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5-3/17/98 Do Pass

FEB 27 1998
Place On Calendar

HOUSE FILE 2476
BY COMMITTEE ON COMMERCE
AND REGULATION

(SUCCESSOR TO HF 2249)

Passed House (p.545) Date 3/5/98 Passed Senate (p.980) Date 3/31/98
Vote: Ayes 94 Nays 2 Vote: Ayes 49 Nays 1
Approved April 13, 1998

A BILL FOR

- 1 An Act providing for connection to the Iowa communications
- 2 network by the quad cities graduate center.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

HOUSE FILE 2476

S-5323

1 Amend House File 2476, as passed by the House, as
 2 follows:
 3 1. Page 1, line 5, by striking the words "center.
 4 The center" and inserting the following: "center and
 5 for a connection to the network for the Dubuque river
 6 discovery museum. The center and the museum".
 7 2. Page 1, line 6, by striking the words "the
 8 connection" and inserting the following: "such
 9 connections".
 10 3. Page 1, line 8, by inserting after the word
 11 "center" the following: "and to the Dubuque river
 12 discovery museum".
 13 4. Page 1, by striking line 10 and inserting the
 14 following: "connections or use of the network by the
 15 center or the museum."
 16 5. Title page, line 2, by inserting after the
 17 word "center," the following: "and the Dubuque river
 18 discovery museum".

By TOM FLYNN
MIKE CONNOLLY

Int 3/31/98 (p.980)

S-5323 FILED MARCH 23, 1998

HF 2476

1 Section 1. ADDITIONAL CONNECTION. Notwithstanding
 2 contrary provisions of chapter 8D, the Iowa telecommunications
 3 and technology commission shall provide for the construction
 4 of a connection to the network for the quad cities graduate
 5 center. The center shall be responsible for the costs
 6 associated with the connection to the network. The commission
 7 shall establish all hourly rates to be charged to the quad
 8 cities graduate center at an appropriate rate so that, at a
 9 minimum, there is no state subsidy related to the costs of the
 10 connection or use of the network by the center.

11 EXPLANATION

12 This bill provides that the Iowa telecommunications and
 13 technology commission shall provide for the construction of a
 14 connection to the network for the quad cities graduate center.
 15 The graduate center is responsible for the costs of the
 16 connection. Hourly rates to be charged the center are to be
 17 set at an appropriate rate so that no state subsidy results.

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HOUSE FILE 2475

-8241

1 Amend House File 2475, as follows:

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

4 "Section 1. Section 692.2, subsection 1, paragraph
5 b, Code 1997, is amended by adding the following new
6 subparagraph:

7 NEW SUBPARAGRAPH. (6) Records of acquittals or
8 dismissals by reason of insanity and records of
9 adjudications of mental incompetence to stand trial in
10 cases in which physical or mental injury or an attempt
11 to commit physical or mental injury to another was
12 alleged shall not be disseminated to persons or
13 agencies other than criminal or juvenile justice
14 agencies or persons employed in or by those agencies."

15 2. Page 2, lines 8 and 9, by striking the words
16 "an assault or a violation of this section" and
17 inserting the following: "a public offense".

18 3. Page 2, line 13, by inserting after the word
19 "magistrate" the following: "for initial appearance
20 under section 804.21, 804.22, or 804.24".

21 4. Page 2, line 32, by inserting after the word
22 "relatives." the following: "The order shall state
23 whether a person is to be taken into custody by a
24 peace officer for a violation of the terms stated in
25 the order."

26 5. Page 3, by inserting after line 26, the
27 following:

28 "___ . If a peace officer has probable cause to
29 believe that a person has violated a no-contact order
30 issued under this section, the peace officer shall
31 take the person into custody and shall take the person
32 without unnecessary delay before the nearest or most
33 accessible magistrate in the judicial district in
34 which the person was taken into custody."

35 6. By renumbering as necessary.

By WITT of Black Hawk
GREINER of Washington

H-8241 FILED MARCH 4, 1998

WITHDRAWN

3/18/98 (p. 193)

HOUSE FILE 2475

H-8380

1 Amend House File 2475, as follows:

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

4 "Section 1. Section 692.2, subsection 1, paragraph
5 b, Code 1997, is amended by adding the following new
6 subparagraph:

7 NEW SUBPARAGRAPH. (6) Records of acquittals or
8 dismissals by reason of insanity and records of
9 adjudications of mental incompetence to stand trial in
10 cases in which physical or mental injury or an attempt
11 to commit physical or mental injury to another was
12 alleged shall not be disseminated to persons or
13 agencies other than criminal or juvenile justice
14 agencies or persons employed in or by those agencies."

15 2. Page 2, lines 8 and 9, by striking the words
16 "an assault or a violation of this section" and
17 inserting the following: "a public offense".

18 3. Page 2, line 10, by inserting after the word
19 "STALKING" the following: "OR HARASSMENT".

20 4. Page 2, line 12, by inserting after the words
21 "arrested for" the following: "harassment in
22 violation of section 708.7 or".

23 5. Page 2, line 13, by inserting after the word
24 "magistrate" the following: "for initial appearance
25 under section 804.21, 804.22, or 804.24".

26 6. Page 2, line 15, by inserting after the word
27 "section" the following: "708.7 or".

28 7. Page 2, line 32, by striking the word
29 "relatives." and inserting the following: "immediate
30 family. The order shall state whether a person is to
31 be taken into custody by a peace officer for a
32 violation of the terms stated in the order."

33 8. Page 3, line 4, by inserting after the figure
34 "811.2." and inserting the following: "Upon final
35 disposition of the criminal or juvenile court action,
36 the court shall make a determination whether the no-
37 contact order should be modified or terminated."

38 9. Page 3, line 6, by inserting after the word
39 "section" the following: "708.7 or".

40 10. Page 3, line 8, by striking the words "one
41 year" and inserting the following: "five years".

42 11. Page 3, line 14, by striking the words "one
43 year" and inserting the following: "five years".

44 12. Page 3, line 19, by inserting after the word
45 "limited." the following: "The victim or defendant
46 may make application at any time to, and the court
47 may, reduce the length of time that the no-contact
48 order shall be in effect."

49 13. Page 3, by inserting after line 26, the
50 following:

H-8380

H-8380

Page 2

- 1 "___". If a peace officer has probable cause to
- 2 believe that a person has violated a no-contact order
- 3 issued under this section, the peace officer shall
- 4 take the person into custody and shall take the person
- 5 without unnecessary delay before the nearest or most
- 6 accessible magistrate in the judicial district in
- 7 which the person was taken into custody."
- 8 14. Title page, line 10, by inserting after the
- 9 word "stalking" the following: "or harassment".
- 10 15. By renumbering as necessary.

Adopted 3/18/98 (P.794) By WITT of Black Hawk
 GREINER of Washington
 H-8380 FILED MARCH 12, 1998

HOUSE FILE 2475

H-8452

- 1 Amend the amendment, H-8380, to House File 2475, as
 - 2 follows:
 - 3 1. Page 1, by inserting after line 41, the
 - 4 following:
 - 5 "___". Page 3, by striking line 11, and inserting
 - 6 the following: "probation. Upon the filing of an
 - 7 affidavit by the victim which states that the
 - 8 defendant continues to pose a threat to the safety of
 - 9 the victim, persons residing with the victim, or
 - 10 members of the victim's immediate family".
 - 11 2. Page 1, by striking lines 43 through 48, and
 - 12 inserting the following: "year, if" and inserting the
 - 13 following: "five years, unless".
 - 14 ___". Page 3, line 15, by striking the words
 - 15 "continues to pose" and inserting the following: "no
 - 16 longer poses".
 - 17 3. Page 2, by striking lines 8 and 9, and
 - 18 inserting the following:
 - 19 "___". Title page, by striking lines 9 and 10, and
 - 20 inserting the following: "issuance of no-contact
 - 21 orders against persons who are arrested for the crimes
 - 22 of harassment or stalking and providing penalties.""
- By GREINER of Washington
 WITT of Black Hawk

H-8452 FILED MARCH 17, 1998

Adopted 3/18/98

(P.794)

minimum, there is no state subsidy related to the costs of the connection or use of the network by the center.

HOUSE FILE 2476

AN ACT

PROVIDING FOR CONNECTION TO THE IOWA COMMUNICATIONS NETWORK
BY THE QUAD CITIES GRADUATE CENTER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. ADDITIONAL CONNECTION. Notwithstanding contrary provisions of chapter 8D, the Iowa telecommunications and technology commission shall provide for the construction of a connection to the network for the quad cities graduate center. The center shall be responsible for the costs associated with the connection to the network. The commission shall establish all hourly rates to be charged to the quad cities graduate center at an appropriate rate so that, at a

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2476, Seventy-seventh General Assembly.

Approved *April 13*, 1998

ELIZABETH ISAACSON
Chief Clerk of the House

TERRY E. BRANSTAD
Governor