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**STATE OF IOWA**

**House Journal**

**WEDNESDAY, APRIL 23, 2008**

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# JOURNAL OF THE HOUSE

One Hundred First Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 23, 2008

The House met pursuant to adjournment at 8:15 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Joseph Baring, pastor of the Payne AME Church, Waterloo. He was the guest of Representative Deborah Berry of Black Hawk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Matthew Sexton, Page to Minority Leader Rants.

The Journal of Tuesday, April 22, 2008 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Forrinstall of Pottawattamie, Roberts of Carroll and Upmeyer of Hancock on request of Soderberg of Plymouth.

## 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 April 22, 2008, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2660](#), a bill for an act relating to and making appropriations to the justice system.

Also: That the Senate has on April 22, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2673](#), a bill for an act relating to the inheritance tax on any interest in a qualified tuition plan.

Also: That the Senate has on April 22, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2685](#), a bill for an act relating to rules for the discharge of wastewater from water well drilling sites and providing for a fee.

Also: That the Senate has on April 22, 2008, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 2417](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing for the repeal of the healthy Iowans tobacco trust, and providing effective dates.

Also: That the Senate has on April 22, 2008, appointed the conference committee to [Senate File 2425](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions. (Formerly [SSB 3297](#).), and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator Hatch, Chair; the Senator from Johnson, Senator Bolkom; the Senator from Cerro Gordo, Senator Ragan; the Senator from Osceola, Senator Johnson; the Senator from Harrison, Senator Seymour.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

[House File 2698](#), by committee on appropriations, a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable.

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

[House File 2699](#), by committee on appropriations, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters and providing effective dates.

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

## SENATE MESSAGE CONSIDERED

[Senate File 2428](#), by committee on appropriations a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable.

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

ADOPTION OF [HOUSE RESOLUTION 147](#)

Granzow of Hardin called up for consideration [House Resolution 147](#), a resolution recognizing the 50th anniversary of the Iowa Rose Festival in State Center, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:30 a.m., until the fall of the gavel.

The House resumed session at 9:32 a.m., Petersen of Polk 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 April 23, 2008, 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 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision.

MICHAEL E. MARSHALL, Secretary

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-four members present, twenty-six absent.

## SPECIAL PRESENTATION

Bailey of Hamilton introduced to the House a delegation of government officials from Nigeria.

The House rose and expressed its welcome.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 2422](#).

CONSIDERATION OF BILLS  
Appropriations Calendar

[Senate File 2422](#), a bill for an act relating to energy independence initiatives, specifying procedures applicable to Iowa power fund applications, authorizing allocations from the fund, directing that specified payments, repayments, or recaptures made to or received by the board shall be deposited in the fund, authorizing increased allocations for administrative costs, authorizing repayment of audit expenses to the auditor of state, and providing an effective date and applicability provision, with report of committee recommending passage, was taken up for consideration.

Watts of Dallas offered amendment [H-8634](#) filed by him from the floor as follows:

[H-8634](#)

- 1 Amend [Senate File 2422](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 31 the
- 4 following:
- 5 "Sec.\_\_\_\_. Section 469.3, subsection 2, Code
- 6 Supplement 2007, is amended by adding the following
- 7 new paragraph:
- 8 NEW PARAGRAPH. 1. Establish requirements,
- 9 notwithstanding any other provision of law to the
- 10 contrary, directing gas and electric public utilities
- 11 in this state to disclose on a customer's utility bill

- 12 or otherwise inform a customer of any costs or charges  
 13 attributable to or associated with energy efficiency  
 14 programs offered by the utility or otherwise imposed  
 15 upon the customer."  
 16 2. By renumbering as necessary.

Reichert of Muscatine rose on a point of order that amendment [H-8634](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8634](#) not germane.

Watts of Dallas asked for unanimous consent to suspend the rules to consider amendment [H-8634](#).

Objection was raised.

Watts of Dallas moved to suspend the rules to consider amendment [H-8634](#).

Roll call was requested by Watts of Dallas and Paulsen of Linn.

On the question "Shall the rules be suspended to consider amendment [H-8634](#)?" (S. F. 2422)

The ayes were, 42:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tymeson
Van Engelenhoven	Van Fossen	Watts	Wiencek
Windschitl	Worthan		

The nays were, 50:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Heddens	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy

Mertz	Miller, H.	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Reasoner
Reichert	Schueller	Shomshor	Smith
Staed	Swaim	Taylor, T.	Thomas
Tomenga	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach	Mr. Speaker		
	Murphy		

Absent or not voting, 8:

Forristall	Hunter	Oldson	Quirk
Raecker	Roberts	Taylor, D.	Upmeyer

The motion to suspend the rules lost.

Kressig of Black Hawk in the chair at 10:15 a.m.

Reichert of Muscatine 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. 2422](#))

The ayes were, 76:

Abdul-Samad	Anderson	Arnold	Bailey
Bell	Berry	Bukta	Clute
Cohoon	Dandekar	Davitt	Dolecheck
Drake	Foege	Ford	Frevert
Gaskill	Gayman	Gipp	Granzow
Heaton	Heddens	Hoffman	Horbach
Hunter	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kuhn
Lensing	Lykam	Mascher	May
McCarthy	Mertz	Miller, H.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Rasmussen	Reasoner	Reichert
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Van Engelenhoven	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Wiencck	Winckler
Wise	Worthan	Zirkelbach	Kressig,
			Presiding

The nays were, 20:

Alons	Baudler	Boal	Chambers
De Boef	Deyoe	Grassley	Greiner
Huseman	Lukan	Miller, L.	Raecker
Rants	Rayhons	Sands	Schickel
Tymeson	Van Fossen	Watts	Windschitl

Absent or not voting, 4:

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

### 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 April 23, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2429](#), a bill for an act relating to budget requirements by certain small cities and providing an effective date.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2422](#) be immediately messaged to the Senate.

### Unfinished Business Calendar

[House File 2463](#), a bill for an act relating to the payment of wages, was taken up for consideration.

### [SENATE FILE 2222](#) SUBSTITUTED FOR [HOUSE FILE 2463](#)

Hunter of Polk asked and received unanimous consent to substitute [Senate File 2222](#) for [House File 2463](#).

[Senate File 2222](#), a bill for an act relating to payment of wages, was taken up for consideration.

Hunter 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. 2222](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Heddens	Hoffman	Horbach
Hunter	Huseman	Huser	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staad	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Kressig, Presiding	

The nays were, none.

Absent or not voting, 5:

Forristall	Quirk	Roberts	Upmeyer
Van Engelenhoven			

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

#### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2222](#) be immediately messaged to the Senate.

The House stood at ease at 10:46 a.m., until the fall of the gavel.

The House resumed session at 10:57 a.m., Kressig of Black Hawk in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 2699](#).

### Appropriation Calendar

[House File 2699](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters and providing effective dates, was taken up for consideration.

Raecker of Polk asked and received unanimous consent that amendment [H-8637](#) be deferred.

Van Fossen of Scott offered the following amendment [H-8637](#), previously deferred, filed by him and Lukan of Dubuque from the floor and moved its adoption:

#### [H-8637](#)

- 1 Amend [House File 2699](#) as follows:
- 2 1. Page 17, by inserting after line 28 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 404A.4, subsection 4, Code
- 5 Supplement 2007, is amended to read as follows:
- 6 4. The total amount of tax credits that may be
- 7 approved for a fiscal year under this chapter shall
- 8 not exceed ten million dollars in the fiscal year
- 9 beginning July 1, 2007, fifteen million dollars in the
- 10 fiscal year beginning July 1, 2008, and twenty million
- 11 dollars in the fiscal year beginning July 1, 2009, and
- 12 each fiscal year thereafter. Of the tax credits
- 13 approved for a fiscal year under this chapter, ten
- 14 percent of the dollar amount of tax credits shall be
- 15 allocated for purposes of new projects with qualified
- 16 costs of five hundred thousand dollars or less, and
- 17 forty percent of the dollar amount of tax credits
- 18 shall be allocated for purposes of new projects
- 19 located in cultural and entertainment districts
- 20 certified pursuant to section 303.3B or identified in

21 Iowa great places agreements developed pursuant to  
 22 section 303.3C. Any of the tax credits allocated for  
 23 projects located in certified cultural and  
 24 entertainment districts or identified in Iowa great  
 25 places agreements and for projects with a cost of five  
 26 hundred thousand dollars or less that are not reserved  
 27 during a fiscal year shall be applied to reserved tax  
 28 credits issued in accordance with section 404A.3 in  
 29 order of original reservation. The department of  
 30 cultural affairs shall establish by rule the  
 31 procedures for the application, review, selection, and  
 32 awarding of certifications of completion. The  
 33 departments of cultural affairs and revenue shall each  
 34 adopt rules to jointly administer this subsection and  
 35 shall provide by rule for the method to be used to  
 36 determine for which fiscal year the tax credits are  
 37 available. With the exception of tax credits issued  
 38 pursuant to contracts entered into prior to July 1,  
 39 2007, tax credits shall not be reserved for more than  
 40 ~~three~~ five years."  
 41 2. By renumbering as necessary.

Amendment [H-8637](#) lost.

The House stood at ease at 11:15 a.m., until the fall of the gavel.

The House resumed session at 11:48 a.m., Kressig of Black Hawk in the chair.

Jacoby of Johnson offered the following amendment [H-8638](#) filed by him from the floor and moved its adoption:

[H-8638](#)

1 Amend [House File 2699](#) as follows:  
 2 1. Page 6, line 26, by striking the figure  
 3 "450,000" and inserting the following: "1,000,000".  
 4 2. Page 13, by inserting after line 2 the  
 5 following:  
 6 "4. INTEGRATED BASIC EDUCATION AND SKILLS TRAINING  
 7 (I-BEST)  
 8 For purposes of conducting integrated basic  
 9 education and skills training demonstration projects  
 10 with eligible community colleges to bring English as a  
 11 second language and adult basic education instructors  
 12 together with professional-technical instructors in  
 13 the same classroom to provide students with  
 14 contextualized remediation and English language  
 15 services and occupational training at the same time,

16 including salaries, support, maintenance,  
 17 miscellaneous purposes, and for not more than the  
 18 following full-time equivalent position:  
 19 ..... \$ 500,000  
 20 ..... FTEs 1.00  
 21 The full-time equivalent position authorized in  
 22 this subsection is allocated for purposes of employing  
 23 one coordinator who, with the support of the  
 24 department of education and other interested agencies,  
 25 awards grants to five of Iowa's eligible community  
 26 colleges in approved programs in career tracks that  
 27 assist in solving the workforce shortage.  
 28 5. OFFENDER REENTRY PROGRAM  
 29 For the development and administration of an  
 30 offender reentry program to provide offenders with  
 31 employment skills, and for not more than the following  
 32 full-time equivalent positions:  
 33 ..... \$ 375,000  
 34 ..... FTEs 2.00  
 35 The department shall partner with the department of  
 36 corrections to provide staff within the correctional  
 37 facilities to improve offenders' abilities to find and  
 38 retain productive employment.  
 39 6. For purposes of administration of a security  
 40 employee pilot project training program, if enacted by  
 41 the 2008 session of the eighty-second general  
 42 assembly:  
 43 ..... \$ 15,000"  
 44 3. By renumbering as necessary.

Amendment [H-8638](#) was adopted.

Jacoby of Johnson 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. 2699](#))

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevort	Gaskill
Gayman	Heddens	Hunter	Huser
Jacoby	Jochum	Kelley	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim

Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Kressig, Presiding

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Granzow	Grassley	Greiner	Heaton
Horbach	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

Absent or not voting, 5:

Forristall	Hoffman	Quirk	Roberts
Upmeyer			

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 2699](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 12:27 p.m., until 2:00 p.m.

### AFTERNOON SESSION

The House reconvened at 2:13 p.m., Speaker Murphy in the chair.

### SENATE MESSAGE CONSIDERED

[Senate File 2429](#), by committee on appropriations, a bill for an act relating to budget requirements by certain small cities and providing an effective date.

Read first time and referred to committee on **appropriations**.

## HOUSE INSISTS

McCarthy of Polk called up for consideration [House File 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision and moved that the House insist on its amendment, which motion prevailed.

## CONFERENCE COMMITTEE APPOINTED ([House File 2539](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [House File 2539](#): Heddens of Story, Chair; Smith of Marshall, Upmeyer of Hancock, Abdul-Samad of Polk and Heaton of Henry.

The House stood at ease at 2:25 p.m., until the fall of the gavel.

The House resumed session at 3:37 p.m., Speaker Murphy 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 April 23, 2008, appointed the conference committee to [House File 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision, and the members of the conference committee on the part of the Senate are: The Senator from Polk, Senator Hatch, Chair; the Senator from Johnson, Senator Bolkom; the Senator from Cerro Gordo, Senator Ragan; the Senator from Osceola, Senator Johnson; the Senator from Harrison, Senator Seymour.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Heddens of Story on request of Quirk of Chickasaw.

## Appropriations Calendar

[House File 2672](#), a bill for an act relating to water use permit fees, creating a new water use permit fund, and making appropriations, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment [H-8528](#) filed by him on April 14, 2008.

Quirk of Chickasaw in the chair at 3:40 p.m.

Kuhn of Floyd 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. 2672](#))

The ayes were, 87:

Abdul-Samad	Anderson	Arnold	Bailey
Baudler	Bell	Berry	Boal
Bukta	Chambers	Clute	Cohoon
Dandekar	Davitt	De Boef	Deyoe
Dolecheck	Drake	Foege	Ford
Frevert	Gaskill	Gayman	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Hunter	Huseman	Huser
Jacobs	Jacoby	Jochum	Kelley
Kressig	Kuhn	Lensing	Lukan
Lykam	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Raecker	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Schueller
Shomshor	Smith	Soderberg	Staed
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Van Fossen	Watts	Wendt	Wenthe

Wessel-Kroeschell Wise	Whitaker Zirkelbach	Whitead Quirk, Presiding	Winckler
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The nays were, 9:

Alons Schickel Worthan	Horbach Van Engelenhoven	Kaufmann Wiencek	Sands Windschitl
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Absent or not voting, 4:

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

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 2413](#).

#### Unfinished Business Calendar

[Senate File 2413](#), a bill for an act providing extensions for school districts applying to the school budget review committee concerning school district finances, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Wendt of Woodbury offered the following amendment [H-8635](#) filed by him from the floor and moved its adoption:

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

1 Amend [Senate File 2413](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting after line 10 the  
4 following:  
5 "Sec. \_\_\_\_ Section 257.14, subsection 2, Code  
6 2007, is amended to read as follows:  
7 2. For the budget years commencing July 1, 2002,  
8 and July 1, 2003, if the department of management  
9 determines that the regular program district cost of a  
10 school district for a budget year is less than the  
11 total of the regular program district cost plus any  
12 adjustment added under this section for the base year  
13 for that school district, the school district shall be  
14 eligible to receive a budget adjustment for that  
15 district for that budget year up to an amount equal to  
16 the difference. The board of directors of a school

17 district that wishes to receive a budget adjustment  
 18 pursuant to this subsection shall adopt a resolution  
 19 to receive the budget adjustment by ~~April~~ May 15,  
 20 annually, and shall notify the department of  
 21 management of the adoption of the resolution and the  
 22 amount of the budget adjustment to be received.  
 23 Sec. \_\_\_\_\_. Section 257.14, subsection 3, unnumbered  
 24 paragraph 2, Code 2007, is amended to read as follows:  
 25 The board of directors of a school district that  
 26 wishes to receive a budget adjustment pursuant to this  
 27 subsection shall adopt a resolution to receive the  
 28 budget adjustment by ~~April~~ May 15, annually, and shall  
 29 notify the department of management of the adoption of  
 30 the resolution and the amount of the budget adjustment  
 31 to be received."  
 32 2. Page 3, by inserting after line 19, the  
 33 following:  
 34 "Sec. \_\_\_\_\_. EFFECTIVE DATE. This Act, being deemed  
 35 of immediate importance, takes effect upon enactment."  
 36 3. Title page, line 1, by inserting before the  
 37 word "requests" the following: "school budgets,  
 38 including by providing for".  
 39 4. Title page, line 2, by inserting after the  
 40 word "committee" the following: "and documents  
 41 submitted to other state agencies".  
 42 5. Title page, line 3, by inserting after the  
 43 word "finances" the following: ", and providing an  
 44 effective date".  
 45 6. By renumbering as necessary.

Amendment [H-8635](#) was adopted.

Wendt of Woodbury 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. 2413](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig

Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Quirk, Presiding

The nays were, none.

Absent or not voting, 4:

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

### [HOUSE FILE 2463](#) WITHDRAWN

Hunter of Polk asked and received unanimous consent to withdraw [House File 2463](#) from further consideration by the House.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 2415](#).

### Ways and Means Calendar

[Senate File 2415](#), a bill for an act allowing certain counties to participate in a pilot project for emergency response districts and providing for a district tax levy, with report of committee recommending passage, was taken up for consideration.

Huser of Polk offered the following amendment [H-8567](#) filed by her and moved its adoption:

#### [H-8567](#)

- 1 Amend [Senate File 2415](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:

3 1. Page 1, line 16, by inserting after the word  
4 "district." the following: "A member of the  
5 commission shall not appoint a designee to serve on  
6 the commission in the member's capacity."

7 2. Page 4, line 32, by inserting after the word  
8 "district." the following: "A proposed property tax  
9 levy rate shall not be approved by the commission  
10 unless two-thirds of the commission's members are  
11 present when the proposed property tax levy rate is  
12 approved."

13 3. Page 5, line 11, by inserting after the word  
14 "needed." the following: "The commission shall have  
15 exclusive tax-levying authority for the district."

Amendment [H-8567](#) was adopted.

Schueller of Jackson 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. 2415](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Quirk, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall

Heddens

Roberts

Upmeyer

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

### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2672](#), [Senate Files 2413](#) and [2415](#).

McCarthy of Polk asked and received unanimous consent for the consideration of Senate Files 2418 and 2419.

[Senate File 2418](#), a bill for an act relating to notice provided to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits, was taken up for consideration.

T. Olson of Linn 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. 2418](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill

Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencak	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Quirk, Presiding	

The nays were, none.

Absent or not voting, 5:

Forristall	Heddens	Roberts	Tomenga
Upmeyer			

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

[Senate File 2419](#), a bill for an act relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Thomas of Clayton 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. 2419](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.

Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Quirk, Presiding

The nays were, none.

Absent or not voting, 4:

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

### IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2418** and **2419**.

### SENATE AMENDMENT CONSIDERED

Foege of Linn called up for consideration [Senate File 2417](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing for the repeal of the healthy Iowans tobacco trust, and providing effective dates, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-8632](#) to the House amendment:

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

- 1 Amend the House amendment, [S-5362](#), to Senate File
- 2 2417, as passed by the Senate, as follows:
- 3 1. Page 1, by striking lines 8 through 13 and
- 4 inserting the following: "\$25,000 is allocated for a
- 5 grant to a child welfare services provider
- 6 headquartered in a county with a population between
- 7 189,000 and 196,000 in the latest preceding certified
- 8 federal census that provides multiple services

- 9 including but not limited to a psychiatric medical  
 10 institution for children, shelter, residential  
 11 treatment, after school programs, school-based  
 12 programming, and an Asperger's syndrome program, to be  
 13 used for support services for children with autism  
 14 spectrum disorder and their families."

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

Foege of Linn moved that the bill, as amended by the House, further 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?" ([S.F. 2417](#))

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Quirk, Presiding

The nays were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Van Engelenhoven	Van Fossen
Watts	Wiencek	Windschitl	Worthan

Absent or not voting, 4:

Forristall

Heddens

Roberts

Upmeyer

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

### SENATE AMENDMENT CONSIDERED

T. Taylor of Linn called up for consideration [House File 2660](#), a bill for an act relating to and making appropriations to the justice system, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8633](#):

#### [H-8633](#)

- 1 Amend [House File 2660](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 26 the
- 4 following:
- 5 "It is the intent of the general assembly to
- 6 appropriate from the general fund of the state to the
- 7 department of justice for victim assistance grants the
- 8 following amount: \$1,000,000 for the fiscal year
- 9 beginning July 1, 2009, and ending June 30, 2010."
- 10 2. Page 2, line 3, by striking the figure
- 11 "600,000" and inserting the following: "850,000".
- 12 3. Page 3, line 22, by striking the figure
- 13 "44,512,509" and inserting the following:
- 14 "44,756,586".
- 15 4. Page 3, line 26, by striking the figure
- 16 "30,894,866" and inserting the following:
- 17 "31,428,054".
- 18 5. Page 4, line 6, by striking the figure
- 19 "56,204,468" and inserting the following:
- 20 "58,128,271".
- 21 6. Page 4, line 10, by striking the figure
- 22 "27,841,158" and inserting the following:
- 23 "27,978,941".
- 24 7. Page 4, line 14, by striking the figure
- 25 "26,331,092" and inserting the following:
- 26 "27,290,452".
- 27 8. Page 4, line 18, by striking the figure
- 28 "9,166,484" and inserting the following: "9,262,685".
- 29 9. Page 4, line 22, by striking the figure
- 30 "25,078,365" and inserting the following:
- 31 "25,207,465".
- 32 10. Page 4, line 31, by striking the figure
- 33 "15,878,663" and inserting the following:
- 34 "15,935,768".
- 35 11. Page 4, line 35, by striking the figure

36 "29,715,121" and inserting the following:  
37 "29,823,711".  
38 12. Page 5, by striking lines 12 through 16.  
39 13. Page 8, by inserting after line 25 the  
40 following:  
41 "4. As a condition of receiving the appropriations  
42 made in this section, the department of corrections  
43 shall develop and implement offender reentry centers  
44 in Black Hawk and Polk counties to provide  
45 transitional planning and release primarily for  
46 offenders released from the Iowa correctional  
47 institution for women at Mitchellville and the Fort  
48 Dodge correctional facility. Programming shall  
49 include minority and gender-specific responsivity,  
50 employment, substance abuse treatment, mental health

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1 services, housing, and family reintegration. The  
2 department of corrections shall collaborate with the  
3 first and fifth judicial district departments of  
4 correctional services, Iowa department of workforce  
5 development, department of human services,  
6 community-based providers and faith-based  
7 organizations, and local law enforcement."  
8 14. Page 9, line 2, by striking the figure  
9 "12,912,033" and inserting the following:  
10 "13,103,903".  
11 15. Page 9, line 10, by striking the figure  
12 "10,669,139" and inserting the following:  
13 "10,835,021".  
14 16. Page 9, line 13, by striking the figure  
15 "5,903,401" and inserting the following: "5,914,624".  
16 17. Page 9, line 16, by striking the figure  
17 "5,419,406" and inserting the following: "5,435,240".  
18 18. Page 9, line 20, by striking the figure  
19 "18,276,003" and inserting the following:  
20 "18,813,816".  
21 19. Page 9, line 23, by striking the figure  
22 "12,475,246" and inserting the following:  
23 "13,991,982".  
24 20. Page 10, line 2, by striking the figure  
25 "7,020,794" and inserting the following: "7,053,660".  
26 21. Page 10, line 5, by striking the figure  
27 "6,998,544" and inserting the following: "7,066,926".  
28 22. Page 15, line 21, by striking the words and  
29 figure "17 percent of" and inserting the following:  
30 "the state's normal contribution rate, as defined in  
31 section 97A.8, multiplied by".  
32 23. Page 16, line 30, by striking the words and  
33 figure "17 percent of" and inserting the following:  
34 "the state's normal contribution rate, as defined in

35 section 97A.8, multiplied by".  
 36 24. Page 17, line 9, by striking the words and  
 37 figure "17 percent of" and inserting the following:  
 38 "the state's normal contribution rate, as defined in  
 39 section 97A.8, multiplied by".  
 40 25. Page 17, line 18, by striking the words and  
 41 figure "17 percent of" and inserting the following:  
 42 "the state's normal contribution rate, as defined in  
 43 section 97A.8, multiplied by".  
 44 26. Page 17, line 21, by striking the figure  
 45 "49,688,777" and inserting the following:  
 46 "50,353,777".  
 47 27. Page 17, line 22, by striking the figure  
 48 "535.00" and inserting the following: "536.00".  
 49 28. Page 17, by inserting after line 22 the  
 50 following:

Page 3

1 "As a condition of receiving the appropriation made  
 2 in this subsection, the department of public safety  
 3 shall increase expenditures for overtime paid to peace  
 4 officer members of the state patrol by \$350,000 and  
 5 increase expenditures for fuel used by the motor  
 6 vehicles of such members by \$227,000. In addition as  
 7 a condition of receiving the appropriation made in  
 8 this subsection, the department shall hire and employ  
 9 one additional peace officer member of the state  
 10 patrol."  
 11 29. By renumbering, relettering, or redesignating  
 12 and correcting internal references as necessary.

T. Taylor of Linn moved that the House concur in the Senate amendment [H-8633](#).

On the question "Shall the Senate amendment [H-8633](#) be adopted?" ([H.F. 2660](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig

Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Quirk, Presiding

The nays were, none.

Absent or not voting, 4:

Forristall	Heddens	Roberts	Upmeyer
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The House concurred in the Senate amendment [H-8633](#).

T. Taylor of Linn 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. 2660](#))

The ayes were, 52:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Hunter	Huser	Jacoby
Jochum	Kelley	Kressig	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Reasoner	Reichert	Schueller
Shomshor	Smith	Staed	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Zirkelbach	Quirk, Presiding

The nays were, 43:

Alons	Anderson	Arnold	Boal
Chambers	Clute	De Boef	Deyoe
Dolecheck	Drake	Gipp	Granzow
Grassley	Greiner	Heaton	Hoffman
Horbach	Huseman	Jacobs	Kaufmann
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rants
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wienczek	Windschitl	Worthan	

Absent or not voting, 5:

Baudler	Forristall	Heddens	Roberts
Upmeyer			

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

**MOTION TO RECONSIDER WITHDRAWN**  
[\(Senate File 2216\)](#)

McCarthy of Polk asked and received unanimous consent to withdraw the motion to reconsider [Senate File 2216](#), a bill for an act concerning state and local measures for preparing a student for a career or for postsecondary education, including a statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system, filed by him on April 14, 2008.

**IMMEDIATE MESSAGE**

McCarthy of Polk asked and received unanimous consent that [Senate File 2216](#) be immediately messaged to the Senate.

On motion by McCarthy of Polk, the House was recessed at 5:11 p.m., until 7:00 p.m.

**EVENING SESSION**

The House reconvened at 7:40 p.m., Speaker Murphy in the chair.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-two members present, eight absent.

## 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 April 23, 2008, amended and passed the following bill in which the concurrence of the House is asked:

[House File 901](#), a bill for an act concerning the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit.

Also: That the Senate has on April 23, 2008, passed the following bill in which the concurrence of the Senate was asked:

[House File 2694](#), a bill for an act relating to long-term care insurance, and providing for penalties, an applicability date, repeals, and an appropriation and providing an effective date.

Also: That the Senate has on April 23, 2008, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 2400](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date.

Also: That the Senate has on April 23, 2008, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 2406](#), a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions.

Also: That the Senate has on April 23, 2008, passed the following bill in which the concurrence of the House is asked:

[Senate File 2430](#), a bill for an act relating to economic development by creating a community microenterprise development organization grant program, a microenterprise development advisory committee, and a river enhancement community attraction and tourism fund, and by making changes to the requirements for individual

development accounts and making appropriations, and including effective and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

[Senate File 2430](#), by committee on appropriations, a bill for an act relating to economic development by creating a community microenterprise development organization grant program, a microenterprise development advisory committee, and a river enhancement community attraction and tourism fund, and by making changes to the requirements for individual development accounts and making appropriations, and including effective and retroactive applicability provisions.

Read first time and referred to committee on **appropriations**.

### Regular Calendar

[House File 2690](#), a bill for an act relating to student loans, including the protection of students and parents from certain lenders and institutions of higher education with conflicts of interest, establishing a student lending education fund, establishing penalties, and providing for related matters, was taken up for consideration.

Lensing of Johnson offered amendment [H-8640](#) filed by her from the floor as follows:

#### [H-8640](#)

- 1 Amend [House File 2690](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 7C.12, subsection 2, Code
- 5 2007, is amended by adding the following new
- 6 paragraph:
- 7 NEW PARAGRAPH. c. Shall report quarterly any
- 8 reallocation of the amount of the state ceiling by the
- 9 governor's designee in accordance with this chapter to
- 10 the legislative government oversight committee and the
- 11 auditor of state. The report shall contain, at a
- 12 minimum, the amount of each reallocation, the date of
- 13 each reallocation, the name of the political
- 14 subdivision and a description of all bonds issued
- 15 pursuant to a reallocation, a brief explanation of the

16 reason for the reallocation, and such other  
 17 information as may be required by the committee.  
 18 Sec. 2. NEW SECTION. 7C.13 QUALIFIED STUDENT  
 19 LOAN BOND ISSUER – OPEN RECORDS AND MEETINGS –  
 20 OVERSIGHT.

21 1. CONDITION OF ALLOCATION. As a condition of  
 22 receiving the allocation of the state ceiling as  
 23 provided in section 7C.4A, subsection 3, the qualified  
 24 student loan bond issuer shall comply with the  
 25 provisions of this section.

26 2. ANNUAL REPORT AND AUDIT. The qualified student  
 27 loan bond issuer shall submit an annual report to the  
 28 governor, general assembly, and the auditor of state  
 29 by January 15 setting forth its operations and  
 30 activities conducted and newly implemented in the  
 31 previous fiscal year related to use of the allocation  
 32 of the state ceiling in accordance with this chapter  
 33 and the outlook for the future. The report shall  
 34 describe how the operations and activities serve  
 35 students and parents. The annual audit of the  
 36 qualified student loan bond issuer shall be filed with  
 37 the office of auditor.

38 3. OPEN MEETINGS FOR CONSIDERATION OF TAX-EXEMPT  
 39 ISSUANCE. The deliberations or meetings of the board  
 40 of directors of the qualified student loan bond issuer  
 41 that relate to the issuance of bonds in accordance  
 42 with this chapter shall be conducted in accordance  
 43 with chapter 21.

44 4. PUBLIC HEARING PRIOR TO ISSUANCE OF TAX-EXEMPT  
 45 BONDS. Prior to the issuance of tax-exempt bonds in  
 46 accordance with this chapter, the board of directors  
 47 of the qualified student loan bond issuer shall hold a  
 48 public meeting after reasonable notice. The board  
 49 shall give notice of the time, date, and place of the  
 50 meeting, and its tentative agenda, in a manner

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1 reasonably calculated to apprise the public of that  
 2 information and provide interested parties with an  
 3 opportunity to submit or present data, views, or  
 4 arguments related to the issuance of the bonds.  
 5 5. OPEN RECORDS FOR CONSIDERATION OF TAX-EXEMPT  
 6 BONDS. All of the following shall be subject to  
 7 chapter 22:  
 8 a. Minutes of the meetings conducted in accordance  
 9 with subsection 3.  
 10 b. The data and written views or arguments  
 11 submitted in accordance with subsection 4.  
 12 c. Letters seeking approval from the governor for  
 13 issuance of tax-exempt bonds in accordance with this  
 14 chapter.

15 d. The published official statement of each  
16 tax-exempt bond issue authorized in accordance with  
17 this chapter.

18 6. STATE SUPERINTENDENT OF BANKING REVIEW. The  
19 superintendent of banking shall annually review the  
20 qualified student loan bond issuer's total assets,  
21 loan volume, and reserves. Additionally, the  
22 superintendent shall review the qualified student loan  
23 bond issuer's procedures to inform students, prior to  
24 the submission of an application to the qualified  
25 student loan bond issuer for a loan made by the  
26 qualified student loan bond issuer, about the  
27 advantages of loans available under Title IV of the  
28 federal Higher Education Act of 1965, as amended, for  
29 which the students may be eligible. The review shall  
30 verify that the qualified student loan bond issuer  
31 issued bonds in accordance with this chapter in  
32 conformance to the letter requesting approval of the  
33 governor as set forth in subsection 5. The  
34 superintendent shall submit the review to the general  
35 assembly by January 15.

36 7. NO STATE OBLIGATION FOR BONDS. The obligations  
37 of the qualified student loan bond issuer are not the  
38 obligations of the state or any political subdivision  
39 of the state within the meaning of any constitutional  
40 or statutory debt limitations, but are obligations of  
41 the qualified student loan bond issuer payable solely  
42 and only from the qualified student loan bond issuer's  
43 funds. The qualified student loan bond issuer shall  
44 not and cannot pledge the credit or taxing power of  
45 this state or any political subdivision of this state  
46 or make its debts payable out of any moneys except  
47 those of the qualified student loan bond issuer.

48 Sec. 3. NEW SECTION. 261E.1 DEFINITIONS.  
49 As used in this chapter, unless otherwise  
50 specified:

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1 1. "Borrower" means a student attending a covered  
2 institution in this state, or a parent or person in  
3 parental relation to such student, who obtains an  
4 educational loan from a lending institution to pay for  
5 or finance a student's higher education expenses.

6 2. "Covered institution" means any educational  
7 institution that offers a postsecondary educational  
8 degree, certificate, or program of study and receives  
9 any Title IV funds under the federal Higher Education  
10 Act of 1965, as amended, or state funding or  
11 assistance. "Covered institution" includes an  
12 authorized agent of the educational institution,  
13 including an alumni association, booster club, or

14 other organization directly or indirectly associated  
15 with or authorized by the institution or an employee  
16 of the institution.

17 3. "Covered institution employee" means any  
18 employee, agent, contract employee, director, officer,  
19 or trustee of a covered institution.

20 4. "Educational loan" means any loan that is made,  
21 insured, or guaranteed under Title IV of the federal  
22 Higher Education Act of 1965, as amended, directly to  
23 a borrower solely for educational purposes, or any  
24 private educational loan.

25 5. "Gift" means any gratuity, favor, discount,  
26 entertainment, hospitality, loan, or other item having  
27 a monetary value of more than a de minimus amount.  
28 "Gift" includes a gift of services, transportation,  
29 lodging, or meals, whether provided in kind, by  
30 purchase of a ticket, payment in advance, or  
31 reimbursement after the expense has been incurred.  
32 "Gift" does not include any of the following:

33 a. Standard material, activities, or programs on  
34 issues related to a loan, default aversion, default  
35 prevention, or financial literacy.

36 b. Food or refreshments furnished to an officer,  
37 employee, or agent of an institution as an integral  
38 part of a training session or conference that is  
39 designed to contribute to the professional development  
40 of the officer, employee, or agent of the institution.

41 c. Favorable terms, conditions, and borrower  
42 benefits on an educational loan provided to a borrower  
43 employed by the covered institution if such terms,  
44 conditions, or benefits are comparable to those  
45 provided to all students of the institution.

46 d. Philanthropic contributions to a covered  
47 institution from a lender, guarantor, or servicer of  
48 educational loans that are unrelated to educational  
49 loans provided, as applicable, that the contributions  
50 are disclosed pursuant to section 261E.4, subsection

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1 6.  
2 e. State education grants, scholarships, or  
3 financial aid funds administered under chapter 261.  
4 f. Toll-free telephone numbers for use by covered  
5 institutions or other toll-free telephone numbers open  
6 to the public to obtain information about loans  
7 available under Title IV of the federal Higher  
8 Education Act of 1965, as amended, or private  
9 educational loans, or free data transmission service  
10 for use by a covered institution to electronically  
11 submit applicant loan processing information or  
12 student status confirmation data for loans available

13 under Title IV of the federal Higher Education Act of  
14 1965.

15 g. A reduced origination fee.

16 h. A reduced interest rate.

17 i. Payment of federal default fees.

18 j. Purchase of a loan made by another lender at a  
19 premium.

20 k. Other benefits to a borrower under a repayment  
21 incentive program that requires, at a minimum, one or  
22 more scheduled payments to receive or retain the  
23 benefit or under a loan forgiveness program for public  
24 service or other targeted purposes approved by the  
25 attorney general, provided these benefits are not  
26 marketed to secure loan applications or loan  
27 guarantees.

28 l. Items of nominal value to a covered  
29 institution, covered institution employee, covered  
30 institution-affiliated organization, or borrower that  
31 are offered as a form of generalized marketing or  
32 advertising, or to create goodwill.

33 m. Items of value which are offered to a borrower  
34 or to a covered institution employee that are also  
35 offered to the general public.

36 n. Other services as identified and approved by  
37 the attorney general through a public announcement,  
38 such as a notice on the attorney general's web site.

39 6. "Lender" or "lending institution" means a  
40 creditor as defined in section 103 of the federal  
41 Truth in Lending Act, 15 U.S.C. § 1602.

42 7. "Postsecondary educational expenses" means any  
43 of the expenses that are included as part of a  
44 student's cost of attendance as defined in Title IV,  
45 part F, of the federal Higher Education Act of 1965,  
46 as amended.

47 8. "Preferred lender arrangement" means an  
48 arrangement or agreement between a lender and a  
49 covered institution under which the lender provides or  
50 otherwise issues educational loans to borrowers and

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1 which relates to the covered institution recommending,  
2 promoting, or endorsing the educational loan product  
3 of the lender. "Preferred lender arrangement" does  
4 not include arrangements or agreements with respect to  
5 loans under part D or E of Title IV of the federal  
6 Higher Education Act of 1965, as amended.

7 9. "Preferred lender list" means a list of at  
8 least three recommended or suggested, unaffiliated  
9 lending institutions that a covered institution makes  
10 available for use, in print or any other medium or  
11 form, by borrowers, prospective borrowers, or others.

12 10. "Private educational loan" means a private  
13 loan provided by a lender that is not made, insured,  
14 or guaranteed under Title IV of the federal Higher  
15 Education Act of 1965, as amended, and is issued by a  
16 lender solely for postsecondary educational expenses  
17 to a borrower, regardless of whether the loan involves  
18 enrollment certification by the educational  
19 institution that the student for which the loan is  
20 made attends. "Private educational loan" does not  
21 include a private educational loan secured by a  
22 dwelling or under an open-end credit plan. For  
23 purposes of this subsection, "dwelling" and "open-end  
24 credit plan" have the meanings given such terms in  
25 section 103 of the federal Truth in Lending Act, 15  
26 U.S.C. § 1602.

27 11. "Revenue sharing arrangement" means an  
28 arrangement between a covered institution and a lender  
29 in which the lender provides or issues educational  
30 loans to persons attending the institution or on  
31 behalf of persons attending the institution and the  
32 covered institution recommends the lender or the  
33 educational loan products of the lender, in exchange  
34 for which the lender pays a fee or provides other  
35 material benefits, including revenue or profit  
36 sharing, to the institution or officers, employees, or  
37 agents of the institution. "Revenue sharing  
38 arrangement" does not include arrangements related  
39 solely to products which are not educational loans.

40 Sec. 4. NEW SECTION. 261E.2 CODE OF CONDUCT.

- 41 1. A covered institution shall do the following:  
42 a. Develop, in consultation with the college  
43 student aid commission, a code of conduct governing  
44 educational loan activities with which the covered  
45 institution's officers, employees, and agents shall  
46 comply.  
47 b. Publish the code of conduct developed in  
48 accordance with paragraph "a" prominently on its  
49 internet site.  
50 c. Administer and enforce the code of conduct

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- 1 developed in accordance with paragraph "a".  
2 2. The college student aid commission shall  
3 provide to covered institutions assistance and  
4 guidance relating to the development, administration,  
5 and monitoring of a code of conduct governing  
6 educational loan activities.  
7 3. Except as provided in this section, the college  
8 student aid commission is not subject to the duties,  
9 restrictions, prohibitions, and penalties of this  
10 chapter.

11 Sec. 5. NEW SECTION. 261E.3 PROHIBITIONS –  
12 REPORT.

13 1. GIFT BAN. No officer, employee, or agent of a  
14 covered institution who is employed in the financial  
15 aid office of the institution, or who otherwise has  
16 direct responsibilities with respect to educational  
17 loans, shall solicit or accept any gift from a lender,  
18 guarantor, or servicer of educational loans. The  
19 attorney general shall investigate any reported  
20 violation of this subsection and shall annually submit  
21 a report to the general assembly by January 15  
22 identifying all substantiated violations of this  
23 subsection, including the lenders and covered  
24 institutions involved in each such violation, for the  
25 preceding year.

26 2. GIFTS TO FAMILY MEMBERS OR OTHERS. For  
27 purposes of this section, a gift to a family member of  
28 an officer, employee, or agent of a covered  
29 institution, or a gift to any other individual based  
30 on that individual's relationship with the officer,  
31 employee, or agent, shall be considered a gift to the  
32 officer, employee, or agent if either of the following  
33 applies:

34 a. The gift is given with the knowledge and  
35 acquiescence of the officer, employee, or agent.

36 b. The officer, employee, or agent has reason to  
37 believe the gift was given because of the official  
38 position of the officer, employee, or agent.

39 3. CONTRACTING ARRANGEMENTS. An officer,  
40 employee, or agent who is employed in the financial  
41 aid office of a covered institution, or who otherwise  
42 has direct responsibilities with respect to  
43 educational loans, shall not accept from any lender or  
44 affiliate of any lender any fee, payment, or other  
45 financial benefit including but not limited to the  
46 opportunity to purchase stock on other than free  
47 market terms, as compensation for any type of  
48 consulting arrangement or other contract to provide  
49 services to a lender or on behalf of a lender.

50 4. REVENUE SHARING ARRANGEMENTS. A covered

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1 institution shall not enter into any revenue sharing  
2 arrangement with any lender.

3 5. PROHIBITION ON OFFERS OF FUNDS FOR PRIVATE  
4 LOANS. A covered institution shall not request or  
5 accept from any lender any offer of funds, including  
6 any opportunity pool, to be used for private  
7 educational loans to borrowers in exchange for the  
8 covered institution providing concessions or promises  
9 to the lender with respect to such institution

10 providing the lender with a specified number of loans,  
11 a specified loan volume, or a preferred lender  
12 arrangement for any loan made, insured, or guaranteed  
13 under Title IV of the federal Higher Education Act of  
14 1965, as amended, and a lender shall not make any such  
15 offer. For purposes of this subsection, "opportunity  
16 pool" means an educational loan made by a private  
17 lender to a borrower that is in any manner guaranteed  
18 by a covered institution, or that involves a payment,  
19 directly or indirectly, by such an institution of  
20 points, premiums, payments, additional interest, or  
21 other financial support to the lender for the purpose  
22 of that lender extending credit to the borrower.

23 6. PARTICIPATION ON ADVISORY COUNCILS. An  
24 officer, employee, or agent who is employed in the  
25 financial aid office of a covered institution, or who  
26 otherwise has direct responsibilities with respect to  
27 educational loans, shall not serve on or otherwise  
28 participate with advisory councils of lenders or  
29 affiliates of lenders. Nothing in this subsection  
30 shall prohibit lenders from seeking advice from  
31 covered institutions or groups of covered  
32 institutions, including through telephonic or  
33 electronic means, or a meeting, in order to improve  
34 products and services for borrowers, provided there  
35 are no gifts or compensation including but not limited  
36 to transportation, lodging, or related expenses,  
37 provided by lenders in connection with seeking such  
38 advice from the institutions. Nothing in this  
39 subsection shall prohibit an officer, employee, or  
40 agent of a covered institution from serving on the  
41 board of directors of a lender if required by law.

42 7. EXCEPTIONS.

43 a. Nothing in this section shall be construed as  
44 prohibiting any of the following:

45 (1) An officer, employee, or agent of a covered  
46 institution who is not employed in the institution's  
47 financial aid office, or who does not otherwise have  
48 direct responsibilities with respect to educational  
49 loans, from paid or unpaid service on a board of  
50 directors of a lender, guarantor, or servicer of

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1 educational loans.

2 (2) An officer, employee, or agent of a covered  
3 institution who is not employed in the financial aid  
4 office but who has direct responsibility with respect  
5 to educational loans as a result of a position held at  
6 the covered institution, from paid or unpaid service  
7 on a board of directors of a lender, guarantor, or  
8 servicer of educational loans, provided that the

9 covered institution has a written conflict of interest  
10 policy that clearly sets forth that such an officer,  
11 employee, or agent must be recused from participating  
12 in any decision of the board with respect to any  
13 transaction regarding educational loans.

14 (3) An officer, employee, or agent of a lender,  
15 guarantor, or servicer of educational loans from  
16 serving on a board of directors or serving as a  
17 trustee of a covered institution, provided that the  
18 covered institution has a written conflict of interest  
19 policy that clearly sets forth the procedures to be  
20 followed in instances where such a board member's or  
21 trustee's personal or business interests with respect  
22 to educational loans may be advanced by an action of  
23 the board of directors or trustees, including a  
24 provision that such a board member or trustee may not  
25 participate in any decision to approve any transaction  
26 where such conflicting interests may be advanced.

27 b. Nothing in this chapter shall be construed to  
28 prohibit a covered institution from lowering  
29 educational loan costs for borrowers, including  
30 payments made by the covered institution to lending  
31 institutions on behalf of borrowers.

32 Sec. 6. NEW SECTION. 261E.4 MISLEADING  
33 IDENTIFICATION – COVERED INSTITUTION – LENDING  
34 INSTITUTIONS' EMPLOYEES.

35 1. A lending institution shall prohibit an  
36 employee or agent of the lending institution from  
37 being identified to borrowers or prospective borrowers  
38 of a covered institution as an employee,  
39 representative, or agent of the covered institution.

40 2. A covered institution shall prohibit an  
41 employee or agent of a lending institution from being  
42 identified as an employee, representative, or agent of  
43 the covered institution.

44 3. An employee, representative, or agent of a  
45 lending institution included on a covered  
46 institution's preferred lending list shall not staff a  
47 covered institution's financial aid offices or call  
48 center and shall not prepare any of the covered  
49 institution's materials related to educational loans.

50 4. A covered institution that has entered into a

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1 preferred lender arrangement with a lender regarding  
2 private educational loans shall not agree to the  
3 lender's use of the name, emblem, mascot, or logo of  
4 the institution, or other words, pictures, or symbols  
5 readily identified with the institution, in the  
6 marketing of private educational loans to the students  
7 attending the institution in any way that implies that

8 the institution endorses the private educational loans  
9 offered by the lender. However, the covered  
10 institution may allow the use of its name if it is  
11 part of the lending institution's legal name.

12 5. Nothing in this section shall prohibit a  
13 covered institution from requesting or accepting the  
14 following assistance from a lender related to any of  
15 the following:

16 a. Providing educational counseling materials,  
17 financial literacy materials, or debt management  
18 materials to borrowers, provided that such materials  
19 disclose to borrowers the identification of any lender  
20 that assisted in preparing or providing such  
21 materials.

22 b. Staffing services on a short-term, nonrecurring  
23 basis to assist the institution with financial  
24 aid-related functions during emergencies, including  
25 state-declared or federally declared natural  
26 disasters, federally declared national disasters, and  
27 other localized disasters and emergencies identified  
28 by the attorney general.

29 6. The attorney general shall adopt rules  
30 providing for the disclosure, for lenders with a  
31 preferred lender arrangement, of philanthropic  
32 contributions made as specified in section 261E.1,  
33 subsection 5, paragraph "d".

34 Sec. 7. NEW SECTION. 261E.5 LOAN DISCLOSURE –  
35 LOAN BUNDLING – PROHIBITIONS.

36 1. A covered institution that has entered into a  
37 preferred lender arrangement with a lender regarding  
38 private educational loans shall inform the borrower or  
39 prospective borrower of all available state education  
40 financing options, and financing options under Title  
41 IV of the federal Higher Education Act of 1965, as  
42 amended, including information on any terms and  
43 conditions of available loans under such title that  
44 are more favorable to the borrower.

45 2. A covered institution shall prohibit the  
46 bundling of private educational loans in financial aid  
47 packages, unless the borrower is ineligible for  
48 financing, is not eligible for any additional funding,  
49 or has exhausted the limits of loan eligibility, under  
50 Title IV of the federal Higher Education Act of 1965,

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1 as amended, or has not filled out a free application  
2 for federal student aid, and the bundling of the  
3 private educational loans is clearly and conspicuously  
4 disclosed to the borrower prior to acceptance of the  
5 package by the borrower. The provisions of this  
6 subsection shall not apply if the borrower does not

7 desire or refuses to apply for a loan under Title IV  
8 of the federal Higher Education Act of 1965.

9 3. A lending institution included on a covered  
10 institution's preferred lender list shall disclose,  
11 clearly and conspicuously, in any application for a  
12 private educational loan, all of the following:

13 a. The rate of interest or the potential range of  
14 rates of interest applicable to the loan and whether  
15 such rates are fixed or variable.

16 b. Limitations, if any, on interest rate  
17 adjustments, both in terms of frequency and amount, or  
18 lack thereof.

19 c. Coborrower requirements, including changes in  
20 interest rates.

21 d. Any fees associated with the loan.

22 e. The repayment terms available on the loan.

23 f. The opportunity for deferment or forbearance in  
24 repayment of the loan, including whether the loan  
25 payments can be deferred if the borrower is in school.

26 g. Any additional terms and conditions applied to  
27 the loan, including any benefits that are contingent  
28 on the repayment behavior of the borrower.

29 h. Information comparing federal and private  
30 educational loans.

31 i. An example of the total cost of the educational  
32 loan over the life of the loan which shall be  
33 calculated using the following:

34 (1) A principal amount and the maximum rate of  
35 interest actually offered by the lender, or, if there  
36 is no maximum rate provided under the terms of the  
37 loan agreement or applicable state or federal law, a  
38 statement to that effect.

39 (2) Both with and without capitalization of  
40 interest, if that is an option for postponing interest  
41 payments.

42 j. The consequences for the borrower of defaulting  
43 on a loan, including any limitations on the discharge  
44 of an educational loan in bankruptcy.

45 k. Contact information for the lender.

46 4. Not later than January 31, 2009, the attorney  
47 general shall develop and make available to lenders a  
48 model disclosure form that is based on the  
49 requirements of subsection 3. Use of the model  
50 disclosure form by a lending institution in a manner

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1 consistent with this chapter shall constitute  
2 compliance with subsection 3.  
3 Sec. 8. NEW SECTION. 261E.6 STANDARDS FOR  
4 PREFERRED LENDER LISTS.  
5 1. A covered institution may make available a list

6 of preferred lenders, in print or any other medium or  
7 form, for use by the covered institution's students or  
8 their parents, provided the list meets the following  
9 conditions:

10 a. The list is not used to deny or otherwise  
11 impede a borrower's choice of lender.

12 b. The list contains at least three lenders that  
13 are not affiliated and will make loans to borrowers or  
14 students attending the school. For the purposes of  
15 this paragraph, a lender is affiliated with another  
16 lender if any of the following applies:

17 (1) The lenders are under the ownership or control  
18 of the same entity or individuals.

19 (2) The lenders are wholly or partly owned  
20 subsidiaries of the same parent company.

21 (3) The directors, trustees, or general partners,  
22 or individuals exercising similar functions, of one of  
23 the lenders constitute a majority of the persons  
24 holding similar positions with the other lender.

25 c. The list does not include lenders that have  
26 offered, or have offered in response to a solicitation  
27 by the covered institution, financial or other  
28 benefits to the covered institution in exchange for  
29 inclusion on the list or any promise that a certain  
30 number of loan applications will be sent to the lender  
31 by the covered institution or its students.

32 2. A covered institution that provides or makes  
33 available a preferred lender list shall do the  
34 following:

35 a. Disclose to prospective borrowers, as part of  
36 the list, the method and criteria used by the covered  
37 institution in selecting any lender that it recommends  
38 or suggests.

39 b. Provide comparative information to prospective  
40 borrowers about interest rates and other benefits  
41 offered by the lenders.

42 c. Include a prominent statement in any  
43 information related to its preferred lender list  
44 advising prospective borrowers that the borrowers are  
45 not required to use one of the covered institution's  
46 recommended or suggested lenders.

47 d. For first-time borrowers, refrain from  
48 assigning, through award packaging or other methods, a  
49 borrower's loan to a particular lender.

50 e. Not cause unnecessary certification delays for

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1 borrowers who use a lender that is not included on the  
2 covered institution's preferred lender list.

3 f. Update the preferred lender list and any  
4 information accompanying the list at least annually.

5 3. If the servicer of a private educational loan  
6 is changed by a lending institution, the lending  
7 institution shall disclose the change to the affected  
8 borrower.

9 4. A lending institution shall not be placed on a  
10 covered institution's preferred lender list or in  
11 favored placement on a covered institution's preferred  
12 lender list for a particular type of loan, in exchange  
13 for benefits provided to the covered institution or to  
14 the covered institution's students in connection with  
15 a different type of loan.

16 Sec. 9. NEW SECTION. 261E.7 DISCLOSURE  
17 REQUIREMENTS.

18 Except for educational loans made, insured, or  
19 guaranteed by the federal government, a lending  
20 institution included on a covered institution's  
21 preferred lender list shall, upon receiving a request  
22 from a borrower, covered institution, or government  
23 entity, disclose to the requester in reasonable detail  
24 and form, the terms of private educational loans made  
25 to borrowers by that lending institution and the rates  
26 of interest charged to borrowers for private  
27 educational loans in the year preceding the  
28 disclosures.

29 Sec. 10. NEW SECTION. 261E.8 PENALTIES.

30 1. If after providing notice and an opportunity  
31 for a hearing the attorney general determines that a  
32 covered institution or lending institution has  
33 violated a provision of this chapter, the covered  
34 institution or lending institution may be liable for a  
35 civil penalty of up to five thousand dollars per  
36 violation. In taking action against a covered  
37 institution or lending institution, consideration  
38 shall be given to the nature and severity of a  
39 violation of this chapter.

40 2. If after providing notice and an opportunity  
41 for a hearing the attorney general determines that a  
42 covered institution employee has violated a provision  
43 of this chapter, the covered institution employee may  
44 be liable for a civil penalty of up to two thousand  
45 five hundred dollars per violation. In taking action  
46 against a covered institution employee, consideration  
47 shall be given to the nature and severity of a  
48 violation of this chapter.

49 3. If after providing notice and an opportunity  
50 for a hearing the attorney general determines that a

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1 lending institution has violated a provision of this  
2 chapter, such lending institution shall not be placed  
3 or remain on any covered institution's preferred

4 lender list unless notice of such violation is  
 5 provided to all potential borrowers of the covered  
 6 institution. However, consideration shall be given to  
 7 the nature and severity of a violation of this chapter  
 8 in determining whether and for how long to ban a  
 9 lender from a preferred lender list.

10 4. Nothing in this section shall prohibit the  
 11 attorney general from reaching a settlement agreement  
 12 with a covered institution, covered institution  
 13 employee, or lending institution in order to  
 14 effectuate the purposes of this section. Provided,  
 15 however, if such settlement agreement is reached with  
 16 a covered institution or lending institution, the  
 17 attorney general shall provide notice of such action  
 18 to the borrowers in a form and manner prescribed by  
 19 the attorney general.

20 5. The attorney general shall deposit the funds  
 21 generated pursuant to this section into the student  
 22 lending education fund, created in section 261E.10.

23 6. Each individual incident of a violation of this  
 24 chapter shall be considered a separate violation for  
 25 the purpose of imposing civil penalties.

26 Sec. 11. NEW SECTION. 261E.9 RULES –  
 27 INVESTIGATION AUTHORITY – ENFORCEMENT.

28 1. The attorney general shall administer this  
 29 chapter and promulgate rules, pursuant to chapter 17A,  
 30 necessary for the implementation of this chapter.  
 31 Unless otherwise provided, all actions by the attorney  
 32 general pursuant to this chapter shall be subject to  
 33 the provisions of chapter 17A.

34 2. The attorney general is authorized to conduct  
 35 an investigation to determine whether to initiate  
 36 proceedings pursuant to this chapter to the same  
 37 extent as the investigation authority granted the  
 38 attorney general under section 714.16.

39 Sec. 12. NEW SECTION. 261E.10 STUDENT LENDING  
 40 EDUCATION FUND.

41 1. There is established in the state treasury a  
 42 student lending education fund.

43 2. The fund shall consist of all revenues  
 44 generated pursuant to section 261E.8 and all other  
 45 moneys credited or transferred to the fund from any  
 46 other fund or source pursuant to law.

47 3. Moneys in the fund shall be made available to  
 48 the attorney general for the purpose of enforcing this  
 49 chapter.

50 Sec. 13. NEW SECTION. 261E.11 EFFECT ON OTHER

3 liability of any person, covered institution, or  
4 lending institution under any other state statute or  
5 rule.  
6 Sec. 14. STUDENT LOAN SECONDARY MARKET  
7 INVESTIGATION REPORT.  
8 1. The attorney general shall submit the findings  
9 and recommendations resulting from the investigation  
10 of the student loan secondary market and the Iowa  
11 student loan liquidity corporation to the general  
12 assembly by January 15, 2009.  
13 2. The attorney general shall present the findings  
14 and recommendations resulting from the investigation  
15 of the student loan secondary market and the Iowa  
16 student loan liquidity corporation to the legislative  
17 government oversight committee at the committee's  
18 October 2008 meeting.  
19 Sec. 15. EFFECTIVE DATE. The sections of this Act  
20 enacting sections 261E.3, 261E.5, 261E.6, and 261E.7,  
21 take effect January 31, 2009."  
22 2. Title page, by striking line 5 and inserting  
23 the following: "providing for properly related  
24 matters, and including an effective date."  
25 3. By renumbering as necessary.

Tymeson of Madison offered the following amendment [H-8644](#), to amendment [H-8640](#), filed by her from the floor and moved its adoption:

[H-8644](#)

1 Amend the amendment, [H-8640](#), to [House File 2690](#) as  
2 follows:  
3 1. Page 2, line 18, by striking the words  
4 "REVIEW. The" and inserting the following: "-  
5 REVIEW.  
6 1. The state superintendent of banking shall not  
7 serve on the board of directors of the qualified  
8 student loan bond issuer.  
9 2. The".  
10 2. By renumbering as necessary.

Amendment [H-8644](#) was adopted.

On motion by Lensing of Johnson, amendment [H-8640](#), as amended, was adopted.

Lensing of Johnson 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. 2690](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevrt	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wiencek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Mr. Speaker Murphy

The nays were, none.

Absent or not voting, 4:

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

#### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 2690](#) be immediately messaged to the Senate.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 2427](#).

### TEMPORARY APPOINTMENT

The Speaker announced that Smith of Marshall will be the temporary chair and Wessel-Kroeschell temporarily appointed to the conference committee on [House File 2539](#).

[Senate File 2427](#), a bill for an act prohibiting certain lobbying activities of state agencies and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Raecker of Polk offered the following amendment [H-8630](#) filed by Raecker et al., and moved its adoption:

#### [H-8630](#)

1 Amend [Senate File 2427](#), as passed by the Senate, as  
2 follows:

3 1. Page 1, lines 5 and 6, by striking the words  
4 "thirty days prior to or during a legislative  
5 session".

6 2. Page 1, lines 8 and 9, by striking the words  
7 "was considered during the previous" and inserting the  
8 following: "could be considered during a".

Roll call was requested by Raecker of Polk and Jacobs of Polk.

On the question "Shall amendment [H-8630](#) be adopted?" ([S.F. 2427](#))

The ayes were, 44:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Clute	De Boef
Deyoe	Dolecheck	Drake	Gipp
Granzow	Grassley	Greiner	Heaton
Hoffman	Horbach	Huseman	Jacobs
Kaufmann	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Van Engelenhoven	Van Fossen
Watts	Wienczek	Windschitl	Worthan

The nays were, 51:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Cohoon	Dandekar	Davitt
Foege	Ford	Frevert	Gaskill
Gayman	Hunter	Huser	Jacoby
Kelley	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller, H.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Schueller	Shomshor
Smith	Staed	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Zirkelbach	Mr. Speaker	
		Murphy	

Absent or not voting, 5:

Forristall	Heddens	Jochum	Roberts
Upmeyer			

Amendment [H-8630](#) lost.

Mascher of Johnson 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. 2427](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Rants	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Staed

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Van Engelenhoven	Van Fossen	Watts	Wendt
Wenthe	Wessel-Kroeschell	Whitaker	Whitead
Wiencek	Winckler	Windschitl	Wise
Worthan	Zirkelbach	Mr. Speaker	
		Murphy	

The nays were, 1:

Raecker

Absent or not voting, 4:

Forristall

Heddens

Roberts

Upmeyer

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2427](#) be immediately messaged to the Senate.

### SENATE AMENDMENT CONSIDERED

Anderson of Page called up for consideration [House File 2669](#), a bill for an act relating to the collection and recycling of mercury-added thermostats, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8571](#):

#### [H-8571](#)

- 1 Amend [House File 2669](#), as passed by the House, as
- 2 follows:
- 3 1. Page 5, by striking lines 12 through 33 and
- 4 inserting the following:
- 5 "8. The goal of the collection and recycling
- 6 efforts under this section is to collect and recycle
- 7 as many mercury-added thermostats as reasonably
- 8 practicable. By January 1, 2009, the department shall
- 9 determine collection goals for the program in
- 10 consultation with interested persons, including the
- 11 national electrical manufacturers association and
- 12 representatives of thermostat manufacturers,
- 13 thermostat wholesalers, thermostat retailers,
- 14 contractors, environmental groups, and local
- 15 government. If collection efforts fail to meet the

16 collection goals described in this subsection, the  
 17 department shall, in consultation with the national  
 18 electrical manufacturers association and other  
 19 interested persons, consider modifications to  
 20 collection programs in an attempt to improve  
 21 collection rates in accordance with these goals."  
 22 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8571](#).

Anderson of Page 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. 2669](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Bell	Berry
Boal	Bukta	Chambers	Clute
Cohoon	Dandekar	Davitt	De Boef
Deyoe	Dolecheck	Drake	Foege
Ford	Frevert	Gaskill	Gayman
Gipp	Granzow	Grassley	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jochum	Kaufmann	Kelley	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Staed	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Van Engelenhoven	Van Fossen	Watts
Wendt	Wenthe	Wessel-Kroeschell	Whitaker
Whitead	Wienczek	Winckler	Windschitl
Wise	Worthan	Zirkelbach	Mr. Speaker
			Murphy

The nays were, none.

Absent or not voting, 4:

Forristall

Heddens

Roberts

Upmeyer

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

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 2669](#) be immediately messaged to the Senate.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House File 2698](#).

### Appropriations Calendar

[House File 2698](#), a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable, was taken up for consideration.

T. Taylor of Linn offered the following amendment [H-8636](#) filed by him from the floor and moved its adoption:

#### [H-8636](#)

- 1 Amend [House File 2698](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "DIVISION I
- 5 GAMBLING SETOFF
- 6 Section 1. Section 99D.2, Code 2007, is amended by
- 7 adding the following new subsection:
- 8 NEW SUBSECTION. 2A. "Claimant agency" means a
- 9 state agency as defined in section 8A.504, subsection
- 10 1, or the state court administrator as defined in
- 11 section 602.1101.
- 12 Sec. 2. Section 99D.7, Code 2007, is amended by
- 13 adding the following new subsection:
- 14 NEW SUBSECTION. 22A. To require licensees to
- 15 establish a process with the state for licensees to

16 have electronic access to names and social security  
17 numbers of debtors of claimant agencies through a  
18 secured interactive web site maintained by the state.  
19 Sec. 3. NEW SECTION. 99D.28 SETOFF.

20 1. A licensee or a person acting on behalf of a  
21 licensee shall be provided electronic access to the  
22 names of the persons indebted to a claimant agency  
23 pursuant to the process established pursuant to  
24 section 99D.7, subsection 22A. The electronic access  
25 provided by the claimant agency shall include access  
26 to the names of the debtors, their social security  
27 numbers, and any other information that assists the  
28 licensee in identifying the debtors. If the name of a  
29 debtor provided to the licensee through electronic  
30 access is retrieved by the licensee, and the winnings  
31 are equal to or greater than ten thousand dollars per  
32 occurrence, the retrieval of such a name shall  
33 constitute a valid lien upon and claim of lien against  
34 the winnings of the debtor whose name is  
35 electronically retrieved from the claimant agency. If  
36 a debtor's winnings are equal to or greater than ten  
37 thousand dollars per occurrence, the full amount of  
38 the debt shall be collectible from any winnings due  
39 the debtor without regard to limitations on the  
40 amounts that may be collectible in increments through  
41 setoff or other proceedings.

42 2. The licensee is authorized and directed to  
43 withhold any winnings of a debtor which are paid out  
44 directly by the licensee subject to the lien created  
45 by this section and provide notice of such withholding  
46 to the winner when the winner appears and claims  
47 winnings in person. The licensee shall pay the funds  
48 over to the collection entity which administers the  
49 setoff program pursuant to section 8A.504.

50 3. Notwithstanding any other provision of law to

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1 the contrary, the licensee may provide to a claimant  
2 agency all information necessary to accomplish and  
3 effectuate the intent of this section, and likewise  
4 the claimant agency may provide all information  
5 necessary to accomplish and effectuate the intent of  
6 this section.

7 4. The information obtained by a claimant agency  
8 from the licensee in accordance with this section  
9 shall retain its confidentiality and shall only be  
10 used by a claimant agency in the pursuit of its debt  
11 collection duties and practices. An employee or prior  
12 employee of a claimant agency who unlawfully discloses  
13 any such information for any other purpose, except as  
14 otherwise specifically authorized by law, shall be

15 subject to the penalties specified by law for  
16 unauthorized disclosure of confidential information by  
17 an agent or employee of the claimant agency.

18 5. The information obtained by a licensee from a  
19 claimant agency in accordance with this section shall  
20 retain its confidentiality and only be used by the  
21 licensee in the pursuit of debt collection duties and  
22 practices. An employee or prior employee of a  
23 licensee who unlawfully discloses any such information  
24 for any other purpose, except as otherwise  
25 specifically authorized by law, shall be subject to  
26 the same penalties specified by law for unauthorized  
27 disclosure of confidential information by an agent or  
28 employee of the licensee.

29 6. Except as otherwise provided in this chapter,  
30 attachments, setoffs, or executions authorized and  
31 issued pursuant to law shall be withheld if timely  
32 served upon the licensee.

33 7. A claimant agency or licensee, acting in good  
34 faith, shall not be liable for actions taken to comply  
35 with this section.

36 Sec. 4. Section 99F.1, Code Supplement 2007, is  
37 amended by adding the following new subsection:  
38 NEW SUBSECTION. 3A. "Claimant agency" means a  
39 state agency as defined in section 8A.504, subsection  
40 1, or the state court administrator as defined in  
41 section 602.1101.

42 Sec. 5. Section 99F.4, Code Supplement 2007, is  
43 amended by adding the following new subsection:  
44 NEW SUBSECTION. 26. To require licensees to  
45 establish a process with the state for licensees to  
46 have electronic access to names and social security  
47 numbers of debtors of claimant agencies through a  
48 secured interactive web site maintained by the state.

49 Sec. 6. NEW SECTION. 99F.19 SETOFF.

50 1. A licensee or a person acting on behalf of a

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1 licensee shall be provided electronic access to the  
2 names of the persons indebted to a claimant agency  
3 pursuant to the process established pursuant to  
4 section 99F.4, subsection 26. The electronic access  
5 provided by the claimant agency shall include access  
6 to the names of the debtors, their social security  
7 numbers, and any other information that assists the  
8 licensee in identifying the debtors. If the name of a  
9 debtor provided to the licensee through electronic  
10 access is retrieved by the licensee, and the winnings  
11 are equal to or greater than ten thousand dollars per  
12 occurrence, the retrieval of such a name shall  
13 constitute a valid lien upon and claim of lien against

14 the winnings of the debtor whose name is  
15 electronically retrieved from the claimant agency. If  
16 a debtor's winnings are equal to or greater than ten  
17 thousand dollars per occurrence, the full amount of  
18 the debt shall be collectible from any winnings due  
19 the debtor without regard to limitations on the  
20 amounts that may be collectible in increments through  
21 setoff or other proceedings.

22 2. The licensee is authorized and directed to  
23 withhold any winnings of a debtor which are paid out  
24 directly by the licensee subject to the lien created  
25 by this section and provide notice of such withholding  
26 to the winner when the winner appears and claims  
27 winnings in person. The licensee shall pay the funds  
28 over to the collection entity which administers the  
29 setoff program pursuant to section 8A.504.

30 3. Notwithstanding any other provision of law to  
31 the contrary, the licensee may provide to a claimant  
32 agency all information necessary to accomplish and  
33 effectuate the intent of this section, and likewise  
34 the claimant agency may provide all information  
35 necessary to accomplish and effectuate the intent of  
36 this section.

37 4. The information obtained by a claimant agency  
38 from the licensee in accordance with this section  
39 shall retain its confidentiality and shall only be  
40 used by a claimant agency in the pursuit of its debt  
41 collection duties and practices. An employee or prior  
42 employee of a claimant agency who unlawfully discloses  
43 any such information for any other purpose, except as  
44 otherwise specifically authorized by law, shall be  
45 subject to the penalties specified by law for  
46 unauthorized disclosure of confidential information by  
47 an agent or employee of the claimant agency.

48 5. The information obtained by a licensee from a  
49 claimant agency in accordance with this section shall  
50 retain its confidentiality and only be used by the

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1 licensee in the pursuit of debt collection duties and  
2 practices. An employee or prior employee of a  
3 licensee who unlawfully discloses any such information  
4 for any other purpose, except as otherwise  
5 specifically authorized by law, shall be subject to  
6 the same penalties specified by law for unauthorized  
7 disclosure of confidential information by an agent or  
8 employee of the licensee.

9 6. Except as otherwise provided in this chapter,  
10 attachments, setoffs, or executions authorized and  
11 issued pursuant to law shall be withheld if timely  
12 served upon the licensee.

13 7. A claimant agency or licensee, acting in good  
14 faith, shall not be liable for actions taken to comply  
15 with this section.

16 DIVISION II

17 LICENSING SANCTIONS

18 Sec. 7. NEW SECTION. 272D.1 DEFINITIONS.

19 As used in this chapter, unless the context  
20 otherwise requires:

21 1. "Certificate of noncompliance" means a document  
22 provided by the unit certifying the named person has  
23 outstanding liability placed with the unit and has not  
24 entered into an approved payment plan to pay the  
25 liability.

26 2. "Liability" means a debt or obligation placed  
27 with the unit for collection that is greater than one  
28 thousand dollars. For purposes of this chapter  
29 "liability" does not include support payments  
30 collected pursuant to chapter 252J.

31 3. "License" means a license, certification,  
32 registration, permit, approval, renewal, or other  
33 similar authorization issued to a person by a  
34 licensing authority which evidences the admission to,  
35 or granting of authority to engage in, a profession,  
36 occupation, business, industry, or recreation.  
37 "License" includes licenses for hunting and fishing,  
38 or other recreational activity.

39 4. "Licensee" means a person to whom a license has  
40 been issued, or who is seeking the issuance of a  
41 license.

42 5. "Licensing authority" means the supreme court,  
43 or an instrumentality, agency, board, commission,  
44 department, officer, organization, or any other entity  
45 of the state, which has authority within this state to  
46 suspend or revoke a license or to deny the renewal or  
47 issuance of a license authorizing a person to engage  
48 in a business, occupation, profession, recreation, or  
49 industry.

50 6. "Obligor" means a person with a liability

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1 placed with the unit.

2 7. "Person" means a licensee.

3 8. "Unit" means the centralized collection unit of  
4 the department of revenue.

5 9. "Withdrawal of a certificate of noncompliance"  
6 means a document provided by the unit certifying that  
7 the certificate of noncompliance is withdrawn and that  
8 the licensing authority may proceed with issuance,  
9 reinstatement, or renewal of the person's license.

10 Sec. 8. NEW SECTION. 272D.2 PURPOSE AND USE.

11 1. Notwithstanding other statutory provisions to

12 the contrary, the unit may utilize the process  
13 established in this chapter to collect liabilities  
14 placed with the unit.

15 2. Actions initiated by the unit under this  
16 chapter shall not be subject to contested case  
17 proceedings or further review pursuant to chapter 17A  
18 and any resulting court hearing shall be an original  
19 hearing before the district court.

20 3. Notwithstanding chapter 22, all of the  
21 following apply:

22 a. Information obtained by the unit under this  
23 chapter shall be used solely for the purposes of this  
24 chapter.

25 b. Information obtained by a licensing authority  
26 under this chapter shall be used solely for the  
27 purposes of this chapter.

28 4. Notwithstanding any other law to the contrary,  
29 information shall be exchanged by a licensing  
30 authority and the unit to effectuate this chapter.

31 Sec. 9. NEW SECTION. 272D.3 NOTICE TO PERSON OF  
32 POTENTIAL SANCTION OF LICENSE.

33 The unit shall proceed in accordance with this  
34 chapter only if the unit sends a notice to the person  
35 by regular mail to the last known address of the  
36 person. The notice shall include all of the  
37 following:

38 1. The address and telephone number of the unit  
39 and the person's unit account number.

40 2. A statement that the person may request a  
41 conference with the unit to contest the action.

42 3. A statement that if, within twenty days of  
43 mailing of the notice to the person, the person fails  
44 to contact the unit to schedule a conference, the unit  
45 shall issue a certificate of noncompliance, bearing  
46 the person's name, social security number, and unit  
47 account number, to any appropriate licensing  
48 authority, certifying that the obligor has an  
49 outstanding liability placed with the unit.

50 4. A statement that in order to stay the issuance

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1 of a certificate of noncompliance the request for a  
2 conference shall be in writing and shall be received  
3 by the unit within twenty days of mailing of the  
4 notice to the person.

5 5. The names of the licensing authorities to which  
6 the unit intends to issue a certificate of  
7 noncompliance.

8 6. A statement that if the unit issues a  
9 certificate of noncompliance to an appropriate  
10 licensing authority, the licensing authority shall

11 initiate proceedings to refuse to issue or renew, or  
12 to suspend or revoke the person's license, unless the  
13 unit provides the licensing authority with a  
14 withdrawal of a certificate of noncompliance.  
15 Sec. 10. NEW SECTION. 272D.4 CONFERENCE.  
16 1. The person may schedule a conference with the  
17 unit following mailing of the notice pursuant to  
18 section 272D.3, or at any time after service of notice  
19 of suspension, revocation, denial of issuance, or  
20 nonrenewal of a license from a licensing authority, to  
21 challenge the unit's actions under this chapter.  
22 2. The request for a conference shall be made to  
23 the unit, in writing, and, if requested after mailing  
24 of the notice pursuant to section 272D.3, shall be  
25 received by the unit within twenty days following  
26 mailing of the notice.  
27 3. The unit shall notify the person of the date,  
28 time, and location of the conference by regular mail,  
29 with the date of the conference to be no earlier than  
30 ten days following issuance of notice of the  
31 conference by the unit. If the person fails to appear  
32 at the conference, the unit shall issue a certificate  
33 of noncompliance.  
34 4. Following the conference, the unit shall issue  
35 a certificate of noncompliance unless any of the  
36 following applies:  
37 a. The unit finds a mistake in the identity of the  
38 person.  
39 b. The unit finds a mistake in determining the  
40 amount of the liability.  
41 c. The unit determines the amount of the liability  
42 is not greater than one thousand dollars.  
43 d. The obligor enters into an acceptable payment  
44 plan.  
45 e. Issuance of a certificate of noncompliance is  
46 not appropriate under other criteria established in  
47 accordance with rules adopted by the department of  
48 revenue pursuant to chapter 17A.  
49 5. The unit shall grant the person a stay of the  
50 issuance of a certificate of noncompliance upon

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1 receiving a timely written request for a conference,  
2 and if a certificate of noncompliance has previously  
3 been issued, shall issue a withdrawal of a certificate  
4 of noncompliance if the obligor enters into a written  
5 agreement with the unit to pay the liability.  
6 6. If the person does not timely request a  
7 conference or does not pay the total amount of  
8 liability owed within twenty days of mailing of the  
9 notice pursuant to section 272D.3, the unit shall

10 issue a certificate of noncompliance.

11 Sec. 11. NEW SECTION. 272D.5 WRITTEN AGREEMENT.

12 1. The obligor and the unit may enter into a  
13 written agreement for payment of the liability owed  
14 which takes into consideration the obligor's ability  
15 to pay and other criteria established by rule of the  
16 department of revenue. The written agreement shall  
17 include all of the following:

18 a. The method, amount, and dates of payments by  
19 the obligor.

20 b. A statement that upon breach of the written  
21 agreement by the obligor, the unit shall issue a  
22 certificate of noncompliance to any appropriate  
23 licensing authority.

24 2. A written agreement entered into pursuant to  
25 this section does not preclude any other remedy  
26 provided by law.

27 3. Following issuance of a certificate of  
28 noncompliance, if the obligor enters into a written  
29 agreement with the unit, the unit shall issue a  
30 withdrawal of the certificate of noncompliance to any  
31 appropriate licensing authority and shall forward a  
32 copy of the withdrawal by regular mail to the obligor.

33 Sec. 12. NEW SECTION. 272D.6 DECISION OF THE  
34 UNIT.

35 1. If the unit mails a notice to a person pursuant  
36 to section 272D.3, and the person requests a  
37 conference pursuant to section 272D.4, the unit shall  
38 issue a written decision if any of the following  
39 conditions exist:

40 a. The person fails to appear at a scheduled  
41 conference under section 272D.4.

42 b. A conference is held under section 272D.4.

43 c. The obligor fails to comply with a written  
44 agreement entered into by the obligor and the unit  
45 under section 272D.5.

46 2. The unit shall send a copy of the written  
47 decision to the person by regular mail at the person's  
48 most recent address of record. If the decision is  
49 made to issue a certificate of noncompliance or to  
50 withdraw the certificate of noncompliance, a copy of

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1 the certificate of noncompliance or of the withdrawal  
2 of the certificate of noncompliance shall be attached  
3 to the written decision. The written decision shall  
4 state all of the following:

5 a. That the certificate of noncompliance or  
6 withdrawal of the certificate of noncompliance has  
7 been provided to the licensing authorities named in  
8 the notice provided pursuant to section 272D.3.

9 b. That upon receipt of a certificate of  
10 noncompliance, the licensing authority shall initiate  
11 proceedings to suspend, revoke, deny issuance, or deny  
12 renewal of a license, unless the licensing authority  
13 is provided with a withdrawal of a certificate of  
14 noncompliance from the unit.

15 c. That in order to obtain a withdrawal of a  
16 certificate of noncompliance from the unit, the  
17 obligor shall enter into a written agreement with the  
18 unit, comply with an existing written agreement with  
19 the unit, or pay the total amount of liability owed.

20 d. That if the unit issues a written decision  
21 which includes a certificate of noncompliance, the  
22 person may request a hearing as provided in section  
23 272D.9, before the district court. The person may  
24 retain an attorney at the person's own expense to  
25 represent the person at the hearing. The review of  
26 the district court shall be limited to demonstration  
27 of a mistake of fact related to the amount of the  
28 liability owed or the identity of the person.

29 3. If the unit issues a certificate of  
30 noncompliance, the unit shall only issue a withdrawal  
31 of the certificate of noncompliance if any of the  
32 following applies:

33 a. The unit or the court finds a mistake in the  
34 identity of the person.

35 b. The unit or the court finds a mistake in the  
36 amount owed.

37 c. The obligor enters into a written agreement  
38 with the unit to pay the liability owed, the obligor  
39 complies with an existing written agreement, or the  
40 obligor pays the total amount of liability owed.

41 d. Issuance of a withdrawal of the certificate of  
42 noncompliance is appropriate under other criteria in  
43 accordance with rules adopted by the department of  
44 revenue pursuant to chapter 17A.

45 Sec. 13. NEW SECTION. 272D.7 CERTIFICATE OF  
46 NONCOMPLIANCE – CERTIFICATION TO LICENSING AUTHORITY.

47 1. If a person fails to respond to a notice of  
48 potential license sanction provided pursuant to  
49 section 272D.3 or the unit issues a written decision  
50 under section 272D.6 which states that the person is

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1 not in compliance, the unit shall issue a certificate  
2 of noncompliance to any appropriate licensing  
3 authority.

4 2. The certificate of noncompliance shall contain  
5 the person's name and social security number.

6 3. The certificate of noncompliance shall require  
7 all of the following:

8 a. That the licensing authority initiate  
 9 procedures for the revocation or suspension of the  
 10 person's license, or for the denial of the issuance or  
 11 renewal of a license using the licensing authority's  
 12 procedures.

13 b. That the licensing authority provide notice to  
 14 the person, as provided in section 272D.8, of the  
 15 intent to suspend, revoke, deny issuance, or deny  
 16 renewal of a license including the effective date of  
 17 the action. The suspension, revocation, or denial  
 18 shall be effective no sooner than thirty days  
 19 following provision of notice to the person.

20 Sec. 14. NEW SECTION. 272D.8 REQUIREMENTS AND  
 21 PROCEDURES OF LICENSING AUTHORITY.

22 1. A licensing authority shall maintain records of  
 23 licensees by name, current known address, and social  
 24 security number. The records shall be made available  
 25 to the unit in an electronic format in order for the  
 26 unit to match the names of the persons with any  
 27 liability placed with the unit for collection.

28 2. In addition to other grounds for suspension,  
 29 revocation, or denial of issuance or renewal of a  
 30 license, a licensing authority shall include in rules  
 31 adopted by the licensing authority as grounds for  
 32 suspension, revocation, or denial of issuance or  
 33 renewal of a license, the receipt of a certificate of  
 34 noncompliance from the unit.

35 3. The supreme court shall prescribe rules for  
 36 admission of persons to practice as attorneys and  
 37 counselors pursuant to chapter 602, article 10, which  
 38 include provisions, as specified in this chapter, for  
 39 the denial, suspension, or revocation of the admission  
 40 for failure to pay a liability placed with the unit.

41 4. a. A licensing authority that is issued a  
 42 certificate of noncompliance shall initiate procedures  
 43 for the suspension, revocation, or denial of issuance  
 44 or renewal of licensure to a person. The licensing  
 45 authority shall utilize existing rules and procedures  
 46 for suspension, revocation, or denial of the issuance  
 47 or renewal of a license.

48 b. In addition, the licensing authority shall  
 49 provide notice to the person of the licensing  
 50 authority's intent to suspend, revoke, or deny

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1 issuance or renewal of a license under this chapter.  
 2 The suspension, revocation, or denial shall be  
 3 effective no sooner than thirty days following  
 4 provision of notice to the person. The notice shall  
 5 state all of the following:

6 (1) The licensing authority intends to suspend,

7 revoke, or deny issuance or renewal of a person's  
8 license due to the receipt of a certificate of  
9 noncompliance from the unit.

10 (2) The person must contact the unit to schedule a  
11 conference or to otherwise obtain a withdrawal of a  
12 certificate of noncompliance.

13 (3) Unless the unit furnishes a withdrawal of a  
14 certificate of noncompliance to the licensing  
15 authority within thirty days of the issuance of the  
16 notice under this section, the person's license will  
17 be revoked, suspended, or denied.

18 (4) If the licensing authority's rules and  
19 procedures conflict with the additional requirements  
20 of this section, the requirements of this section  
21 shall apply. Notwithstanding section 17A.18, the  
22 person does not have a right to a hearing before the  
23 licensing authority to contest the authority's actions  
24 under this chapter but may request a court hearing  
25 pursuant to section 272D.9 within thirty days of the  
26 provision of notice under this section.

27 5. If the licensing authority receives a  
28 withdrawal of a certificate of noncompliance from the  
29 unit, the licensing authority shall immediately  
30 reinstate, renew, or issue a license if the person is  
31 otherwise in compliance with licensing requirements  
32 established by the licensing authority.

33 Sec. 15. NEW SECTION. 272D.9 DISTRICT COURT  
34 HEARING.

35 1. Following the issuance of a written decision by  
36 the unit under section 272D.6 which includes the  
37 issuance of a certificate of noncompliance, or  
38 following provision of notice to the person by a  
39 licensing authority pursuant to section 272D.8, a  
40 person may seek review of the decision and request a  
41 hearing before the district court by filing an  
42 application with the district court in the county  
43 where the majority of the liability was incurred, and  
44 sending a copy of the application to the unit by  
45 regular mail.

46 2. An application shall be filed to seek review of  
47 the decision by the unit or following issuance of  
48 notice by the licensing authority no later than within  
49 thirty days after the issuance of the notice pursuant  
50 to section 272D.8. The clerk of the district court

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1 shall schedule a hearing and mail a copy of the order  
2 scheduling the hearing to the person and the unit and  
3 shall also mail a copy of the order to the licensing  
4 authority, if applicable. The unit shall certify a  
5 copy of its written decision and certificate of

6 noncompliance, indicating the date of issuance, and  
 7 the licensing authority shall certify a copy of a  
 8 notice issued pursuant to section 272D.8, to the court  
 9 prior to the hearing.

10 3. The filing of an application pursuant to this  
 11 section shall automatically stay the actions of a  
 12 licensing authority pursuant to section 272D.8. The  
 13 hearing on the application shall be scheduled and held  
 14 within thirty days of the filing of the application.  
 15 However, if the person fails to appear at the  
 16 scheduled hearing, the stay shall be lifted and the  
 17 licensing authority shall continue procedures pursuant  
 18 to section 272D.8.

19 4. The scope of review by the district court shall  
 20 be limited to demonstration of the amount of the  
 21 liability owed or the identity of the person.

22 5. If the court finds that the unit was in error  
 23 in issuing a certificate of noncompliance, or in  
 24 failing to issue a withdrawal of a certificate of  
 25 noncompliance, the unit shall issue a withdrawal of a  
 26 certificate of noncompliance to the appropriate  
 27 licensing authority.

### 28 DIVISION III

#### 29 COLLECTION OF DEBT

30 Sec. 16. Section 96.11, subsection 6, paragraph b,  
 31 subparagraph (3), Code Supplement 2007, is amended to  
 32 read as follows:

33 (3) Information obtained from an employing unit or  
 34 individual in the course of administering this chapter  
 35 and an initial determination made by a representative  
 36 of the department under section 96.6, subsection 2, as  
 37 to benefit rights of an individual shall not be used  
 38 in any action or proceeding, except in a contested  
 39 case proceeding or judicial review under chapter 17A.  
 40 However, the department shall make information, which  
 41 is obtained from an employing unit or individual in  
 42 the course of administering this chapter and which  
 43 relates to the employment and wage history of the  
 44 individual, available to a county attorney for the  
 45 county attorney's use in the performance of duties  
 46 under section 331.756, subsection 5, or section  
 47 602.8107. The department shall make such information  
 48 electronically accessible to the county attorney at  
 49 the county attorney's office, if requested, provided  
 50 the county attorney's office pays the cost of the

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1 installation of the equipment to provide such access.  
 2 Information in the department's possession which may  
 3 affect a claim for benefits or a change in an  
 4 employer's rating account shall be made available to

5 the interested parties. The information may be used  
6 by the interested parties in a proceeding under this  
7 chapter to the extent necessary for the proper  
8 presentation or defense of a claim.

9 Sec. 17. NEW SECTION. 321.11A PERSONAL  
10 INFORMATION DISCLOSURE – EXCEPTION.

11 1. Notwithstanding section 321.11, the department,  
12 upon request, shall provide personal information that  
13 identifies a person by the social security number of  
14 the person to the following:

15 a. The department of revenue for the purpose of  
16 collecting debt.

17 b. The judicial branch for the purpose of  
18 collecting court debt pursuant to section 602.8107.

19 c. The department of administrative services for  
20 the purpose of administering the setoff program  
21 pursuant to section 8A.504.

22 2. The social security number obtained by the  
23 department of revenue or the judicial branch shall  
24 retain its confidentiality and shall only be used for  
25 the purposes provided in this section.

26 Sec. 18. Section 321.40, Code Supplement 2007, is  
27 amended by adding the following new subsection:

28 NEW SUBSECTION. 9. a. The clerk of the district  
29 court shall notify the county treasurer of any  
30 delinquent court debt, as defined in section 602.8107,  
31 which is being collected by the county attorney  
32 pursuant to section 602.8107, subsection 4. The  
33 county treasurer shall refuse to renew the vehicle  
34 registration of the applicant upon such notification  
35 from the clerk of the district court in regard to such  
36 applicant.

37 b. If the applicant enters into or renews a  
38 payment plan that is satisfactory to the county  
39 attorney or the county attorney's designee, the county  
40 attorney shall provide the county treasurer with  
41 written or electronic notice of the payment plan  
42 within five days of entering into such a plan. The  
43 county treasurer shall temporarily lift the  
44 registration hold on an applicant for a period of ten  
45 days if the treasurer receives such notice in order to  
46 allow the applicant to register a vehicle for the  
47 year. If the applicant remains current with the  
48 payment plan entered into with the county attorney or  
49 the county attorney's designee, subsequent lifts of  
50 registration holds shall be granted without additional

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1 restrictions.

2 Sec. 19. Section 321.210A, subsection 2, Code  
3 Supplement 2007, is amended to read as follows:

4 2. If after suspension, the person enters into an  
 5 installment agreement with the county attorney, the  
 6 county attorney's designee, or the centralized  
 7 collection unit of the department of revenue in  
 8 accordance with section 321.210B to pay the fine,  
 9 penalty, court cost, or surcharge, the person's  
 10 license shall be reinstated by the department upon  
 11 receipt of a report of an executed installment  
 12 agreement.

13 Sec. 20. Section 321.210A, Code Supplement 2007,  
 14 is amended by adding the following new subsection:  
 15 NEW SUBSECTION. 3. If the county attorney or the  
 16 county attorney's designee, while collecting  
 17 delinquent court debt pursuant to section 602.8107,  
 18 determines that the person has been convicted of an  
 19 additional violation of a law regulating the operation  
 20 of a motor vehicle, the county attorney or the county  
 21 attorney's designee shall notify the clerk of the  
 22 district court of the appropriate case numbers, and  
 23 the clerk of the district court shall notify the  
 24 department for the purpose of instituting suspension  
 25 procedures pursuant to this section.

26 Sec. 21. Section 321.210B, Code Supplement 2007,  
 27 is amended to read as follows:

28 321.210B INSTALLMENT AGREEMENT.

29 1. If a person's fine, penalty, surcharge, or  
 30 court cost is deemed delinquent as provided in section  
 31 602.8107, subsection ~~3~~ 2, and the person's driver's  
 32 license has been suspended pursuant to section  
 33 321.210A, the person may execute an installment  
 34 agreement with the county attorney, ~~or~~ the county  
 35 attorney's designee, or the centralized collection  
 36 unit of the department of revenue to pay the  
 37 delinquent amount and the fee assessed in subsection 7  
 38 in installments. Prior to execution of the  
 39 installment agreement, the person shall provide the  
 40 county attorney, ~~or~~ the county attorney's designee, or  
 41 the centralized collection unit of the department of  
 42 revenue with a financial statement in order for the  
 43 parties to the agreement to determine the amount of  
 44 the installment payments.

45 2. ~~A~~ If the person enters into an installment  
 46 agreement with the county attorney or the county  
 47 attorney's designee, the person shall execute an  
 48 installment agreement in the county where the fine,  
 49 penalty, surcharge, or court cost was imposed. If the  
 50 county where the fine, penalty, surcharge, or court

1 cost was imposed does not have an installment  
 2 agreement program, the person shall execute an

3 installment agreement in the person's county of  
4 residence. If the county of residence does not have  
5 an installment agreement program, the person may  
6 execute an installment agreement with any county  
7 attorney or county attorney's designee.

8 3. The county attorney, ~~or~~ the county attorney's  
9 designee, or the centralized collection unit of the  
10 department of revenue shall file the installment  
11 agreement with the clerk of the district court in the  
12 county where the fine, penalty, surcharge, or court  
13 cost was imposed, within five days of execution of the  
14 agreement.

15 4. Upon receipt of an executed installment  
16 agreement and after the first installment payment, the  
17 clerk of the district court shall report the receipt  
18 of the executed installment agreement to the  
19 department of transportation.

20 5. Upon receipt of the report from the clerk of  
21 the district court and payment of the reinstatement  
22 fee as provided in section 321.191, the department  
23 shall immediately reinstate the driver's license of  
24 the person unless the driver's license of the person  
25 is otherwise suspended, revoked, denied, or barred  
26 under another provision of law.

27 6. If a driver's license is reinstated upon  
28 receipt of a report of an executed installment  
29 agreement the driver shall provide proof of financial  
30 responsibility pursuant to section 321A.17, if  
31 otherwise required by law.

32 7. The civil penalty, if assessed pursuant to  
33 section 321.218A, shall be added to the amount owing  
34 under the installment agreement. The clerk of the  
35 district court shall transmit to the department, from  
36 the first moneys collected, an amount equal to the  
37 amount of any civil penalty assessed and added to the  
38 installment agreement. The department shall transmit  
39 the money received from the clerk of the district  
40 court pursuant to this subsection to the treasurer of  
41 state for deposit in the juvenile detention home fund  
42 created in section 232.142.

43 8. Upon determination by the county attorney, ~~or~~  
44 the county attorney's designee, or the centralized  
45 collection unit of the department of revenue that the  
46 person is in default, the county attorney, ~~or~~ the  
47 county attorney's designee, or the centralized  
48 collection unit shall notify the clerk of the district  
49 court.

50 9. The clerk of the district court, upon receipt

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1 of a notification of a default from the county  
2 attorney, ~~or~~ the county attorney's designee, or the  
3 centralized collection unit of the department of  
4 revenue shall report the default to the department of  
5 transportation.

6 10. Upon receipt of a report of a default from the  
7 clerk of the district court, the department shall  
8 suspend the driver's license of a person as provided  
9 in section 321.210A. For purposes of suspension and  
10 reinstatement of the driver's license of a person in  
11 default, the suspension and any subsequent  
12 reinstatement shall be considered a suspension  
13 pursuant to section 321.210A.

14 11. If a new fine, penalty, surcharge, or court  
15 cost is imposed on a person after the person has  
16 executed an installment agreement with the county  
17 attorney, ~~or~~ the county attorney's designee, the  
18 centralized collection unit of the department of  
19 revenue, and the new fine, penalty, surcharge, or  
20 court cost is deemed delinquent as provided in section  
21 602.8107, subsection ~~3~~ 2, and the person's driver's  
22 license has been suspended pursuant to section  
23 321.210A, the person may enter into a second  
24 installment agreement with the county attorney, ~~or~~  
25 county attorney's designee, or the centralized  
26 collection unit of the department of revenue to pay  
27 the delinquent amount and the fee, if assessed, in  
28 subsection 7 in installments.

29 12. If an installment agreement is in default, the  
30 fine, penalty, surcharge, or court cost covered under  
31 the agreement shall not become part of any new  
32 installment agreement.

33 13. A person is eligible to enter into five  
34 installment agreements in the person's lifetime.

35 14. Except for the civil penalty if assessed and  
36 collected pursuant to subsection 7, any amount  
37 collected under the installment agreement by the  
38 county attorney or the county attorney's designee  
39 shall be distributed as provided in section 602.8107,  
40 subsection 4, and any amount collected by the  
41 centralized collection unit of the department of  
42 revenue shall be deposited with the clerk of the  
43 district court for distribution under section  
44 602.8108.

45 Sec. 22. Section 331.756, subsection 5, paragraph  
46 e, Code Supplement 2007, is amended by striking the  
47 paragraph.

48 Sec. 23. Section 602.8102, Code Supplement 2007,  
49 is amended by adding the following new subsection:  
50 NEW SUBSECTION. 105B. Facilitate the collection

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1 of court debt pursuant to section 602.8107.  
2 Sec. 24. Section 602.8107, Code Supplement 2007,  
3 is amended by striking the section and inserting in  
4 lieu thereof the following:  
5 602.8107 COLLECTION OF COURT DEBT.  
6 1. As used in this section, "court debt" means all  
7 fines, penalties, court costs, fees, forfeited bail,  
8 surcharges under chapter 911, victim restitution,  
9 restitution for court-appointed attorney fees or for  
10 expenses of a public defender, or fees charged  
11 pursuant to section 356.7 or 904.108.  
12 2. CLERK OF THE DISTRICT COURT COLLECTION. Court  
13 debt shall be owed and payable to the clerk of the  
14 district court. All amounts collected shall be  
15 distributed pursuant to sections 602.8106 and 602.8108  
16 or as otherwise provided by this Code. The clerk may  
17 accept payment of an obligation or a portion thereof  
18 by credit card. Any fees charged to the clerk with  
19 respect to payment by credit card may be paid from  
20 receipts collected by credit card.  
21 a. If the clerk receives payment from a person who  
22 is an inmate at a correctional institution or who is  
23 under the supervision of a judicial district  
24 department of correctional services, the payment shall  
25 be applied to the balance owed under the identified  
26 case number of the case which has resulted in the  
27 placement of the person at a correctional institution  
28 or under the supervision of the judicial district  
29 department of correctional services.  
30 b. If a case number is not identified, the clerk  
31 shall apply the payment to the balance owed in the  
32 criminal case with the oldest judgment against the  
33 person.  
34 c. Payments received under this section shall be  
35 applied in the following priority order:  
36 (1) Pecuniary damages as defined in section 910.1,  
37 subsection 3.  
38 (2) Fines or penalties and criminal penalty and  
39 law enforcement initiative surcharges.  
40 (3) Crime victim compensation program  
41 reimbursement.  
42 (4) Court costs, including correctional fees  
43 assessed pursuant to sections 356.7 and 904.108,  
44 court-appointed attorney fees, or public defender  
45 expenses.  
46 d. The court debt is deemed delinquent if it is  
47 not paid within thirty days after the date it is  
48 assessed. An amount which was ordered by the court to  
49 be paid on a date fixed in the future pursuant to  
50 section 909.3 is deemed delinquent if it is not

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1 received by the clerk within thirty days after the  
2 fixed future date set out in the court order. If an  
3 amount was ordered to be paid by installments, and an  
4 installment is not received within thirty days after  
5 the date it is due, the entire amount of the court  
6 debt is deemed delinquent.

7 3. COLLECTION BY CENTRALIZED COLLECTION UNIT OF  
8 DEPARTMENT OF REVENUE. Thirty days after court debt  
9 has been assessed, or if an installment payment is not  
10 received within thirty days after the date it is due,  
11 the judicial branch may assign a case to the  
12 centralized collection unit of the department of  
13 revenue or its designee to collect debts owed to the  
14 clerk of the district court for a period of sixty  
15 days. In addition, court debt which is being  
16 collected under an installment agreement pursuant to  
17 section 321.210B which is in default that remains  
18 delinquent may also be assigned to the centralized  
19 collection unit of the department of revenue or its  
20 designee.

21 a. The department of revenue may impose a fee  
22 established by rule to reflect the cost of processing  
23 which shall be added to the debt owed to the clerk of  
24 the district court. Any amounts collected by the unit  
25 shall first be applied to the processing fee. The  
26 remaining amounts shall be remitted to the clerk of  
27 the district court for the county in which the debt is  
28 owed. The judicial branch may prescribe rules to  
29 implement this subsection. These rules may provide  
30 for remittance of processing fees to the department of  
31 revenue or its designee.

32 b. Satisfaction of the outstanding court debt  
33 occurs only when all fees or charges and the  
34 outstanding court debt is paid in full. Payment of  
35 the outstanding court debt only shall not be  
36 considered payment in full for satisfaction purposes.

37 c. The department of revenue or its collection  
38 designee shall file with the clerk of the district  
39 court a notice of the satisfaction of each portion of  
40 the court debt to the full extent of the moneys  
41 collected in satisfaction of the court debt. The  
42 clerk of the district court shall record the notice  
43 and enter a satisfaction for the amounts collected.

44 4. COUNTY ATTORNEY COLLECTION. The county  
45 attorney or the county attorney's designee may collect  
46 court debt sixty days after the court debt is deemed  
47 delinquent pursuant to subsection 2. In order to  
48 receive a percentage of the amounts collected pursuant  
49 to this subsection, the county attorney must file  
50 annually with the clerk of the district court on or

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1 before July 1 a notice of full commitment to collect  
2 delinquent court debt and must file on the first day  
3 of each month a list of the cases in which the county  
4 attorney or the county attorney's designee is pursuing  
5 the collection of delinquent court debt. The list  
6 shall include a list of cases where delinquent court  
7 debt is being collected under an installment agreement  
8 pursuant to section 321.210B, and a list of cases in  
9 default which are no longer being collected under an  
10 installment agreement but remain delinquent. The  
11 annual notice shall contain a list of procedures which  
12 will be initiated by the county attorney.

13 a. This subsection does not apply to amounts  
14 collected for victim restitution, the victim  
15 compensation fund, the criminal penalty surcharge,  
16 drug abuse resistance education surcharge, the law  
17 enforcement initiative surcharge, county enforcement  
18 surcharge, amounts collected as a result of procedures  
19 initiated under subsection 5 or under section 8A.504,  
20 or fees charged pursuant to section 356.7.

21 b. Amounts collected by the county attorney or the  
22 county attorney's designee shall be distributed in  
23 accordance with paragraphs "c" and "d".

24 c. (1) Forty percent of the amounts collected by  
25 the county attorney or the person procured or  
26 designated by the county attorney shall be deposited  
27 in the general fund of the county if the county  
28 attorney has filed the notice required by this  
29 subsection, unless the county attorney has  
30 discontinued collection efforts on a particular  
31 delinquent amount.

32 (2) Of the remaining sixty percent, the following  
33 amounts shall be paid each fiscal year to the clerk of  
34 the district court for distribution under section  
35 602.8108:

36 (a) For a county with a population greater than  
37 one hundred fifty thousand, an amount up to five  
38 hundred thousand dollars.

39 (b) For a county with a population greater than  
40 one hundred thousand but not more than one hundred  
41 fifty thousand, an amount up to four hundred thousand  
42 dollars.

43 (c) For a county with a population greater than  
44 fifty thousand but not more than one hundred thousand,  
45 an amount up to two hundred fifty thousand dollars.

46 (d) For a county with a population greater than  
47 twenty-six thousand but not more than fifty thousand,  
48 an amount up to one hundred thousand dollars.

49 (e) For a county with a population greater than  
50 fifteen thousand but not more than twenty-six

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1 thousand, an amount up to fifty thousand dollars.

2 (f) For a county with a population equal to or  
3 less than fifteen thousand, an amount up to  
4 twenty-five thousand dollars.

5 (3) After the threshold amount has been  
6 distributed pursuant to subparagraph (2), any  
7 additional moneys collected shall be distributed to  
8 the individual county as provided in paragraph "d".

9 d. Any additional moneys collected by an  
10 individual county after the threshold amount in  
11 paragraph "c" has been distributed shall be  
12 distributed by the state court administrator as  
13 follows: forty percent of any additional moneys  
14 collected by the county attorney or the person  
15 procured or designated by the county attorney shall be  
16 deposited in the general fund of the county where the  
17 moneys were collected; twenty percent of the remaining  
18 sixty percent collected by the county attorney or the  
19 person procured or designated by the county attorney  
20 shall be deposited with the office of the county  
21 attorney that collected the moneys; and the remainder  
22 shall be paid to the clerk of the district court for  
23 distribution under section 602.8108 or the state court  
24 administrator may distribute the remainder under  
25 section 602.8108 if the additional moneys have already  
26 been received by the state court administrator.

27 e. (1) A county may enter into an agreement  
28 pursuant to chapter 28E with one or more other  
29 counties for the purpose of collecting delinquent  
30 court debt pursuant to this subsection.

31 (2) Notwithstanding paragraph "c", if a county  
32 subject to the threshold amount in paragraph "c",  
33 subparagraph (2), subparagraph subdivision (e) or (f)  
34 enters into such an agreement exclusively with a  
35 county or counties subject to the threshold amount in  
36 paragraph "c", subparagraph (2), subparagraph  
37 subdivision (e) or (f), the threshold amount  
38 applicable to all of the counties combined shall be a  
39 single threshold amount, equal to the threshold amount  
40 attributable to the county with the largest  
41 population.

42 f. The county attorney shall file with the clerk  
43 of the district court a notice of the satisfaction of  
44 each portion of the court debt to the full extent of  
45 the moneys collected in satisfaction of the court  
46 debt. The clerk of the district court shall record  
47 the notice and enter a satisfaction for the amounts  
48 collected.

49 5. ASSIGNMENT TO PRIVATE COLLECTION DESIGNEE.

50 a. The judicial branch may contract with a private

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1 collection designee for the collection of court debt  
2 sixty days after the court debt in a case is deemed  
3 delinquent pursuant to subsection 2 if the county  
4 attorney is not collecting the court debt in a case  
5 pursuant to subsection 4. The judicial branch shall  
6 solicit requests for proposals prior to entering into  
7 any contract pursuant to this subsection.

8 b. The contract shall provide for a collection fee  
9 equal to twenty-five percent of the amount of the  
10 court debt in a case deemed delinquent. The  
11 collection fee as calculated shall be added to the  
12 amount of the court debt deemed delinquent. The  
13 amount of the court debt deemed delinquent and the  
14 collection fee shall be owed by and collected from the  
15 defendant. The collection fee shall be used to  
16 compensate the private collection designee. The  
17 contract may also assess the private collection  
18 designee an initial fee for entering into the  
19 contract.

20 c. The judicial branch may consult with the  
21 department of revenue and the department of  
22 administrative services when entering into the  
23 contract with the private collection designee.

24 d. Subject to the provisions of paragraph "b", the  
25 amounts collected pursuant to this subsection shall be  
26 distributed as provided in subsection 2. Any initial  
27 fee collected by the judicial branch shall be  
28 deposited into the general fund of the state.

29 e. The judicial branch or the private collection  
30 designee shall file with the clerk of the district  
31 court a notice of the satisfaction of each portion of  
32 the court debt to the full extent of the moneys  
33 collected in satisfaction of the court debt. The  
34 clerk of the district court shall record the notice  
35 and enter a satisfaction for the amounts collected.  
36 6. WRITE OFF OF OLD DEBT. If any portion of the  
37 court debt in a case remains uncollected after  
38 sixty-five years from the date of imposition, the  
39 judicial branch shall write off the debt as  
40 uncollectible and close the case file for the purposes  
41 of collection pursuant to this section.

42 7. REPORTS. The judicial branch shall prepare a  
43 report aging the court debt. The report shall include  
44 the amounts collected by the private collection  
45 designee, the distribution of these amounts, and the  
46 amount of the fee collected by the private collection  
47 designee. In addition, the report shall include the  
48 amounts written off pursuant to subsection 6. The  
49 judicial branch shall provide the report to the  
50 co-chairpersons and ranking members of the joint

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1 appropriations subcommittee on the justice system, the  
2 legislative services agency, and the department of  
3 management by December 15 of each year.

4 Sec. 25. NEW SECTION. 901.5C PRONOUNCEMENT OF  
5 JUDGMENT AND SENTENCE – SOCIAL SECURITY NUMBER.

6 1. Prior to pronouncement of judgment and sentence  
7 pursuant to section 901.5, or prior to pleading guilty  
8 for an offense that does not require a court  
9 appearance, the defendant shall provide the  
10 defendant's social security number to the clerk of the  
11 district court or the court.

12 2. The clerk of the district court shall duly note  
13 the social security number in the case file.

14 3. The defendant's social security number shall be  
15 considered a confidential record exempted from public  
16 access under section 22.7, but shall be disclosed by  
17 the clerk of the district court for the limited  
18 purpose of collecting court debt pursuant to section  
19 602.8107.

20 4. Failure or refusal to provide a social security  
21 number pursuant to this section shall not delay the  
22 pronouncement of judgment and sentence pursuant to  
23 section 901.5.

24 Sec. 26. Section 907.7, Code 2007, is amended to  
25 read as follows:

26 907.7 LENGTH OF PROBATION.

27 1. The length of the probation shall be for a term  
28 as the court shall fix but not to exceed five years if  
29 the offense is a felony or not to exceed two years if  
30 the offense is a misdemeanor.

31 2. The length of the probation shall not be less  
32 than one year if the offense is a misdemeanor and  
33 shall not be less than two years if the offense is a  
34 felony.

35 3. ~~However, the~~ The court may subsequently reduce  
36 the length of the probation if the court determines  
37 that the purposes of probation have been fulfilled and  
38 the fees imposed under section 905.14 have been paid  
39 to or waived by the judicial district department of  
40 correctional services and that court debt collected  
41 pursuant to section 602.8107 has been paid. The  
42 purposes of probation are to provide maximum  
43 opportunity for the rehabilitation of the defendant  
44 and to protect the community from further offenses by  
45 the defendant and others.

46 4. In determining the length of the probation, the  
47 court shall determine what period is most likely to  
48 provide maximum opportunity for the rehabilitation of  
49 the defendant, to allow enough time to determine  
50 whether or not rehabilitation has been successful, and

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1 to protect the community from further offenses by the  
2 defendant and others.

3 Sec. 27. Section 907.9, subsections 1, 2, and 4,  
4 Code 2007, are amended to read as follows:

5 1. At any time that the court determines that the  
6 purposes of probation have been fulfilled and ~~any fees~~  
7 ~~imposed under sections 815.9 and section 905.14 and~~  
8 ~~court debt collected pursuant to section 602.8107~~ have  
9 been paid, the court may order the discharge of a  
10 person from probation.

11 2. At any time that a probation officer determines  
12 that the purposes of probation have been fulfilled and  
13 ~~any fees imposed under sections 815.9 and section~~  
14 ~~905.14 and court debt collected pursuant to section~~  
15 ~~602.8107~~ have been paid, the officer may order the  
16 discharge of a person from probation after approval of  
17 the district director and notification of the  
18 sentencing court and the county attorney who  
19 prosecuted the case.

20 4. At the expiration of the period of probation  
21 ~~and if the fees imposed under sections 815.9 and~~  
22 ~~section 905.14 and court debt collected pursuant to~~  
23 ~~section 602.8107 have been paid or on condition that~~  
24 ~~unpaid supervision fees be paid, the court shall order~~  
25 ~~the discharge of the person from probation, and the~~  
26 ~~If portions of the court debt remain unpaid, the~~  
27 ~~person shall establish a payment plan with the clerk~~  
28 ~~of the district court prior to the discharge. The~~  
29 court shall forward to the governor a recommendation  
30 for or against restoration of citizenship rights to  
31 that person upon discharge. A person who has been  
32 discharged from probation shall no longer be held to  
33 answer for the person's offense. Upon discharge from  
34 probation, if judgment has been deferred under section  
35 907.3, the court's criminal record with reference to  
36 the deferred judgment shall be expunged. The record  
37 maintained by the state court administrator as  
38 required by section 907.4 shall not be expunged. The  
39 court's record shall not be expunged in any other  
40 circumstances.

41 Sec. 28. Section 909.8, Code 2007, is amended to  
42 read as follows:

43 909.8 PAYMENT AND COLLECTION PROVISIONS APPLY TO  
44 SURCHARGE.

45 The provisions of this chapter governing the  
46 payment and collection of a fine, except section  
47 909.3A, also apply to the payment and collection of  
48 surcharges imposed pursuant to chapter 911. ~~However,~~  
49 ~~section 909.10 shall not apply to surcharges assessed~~  
50 ~~under sections 911.3 and 911.4.~~

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1 Sec. 29. Section 909.10, Code 2007, is repealed.  
2 Sec. 30. DEPARTMENT OF REVENUE – COLLECTION  
3 SYSTEM UPGRADE. The director of the department of  
4 revenue shall enhance the computer assisted  
5 collections system of the department to the current  
6 web-based technical version and implement related  
7 process and procedure improvements that will generate  
8 revenue and cost benefits. The director shall procure  
9 the enhancements from the current vendor, and such  
10 enhancements shall be considered as an upgrade to that  
11 vendor's contract with the department.  
12 Sec. 31. COLLECTION OF DELINQUENT DEBT –  
13 PROCESSING OR COLLECTION FEE. If court debt is being  
14 collected pursuant to section 602.8107, as amended by  
15 this Act, for court debt imposed, assessed, or deemed  
16 delinquent prior to the effective date of this Act, a  
17 processing fee or collection fee shall be added to the  
18 court debt as provided in this Act.  
19 Sec. 32. LEGISLATIVE INTENT. It is the intent of  
20 the general assembly that the judicial branch enter  
21 into a contract with a private collection designee by  
22 August 1, 2008, and begin collection efforts pursuant  
23 to section 602.8107, as amended by this Act, on August  
24 1, 2008."

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

[SENATE FILE 2428](#) SUBSTITUTED FOR [HOUSE FILE 2698](#)

T. Taylor of Linn asked and received unanimous consent to substitute [Senate File 2428](#) for [House File 2698](#).

[Senate File 2428](#), a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable, was taken up for consideration.

Hunter of Polk offered amendment [H-8647](#) filed by him from the floor as follows:

[H-8647](#)

- 1 Amend [Senate File 2428](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 14, by inserting after line 9 the  
4 following:  
5 "Sec. \_\_\_\_. Section 15.329, subsection 1, Code  
6 2007, is amended by adding the following new  
7 paragraph:  
8 NEW PARAGRAPH. d. The business does not have  
9 delinquent civil penalties or fines pursuant to  
10 section 91A.12, 94A.6, 455B.109, or 455D.22."  
11 2. Title page, line 4, by inserting after the  
12 word "licenses," the following: "denying certain tax  
13 credits,".  
14 3. By renumbering as necessary.

T. Taylor of Linn rose on a point of order that amendment [H-8647](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8647](#) not germane.

Heaton of Henry offered amendment [H-8645](#) filed by him from the floor as follows:

[H-8645](#)

- 1 Amend [Senate File 2428](#), as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 19, by inserting after line 25 the  
4 following:  
5 "Sec. \_\_\_\_. Section 423.31, Code 2007, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 7. Notwithstanding any other  
8 provision of the Code to the contrary, the department  
9 shall not attempt to collect delinquent sales tax on a  
10 transaction that occurred more than five years from  
11 the date of any audit."  
12 2. By renumbering as necessary.

T. Taylor of Linn rose on a point of order that amendment [H-8645](#) was not germane.

The Speaker ruled the point not well taken and amendment [H-8645](#) germane.

Heaton of Henry moved the adoption of amendment [H-8645](#).

Amendment [H-8645](#) was adopted.

T. Taylor of Linn offered the following amendment [H-8649](#) filed by him and Kressig of Black Hawk from the floor and moved its adoption:

[H-8649](#)

- 1 Amend [Senate File 2428](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 23, by striking lines 4 through 6 and
- 4 inserting the following:
- 5 "(2) The remaining sixty percent shall be paid to
- 6 the clerk of the district court each fiscal year for
- 7 distribution under section 602.8108. However, if such
- 8 amount, when added to the amount deposited into the
- 9 general fund of the county pursuant to subparagraph
- 10 (1), exceeds the following applicable threshold
- 11 amount, the excess shall be distributed as provided in
- 12 paragraph "d":
- 13 2. Page 23, by striking lines 25 through 28.
- 14 3. Page 23, line 30, by striking the words
- 15 "threshold amount" and inserting the following:
- 16 "distributions".
- 17 4. Page 23, lines 30 and 31, by striking the
- 18 words "has been distributed".
- 19 5. Page 28, line 2, by inserting after the word
- 20 "court" the following: "or the county attorney".
- 21 6. Title page, lines 4 and 5, by striking the
- 22 words "county attorney collections" and inserting the
- 23 following: "collection practices and costs".

Amendment [H-8649](#) was adopted.

T. Taylor of Linn 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. 2428](#))

The ayes were, 72:

Abdul-Samad	Anderson	Bailey	Baudler
Bell	Berry	Boal	Bukta
Clute	Cohoon	Dandekar	Davitt
Deyoe	Dolecheck	Drake	Foege

Frevert	Gaskill	Gayman	Gipp
Grassley	Heaton	Hunter	Jacobs
Jacoby	Jochum	Kaufmann	Kelley
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller, H.
Miller, L.	Oldson	Olson, D.	Olson, R.
Olson, S.	Olson, T.	Paulsen	Petersen
Pettengill	Quirk	Rants	Rasmussen
Rayhons	Reasoner	Reichert	Schickel
Schueller	Shomshor	Smith	Staed
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tymeson	Wendt	Wenthe
Wessel-Kroeschell	Whitaker	Whitead	Wiencek
Winckler	Wise	Zirkelbach	Mr. Speaker Murphy

The nays were, 24:

Alons	Arnold	Chambers	De Boef
Ford	Granzow	Greiner	Hoffman
Horbach	Huseman	Huser	Lukan
May	Palmer	Raecker	Sands
Soderberg	Struyk	Tomenga	Van Engelenhoven
Van Fossen	Watts	Windschitl	Worthan

Absent or not voting, 4:

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

### [HOUSE FILE 2698](#) WITHDRAWN

T. Taylor of Linn asked and received unanimous consent to withdraw [House File 2698](#) from further consideration by the House.

### IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2428](#) be immediately messaged to the Senate.

### 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 April 23, 2008, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2679](#), 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 education, and the state board of regents, providing for related matters and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 22, 2008, he approved and transmitted to the Secretary of State the following bills:

[House File 2338](#), an Act relating to attendance at child in need of assistance proceedings.

[House File 2620](#), an Act relating to the conduct of elections and voter registration, making penalties applicable, and including effective date, applicability date, and transition provisions.

[Senate File 2246](#), an Act relating to required disclosures in real estate transactions.

[Senate File 2269](#), an Act revising family investment program requirements for limited benefit plans.

[Senate File 2286](#), an Act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

[Senate File 2340](#), an Act requiring certain identity documents to be provided to children subject to a court order for out-of-home placement.

[Senate File 2420](#), an Act relating to and increasing motor vehicle and trailer registration fees and title fees, allocating new revenues from fees to the TIME-21 fund, requiring the department of transportation to conduct an analysis of TIME-21 funding and a study of public transit funding, increasing the motorcycle operator's license fee and allocating the increased revenue to the motorcycle rider education fund, reallocating certain fees collected by the department of transportation, repealing the use tax on vehicles subject to registration and the use tax on certain leased motor vehicles, establishing a fee for new registration of vehicles, providing penalties, and providing effective and applicability dates.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

High school civics class students from BCLUW schools, Conrad, Iowa, accompanied by their teacher Josh Ehn. By Granzow of Hardin and Horbach of Tama.

### CERTIFICATES OF RECOGNITION

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

MARK W. BRANDSGARD  
Chief Clerk of the House

- 2008\3018 Don McKale, Toledo – For celebrating his 94<sup>th</sup> birthday.
- 2008\3019 Ed Krezek, Clutier – For celebrating his 80<sup>th</sup> birthday.
- 2008\3020 Don Hanus, Dysart – For celebrating his 80<sup>th</sup> birthday.
- 2008\3021 Chuck Van Horn, Traer – For celebrating his 80<sup>th</sup> birthday.
- 2008\3022 Ronald and Betty Schmidt, Gladbrook – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2008\3023 Beverly Goebel, Reinbeck – For her 28 years of service to the Covenant Medical Center.
- 2008\3024 Andrew Nase, Milford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\3025 Erik Vaage, Milford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\3026 James and Carol Holtkamp, Mt. Pleasant – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2008\3027 Andrew Overlin, Colfax – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2008\3028 Nicholas Callahan, Mingo – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America

### SUBCOMMITTEE ASSIGNMENT

[Senate File 2411](#)

Appropriations: Cohoon, Chair; Schickel and T. Taylor.

## RESOLUTION FILED

[HR 159](#), by Bell, Bailey, L. Miller and Roberts, a resolution requesting the Congress of the United States to give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#"><u>H-8639</u></a>	<a href="#"><u>S.F. 2411</u></a>	Mascher of Johnson Boal of Polk
<a href="#"><u>H-8641</u></a>	<a href="#"><u>S.F. 2160</u></a>	T. Taylor of Linn
<a href="#"><u>H-8642</u></a>	<a href="#"><u>H.F. 2675</u></a>	T. Taylor of Linn
<a href="#"><u>H-8643</u></a>	<a href="#"><u>S.F. 2377</u></a>	T. Taylor of Linn
<a href="#"><u>H-8646</u></a>	<a href="#"><u>H.F. 901</u></a>	Senate Amendment
<a href="#"><u>H-8648</u></a>	<a href="#"><u>S.F. 2160</u></a>	T. Taylor of Linn
<a href="#"><u>H-8650</u></a>	S. F. 2400	Senate Amendment
<a href="#"><u>H-8651</u></a>	<a href="#"><u>S.F. 2406</u></a>	Senate Amendment
<a href="#"><u>H-8652</u></a>	<a href="#"><u>H.F. 2679</u></a>	Senate Amendment

On motion by McCarthy of Polk the House adjourned at 10:06 p.m., until 8:00 a.m., Thursday, April 24, 2008.