40 pilot project grant program, if enacted by this Act:  
41 ..... \$ 250,000  
42 \_\_\_. PARENT LIAISON PROGRAM  
43 For the establishment of a parent liaison program:  
44 ..... \$ 44,000  
45 The department of education shall develop and  
46 implement a pilot parental involvement liaison  
47 project. The department shall study successful state  
48 and national programs and use this information to  
49 develop a parental involvement liaison pilot project  
50 in which school districts and schools throughout the

Page 2

1 state may apply to participate. The department shall  
2 determine a timeline for the implementation of a

3 parental involvement liaison pilot project and other  
 4 mechanisms as identified, the necessary resources,  
 5 measures to publicize the project and other  
 6 mechanisms, and shall submit its findings and  
 7 recommendations in a report to the chairpersons and  
 8 ranking members of the senate and house of  
 9 representatives standing committees on education by  
 10 January 15, 2008.

11     . CORE CURRICULUM REQUIREMENTS

12 To implement core curriculum requirements  
 13 established pursuant to section 256.7, subsection 26,  
 14 as amended by 2006 Iowa Acts, [Senate File 2272](#), if  
 15 enacted:

16 ..... \$ 270,000"

17 11. Page 11, by striking lines 4 through 22 and  
 18 inserting the following:

19 "..... \$159,579,244

20 Notwithstanding the allocation formula in section  
 21 260C.18C, the funds appropriated in this subsection  
 22 shall be allocated as follows:

- 23 a. Merged Area I ..... \$ 7,786,416
- 24 b. Merged Area II ..... \$ 8,746,545
- 25 c. Merged Area III ..... \$ 8,076,172
- 26 d. Merged Area IV ..... \$ 3,965,756
- 27 e. Merged Area V ..... \$ 8,716,683
- 28 f. Merged Area VI ..... \$ 7,697,799
- 29 g. Merged Area VII ..... \$11,295,091
- 30 h. Merged Area IX ..... \$13,968,730
- 31 i. Merged Area X ..... \$ 23,342,242
- 32 j. Merged Area XI ..... \$ 23,626,432
- 33 k. Merged Area XII ..... \$ 9,256,058
- 34 l. Merged Area XIII ..... \$ 9,349,224
- 35 m. Merged Area XIV ..... \$4,015,573
- 36 n. Merged Area XV ..... \$12,611,064
- 37 o. Merged Area XVI ..... \$ 7,125,459"

38 12. Page 11, line 24, by striking the words "each  
 39 community college shall" and inserting the following:  
 40 "the department of education shall compile and".

41 13. Page 11, line 27, by inserting after the word  
 42 "year" the following: ", which each community college  
 43 shall submit to the department by a date specified by  
 44 the department".

45 14. Page 16, line 15, by striking the word  
 46 "institutions" and inserting the following:  
 47 "universities".

48 15. Page 16, line 17, by striking the figure  
 49 "6,000,000" and inserting the following:  
 50 "11,000,000".

Page 3

1 16. Page 16, line 28, by striking the word  
2 "institutions" and inserting the following:  
3 "universities".

4 17. Page 16, line 30, by striking the word  
5 "institutions" and inserting the following:  
6 "universities".

7 18. Page 16, line 31, by striking the word  
8 "institution-wide" and inserting the following:  
9 "university-wide".

10 19. Page 17, line 8, by striking the word  
11 "institution" and inserting the following:  
12 "university".

13 20. Page 17, line 18, by striking the words  
14 "institution. The institutions" and inserting the  
15 following: "university. The universities".

16 21. Page 17, line 32, by striking the word  
17 "institution" and inserting the following:  
18 "university".

19 22. Page 18, line 3, by striking the words "an  
20 institutional" and inserting the following: "a  
21 university".

22 23. Page 18, line 5, by striking the word  
23 "institutional" and inserting the following:  
24 "university".

25 24. Page 18, line 10, by striking the word  
26 "institutions" and inserting the following:  
27 "universities".

28 25. Page 18, by striking lines 12 through 21.

29 26. Page 18, by inserting before line 22 the  
30 following:

31 "(7) Consider Iowa pilot program

32 From the moneys allocated pursuant to this lettered  
33 paragraph, an amount equal to \$250,000 shall be used  
34 for the development and implementation of a consider  
35 Iowa pilot program at the state university of Iowa to  
36 retain Iowa's college graduates. The pilot program  
37 shall be developed with the intent of expanding the  
38 program in future years to the Iowa state university  
39 of science and technology and to the university of  
40 northern Iowa. The pilot program shall be developed  
41 in cooperation with representatives from the state's  
42 community colleges and businesses, shall focus on  
43 transitional students, current students, and alumni,  
44 and shall provide for the following:

45 (a) An interactive internet web presence tying in  
46 all aspects of the program.

47 (b) Career development opportunities for target  
48 markets.

49 (c) A consulting service for alumni of Iowa's  
50 community colleges and the institutions of higher

Page 4

1 education governed by the state board of regents.

2 (d) Virtual career fairs for Iowa's businesses.

3 (e) Organization and sponsorship of Iowa employer  
4 immersion programs, which may include but are not  
5 limited to opportunities for students to tour Iowa  
6 businesses and visit with employers and employees in  
7 the workplace.

8 (f) Employer strategy forums that encourage  
9 recruitment in Iowa, assist community college students  
10 with career development issues, and emphasize the  
11 benefits of working within the state.

12 (g) Funding for research on why graduates leave  
13 Iowa and which defines and implements methods to  
14 retain Iowa's graduates and encourage those who have  
15 migrated to return.

16 (h) Work with the leadership Iowa program to  
17 expand the program at the collegiate level.

18 The university shall submit a progress report to  
19 the general assembly by January 15, 2007, and shall  
20 submit its findings and recommendations in a report to  
21 the general assembly by January 14, 2008."

22 27. By striking page 18, line 33, through page  
23 19, line 3.

24 28. Page 21, by striking lines 18 through 20.

25 29. Page 22, by striking lines 16 through 19.

26 30. Page 22, line 29, by striking the figure  
27 "8,810,471" and inserting the following: "9,162,890".

28 31. Page 22, line 35, by striking the figure  
29 "4,930,295" and inserting the following: "5,127,507".

30 32. Page 24, by inserting after line 6 the  
31 following:

32 "Sec. \_\_\_. NEW SECTION. 256.25 READING  
33 INSTRUCTION PILOT PROJECT GRANT PROGRAM.

34 1. Subject to an appropriation of sufficient funds  
35 by the general assembly, the department shall  
36 establish a reading instruction pilot project grant  
37 program that provides for conducting at least two  
38 direct reading instruction pilot projects and at least  
39 two comprehensive reading instruction pilot projects  
40 to demonstrate the ability of both approaches to  
41 positively affect student learning for any or all  
42 grades from kindergarten through grade three in  
43 selected school district attendance centers.

44 2. Each pilot project shall be conducted for a  
45 minimum of one year, subject to an appropriation by  
46 the general assembly to the department for that  
47 purpose. The department, in consultation with experts  
48 in the delivery of direct reading and comprehensive  
49 reading instruction, shall establish a pilot project  
50 grant application process that specifies the design

Page 5

1 and implementation expectations of each grantee,  
2 criteria for the selection of pilot project  
3 participant school districts, and a system of  
4 assessments which all grantees will use to assist  
5 teachers and the department in measuring student  
6 growth in reading accuracy, fluency, phonemic  
7 awareness, oral reading ability, and comprehension  
8 skills, including but not limited to the dynamic  
9 indicator of basic early literacy. Grantees shall be  
10 evenly distributed between urban and rural school  
11 districts.

12 3. The department and the experts consulted in  
13 accordance with subsection 2 shall jointly develop and  
14 agree upon the evaluation criteria and the system of  
15 assessments used to evaluate effectiveness of the  
16 instruction methods to achieve reading success. The  
17 evaluation criteria and the system of assessments  
18 shall employ specifically designed evaluation models  
19 employing objective, valid, and reliable assessments.

20 4. Grant moneys shall be distributed to qualifying  
21 school districts by the department no later than  
22 September 1, 2006. Grantees shall use moneys received  
23 pursuant to this section to provide for ongoing  
24 support and training of the teachers implementing the  
25 pilot projects. Grant amounts shall be distributed as  
26 determined by the department.

27 5. The department shall retain one hundred  
28 thousand dollars annually from the amount appropriated  
29 for the pilot project grant program for the  
30 administration of the program and one hundred thousand  
31 dollars annually for the development and  
32 implementation of an independent, external program and  
33 results evaluation.

34 6. The department, in collaboration with an  
35 independent, external evaluator, shall submit a final  
36 report summarizing the results of the pilot projects,  
37 including student achievement results, to the  
38 chairpersons and ranking members of the senate and  
39 house of representatives standing committees on  
40 education by January 15, 2008.

41 7. Notwithstanding section 8.33, unencumbered or  
42 unobligated funds remaining on June 30 of the fiscal  
43 year for which the funds were appropriated for the  
44 pilot project grant program shall not revert but shall  
45 be available for expenditure for the following fiscal  
46 year for purposes of this section.

47 8. This section is repealed effective June 30,  
48 2008."

49 33. By striking page 29, line 31, through page  
50 35, line 35.

Page 6

- 1 34. Page 36, by inserting after line 5 the  
 2 following:  
 3 "Sec. \_\_\_\_\_. ALLOCATION TRANSFER. Notwithstanding  
 4 section 284.13, subsection 1, paragraphs "a" and "b",  
 5 Code Supplement 2005, the director of the department  
 6 of education may transfer, for the fiscal year  
 7 beginning July 1, 2005, and ending June 30, 2006,  
 8 without the prior written consent and approval of the  
 9 governor and the director of the department of  
 10 management, up to \$200,000 allocated under section  
 11 284.13, subsection 1, paragraph "a", for purposes of  
 12 the issuance of national board certification awards,  
 13 to supplement moneys allocated pursuant to section  
 14 284.13, subsection 1, paragraph "b", for purposes of  
 15 the beginning teacher mentoring and induction  
 16 programs."  
 17 35. Page 36, by striking lines 16 and 17 and  
 18 inserting the following: "This division of this  
 19 Act,".  
 20 36. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8632](#).

Chambers of O'Brien moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2527](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevort	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.



Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Fallon	Hunter	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Appropriations Calendar

**House File 2792**, a bill for an act providing for a statewide core curriculum and standards study, was taken up for consideration.

Dolecheck of Ringgold offered the following amendment **H-8627** filed by him, Kaufmann of Cedar, Wendt of Woodbury and Oldson of Polk from the floor and moved its adoption:

#### H-8627

1 Amend **House File 2792** as follows:  
 2 1. Page 1, by inserting before line 1 the  
 3 following:  
 4 "Section 1. Section 257.31, subsection 5,  
 5 paragraph j, Code 2005, is amended to read as follows:  
 6 j. Unusual need to continue providing a program or  
 7 other special assistance to non-English speaking  
 8 pupils after the expiration of the ~~three-year~~  
 9 four-year period specified in section 280.4.  
 10 Sec. \_\_\_\_ Section 280.4, subsection 3, Code 2005,  
 11 is amended to read as follows:  
 12 3. In order to provide funds for the excess costs  
 13 of instruction of limited English proficient students  
 14 above the costs of instruction of pupils in a regular  
 15 curriculum, students identified as limited English  
 16 proficient shall be assigned an additional weighting

17 of twenty-two hundredths, and that weighting shall be  
 18 included in the weighted enrollment of the school  
 19 district of residence for a period not exceeding ~~three~~  
 20 four years. However, the school budget review  
 21 committee may grant supplemental aid or modified  
 22 allowable growth to a school district to continue  
 23 funding a program for students after the expiration of  
 24 the ~~three-year~~ four-year period."

25 2. Page 1, by inserting after line 24 the  
 26 following:

27 "Sec. \_\_\_. EFFECTIVE AND APPLICABILITY DATES. The  
 28 sections of this Act amending sections 257.31 and  
 29 280.4, being deemed of immediate importance, take  
 30 effect upon enactment and are applicable for the  
 31 school budget year beginning July 1, 2006, and  
 32 succeeding budget years."

33 3. Title page, line 1, by inserting after the  
 34 word "Act" the following: "relating to education  
 35 standards and services by".

36 4. Title page, line 2, by inserting after the  
 37 word "study" the following: ", providing for an  
 38 increase in the number of years for which  
 39 supplementary weighting for limited English proficient  
 40 students may be obtained, and providing effective and  
 41 applicability dates".

Amendment [H-8627](#) was adopted.

Tymeson of Madison offered the following amendment [H-8630](#)  
 filed by her, Speaker Rants, Wendt of Woodbury and Whitead of  
 Woodbury from the floor and moved its adoption:

[H-8630](#)

1 Amend [House File 2792](#) as follows:

2 1. Page 1, by inserting before line 1 the  
 3 following:

4 "Section 1. Section 257.4, subsection 1, Code  
 5 2005, is amended to read as follows:

6 1. COMPUTATION OF TAX.

7 a. A school district shall cause an additional  
 8 property tax to be levied each year. The rate of the  
 9 additional property tax levy in a school district  
 10 shall be determined by the department of management  
 11 and shall be calculated to raise the difference  
 12 between the combined district cost for the budget year  
 13 and the sum of the products of the regular program  
 14 foundation base per pupil times the weighted  
 15 enrollment in the district and the special education  
 16 support services foundation base per pupil times the

17 special education support services weighted enrollment  
18 in the district.  
19 b. For the budget year beginning July 1, 2006, and  
20 succeeding budget years, the department of management  
21 shall determine an adjusted additional property tax  
22 levy and a statewide maximum adjusted additional  
23 property tax levy rate. For purposes of this  
24 paragraph, the adjusted additional property tax levy  
25 shall be that portion of the additional property tax  
26 levy corresponding to the state cost per pupil  
27 multiplied by a school district's weighted enrollment,  
28 and then multiplied by one hundred percent less the  
29 regular program foundation base per pupil percentage  
30 pursuant to section 257.1. The district shall receive  
31 adjusted additional property tax levy aid in an amount  
32 equal to the difference between the adjusted  
33 additional property tax levy rate and the statewide  
34 maximum adjusted additional property tax levy rate, as  
35 applied per thousand dollars of assessed valuation on  
36 all taxable property in the district. The statewide  
37 maximum adjusted additional property tax levy rate  
38 shall be annually determined by the department taking  
39 into account amounts allocated pursuant to section  
40 257.15, subsection 4.  
41 Sec. 2. Section 257.15, Code 2005, is amended by  
42 adding the following new subsection:  
43 NEW SUBSECTION. 4. The department of management  
44 shall allocate from amounts appropriated pursuant to  
45 section 257.16, subsection 1, for the purpose of  
46 calculating the statewide maximum adjusted additional  
47 property tax levy rate and providing adjusted  
48 additional property tax levy aid as provided in  
49 section 257.4, subsection 1, paragraph "b", an amount  
50 not to exceed the following:

Page 2

1 a. For the budget year beginning July 1, 2006, six  
2 million dollars.  
3 b. For the budget year beginning July 1, 2007,  
4 twelve million dollars.  
5 c. For the budget year beginning July 1, 2008,  
6 eighteen million dollars.  
7 d. For the budget year beginning July 1, 2009, and  
8 succeeding budget years, twenty-four million dollars.  
9 Sec. 3. Section 257.16, subsection 1, Code 2005,  
10 is amended to read as follows:  
11 1. There is appropriated each year from the  
12 general fund of the state an amount necessary to pay  
13 the foundation aid, ~~and~~ supplementary aid under  
14 section 257.4, subsection 2, and adjusted additional  
15 property tax levy aid under section 257.15, subsection

16 4.

17 Sec. 4. Section 423B.7, subsection 6, Code 2005,  
18 is amended to read as follows:

19 6. Local sales and services tax moneys received by  
20 a city or county may be expended for any lawful  
21 purpose of the city or county.

22 a. Notwithstanding the provisions of this  
23 subsection, sales and services tax moneys received  
24 from a tax imposed by a county pursuant to this  
25 chapter shall not be expended by or for the benefit of  
26 a school district located in whole or in part in the  
27 county unless the county is imposing a local option  
28 sales and services tax for school infrastructure  
29 purposes pursuant to chapter 423E.

30 b. Paragraph "a" of this subsection is repealed  
31 December 31, 2022.

32 Sec. 5. Section 423E.4, Code Supplement 2005, is  
33 amended by adding the following new subsection:

34 NEW SUBSECTION. 7. Notwithstanding subsection 2  
35 of this section or any other provision to the  
36 contrary, a school district that is located in whole  
37 or in part in a county that has not previously imposed  
38 the local sales and services tax for school  
39 infrastructure, and which votes on and approves the  
40 tax at a rate of one percent on or before July 1,  
41 2008, shall receive an amount equal to its pro rata  
42 share of the local sales and services tax receipts as  
43 provided in section 423E.3, subsection 5, paragraph  
44 "d", for a period corresponding to one-half the  
45 duration of the tax authorized by the voters. For the  
46 second half of the duration of the tax authorized by  
47 the voters, local sales and services tax receipts  
48 shall be distributed as otherwise applicable pursuant  
49 to subsection 2 of this section.

50 Sec. 6. EQUITY IN PROPERTY TAXATION INTERIM STUDY

Page 3

1 COMMITTEE.

2 1. The legislative council is requested to  
3 establish an equity in property taxation interim study  
4 committee to review the provisions of chapter 257 and  
5 develop one or more proposals that will equalize  
6 property tax rates applicable pursuant to the basic  
7 school foundation aid formula. The review shall  
8 include but not be limited to finance formulas that  
9 specifically address equalizing property tax rates,  
10 and shall be authorized for and conducted over a two-  
11 year period during the 2006 and 2007 legislative  
12 interims.

13 2. The membership of the committee shall include  
14 the following:

15 a. Two members of the senate standing committee on  
16 education.  
17 b. Two members of the house standing committee on  
18 education.  
19 c. Two members of the senate standing committee on  
20 ways and means.  
21 d. Two members of the house standing committee on  
22 ways and means.  
23 e. Persons representing education associations and  
24 stakeholders, urban and rural property tax interests,  
25 and other associations, groups, or interested parties  
26 as may be identified by the council, or added by the  
27 chairperson or co-chairpersons of the study committee  
28 designated by the council.  
29 3. Staffing assistance shall be provided by the  
30 department of education, with the assistance of the  
31 department of management and the department of  
32 revenue. The committee shall report its findings and  
33 recommendations, including proposed legislation, to  
34 the general assembly no later than January 1, 2008."  
35 2. Page 1, by inserting after line 24 the  
36 following:  
37 "Sec. 6. EFFECTIVE DATE. The sections of this Act  
38 amending section 257.4, subsection 1, relating to the  
39 calculation of an adjusted additional property tax  
40 levy and a statewide maximum adjusted additional  
41 property tax levy rate, enacting section 257.15,  
42 subsection 4, relating to allocating funds for  
43 calculation of the statewide maximum adjusted  
44 additional property tax levy rate and providing  
45 adjusted additional property tax levy aid, amending  
46 section 257.16, subsection 1, relating to conforming  
47 changes, amending section 423B.7, relating to  
48 prohibiting expenditure of sales and services tax  
49 moneys under specified circumstances, and enacting  
50 section 423E.4, subsection 7, relating to the

Page 4

1 distribution of local option sales and services tax  
2 revenue under specified circumstances, take effect  
3 upon enactment."  
4 3. Title page, line 2, by inserting after the  
5 word "study" the following: ", providing for adjusted  
6 additional property tax levy aid for school districts,  
7 allocating and restricting utilization of local option  
8 sales and services tax moneys under specified  
9 circumstances, providing for an equity in property  
10 taxation interim study, making an appropriation, and  
11 providing an effective date".  
12 4. By renumbering as necessary.

Amendment [H-8630](#) was adopted.

Chambers of O'Brien offered the following amendment [H-8636](#) filed by him from the floor and moved its adoption:

[H-8636](#)

- 1 Amend [House File 2792](#) as follows:
- 2 1. Page 1, line 1, by striking the words "CORE
- 3 CURRICULUM AND STANDARDS STUDY" and inserting the
- 4 following: "GRADUATION REQUIREMENTS".
- 5 2. Page 1, by striking lines 2 through 13 and
- 6 inserting the following:
- 7 "The department of education shall use funds
- 8 appropriated for graduation requirements under
- 9 division II of this Act to assist school districts
- 10 with the implementation of graduation requirements
- 11 established pursuant to section 256.7, subsection 26,
- 12 as amended by 2006 Iowa Acts, [Senate File 2272](#), if
- 13 enacted. The department shall survey school districts
- 14 as to their readiness for implementation of the
- 15 requirements. The department shall review Iowa law
- 16 and administrative rules and policies to determine if
- 17 changes are necessary or beneficial to implement the
- 18 graduation requirements. The department".
- 19 3. Page 1, line 14, by striking the words "a
- 20 progress" and inserting the following: "its findings
- 21 and recommendations in a".
- 22 4. Page 1, by striking lines 18 through 23 and
- 23 inserting the following: "by January 1,".

Amendment [H-8636](#) was adopted.

Tymeson of Madison offered the following amendment [H-8634](#) filed by her from the floor and moved its adoption:

[H-8634](#)

- 1 Amend [House File 2792](#) as follows:
- 2 1. Page 1, by inserting after line 24 the
- 3 following:
- 4 "Sec. 101. PARTICIPATION IN AN INSTRUCTIONAL
- 5 SUPPORT PROGRAM BY SCHOOL DISTRICTS – SUSPENSION OF
- 6 REQUIREMENTS. Notwithstanding any contrary provision
- 7 in chapter 257, including sections 257.18 through
- 8 257.21, a school district that has participated in a
- 9 board-approved instructional support program during
- 10 the fiscal year beginning July 1, 2005, and ending
- 11 June 30, 2006, may continue to participate in the

12 board-approved instructional support program for the  
13 fiscal year beginning July 1, 2006, and ending June  
14 30, 2007, to the extent established by the board's  
15 resolution, as if it had complied with those sections,  
16 if all of the following apply:  
17 1. The board of directors of the school district  
18 has adopted or adopts a resolution not later than May  
19 15, 2006, to participate in the board-approved  
20 instructional support program as otherwise provided in  
21 section 257.18. If the board of directors has adopted  
22 a budget which did not account for the board-approved  
23 instructional support program, the board of directors  
24 may adjust its budget to account for the  
25 board-approved instructional support program as  
26 approved by the department of management.  
27 2. The secretary of the board of directors does  
28 not receive a petition as authorized in section  
29 257.18, subsection 2, within twenty-eight days  
30 following the adoption of the resolution by the board  
31 of directors of the school district to participate in  
32 the board-approved instructional support program as  
33 provided in subsection 1, which asks that an election  
34 be called to approve or disapprove the action of the  
35 board of directors in adopting the resolution.  
36 Sec.\_\_\_\_. EFFECTIVE DATE. Section 101 of this  
37 division of this Act, being deemed of immediate  
38 importance, takes effect upon enactment."  
39 2. Title page, line 1, by inserting before the  
40 word "providing" the following: "providing for  
41 participation in an instructional support program by  
42 school districts, and".  
43 3. By renumbering as necessary.

Amendment [H-8634](#) was adopted.

Gipp of Winneshiek asked and received unanimous consent that [House File 2792](#) be deferred and that the bill retain its place on the calendar.

#### SENATE AMENDMENT CONSIDERED

Carroll of Poweshiek called up for consideration [House File 2780](#), a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services, changing the name of a departmental

division, providing for an increase in the reimbursement of certain service providers, and providing effective and applicability dates, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8633](#):

[H-8633](#)

1 Amend [House File 2780](#), as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, by inserting after line 2 the  
4 following:  
5 "Section 1. Section 125.82, subsection 3, Code  
6 2005, as amended by 2006 Iowa Acts, [Senate File 2362](#),  
7 section 1, if enacted, and 2006 Iowa Acts, Senate File  
8 2217, section 30, if enacted, is amended to read as  
9 follows:  
10 3. The person who filed the application and a  
11 licensed physician, ~~or qualified mental health~~  
12 professional as defined in section ~~229.1 228.1, or~~  
13 certified alcohol and drug counselor certified by the  
14 nongovernmental Iowa board of substance abuse  
15 certification who has examined the respondent in  
16 connection with the commitment hearing shall be  
17 present at the hearing, unless the court for good  
18 cause finds that their presence or testimony is not  
19 necessary. The applicant, respondent, and the  
20 respondent's attorney may waive the presence or  
21 telephonic appearance of the licensed physician, ~~or~~  
22 ~~qualified mental health professional, or certified~~  
23 alcohol and drug counselor who examined the respondent  
24 and agree to submit as evidence the written report of  
25 the licensed physician, ~~or qualified mental health~~  
26 professional, ~~or certified alcohol and drug counselor~~.  
27 The respondent's attorney shall inform the court if  
28 the respondent's attorney reasonably believes that the  
29 respondent, due to diminished capacity, cannot make an  
30 adequately considered waiver decision. "Good cause"  
31 for finding that the testimony of the licensed  
32 physician, ~~or qualified mental health professional, or~~  
33 certified alcohol and drug counselor who examined the  
34 respondent is not necessary may include, but is not  
35 limited to, such a waiver. If the court determines  
36 that the testimony of the licensed physician, ~~or~~  
37 ~~qualified mental health professional, or certified~~  
38 alcohol and drug counselor is necessary, the court may  
39 allow the licensed physician, ~~or qualified mental~~  
40 health professional, ~~or certified alcohol and drug~~  
41 counselor to testify by telephone. The respondent  
42 shall be present at the hearing unless prior to the  
43 hearing the respondent's attorney stipulates in  
44 writing that the attorney has conversed with the



45 respondent, and that in the attorney's judgment the  
46 respondent cannot make a meaningful contribution to  
47 the hearing, or that the respondent has waived the  
48 right to be present, and the basis for the attorney's  
49 conclusions. A stipulation to the respondent's  
50 absence shall be reviewed by the court before the

Page 2

1 hearing, and may be rejected if it appears that  
2 insufficient grounds are stated or that the  
3 respondent's interests would not be served by the  
4 respondent's absence."

5 2. Page 8, by striking line 4 and inserting the  
6 following: "funding to counties and other public  
7 funding for the services. The purposes of the review  
8 include but are not limited to examining the public  
9 sources of the funding and programming for the  
10 services and to".

11 3. Page 8, line 13, by inserting after the word  
12 "representatives." the following: "In addition, the  
13 membership shall include four ex officio, nonvoting  
14 members with two representing the Iowa state  
15 association of counties, one representing the  
16 department of human services, and one representing the  
17 mental health, mental retardation, developmental  
18 disabilities, and brain injury commission. It is the  
19 intent of the general assembly that the study  
20 committee submit a report with findings and  
21 recommendations to the governor, the general assembly,  
22 and the commission on or before January 1, 2007."

23 4. Page 8, by inserting after line 16 the  
24 following:  
25 "Sec. \_\_\_. Section 249A.12, subsection 8, as  
26 enacted by 2006 Iowa Acts, [House File 2492](#), section 1,  
27 is amended by striking the subsection and inserting in  
28 lieu thereof the following:

29 8. If a person with mental retardation has no  
30 legal settlement or the legal settlement is unknown so  
31 that the person is deemed to be a state case and  
32 services associated with the mental retardation can be  
33 covered under a medical assistance home and  
34 community-based waiver or other medical assistance  
35 program provision, the nonfederal share of the medical  
36 assistance program costs for such coverage shall be  
37 paid from the appropriation made for the medical  
38 assistance program."

39 5. Page 9, line 1, by striking the word and  
40 figures "July 1, 2007" and inserting the following:  
41 "October 1, 2006".

42 6. Page 9, line 35, by striking the word and  
43 figures "July 1, 2007" and inserting the following:

44 "October 1, 2006".  
45 7. Page 10, by striking lines 16 through 30 and  
46 inserting the following:  
47 "1. a. The section of this division of this Act  
48 that amends section 331.440, subsection 3, takes  
49 effect July 1, 2007.  
50 b. This section, being deemed of immediate

Page 3

1 importance, takes effect upon enactment, and the  
2 department shall begin implementation upon enactment.  
3 2. a. The department of human services and  
4 counties, in consultation with the legislative  
5 services agency, shall develop a methodology for  
6 distributing the funding appropriated for the fiscal  
7 year beginning July 1, 2006, for state case services  
8 and other support, as defined in this division of this  
9 Act, to counties for county residents who receive  
10 state case services and other support, on and after  
11 October 1, 2006. The methodology shall be based upon  
12 historical usage, projected usage, and significant  
13 increases anticipated in county costs. The department  
14 and counties shall share with one another names and  
15 necessary information concerning the individuals who  
16 have been identified by the department or counties.  
17 The methodology shall provide for quarterly  
18 distributions.  
19 b. The base funding amount used for the  
20 distribution methodology to counties shall be 75  
21 percent of the amount appropriated for state case  
22 services and other support plus any reversions from  
23 the previous fiscal year's appropriation, the amount  
24 transferred from block grant funding, and any other  
25 source designated by law. The base funding amount may  
26 be adjusted for relevant purposes that may include but  
27 are not limited to an adjustment to reflect the  
28 expenditure savings realized from renegotiation of the  
29 contract with the contractor providing managed care  
30 for mental health services made pursuant to this  
31 division of this Act.  
32 c. Prior to September 1, 2006, the department  
33 shall meet with each county to analyze the actual  
34 numbers of individuals who are eligible for state case  
35 services and other support and who as county residents  
36 will be the financial and management responsibility of  
37 the county effective October 1, 2006, the historical  
38 costs of state case services and other support  
39 provided to such individuals by the department, the  
40 projected increase in cost of providing state case  
41 services and other support to such individuals in  
42 accordance with the county management plan, and the

43 projected cost to provide state case services and  
44 other support at county reimbursement rates in lieu of  
45 the capped reimbursement rates paid by the state. The  
46 purpose of the analysis is for the department, in  
47 consultation with each county, to determine by  
48 September 1, 2006, an amount needed for the county to  
49 fund state case services and other support for county  
50 residents for the period beginning October 1, 2006,

Page 4

1 and ending June 30, 2007. If a county disputes the  
2 department's determination of the amount needed by the  
3 county, the county may appeal the determination to the  
4 director of human services. The county shall file the  
5 appeal within 30 days of the issuance date of the  
6 determination. The director's decision shall be  
7 considered to be a final agency decision and may be  
8 appealed as provided in chapter 17A. While an appeal  
9 is pending, the department shall provide funding to  
10 the county for state cases in the amount determined by  
11 the department, subject to later adjustment based upon  
12 the outcome of the appeal.

13 d. If the aggregate of the amounts determined for  
14 each county, as provided in paragraph "c", exceeds the  
15 base funding amount determined under paragraph "b",  
16 notwithstanding section 331.440, subsection 3A, as  
17 enacted by this division of this Act, the department  
18 of human services shall retain responsibility for the  
19 costs of state case services and other support for  
20 persons deemed to be a state case through June 30,  
21 2007. The department shall report to the governor and  
22 general assembly on or before December 1, 2006,  
23 recommendations to address the funding shortfall.

24 e. If the aggregate of the amounts determined for  
25 each county, as provided in paragraph "c", is less  
26 than the base funding amount determined under  
27 paragraph "b", the amounts determined shall be  
28 distributed to the counties and the excess amount  
29 shall be reserved for distribution as provided in  
30 paragraph "f".

31 f. (1) If a county becomes responsible for a new  
32 individual state case whose costs were not included in  
33 the amounts determined under paragraph "c", the county  
34 shall supply the individual's application and service  
35 and other support needs to the department for an  
36 eligibility determination and identification of  
37 funding availability. If the county disputes the  
38 department's determination, the appeal provisions  
39 under paragraph "c" shall apply.

40 (2) If an existing state case has a change in  
41 condition that results in significant additional costs

42 that cannot be offset by savings from other state  
43 cases or other means, the county may apply to the  
44 department for relief to address the additional costs.  
45 Relief payments approved by the department shall be  
46 paid from the excess amount reserved under paragraph  
47 "e" and are limited to that amount. In addition, if a  
48 county has such additional costs and either did not  
49 apply for relief or the application was denied in  
50 whole or in part because at the time of the

Page 5

1 application the excess amount reserved under paragraph  
2 "e" was projected to be insufficient, the county may  
3 apply for any funds from any excess amount available  
4 under paragraph "e" that would otherwise remain  
5 unexpended or unobligated at the close of the fiscal  
6 year. Otherwise, the state liability for the cost of  
7 the state case services and other support authorized  
8 by a county of residence is limited to the amount  
9 distributed to the county.

10 g. The state's liability for state case services  
11 and other support for the fiscal year beginning July  
12 1, 2006, is limited to the amount appropriated.

13 h. The provisions of this subsection shall be  
14 adopted in rule as necessary to implement the  
15 provisions. The mental health, mental retardation,  
16 developmental disabilities, and brain injury  
17 commission may adopt administrative rules under  
18 section 17A.4, subsection 2, and section 17A.5,  
19 subsection 2, paragraph "b", to implement the  
20 provisions and the rules shall become effective  
21 immediately upon filing or on a later effective date  
22 specified in the rules, unless the effective date is  
23 delayed by the administrative rules review committee.  
24 Any rules adopted in accordance with this subsection  
25 shall not take effect before the rules are reviewed by  
26 the administrative rules review committee. The delay  
27 authority provided to the administrative rules review  
28 committee under section 17A.4, subsection 5, and  
29 section 17A.8, subsection 9, shall be applicable to a  
30 delay imposed under this subsection, notwithstanding a  
31 provision in those sections making them inapplicable  
32 to section 17A.5, subsection 2, paragraph "b". Any  
33 rules adopted in accordance with the provisions of  
34 this subsection shall also be published as notice of  
35 intended action as provided in section 17A.4."

36 8. Page 10, line 33, by inserting after the word  
37 "Act" the following: "amending section 331.440,  
38 subsection 3, to take effect".

39 9. Page 11, by striking lines 10 through 24 and  
40 inserting the following:

41 "4. The department of human services shall  
 42 renegotiate the department's contract with the  
 43 contractor providing managed care for mental health  
 44 services under the medical assistance program so that  
 45 any responsibility for the contractor to manage state  
 46 case services and other support, as defined by this  
 47 division of this Act, will end on or before September  
 48 30, 2006. The expenditure savings realized from  
 49 making this change shall remain with the state case  
 50 appropriation for distribution to counties of

Page 6

1 residence.

2 5. The department of human services and counties  
 3 shall work with the department's consultant to develop  
 4 a proposal for a case rate system that may be used in  
 5 subsequent fiscal years for distributing funding to  
 6 counties for the state case services and other support  
 7 provided to county residents. The case rate system  
 8 proposal developed is subject to approval by the  
 9 mental health, mental retardation, developmental  
 10 disabilities, and brain injury commission, shall be  
 11 submitted to the governor and general assembly in  
 12 January 2007, and shall not be implemented unless a  
 13 statute specifically authorizing implementation of the  
 14 system is enacted."

15 10. Page 18, line 9, by inserting after the word  
 16 "centers" the following: "and providers of mental  
 17 health services to county residents pursuant to a  
 18 waiver approved under section 225C.7, subsection 3,".

19 11. By renumbering, relettering, or redesignating  
 20 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8633](#).

Carroll of Poweshiek moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2780](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar

Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Fallon	Hunter	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2780](#) be immediately messaged to the Senate.

The House resumed consideration of [House File 2792](#), previously deferred and found on pages 1561–1567 of the House Journal.

Chambers of O'Brien offered amendment [H-8635](#) filed by him from the floor as follows:

#### [H-8635](#)

- 1 Amend [House File 2792](#) as follows:
- 2 1. Page 1, by inserting before line 1 the

3 following:

4 "DIVISION I  
5 STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

6 Section 1. DEPARTMENT OF EDUCATION. There is  
7 appropriated from the general fund of the state to the  
8 department of education for the designated fiscal  
9 years of the fiscal period beginning July 1, 2006, and  
10 ending June 30, 2009, the following amounts, or so  
11 much thereof as is necessary, to be used for the  
12 purposes designated:

13 For purposes, as provided in law, of the student  
14 achievement and teacher quality program established  
15 pursuant to chapter 284:

16 FY 2006-2007 .....	\$104,593,894
17 FY 2007-2008 .....	\$139,593,894
18 FY 2008-2009 .....	\$174,593,894

19 Sec. 2. Section 256.11, Code Supplement 2005, is  
20 amended by adding the following new subsection:

21 NEW SUBSECTION. 9. Beginning July 1, 2006, each  
22 school district shall have a qualified teacher  
23 librarian who shall be licensed by the board of  
24 educational examiners under chapter 272. The state  
25 board shall establish in rule a definition of and  
26 standards for an articulated sequential kindergarten  
27 through grade twelve media program. A school district  
28 that has entered into a contract with an individual  
29 for employment as a media specialist or librarian  
30 during the 2005-2006 school year shall be considered  
31 to be in compliance with this subsection until the  
32 individual leaves the employ of the school district.

33 Sec. 3. Section 256.11A, Code 2005, is amended to  
34 read as follows:

35 256.11A GUIDANCE PROGRAM TEACHER LIBRARIAN --  
36 MEDIA SERVICES PROGRAM -- WAIVER.

37 ~~1. Schools and school districts unable to meet the~~  
38 ~~standard adopted by the state board requiring each~~  
39 ~~school or school district operating a kindergarten~~  
40 ~~through grade twelve program to provide an articulated~~  
41 ~~sequential elementary-secondary guidance program. The~~  
42 board of directors of a school district may, not later  
43 than August 1, 1995 2006, for the school year  
44 beginning July 1, 1995 2006, file a written request to  
45 the department of education that the department waive  
46 the requirement for adopted by the state board  
47 pursuant to section 256.11, subsection 9, that school  
48 or the school district have a qualified teacher  
49 librarian. The procedures specified in subsection 3  
50 apply to the request. Not later than August 1, 1996

Page 2

1 ~~2007~~, for the school year beginning July 1, ~~1996~~ 207,  
2 the board of directors of a school district ~~or the~~  
3 ~~authorities in charge of a nonpublic school~~ may  
4 request a one-year extension of the waiver.

5 ~~2. Not later than August 1, 1995, for the school~~  
6 ~~year beginning July 1, 1995, the board of directors of~~  
7 ~~a school district, or authorities in charge of a~~  
8 ~~nonpublic school, may file a written request with the~~  
9 ~~department of education that the department waive the~~  
10 ~~rule adopted by the state board to establish and~~  
11 ~~operate a media services program to support the total~~  
12 ~~curriculum for that district or school. The~~  
13 ~~procedures specified in subsection 3 apply to the~~  
14 ~~request. Not later than August 1, 1996, for the~~  
15 ~~school year beginning July 1, 1996, the board of~~  
16 ~~directors of a school district or the authorities in~~  
17 ~~charge of a nonpublic school may request an additional~~  
18 ~~one year extension of the waiver.~~

19 ~~3. 2.~~ A request for a waiver filed by the board  
20 of directors of a school district ~~or authorities in~~  
21 ~~charge of a nonpublic school~~ shall describe actions  
22 being taken by the district ~~or school~~ to meet the  
23 requirement for which the district ~~or school~~ has  
24 requested a waiver.

25 Sec. 4. Section 256.44, subsection 1, paragraph a,  
26 Code Supplement 2005, is amended to read as follows:

27 a. If a teacher registers for national board for  
28 professional teaching standards certification prior to  
29 June 30, ~~2006~~ 2007, a one-time initial reimbursement  
30 award in the amount of up to one-half of the  
31 registration fee paid by the teacher for registration  
32 for certification by the national board for  
33 professional teaching standards. The teacher shall  
34 apply to the department of education within one year  
35 of registration, submitting to the department any  
36 documentation the department requires. A teacher who  
37 receives an initial reimbursement award shall receive  
38 a one-time final registration award in the amount of  
39 the remaining national board registration fee paid by  
40 the teacher if the teacher notifies the department of  
41 the teacher's certification achievement and submits  
42 any documentation requested by the department.

43 Sec. 5. Section 284.1, unnumbered paragraph 1,  
44 Code 2005, is amended to read as follows:

45 A student achievement and teacher quality program  
46 is established to promote high student achievement.  
47 The program shall consist of the following ~~four~~ five  
48 major elements:

49 Sec. 6. Section 284.1, Code 2005, is amended by  
50 adding the following new subsection:



Page 3

1 NEW SUBSECTION. 5. Evaluation of teachers against  
2 the Iowa teaching standards.

3 Sec. 7. Section 284.2, subsection 1, Code 2005, is  
4 amended to read as follows:

5 1. "Beginning teacher" means an individual serving  
6 under an initial or intern license, issued by the  
7 board of educational examiners under chapter 272, who  
8 is assuming a position as a ~~classroom~~ teacher. For  
9 purposes of the beginning teacher mentoring and  
10 induction program created pursuant to section 284.5,  
11 "beginning teacher" also includes preschool teachers  
12 who are licensed by the board of educational examiners  
13 under chapter 272 and are employed by a school  
14 district or area education agency.

15 Sec. 8. Section 284.2, subsection 2, Code 2005, is  
16 amended by striking the subsection.

17 Sec. 9. Section 284.2, subsection 8, Code 2005, is  
18 amended to read as follows:

19 8. "Mentor" means an individual employed by a  
20 school district or area education agency as a  
21 ~~classroom~~ teacher or a retired teacher who holds a  
22 valid license issued under chapter 272. The  
23 individual must have a record of four years of  
24 successful teaching practice, must be employed on a  
25 nonprobationary basis, and must demonstrate  
26 professional commitment to both the improvement of  
27 teaching and learning and the development of beginning  
28 teachers.

29 Sec. 10. Section 284.2, subsection 12, Code 2005,  
30 is amended to read as follows:

31 12. "Teacher" means an individual holding a  
32 practitioner's license issued under chapter 272, who  
33 is employed in a nonadministrative position as a  
34 teacher, ~~teacher~~ librarian, ~~media specialist~~,  
35 preschool teacher, or counselor by a school district  
36 or area education agency pursuant to a contract issued  
37 by a board of directors under section 279.13.  
38 However, an individual who is employed by an area  
39 education agency shall only be considered a teacher  
40 for purposes of this chapter if the individual  
41 directly delivers instruction to school or school  
42 district students for fifty percent or more of the  
43 individual's contracted time. A teacher may be  
44 employed in both an administrative and a  
45 nonadministrative position by a board of directors and  
46 shall be considered a part-time teacher for the  
47 portion of time that the teacher is employed in a  
48 nonadministrative position. "Teacher" includes a  
49 licensed individual employed on a less than full-time  
50 basis by a school district through a contract between

Page 4

1 the school district and an institution of higher  
2 education with a practitioner preparation program in  
3 which the licensed teacher is enrolled.

4 Sec. 11. Section 284.4, subsection 1, paragraph e,  
5 Code Supplement 2005, is amended to read as follows:

6 e. Adopt a teacher evaluation plan that, at  
7 minimum, requires a performance review of teachers in  
8 the ~~participating~~ district at least once every three  
9 years based upon the Iowa teaching standards and  
10 individual career development plans, and requires  
11 administrators to complete evaluator training in  
12 accordance with section 284.10.

13 Sec. 12. Section 284.5, subsections 1, 3, 4, and  
14 7, Code Supplement 2005, are amended to read as  
15 follows:

16 1. A beginning teacher mentoring and induction  
17 program is created to promote excellence in teaching,  
18 enhance student achievement, build a supportive  
19 environment within school districts and area education  
20 agencies, increase the retention of promising  
21 beginning teachers, and promote the personal and  
22 professional well-being of ~~classroom~~ teachers.

23 3. Each school district and area education agency  
24 shall provide a beginning teacher mentoring and  
25 induction program for all ~~classroom~~ teachers who are  
26 beginning teachers, and notwithstanding section 284.4,  
27 subsection 1, a school district and an area education  
28 agency shall be eligible to receive moneys under  
29 section 284.13, subsection 1, paragraph "b", for  
30 purposes of implementing a beginning teacher mentoring  
31 and induction program in accordance with this section.

32 4. Each ~~participating~~ school district and area  
33 education agency shall develop an initial beginning  
34 teacher mentoring and induction plan. A school  
35 district shall include its plan in the school  
36 district's comprehensive school improvement plan  
37 submitted pursuant to section 256.7, subsection 21.  
38 The beginning teacher mentoring and induction plan  
39 shall, at a minimum, provide for a two-year sequence  
40 of induction program content and activities to support  
41 the Iowa teaching standards and beginning teacher  
42 professional and personal needs; mentor training that  
43 includes, at a minimum, skills of classroom  
44 demonstration and coaching, and district expectations  
45 for beginning teacher competence on Iowa teaching  
46 standards; placement of mentors and beginning  
47 teachers; the process for dissolving mentor and  
48 beginning teacher partnerships; district  
49 organizational support for release time for mentors  
50 and beginning teachers to plan, provide demonstration

Page 5

1 of classroom practices, observe teaching, and provide  
2 feedback; structure for mentor selection and  
3 assignment of mentors to beginning teachers; a  
4 district facilitator; and program evaluation.  
5 7. If a beginning teacher who is participating in  
6 a mentoring and induction program leaves the employ of  
7 a ~~participating~~ school district or area education  
8 agency prior to completion of the program, the  
9 ~~participating~~ school district or area education agency  
10 subsequently hiring the beginning teacher shall credit  
11 the beginning teacher with the time earned in the  
12 program prior to the subsequent hiring.  
13 Sec. 13. Section 284.6, subsection 1, unnumbered  
14 paragraph 1, Code 2005, is amended to read as follows:  
15 The department shall coordinate a statewide network  
16 of career development for Iowa teachers. A  
17 ~~participating~~ school district or career development  
18 provider that offers a career development program in  
19 accordance with section 256.9, subsection 50, shall  
20 demonstrate that the program contains the following:  
21 Sec. 14. Section 284.6, subsections 3 and 4, Code  
22 2005, are amended to read as follows:  
23 3. A ~~participating~~ school district shall  
24 incorporate a district career development plan into  
25 the district's comprehensive school improvement plan  
26 submitted to the department in accordance with section  
27 256.7, subsection 21. The district career development  
28 plan shall include a description of the means by which  
29 the school district will provide access to all  
30 teachers in the district to career development  
31 programs or offerings that meet the requirements of  
32 subsection 1. The plan shall align all career  
33 development with the school district's long-range  
34 student learning goals and the Iowa teaching  
35 standards. The plan shall indicate the school  
36 district's approved career development provider or  
37 providers.  
38 4. In cooperation with the teacher's evaluator,  
39 the career teacher employed by a ~~participating~~ school  
40 district shall develop an individual teacher career  
41 development plan. The evaluator shall consult with  
42 the teacher's supervisor on the development of the  
43 individual teacher career development plan. The  
44 purpose of the plan is to promote individual and group  
45 career development. The individual plan shall be  
46 based, at minimum, on the needs of the teacher, the  
47 Iowa teaching standards, and the student achievement  
48 goals of the attendance center and the school district  
49 as outlined in the comprehensive school improvement  
50 plan.

Page 6

1 Sec. 15. Section 284.7, unnumbered paragraph 1,  
2 Code Supplement 2005, is amended to read as follows:  
3 To promote continuous improvement in Iowa's quality  
4 teaching workforce and to give Iowa teachers the  
5 opportunity for career recognition that reflects the  
6 various roles teachers play as educational leaders, an  
7 Iowa teacher career path is established for teachers  
8 employed by ~~participating~~ school districts. A  
9 ~~participating~~ school district shall use funding  
10 allocated under section 284.13, subsection 1,  
11 paragraph "~~d~~" "h", to raise teacher salaries to meet  
12 the requirements of this section. The Iowa teacher  
13 career path and salary minimums are as follows:  
14 Sec. 16. Section 284.7, subsection 1, unnumbered  
15 paragraph 1, Code Supplement 2005, is amended to read  
16 as follows:  
17 ~~Effective July 1, 2001, the~~ The following career  
18 path levels are established and shall be implemented  
19 in accordance with this chapter:  
20 Sec. 17. Section 284.7, subsection 1, paragraph a,  
21 subparagraph (1), subparagraph subdivisions (a) and  
22 (b), Code 2005, are amended to read as follows:  
23 (a) Has successfully completed an approved  
24 practitioner preparation program as defined in section  
25 272.1 or holds an intern teacher license issued by the  
26 board of educational examiners under chapter 272.  
27 (b) Holds an initial or intern teacher license  
28 issued by the board of educational examiners.  
29 Sec. 18. Section 284.7, subsection 1, paragraph a,  
30 subparagraph (2), Code Supplement 2005, is amended by  
31 striking the subparagraph and inserting in lieu  
32 thereof the following:  
33 (2) Beginning July 1, 2006, the minimum salary for  
34 a beginning teacher shall be twenty-five thousand five  
35 hundred dollars.  
36 Sec. 19. Section 284.7, subsection 1, paragraph b,  
37 subparagraph (2), Code Supplement 2005, is amended by  
38 striking the subparagraph and inserting in lieu  
39 thereof the following:  
40 (2) Beginning July 1, 2006, the minimum salary for  
41 a first-year career teacher shall be twenty-six  
42 thousand five hundred dollars and the minimum salary  
43 for all other career teachers shall be twenty-seven  
44 thousand five hundred dollars.  
45 Sec. 20. Section 284.7, subsection 5, Code  
46 Supplement 2005, is amended to read as follows:  
47 5. A teacher employed in a ~~participating~~ district  
48 shall not receive less compensation in that  
49 ~~participating~~ district than the teacher received in  
50 the school year preceding participation, as set forth

Page 7

1 in section 284.4 due to implementation of this  
2 chapter. A teacher who achieves national board for  
3 professional teaching standards certification and  
4 meets the requirements of section 256.44 shall  
5 continue to receive the award as specified in section  
6 256.44 in addition to the compensation set forth in  
7 this section.

8 Sec. 21. Section 284.7, subsection 6, paragraphs a  
9 and b, Code Supplement 2005, are amended to read as  
10 follows:

11 a. If the licensed employees of a school district  
12 or area education agency receiving funds pursuant to  
13 section 284.13, subsection 1, paragraph "~~d~~" "h" or "~~e~~"  
14 "i", for purposes of this section, are organized under  
15 chapter 20 for collective bargaining purposes, the  
16 board of directors and the certified bargaining  
17 representative for the licensed employees shall  
18 mutually agree upon a formula for distributing the  
19 funds among the teachers employed by the school  
20 district or area education agency. However, the  
21 school district must comply with the salary minimums  
22 provided for in this section. The parties shall  
23 follow the negotiation and bargaining procedures  
24 specified in chapter 20 except that if the parties  
25 reach an impasse, neither impasse procedures agreed to  
26 by the parties nor sections 20.20 through 20.22 shall  
27 apply and the funds shall be paid as provided in  
28 paragraph "b". Negotiations under this section are  
29 subject to the scope of negotiations specified in  
30 section 20.9. If a board of directors and the  
31 certified bargaining representative for licensed  
32 employees have not reached mutual agreement for the  
33 distribution of funds received pursuant to section  
34 284.13, subsection 1, paragraph "~~d~~" "h" or "~~e~~" "i", by  
35 July 15 of the fiscal year for which the funds are  
36 distributed, paragraph "b" of this subsection shall  
37 apply.

38 b. If, once the minimum salary requirements of  
39 this section have been met by the school district or  
40 area education agency, and the school district or area  
41 education agency receiving funds pursuant to section  
42 284.13, subsection 1, paragraph "~~d~~" "h" or "~~e~~" "i",  
43 for purposes of this section, and the certified  
44 bargaining representative for the licensed employees  
45 have not reached an agreement for distribution of the  
46 funds remaining, in accordance with paragraph "a", the  
47 board of directors shall divide the funds remaining  
48 among full-time teachers employed by the district or  
49 area education agency whose regular compensation is  
50 equal to or greater than the minimum career teacher

Page 8

1 salary specified in this section. The payment amount  
2 for teachers employed on less than a full-time basis  
3 shall be prorated.

4 Sec. 22. Section 284.8, subsection 1, Code 2005,  
5 is amended to read as follows:

6 1. A ~~participating~~ school district shall review a  
7 teacher's performance at least once every three years  
8 for purposes of assisting teachers in making  
9 continuous improvement, documenting continued  
10 competence in the Iowa teaching standards, identifying  
11 teachers in need of improvement, or to determine  
12 whether the teacher's practice meets school district  
13 expectations for career advancement in accordance with  
14 section 284.7. The review shall include, at minimum,  
15 classroom observation of the teacher, the teacher's  
16 progress, and implementation of the teacher's  
17 individual career development plan; shall include  
18 supporting documentation from other evaluators,  
19 teachers, parents, and students; and may include video  
20 portfolios as evidence of teaching practices.

21 Sec. 23. Section 284.10, subsection 5, Code 2005,  
22 is amended to read as follows:

23 5. By July 1, ~~2005~~ 2007, the director shall  
24 develop and implement an evaluator training  
25 certification renewal program for administrators and  
26 other practitioners who need to renew a certificate  
27 issued pursuant to this section.

28 Sec. 24. Section 284.11, Code 2005, is amended by  
29 striking the section and inserting in lieu thereof the  
30 following:

31 284.11 MARKET FACTOR TEACHER SALARIES.

32 1. The general assembly finds that Iowa school  
33 districts need to be more competitive in recruiting  
34 and retaining talented professionals into the teaching  
35 profession. To ensure that school districts in all  
36 areas of the state have the ability to attract highly  
37 qualified teachers, it is the intent of the general  
38 assembly to encourage school districts to establish  
39 teacher compensation opportunities that recognize the  
40 need for geographic or other locally determined wage  
41 differentials and provide incentives for traditionally  
42 hard-to-staff schools and subject-area shortages.  
43 This section provides for state assistance to allow  
44 school districts to add a market factor to teacher  
45 salaries paid by the school districts.

46 2. A school district shall be paid annually, from  
47 moneys allocated for market factor salaries pursuant  
48 to section 284.13, subsection 1, paragraph "f", an  
49 amount of state assistance to create market factor  
50 incentives for classroom teachers in the school

Page 9

1 district. Market factor incentives may include but  
2 are not limited to improving salaries due to  
3 geographic differences, recruitment and retention  
4 needs of the school district in such areas as hard-  
5 to-staff schools, subject-area shortages, or improving  
6 the racial or ethnic diversity on local teaching  
7 staffs. The school district shall have the sole  
8 discretion to award funds received by the school  
9 district in accordance with section 284.13, subsection  
10 1, paragraph "f", to classroom teachers on an annual  
11 basis. The funds shall supplement, but not supplant,  
12 wages and salaries paid as a result of a collective  
13 bargaining agreement reached pursuant to chapter 20 or  
14 as a result of funds appropriated elsewhere in this  
15 chapter, in chapter 256D, or in chapter 294A.

16 3. The allocations to each school district shall  
17 be made in one payment on or about October 15 of the  
18 fiscal year for which the appropriation is made,  
19 taking into consideration the relative budget and cash  
20 position of the state resources. Moneys received  
21 under this section shall not be commingled with state  
22 aid payments made under section 257.16 to a school  
23 district and shall be accounted for by the local  
24 school district separately from state aid payments.  
25 Payments made to school districts under this section  
26 are miscellaneous income for purposes of chapter 257.  
27 A school district shall maintain a separate listing  
28 within its budget for payments received and  
29 expenditures made pursuant to this section. A school  
30 district shall certify to the department of education  
31 how the school district allocated the funds and that  
32 moneys received under this section were used to  
33 supplement, not supplant, the salary the school  
34 district would otherwise pay the teacher.

35 4. The department shall include market factor  
36 salaries when reporting teacher salaries in the annual  
37 condition of education report.

38 Sec. 25. Section 284.13, subsection 1, Code  
39 Supplement 2005, is amended to read as follows:

40 1. For each fiscal year in which moneys are  
41 appropriated by the general assembly for purposes of  
42 the student achievement and teacher quality program,  
43 the moneys shall be allocated as follows in the  
44 following priority order:

45 a. For each fiscal year of the fiscal year period  
46 beginning July 1, ~~2005~~ 2006, and ending June 30, ~~2006~~  
47 2009, to the department of education, the amount of  
48 two million two hundred fifty thousand dollars for the  
49 issuance of national board certification awards in  
50 accordance with section 256.44. Of the amount

Page 10

1 allocated under this paragraph, up to two hundred  
2 fifty thousand dollars may be used to support the  
3 implementation of a national board certification  
4 support program, and not less than eighty-five  
5 thousand dollars shall be used to administer the  
6 ambassador to education position in accordance with  
7 section 256.45.

8 b. For the fiscal year beginning July 1, ~~2005~~  
9 ~~2006~~, and succeeding fiscal years, an amount up to  
10 four million ~~two six~~ hundred ~~fifty~~ thousand dollars  
11 for first-year and second-year beginning teachers, to  
12 the department of education for distribution to school  
13 districts and area education agencies for purposes of  
14 the beginning teacher mentoring and induction  
15 programs. A school district or area education agency  
16 shall receive one thousand three hundred dollars per  
17 beginning teacher participating in the program. If  
18 the funds appropriated for the program are  
19 insufficient to pay mentors, ~~and~~ school districts, and  
20 area education agencies as provided in this paragraph,  
21 the department shall prorate the amount distributed to  
22 school districts and area education agencies based  
23 upon the amount appropriated. Moneys received by a  
24 school district or area education agency pursuant to  
25 this paragraph shall be expended to provide each  
26 mentor with an award of five hundred dollars per  
27 semester, at a minimum, for participation in the  
28 school district's or area education agency's beginning  
29 teacher mentoring and induction program; to implement  
30 the plan; and to pay any applicable costs of the  
31 employer's share of contributions to federal social  
32 security and the Iowa public employees' retirement  
33 system or a pension and annuity retirement system  
34 established under chapter 294, for such amounts paid  
35 by the district or area education agency.

36 c. For each fiscal year of the fiscal year period  
37 beginning July 1, ~~2005~~ ~~2006~~, and ending June 30, ~~2006~~  
38 ~~2009~~, up to ~~four six~~ hundred ~~eighty-five~~ ninety-five  
39 thousand dollars to the department of education for  
40 purposes of implementing the career development  
41 program requirements of section 284.6, the review  
42 panel requirements of section 284.9, and the evaluator  
43 training program in section 284.10. ~~From the moneys~~  
44 ~~allocated to the department pursuant to this~~  
45 ~~paragraph, not less than ten thousand dollars shall be~~  
46 ~~distributed to the board of educational examiners for~~  
47 ~~purposes of convening an educator licensing review~~  
48 ~~working group. From the moneys allocated to the~~  
49 ~~department pursuant to this paragraph, not less than~~  
50 ~~eighty-five thousand dollars shall be used to~~



Page 11

1 ~~administer the ambassador to education position in~~  
2 ~~accordance with section 256.45. A portion of the~~  
3 ~~funds allocated to the department for purposes of this~~  
4 ~~paragraph may be used by the department for~~  
5 ~~administrative purposes. Notwithstanding section~~  
6 ~~8.33, moneys allocated for purposes of this paragraph~~  
7 ~~prior to July 1, 2004, which remain unobligated or~~  
8 ~~unexpended at the end of the fiscal year for which the~~  
9 ~~moneys were appropriated, shall remain available for~~  
10 ~~expenditure for the purposes for which they were~~  
11 ~~allocated, for the fiscal year beginning July 1, 2004,~~  
12 ~~and ending June 30, 2005.~~

13 ~~d. For each fiscal year in which funds are~~  
14 ~~appropriated for purposes of this chapter, the moneys~~  
15 ~~remaining after distribution as provided in paragraphs~~  
16 ~~"a" through "c" and "e" shall be allocated to school~~  
17 ~~districts for salaries and career development in~~  
18 ~~accordance with the following formula:~~

19 ~~(1) Fifty percent of the allocation shall be in~~  
20 ~~the proportion that the basic enrollment of a school~~  
21 ~~district bears to the sum of the basic enrollments of~~  
22 ~~all school districts in the state for the budget year.~~

23 ~~(2) Fifty percent of the allocation shall be based~~  
24 ~~upon the proportion that the number of full-time~~  
25 ~~equivalent teachers employed by a school district~~  
26 ~~bears to the sum of the number of full-time equivalent~~  
27 ~~teachers who are employed by all school districts in~~  
28 ~~the state for the base year.~~

29 ~~e. From moneys available under paragraph "d", the~~  
30 ~~department shall allocate to area education agencies~~  
31 ~~an amount per classroom teacher employed by an area~~  
32 ~~education agency that is approximately equivalent to~~  
33 ~~the average per teacher amount allocated to the~~  
34 ~~districts. The average per teacher amount shall be~~  
35 ~~calculated by dividing the total number of classroom~~  
36 ~~teachers employed by school districts and the~~  
37 ~~classroom teachers employed by area education agencies~~  
38 ~~into the total amount of moneys available under~~  
39 ~~paragraph "d".~~

40 ~~f. d. For the fiscal year beginning July 1, 2005~~  
41 ~~2006, and ending June 30, 2006 2007, up to ten million~~  
42 ~~dollars to the department of education for use by~~  
43 ~~school districts to add one additional teacher~~  
44 ~~contract day to the school calendar. The department~~  
45 ~~shall distribute funds allocated for the purpose of~~  
46 ~~this paragraph based on the average per diem contract~~  
47 ~~salary for each district as reported to the department~~  
48 ~~for the school year beginning July 1, 2004 2005,~~  
49 ~~multiplied by the total number of full-time equivalent~~  
50 ~~teachers in the base year. The department shall~~

Page 12

1 adjust each district's average per diem salary by the  
2 allowable growth rate established under section 257.8  
3 for the fiscal year beginning July 1, ~~2005~~ 2006. The  
4 contract salary amount shall be the amount paid for  
5 their regular responsibilities but shall not include  
6 pay for extracurricular activities. School districts  
7 shall distribute funds to teachers based on individual  
8 teacher per diem amounts. These funds shall not  
9 supplant existing funding for professional development  
10 activities. Notwithstanding any provision to the  
11 contrary, moneys received by a school district under  
12 this paragraph shall not revert but shall remain  
13 available for the same purpose in the succeeding  
14 fiscal year. A school district shall submit a report  
15 to the department in a manner determined by the  
16 department describing its use of the funds received  
17 under this paragraph. The department shall submit a  
18 report on school district use of the moneys  
19 distributed pursuant to this paragraph to the  
20 chairpersons and ranking members of the house and  
21 senate standing committees on education, the joint  
22 appropriations subcommittee on education, and the  
23 legislative services agency not later than January 15,  
24 ~~2006~~ 2007.

25 ~~g. e.~~ For the fiscal year beginning July 1, ~~2005~~  
26 2006, and ending June 30, ~~2006~~ 2007, up to six million  
27 six hundred twenty-five thousand dollars to the  
28 department of ~~education~~ for use by school districts  
29 for either salaries or professional development, or  
30 both, as determined by the school district. Funds  
31 received by a school district for purposes of this  
32 paragraph shall be distributed using the formula  
33 provided in paragraph "d" "h" and are subject to the  
34 provisions of section 284.7, subsection 6. A school  
35 district shall submit a report to the department in a  
36 manner determined by the department describing its use  
37 of the funds received under this paragraph. The  
38 department shall submit a report on school district  
39 use of the funds distributed pursuant to this  
40 paragraph to the chairpersons and ranking members of  
41 the house and senate standing committees on education,  
42 the joint appropriations subcommittee on education,  
43 and the legislative services agency not later than  
44 January 15, ~~2006~~ annually.

45 f. For purposes of market factor teacher salaries  
46 pursuant to section 284.11, the following amounts are  
47 allocated to the department for the following fiscal  
48 years:

49 (1) For the fiscal year beginning July 1, 2006,  
50 and ending June 30, 2007, the sum of three million

Page 13

1 three hundred ninety thousand dollars.  
2 (2) For the fiscal year beginning July 1, 2007,  
3 and ending June 30, 2008, the sum of seven million  
4 five hundred thousand dollars.  
5 (3) For the fiscal year beginning July 1, 2008,  
6 and ending June 30, 2009, the sum of ten million  
7 dollars.  
8 The department shall use the formula set forth in  
9 paragraph "h" to distribute moneys allocated under  
10 this paragraph.  
11 g. For purposes of the pay-for-performance program  
12 established pursuant to section 284.14, the following  
13 amounts are allocated to the department of management  
14 for the following fiscal years:  
15 (1) For the fiscal year beginning July 1, 2006,  
16 and ending June 30, 2007, the sum of one million  
17 dollars. Of the amount allocated under this  
18 subparagraph, an amount equal to one hundred fifty  
19 thousand dollars shall be distributed to the institute  
20 for tomorrow's workforce created pursuant to section  
21 7K.1 for the activities of the institute.  
22 (2) For the fiscal year beginning July 1, 2007,  
23 and ending June 30, 2008, the sum of two million five  
24 hundred thousand dollars.  
25 (3) For the fiscal year beginning July 1, 2008,  
26 and ending June 30, 2009, the sum of five million  
27 dollars.  
28 h. For each fiscal year in which funds are  
29 appropriated for purposes of this chapter, the moneys  
30 remaining after distribution as provided in paragraphs  
31 "a" through "g" shall be allocated to school districts  
32 for salaries and career development in accordance with  
33 the following formula:  
34 (1) Fifty percent of the allocation shall be in  
35 the proportion that the basic enrollment of a school  
36 district bears to the sum of the basic enrollments of  
37 all school districts in the state for the budget year.  
38 (2) Fifty percent of the allocation shall be based  
39 upon the proportion that the number of full-time  
40 equivalent teachers employed by a school district  
41 bears to the sum of the number of full-time equivalent  
42 teachers who are employed by all school districts in  
43 the state for the base year.  
44 i. From moneys available under paragraph "h", the  
45 department shall allocate to area education agencies  
46 an amount per classroom teacher employed by an area  
47 education agency that is approximately equivalent to  
48 the average per teacher amount allocated to the  
49 districts. The average per teacher amount shall be  
50 calculated by dividing the total number of classroom

Page 14

1 teachers employed by school districts and the  
2 classroom teachers employed by area education agencies  
3 into the total amount of moneys available under  
4 paragraph "h".  
5 ~~h.~~ j. Notwithstanding section 8.33, any moneys  
6 remaining unencumbered or unobligated from the moneys  
7 allocated for purposes of paragraph "a", ~~or~~ "b", or  
8 "c" shall not revert but shall remain available in the  
9 succeeding fiscal year for expenditure for the  
10 purposes designated. The provisions of section 8.39  
11 shall not apply to the funds appropriated pursuant to  
12 this subsection.

13 Sec. 26. Section 284.13, subsection 2, Code  
14 Supplement 2005, is amended to read as follows:

15 2. A school district that is unable to meet the  
16 provisions of section 284.7, subsection 1, with funds  
17 allocated pursuant to subsection 1, paragraph "~~d~~" "h",  
18 may request a waiver from the department to use funds  
19 appropriated under chapter 256D to meet the provisions  
20 of section 284.7, subsection 1, if the difference  
21 between the funds allocated to the school district  
22 pursuant to subsection 1, paragraph "~~d~~" "h", and the  
23 amount required to comply with section 284.7,  
24 subsection 1, is not less than ten thousand dollars.  
25 The department shall consider the average class size  
26 of the school district, the school district's actual  
27 unspent balance from the preceding year, and the  
28 school district's current financial position.

29 Sec. 27. NEW SECTION. 284.14 PAY-FOR-PERFORMANCE  
30 PROGRAM.

31 1. COMMISSION.

32 a. A pay-for-performance commission is established  
33 to design and implement a pay-for-performance program  
34 and provide a study relating to teacher and staff  
35 compensation containing a pay-for-performance  
36 component. The study shall measure the cost and  
37 effectiveness in raising student achievement of a  
38 compensation system that provides financial incentives  
39 based on student performance. The commission is part  
40 of the executive branch of government. The  
41 legislative services agency shall, upon request,  
42 provide technical and administrative support to the  
43 commission.

44 The commission shall select its own chairperson and  
45 establish its own rules of procedure. A majority of  
46 the voting members of the commission shall constitute  
47 a quorum.

48 b. Any vacancy on the commission shall be filled  
49 by the appropriate appointing authority. Members  
50 shall receive a per diem. Membership of the

Page15

1 commission shall be as follows:

2 (1) One classroom teacher selected jointly by the  
3 Iowa state educational association and the  
4 professional educators of Iowa.

5 (2) One principal selected by the school  
6 administrators of Iowa.

7 (3) One private sector representative selected by  
8 the Iowa business council. This representative must  
9 meet all of the following qualifications:

10 (a) Possess a degree in education and have  
11 teaching experience.

12 (b) Be employed in a business employing at least  
13 two hundred persons that has an employee performance  
14 pay program.

15 (c) Have served as a school board member.

16 (4) One industrial engineer appointed by the  
17 American society of engineers, who has technical  
18 knowledge and experience in the design and  
19 implementation of individual and group  
20 pay-for-performance incentive programs.

21 (5) One small business private sector employer,  
22 who employs at least fifty people in a targeted  
23 industry, selected by the governor, who has general  
24 management experience and top line and bottom line  
25 responsibilities.

26 (6) One professional economist with a doctoral  
27 degree with experience and knowledge in student  
28 achievement using test scores to measure student  
29 progress, selected by the voting members of the  
30 commission, after they convene.

31 (7) One representative from the department of  
32 education who shall serve as a nonvoting member.

33 (8) Two members of the senate and two members of  
34 the house of representatives who shall serve as  
35 nonvoting members for two-year terms coinciding with  
36 the legislative biennium.

37 c. Voting members shall serve three-year terms  
38 except for the terms of the initial members, which  
39 shall be staggered so that two members' terms expire  
40 each calendar year. A vacancy in the membership of  
41 the board shall be filled by appointment by the  
42 initial appointing authority.

43 d. The pay-for-performance commission is not  
44 subject to the provisions of section 69.16 or 69.16A.

45 2. DEVELOPMENT OF PROGRAM. Beginning July 1,  
46 2006, the commission shall gather sufficient  
47 information to identify a pay-for-performance program  
48 based upon student achievement gains and global  
49 content standards where student achievement gains  
50 cannot be easily measured. The commission shall

Page 16

1 review pay-for-performance programs in both the public  
2 and private sector. Based on this information, the  
3 commission shall design a program utilizing both  
4 individual and group incentive components. At least  
5 half of any available funding identified by the  
6 commission shall be designated for individual  
7 incentives.

8 a. Commencing with the school year beginning July  
9 1, 2007, the commission shall initiate demonstration  
10 projects, in selected kindergarten through grade  
11 twelve schools, to test the effectiveness of the  
12 pay-for-performance program. The purpose of the  
13 demonstration projects is to identify the strengths  
14 and weaknesses of the pay-for-performance program  
15 design, evaluate cost effectiveness, analyze student  
16 achievement gains, test assessments, allow thorough  
17 review of data, and make necessary adjustments before  
18 implementing the pay-for-performance program  
19 statewide.

20 b. The commission shall select ten school  
21 districts as demonstration projects. To the extent  
22 practicable, participants shall represent  
23 geographically distinct rural, urban, and suburban  
24 areas of the state. Participants shall provide  
25 reports or other information as required by the  
26 commission.

27 c. Commencing with the school year beginning July  
28 1, 2008, the commission shall select twenty additional  
29 school districts as demonstration projects.

30 3. REPORTS AND FINAL STUDY. Based on the  
31 information generated by the demonstration projects,  
32 the commission shall prepare an interim report by  
33 January 15, 2007, followed by interim progress reports  
34 annually, followed by a final study report analyzing  
35 the effectiveness of pay-for-performance in raising  
36 student achievement levels. The final study report  
37 shall be completed no later than six months after the  
38 completion of the demonstration projects. The  
39 commission shall provide copies of the final study  
40 report to the department of education and to the  
41 chairpersons and ranking members of the senate and  
42 house standing committees on education.

43 4. STATEWIDE IMPLEMENTATION - REMEDIATION.  
44 Commencing with the school year beginning July 1,  
45 2009, the pay-for-performance program shall be  
46 implemented statewide, notwithstanding the provisions  
47 of chapters 20 and 279 to the contrary.

48 a. The commission, in consultation with the  
49 department of education, shall develop a system which  
50 will provide for valid, reliable tracking and

Page 17

1 measuring of enhanced student achievement under the  
2 pay-for-performance program. Where possible, student  
3 performance shall be based solely on student  
4 achievement, objectively measured by academic gains  
5 made by individual students using valid, reliable, and  
6 nonsubjective assessment tools such as the dynamic  
7 indicators of basic early literacy skills (DIBELS),  
8 the Iowa test of basic skills, or the Iowa test of  
9 educational development.

10 b. The commission shall develop a  
11 pay-for-performance pay plan for teacher compensation.  
12 The plan shall establish salary adjustments which vary  
13 directly with the enhancement of student achievement.  
14 The plan shall include teacher performance standards  
15 which identify the following five levels of teacher  
16 performance with standards to measure each level:  
17 (1) Superior performance.  
18 (2) Exceeds expectations.  
19 (3) Satisfactory.  
20 (4) Emerging.  
21 (5) In need of remediation.

22 No individual salary adjustments under an  
23 individual incentive component of a  
24 pay-for-performance program shall be provided to  
25 teachers whose students do not demonstrate at least a  
26 satisfactory level of performance.

27 c. The department of education, in conjunction  
28 with the commission, shall create a teacher  
29 remediation program to provide counseling and  
30 assistance for teachers whose students do not  
31 demonstrate adequate increases in achievement.

32 5. STAFFING. The legislative services agency may  
33 annually use up to fifty thousand dollars of the  
34 moneys appropriated for the pay-for-performance  
35 program to provide technical and administrative  
36 assistance to the commission and monitoring of the  
37 program. The commission may annually use up to two  
38 hundred thousand dollars of the moneys appropriated  
39 for consultation services in coordination with the  
40 legislative services agency.

41 6. IOWA EXCELLENCE FUND. An Iowa excellence fund  
42 is created within the office of the treasurer of  
43 state, to be administered by the commission.  
44 Notwithstanding section 8.33, moneys in the fund that  
45 remain unencumbered or unobligated at the close of the  
46 fiscal year shall not revert but shall remain in the  
47 fund.

48 The commission may provide grants from this fund,  
49 according to criteria developed by the commission, for  
50 implementation of the pay-for-performance program.

Page 18

1 Sec. 28. NEW SECTION. 284A.1 DEFINITIONS.

2 As used in this chapter, unless the context  
3 otherwise requires:

4 1. "Administrator" means an individual holding a  
5 professional administrator license issued under  
6 chapter 272, who is employed in a school district  
7 administrative position by a school district or area  
8 education agency pursuant to a contract issued by a  
9 board of directors under section 279.23. An  
10 administrator may be employed in both an  
11 administrative and a nonadministrative position by a  
12 board of directors and shall be considered a part-time  
13 administrator for the portion of time that the  
14 individual is employed in an administrative position.

15 2. "Beginning administrator" means an individual  
16 serving under an initial administrator license, issued  
17 by the board of educational examiners under chapter  
18 272, who is assuming a position as a school district  
19 administrator for the first time.

20 3. "Department" means the department of education.

21 4. "Mentor" means an individual employed by a  
22 school district or area education agency as a school  
23 district administrator or a retired administrator who  
24 holds a valid license issued under chapter 272. The  
25 individual must have a record of four years of  
26 successful administrative experience and must  
27 demonstrate professional commitment to both the  
28 improvement of teaching and learning and the  
29 development of beginning administrators.

30 5. "School board" means the board of directors of  
31 a school district or a collaboration of boards of  
32 directors of school districts.

33 6. "State board" means the state board of  
34 education.

35 Sec. 29. NEW SECTION. 284A.2 BEGINNING  
36 ADMINISTRATOR MENTORING AND INDUCTION PROGRAM.

37 1. A beginning administrator mentoring and  
38 induction program is created to promote excellence in  
39 school leadership, improve classroom instruction,  
40 enhance student achievement, build a supportive  
41 environment within school districts, increase the  
42 retention of promising school leaders, and promote the  
43 personal and professional well-being of  
44 administrators.

45 2. The department, in collaboration with other  
46 educational partners, shall develop a model beginning  
47 administrator mentoring and induction program for all  
48 beginning administrators.

49 3. Each school board shall establish an  
50 administrator mentoring program for all beginning



Page 19

1 administrators. The school board may adopt the model  
2 program developed by the department pursuant to  
3 subsection 2. Each school board's beginning  
4 administrator mentoring and induction program shall,  
5 at a minimum, provide for one year of programming.  
6 Each school board shall develop an initial beginning  
7 administrator mentoring and induction plan. The plan  
8 shall describe the mentor selection process, describe  
9 supports for beginning administrators, describe  
10 program organizational and collaborative structures,  
11 provide a budget, provide for sustainability of the  
12 program, and provide for program evaluation. The  
13 school board employing an administrator shall  
14 determine the conditions and requirements of an  
15 administrator participating in a program established  
16 pursuant to this section. A school board shall  
17 include its plan in the school district's  
18 comprehensive school improvement plan submitted  
19 pursuant to section 256.7, subsection 21.

20 4. By the end of a beginning administrator's  
21 second year of employment, the beginning administrator  
22 may be comprehensively evaluated at the discretion of  
23 the school board.

24 Sec. 30. NEW SECTION. 284A.3 PROGRAM  
25 APPROPRIATION.

26 1. For each fiscal year in which moneys are  
27 appropriated by the general assembly for purposes of  
28 the administrator quality program, an amount up to two  
29 hundred fifty thousand dollars shall be allocated to  
30 the department for purposes of the beginning  
31 administrator mentoring and induction program.

32 2. For the fiscal year beginning July 1, 2006, and  
33 each succeeding fiscal year, there is appropriated  
34 from the general fund of the state to the department  
35 of education the sum of two hundred fifty thousand  
36 dollars for purposes of administering the beginning  
37 administrator mentoring and induction program  
38 established pursuant to this chapter.

39 3. A school district shall receive one thousand  
40 three hundred dollars per beginning administrator  
41 participating in the program. If the funds  
42 appropriated for the program are insufficient to pay  
43 mentors and school districts as provided in this  
44 subsection, the department shall prorate the amount  
45 distributed to school districts based upon the amount  
46 appropriated. Moneys received by a school district  
47 pursuant to this subsection shall be expended to  
48 provide each mentor with an award of five hundred  
49 dollars per semester, at a minimum, for participation  
50 in the school district's beginning administrator

Page 20

1 mentoring and induction program; to implement the  
2 plan; and to pay any applicable costs of the  
3 employer's share of contributions to federal social  
4 security and the Iowa public employees' retirement  
5 system or a pension and annuity retirement system  
6 established under chapter 294, for such amounts paid  
7 by the district.

8 4. Notwithstanding section 8.33, any moneys  
9 remaining unobligated or unexpended from the moneys  
10 appropriated under subsection 1 shall not revert, but  
11 shall remain available in the succeeding fiscal year  
12 for expenditure for the purposes designated. The  
13 provisions of section 8.39 shall not apply to the  
14 funds appropriated pursuant to this section.

15 Sec. 31. INSTITUTE FOR TOMORROW'S WORKFORCE –  
16 IOWA EDUCATION EFFICIENCY AND IMPROVEMENT PLAN. The  
17 institute for tomorrow's workforce shall develop an  
18 Iowa education efficiency and improvement plan, the  
19 goal of which is to establish a new educational  
20 delivery system. In developing the plan, the  
21 institute shall address issues concerning the  
22 alignment of school districts, area education  
23 agencies, public postsecondary institutions, and the  
24 department of education, focusing on specific  
25 quantitative and qualitative indicators, management,  
26 governance, services, boundaries, infrastructure and  
27 efficiencies, and administrative efficiencies. The  
28 institute shall submit the plan and any  
29 recommendations for changes to state law and  
30 administrative rules to the general assembly, the  
31 governor, and the department of education by January  
32 15, 2007. The plan shall be implemented by the  
33 general assembly and the governor unless rejected by  
34 the general assembly and the governor by June 30,  
35 2007.

36 Sec. 32. STATE MANDATE FUNDING SPECIFIED. In  
37 accordance with section 25B.2, subsection 3, the state  
38 cost of requiring compliance with any state mandate  
39 included in this Act shall be paid by a school  
40 district from state school foundation aid received by  
41 the school district under section 257.16. This  
42 specification of the payment of the state cost shall  
43 be deemed to meet all the state funding-related  
44 requirements of section 25B.2, subsection 3, and no  
45 additional state funding shall be necessary for the  
46 full implementation of this Act by and enforcement of  
47 this Act against all affected school districts.

48  
49  
50

DIVISION II  
EDUCATION POLICY

Page 21

1 DEPARTMENT OF EDUCATION  
 2 Sec. 33. There is appropriated from the general  
 3 fund of the state to the department of education for  
 4 the fiscal year beginning July 1, 2006, and ending  
 5 June 30, 2007, the following amount, or so much  
 6 thereof as is necessary, to be used for the purpose  
 7 designated:  
 8 To assist school districts with the implementation  
 9 of statewide graduation requirements as provided in  
 10 division III of this Act:  
 11 ..... § 130,000  
 12 DIVISION III  
 13 MISCELLANEOUS EDUCATION PROVISIONS".  
 14 2. Title page, line 1, by inserting after the  
 15 word "Act" the following: "relating to education  
 16 finances, including the funding of, operation of, and  
 17 appropriation of moneys to the department of  
 18 education, the department of management, and the state  
 19 board of regents, and".  
 20 3. By renumbering as necessary.

The House stood at ease at 10:59 p.m., until the fall of the gavel.

The House resumed session at 11:24 p.m., Speaker Rants in the chair.

Chambers of O'Brien offered the following amendment [H-8637](#), to amendment [H-8635](#), filed by him from the floor and moved its adoption:

[H-8637](#)

1 Amend the amendment, [H-8635](#), to [House File 2792](#) as  
 2 follows:  
 3 1. Page 1, line 28, by striking the word "has".  
 4 2. Page 1, by striking line 30 and inserting the  
 5 following: "prior to June 1, 2006, shall be  
 6 considered".  
 7 3. Page 19, by striking lines 26 through 31.  
 8 4. By renumbering as necessary.

Amendment [H-8637](#) was adopted.

Chambers of O'Brien offered the following amendment [H-8639](#), to amendment [H-8635](#), filed by him and Oldson of Polk from the floor and moved its adoption:

[H-8639](#)

1 Amend the amendment, H-8635, to [House File 2792](#), as  
 2 amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 21, by inserting after line 13 the  
 5 following:  
 6 "\_\_\_\_. Section 261.25, subsection 1A, as enacted by  
 7 2006 Iowa Acts, [House File 2527](#), if enacted, is  
 8 amended to read as follows:  
 9 1A. There is appropriated from the general fund of  
 10 the state to the commission for each fiscal year the  
 11 sum of five million one hundred sixty-seven thousand  
 12 three hundred fifty-eight dollars for ~~proprietary~~  
 13 tuition grants for students attending for-profit  
 14 accredited private institutions."  
 15 2. By renumbering as necessary.

Amendment [H-8639](#) was adopted.

On motion by Chambers of O'Brien, amendment [H-8635](#), as amended, was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8638](#) filed by him from the floor.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2792](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.

Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Fallon	Hunter	Jones	Lensing
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2792](#) be immediately messaged to the Senate.

#### MOTION TO RECONSIDER ([House File 2527](#))

I move to reconsider the vote by which [House File 2527](#) passed the House on May 2, 2006.

GIPP of Winneshiek

#### MOTION TO RECONSIDER ([Senate File 2399](#))

I move to reconsider the vote by which [Senate File 2399](#) passed the House on May 2, 2006.

WATTS of Dallas

## CERTIFICATES OF RECOGNITION

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

**MARGARET A. THOMSON**  
Chief Clerk of the House

- 2006\1629 Elmer and Evelyn Kinsinger, Oskaloosa – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1630 Gilbert and Sandra Herrick, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1631 Lola Baltzley, Oskaloosa – For celebrating her 94<sup>th</sup> birthday.
- 2006\1632 Jason Gnann, Donnellson – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1633 Cora Leighton, Shenandoah – For being recognized as one of “Iowa’s 100 Great Nurses.”
- 2006\1634 Charles R. May, Iowa Great Lakes – For celebrating his 90<sup>th</sup> birthday.
- 2006\1635 Grace Triggs, Arnolds Park – For celebrating her 89<sup>th</sup> birthday.
- 2006\1636 Irene Wilcox, Madrid – For celebrating her 80<sup>th</sup> birthday.
- 2006\1637 David Palton, Eagle Grove – For earning a perfect score in violin at the State Solo Ensemble competition and also being named Best of Center.
- 2006\1638 Mable Warwick, Webster City – For celebrating her 89<sup>th</sup> birthday.
- 2006\1639 Marguerite Coursey, Webster City – For celebrating her 100<sup>th</sup> birthday.
- 2006\1640 Dwight and Marjorie Groom, Rowan – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1641 Marlene and Kenneth Vorland, Sr., Hardy – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1642 Virgil and Mary Scott, Webster City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1643 Don and Elaine Elkin, Webster City – For celebrating their 65<sup>th</sup> wedding anniversary.

- 2006\1644 Raymond Wille, Hampton – For celebrating his 85<sup>th</sup> birthday.
- 2006\1645 Verna Hallman, Hampton – For celebrating her 90<sup>th</sup> birthday.
- 2006\1646 Jane Stokesbary, Clear Lake – For celebrating her 90<sup>th</sup> birthday.
- 2006\1647 Anne Held, Dumont – For celebrating her 100<sup>th</sup> birthday.
- 2006\1648 Gilbert and Maurine Mills, Clear Lake – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\1649 Donald and Dorothy Nichols, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1650 Ernie and Charlene Willms, Hampton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1651 Floyd and Bonnie Semmons, Farragut – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\1652 Irene Krause, Clarinda – For celebrating her 102<sup>nd</sup> birthday.
- 2006\1653 Velva Kunce, Yale – For celebrating her 95<sup>th</sup> birthday.
- 2006\1654 Dick Godwin, Yale – For celebrating his 88<sup>th</sup> birthday.
- 2006\1655 Kevin Orfield, Jefferson–Scranton High School, Jefferson – For being nominated to the Des Moines Register’s Academic All–State Team.
- 2006\1656 Paul Hunt, Clarinda – For celebrating his 90<sup>th</sup> birthday.
- 2006\1657 Adeline Vogel, Jesup – For celebrating her 90<sup>th</sup> birthday.
- 2006\1658 Austin Brandt, La Porte City – For celebrating his 80<sup>th</sup> birthday.
- 2006\1659 Mr. and Mrs. Bob Schmitz, Jesup – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1660 Donald and Bette Chesmore, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1661 Zachary Schultz, Sioux City – For being selected as a Regional Team member of the Des Moines Register’s Academic All–State Team.
- 2006\1662 Jeremy P. Rhodes, Le Mars – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1663 Andrew J. Schmitz, Le Mars – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2006\1664 Devin P. Christoffel, Le Mars – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1665 Nicholas H. Swalve, Le Mars – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1666 Ralph and Twylia Fay Norris, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1667 Edna Drewis, Tripoli – For celebrating her 90<sup>th</sup> birthday.
- 2006\1668 Lodean and Lois Korner, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1669 Duane and Shirley Druivenga, Battle Creek – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1670 Lucy Curnyn, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2006\1671 Arlene Teut, Mapleton – For celebrating her 85<sup>th</sup> birthday.
- 2006\1672 Johnny Steckelberg, Denison – For celebrating his 90<sup>th</sup> birthday.
- 2006\1673 Marge Goodman, Battle Creek – For celebrating her 83<sup>rd</sup> birthday.
- 2006\1674 Verna Pithan, Charter Oak – For celebrating her 85<sup>th</sup> birthday.
- 2006\1675 Vernon Bielow, Charter Oak – For celebrating his 85<sup>th</sup> birthday.
- 2006\1676 Pete and Dorothy Johnston, Albia – For celebrating their 63<sup>rd</sup> wedding anniversary, and for celebrating their 84<sup>th</sup> birthdays.
- 2006\1677 Earl and Blanche Rowley, Albia – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1678 Joseph Dale and Josephine Heintz, Nevada – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1679 Neal Vellema, Harris–Lake Park High School – For being named to the North Central Division of the American Choir Directors Association’s Men’s Honor Choir.
- 2006\1680 Tyler Coleman, Okoboji – For being named to the Class 1A/2A All–State Jazz Band.
- 2006\1681 Abby Doorn, Spencer – For being selected to attend the Iowa American Legion Auxiliary Girls State.
- 2006\1682 Emilie Oviatt, Spencer – For being selected to attend the Iowa American Legion Auxiliary Girls State.



- 2006\1683 Amber Spears, Spencer – For being selected to attend the Iowa American Legion Auxiliary Girls State.
- 2006\1684 Donald and Rosella Rosacker, Spencer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1685 Bob and Donnus Hansen, Okoboji – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\1686 Ken Rubel, Sr., Ruthven – For celebrating his 80<sup>th</sup> birthday.
- 2006\1687 Latitia Lawson, Milford – For celebrating her 110<sup>th</sup> birthday.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 779

Government Oversight: Alons, Chair; Baudler, Eichhorn, Hutter, Lensing, Thomas, J.K. Van Fossen, Whitead and Winckler.

## AMENDMENTS FILED

<u>H-8606</u>	<u>S.F. 2377</u>	Drake of Pottawattamie Mertz of Kossuth
<u>H-8607</u>	<u>H.F. 2332</u>	Senate Amendment
<u>H-8620</u>	<u>S.F. 2393</u>	Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 11:41 p.m., until 9:00 a.m., Wednesday, May 3, 2006.